

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 **14 March 2024**

Council Chamber, Civic Offices 3, New Road, Grays, Essex, RM17 6SL.

Membership:

Councillors Tom Kelly (Chair), Georgette Polley (Vice-Chair), Paul Arnold, Gary Byrne, Steve Liddiard, Jacqui Maney, Terry Piccolo, Sue Shinnick and Lee Watson

Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

Councillors Alex Anderson, Mark Hooper, Sara Muldowney and Joycelyn Redsell

Agenda

Open to Public and Press

	Page
1 Apologies for Absence	
2 Minutes	5 - 10
To approve as a correct record the minutes of the Planning Committee meeting held on 8 th February 2024.	
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 11 - 20

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).

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Members are asked to consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

8 23/00442/FUL: Car Parks Crown Road and Darnley Road, Grays, Essex 21 - 66

9 23/01357/FUL: 10 Chestnut Avenue, Grays, Essex 67 - 84

10 23/01452/ADV: Land Adjacent 1 To 21 Kings Parade, King Street, Stanford-le-Hope, Essex 85 - 92

11 23/01453/ADV: Land Adjacent 57 To 89, St Johns Way, Corringham, Essex 93 - 100

Queries regarding this Agenda or notification of apologies:

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

Agenda published on: **6 March 2024**

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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 8 February 2024 at 6.00 pm

Present: Councillors Georgette Polley (Vice-Chair), Paul Arnold, Gary Byrne, Steve Liddiard, Jacqui Maney, Terry Piccolo, Sue Shinnick and Lee Watson

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Tom Kelly (Chair)

In attendance: Emma Barnett, Planning Officer
Tracey Coleman, Chief Planning Officer
Trevor Faulkner, Head of Planning Development
Julian Howes, Senior Highway Engineer
Daniel Korzelko, Legal Representative
Rachel Murrell, Planning Officer
Chris Purvis, Major Applications Manager

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.

57. Minutes

The minutes of the Planning Committee meetings held on 26th October 2023 and 30th November 2023 were approved as a true and correct record.

58. Item of Urgent Business

The Vice-Chair allowed the agent to address the Planning Committee in relation to item 10 (23/00442/FUL).

59. Declaration of Interests

Councillors Byrne, Arnold and Piccolo are residents of the Homestead Ward.

60. 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

Members of the Planning Committee were invited to attend a briefing on LDO1.5 on the 6th February 2024.

61. Planning Appeals

No Planning Appeals were discussed.

Item 9 was heard by the Planning Committee before item 8.

62. London Gateway Logistics Park: Consideration of Habitat Regulation Assessment (HRA) for Local Development Order 1.5

The Planning Officers presented the application and highlighted the following points:

- LDO1 expired in November 2023.
- LDO1.5 is an interim measure, valid for 1 year or until LDO2 is adopted.
- HRA concluded the development proposed under LDO1.5 would have a negligible impact on protected sites.

Members asked the following questions:

- Councillor Redsell asked will there be any dredging around the site.
 - Yes
- Councillor Watson asked how the Local Authority will monitor and enforce habitats regulations.
 - Monitoring information is presented in a compliance document, Local Authority to monitor.
- Councillor Watson asked how it is enforced.
 - Breach of planning control equates to enforced action.
- Councillor Watson noted that the Local Authority doesn't have enforcement powers presently.
 - The agreement has to be adhered too.
- The Vice-Chair sort the views of the Legal Representative and Chief Planning Officer.
 - Legal Representative - LDO operates similar to planning rights, if there was a breach enforcement proceeding could be issued. If a breach were to happen enforcement action could be taken down the line.
- Councillor Redsell worries are satisfied but notes conditions need to be followed and the Local Authority needs to be careful.
 - The Chief Planning Officer reassures the Planning Committee that the Local Authority will monitor. DP world ecologists report to the Local Authority and reports can be sent to Natural England. Compliance has been good so far. DP world takes this seriously.
- Councillor Watson was reassured but does not want any slip ups and wants strong monitoring in place.
- Councillor Liddiard noted DP World is careful and maintains standards.
- Councillor Maney noted habitats are important and need to be monitored carefully.

- Councillor Byrne noted DP World attend every meeting with residents, and they are very open and has trust in its officers.
- Councillor Polley asked if there have been any reports of issues in the last 10 years.
 - No
- Steve Taylor noted that it was in greenbelt but accepted that it has been there for 10 years.

RESOLVED:

That the Planning Committee

1.1 Note the content of the “Report to Inform a Habitats Regulations Assessment London Gateway Logistics Park Local Development Order 1.5” dated November 2023 and the consultation responses received.

1.2 Formally determine, on the basis of the information available, that the development proposed by the LDO will not adversely affect the integrity of a European site or a European offshore marine site either alone or in combination with other plans or projects.

For: (9) Georgette Polley (Vice-Chair), Paul Arnold, Gary Byrne, Steve Liddiard, Jacqui Maney Terry Piccolo, Joycelyn Redsell, Sue Shinnick, and Lee Watson.

Against: (0)

Abstained: (0)

63. London Gateway Logistics Park: Making of Local Development Order 1.5

The Planning Officers presented the application and highlighted the following points:

- LDO1.5 is intended as an interim measure, valid for 1 year or until LDO2 is adopted, whichever is earlier.
- This is to enable the delivery of up to a further 85,000sqm of B8 floorspace pending consideration of LDO2.

Members asked the following questions:

- Councillor Arnold asked how the Local Authority will monitor the development area.
 - Submission of prior notification forms and assisted by Local Authority officers with conditions on operators to monitor.
 - DP monitor any breaches very well.

- Councillor Redsell asked how the 106 agreement will it alter what is in place and expressed concerns with traffic on the Stanford bypass. Councillor Redsell also asked how traffic will be monitored and predicted.
 - LDO1 was planned for a full site of traffic, not an issue for LDO1.5 all statutory consultees accepted.
- Councillor Redsell would of like the water authority to have been present and was concerned about possible flooding.
- Councillor Watson asked what the legislation changes between LDO1 & LDO1.5 are and if there was any impact.
 - 2015 changes to infrastructure, but legislation hasn't changed.
 - 2017 new environmental regulations
 - Nothing of note that changes LDO
- Councillor Watson asked if 106 agreement will carry on running.
 - LDO1.5 will carry on.
 - LDO2 there will be a fresh look.
- Councillor Watson asked if highways were comfortable with the amount of HGV traffic.
 - LDO1.5 is an extension of LDO1.
 - Will be reassessed for LDO 2.
- Councillor Byrne asked if money from the 106 agreement is shared throughout the borough or just the effected wards.
- Councillor Polley informed the Planning Committee that this is not a new LDO but an extension, nor a new 106 agreement.
- Councillor Maney noted the sound barrier is ineffective/outdated and asked if it will be replaced.
 - No proposals to replace.
 - LDO 2 will look into more detail.
 - Chief Planning Officer – barrier was not wanted by residents and those received payments in areas where the barrier was taken down.
- Councillor Arnold asked what happens if those properties change hands.
 - It's a land charge, so property will be at a lower value.
- Councillor Byrne asked that the trees planted are checked on because they look dead.
- Councillor Watson asked when will LDO2 come before the Planning Committee and if it will be adopted in 2024.
 - Consultation in April, LDO2 will be before the Planning Committee in the Summer of 2024.
- Councillor Piccolo asked if Lower Thames Crossing has been put into consideration.
 - LDO1.5 is based on LDO1, Lower Thames Crossing is not consented, LDO1.5 come before Lower Thames Crossing. Lower Thames Crossing has to consider LDO's.
- Councillor Polley sort clarity regarding flood risks
 - Site located in flood zone 3 but does not take into account flood defences which lowers the risks.

- Councillor Polley noted DP World is a good neighbour and asked over the past 10 years has the Local Authority received feedback on how the site is monitored.
 - DP World is compliant.
 - Highways is being monitored.
- Councillor Shinnick asked if pollution is monitored.
 - Outside of Planning Officers scope.

During the debate the following was highlighted:

- Councillor Watson feels reassured but would like to see more pollution control for LDO2 before LDO1.5 runs out.
- Councillor Polley thanked officers for the work they had done and noted that Thurrock sets the benchmark for LDO's.
- Councillor Redsell asked why there were only 2 responses back.
 - Only ones published.
- Councillor Polley argues that it shows that DP World are good neighbours, complaints were regarding speed only, a camera is now in action.

RESOLVED:

That the Planning Committee

1.1 Note the Council's earlier decision (if that be the case) that the development to be authorised by the London Gateway Logistic Park Local Development Order 1.5 ("LDO1.5") will not adversely affect the integrity of a European Site or a European offshore marine site either alone or in combination with other plans or projects.

1.2 Agree to make LDO 1.5 subject to the signing of the s106 legal agreement.

1.3 Note requirement for Council to advise the Secretary of State that LDO1.5 made.

For: (9) Georgette Polley (Vice-Chair), Paul Arnold, Gary Byrne, Steve Liddiard, Jacqui Maney, Terry Piccolo, Joycelyn Redsell, Sue Shinnick, and Lee Watson.

Against: (0)

Abstained: (0)

*The Planning Committee paused for a break at 19:28pm
The Planning Committee resumed at 19:32*

64. 23/00442/FUL: Car Parks Crown Road and Darnley Road, Grays, Essex

The Planning Officers presented the application and highlighted the following points:

- The proposed development contains 53 apartments.
- The loss of all of Crown Road car park and part of Darnley Road car park.

The Vice-Chair read out a statement in opposition from a resident.

The agent read out their statement of support.

Members asked the following questions to the Planning Officer:

- Councillor Watson sort clarity who the applicant was.
 - Applicant is the Local Authority
 - Site is on asset disposal list.

The Planning Committee adjourned for an exempt session at 19:55pm

Councillors Watson and Byrne left the meeting at 20:04pm.

The Planning Committee resumed at 20:13pm

The Vice-Chair suspended standing orders at 20:13pm

The Vice-Chair put forward a motion to defer the item 10 to the next meeting.

For: (7) Councillors Georgette Polley (Vice-Chair), Paul Arnold, Steve Liddiard, Jacqui Maney, Terry Piccolo, Joycelyn Redsell and Sue Shinnick.

Against: (0)

Abstained: (0)

The meeting finished at 8.15 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

14 March 2024	ITEM: 6
Planning Committee	
Planning Appeals	
Wards and communities affected: All	Key Decision: Not Applicable
Report of: Trevor Faulkner – Interim Head of Planning Delivery	
Accountable Chief Officer: Trevor Faulkner – Interim Head of Planning Delivery	
Accountable Director: Claire Demmel – Interim Executive Director of Place	

Executive Summary

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

1.0 Recommendation(s)

1.1 To note the report.

2.0 Introduction and Background

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

3.0 Appeals Lodged:

3.1 Application No: **23/00003/AUNUSE**

Location: Chestnut Farm, South Road, South Ockendon, Essex
RM15 6DT

Proposal: A number of mobile homes (possibly 9) have been installed behind the Chestnut Farm Garden centre on South Road South Ockendon at the junction with Buckles Lane.

3.2 Application No: 23/00986/HHA

Location: 6 High Road, North Stifford, Grays, Essex, RM16 5UE

Proposal: Two storey front extension

3.3 Application No: 23/00735/HHA

Location: Alcott Oxford Road, Horndon On The Hill, Essex,
SS17 8PX

Proposal: (Retrospective) Garage.

3.4 Application No: 23/01162/HHA

Location: 2 Crescent Walk, Aveley, Essex, RM15 4HP

Proposal: Single storey side and rear extension.

3.5 Application No: 23/01178/FUL

Location: 7 Milton Road, Grays, Essex, RM17 5EZ

Proposal: Single storey rear of garden annexe to the main house.

3.6 Application No: 23/00872/FUL

Location: Hathaway Secondhand,1 Kingston Parade, Hathaway
Road, Grays, Essex, RM17 5LG

Proposal: Change of use from retail (Class E) to a place of
worship/community hall (Classes F1(f)/F2(b)).

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 22/00809/CLEUD

Location: St John The Baptist Church, Mucking Wharf Road, Stanford Le Hope, Thurrock, SS17 0RN.

Proposal: Certificate of lawful use in respect of use of Land as a Caravan Site.

Appeal Decision: Appeal Dismissed

4.1.1 The Inspector concluded that, on the balance of probability, the site did not acquire lawful use rights as a result of the passage of time prior to the service of the enforcement notice in 2020. In the absence of any clear evidence in that respect it follows that there is no right to revert to a use as a caravan site under the terms of s57(4) of the Act. As such, the Inspector could not conclude that the site benefitted from lawful use rights for that purpose at the date the application was made.

4.1.2 The appeal was dismissed. The full appeal decision can be found online.

4.2 Application No: 23/00930/HHA

Location: 89 Erriff Drive, South Ockendon, Essex, RM15 5AZ

Proposal: (Retrospective) Single storey side extension with pitched roof.

Appeal Decision: Appeal Allowed

4.2.1 The Inspector agreed with the Council in that, to some extent, the extension would change the uniformity and symmetry of the existing terrace. Notwithstanding this that Inspector noted that, although not set back from the front building line, the extension, being single storey, is a subordinate extension to the host dwelling. The Inspector considered that it would not significantly alter the appearance of the existing terrace or substantially visually undermine its original appearance and form. 8. The terrace to the south hosts a uniformity to the building line along Hamble Lane. However, the gable ends of terraces give a more staggered appearance to the Hamble Lane street scene when looking north. The Inspector also noted the separation between the extension and the site boundary at Hamble Lane with the extension hosting a hipped gable roof form.

4.2.2 The Inspector concluded that the development is not unduly prominent at the end of the terrace or would significantly undermine the openness to the character and appearance of the area. Furthermore, being single storey and of limited width with hipped gable roof it would not substantially obstruct views of the terrace to the south. For these reasons, the Inspector concluded that the proposed development would not harm the character and appearance of the host property and the surrounding area. As such, the proposed development would comply with Policies CSTP22, CSTP23 and PMD2 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015.

4.2.3 The appeal was allowed. The full appeal decision can be found online.

4.3 Application No: 23/00463/HHA

Location: 13 Triumph Close, Chafford Hundred, Grays, Essex
RM16 6RQ

Proposal: Demolition of existing outbuilding, construction of a part single, part two storey side extension with one roof light to the rear and a habitable space in roof.

Appeal Decision: Appeal Allowed

4.3.1 The Inspector considered that the proposed side extension would have a subservient appearance to that of the host dwelling. As such, they concluded that the proposal would not be of an overall bulk and mass that would represent a visually dominant addition to the dwelling. The Inspector noted that there is some repetitive character to the appearance of the Triumph Close street scene but that there is also variety to the house types within the Close.

4.3.2 The side extension would be a clearly visible addition to this property and within the street scene. Nonetheless, the Inspector concluded that the proposed extension to the dwelling would not cause visual harm to the host property nor would it represent a visually dominant feature out of keeping within the context of the street scene.

4.3.3 The appeal was allowed. The full appeal decision can be found online.

4.4 Application No: 23/00899/HHA

Location: 440 London Road, West Thurrock, Essex, RM20 4AR

Proposal: Formation of new vehicular crossover to access the highway.

Appeal Decision: Appeal Dismissed

4.4.1 The Inspector considered the proposal would introduce a vehicular access that would be out of keeping with the existing street scene. Removing the front boundary and replacing part the vegetated garden with a hard surface would diminish the characteristics of the street scene. Consequently, the Inspector concluded the proposal would be visually harmful for this reason stating that whilst crossovers may be a relatively common form of development across Thurrock, this does not justify the proposed development or the visual harm caused by it in this instance.

4.4.2 The appeal was dismissed. The full appeal decision can be found online.

4.5 Application No: 22/01570/FUL

Location: Golden Chicken & Pizza, 10 Civic Square, Tilbury, Essex RM18 8AD

Proposal: Retention of siting of four shipping containers linked together on hard standing for storage and refrigeration. Proposed is the painting of the exterior of the containers and the installation of a pitched roof.

Appeal Decision: Appeal Dismissed

4.5.1 The Inspector noted the shipping containers are sited close to the rear garden of a residential property, and that the units would be clearly visible to neighbouring residential occupiers in both Arkwright Road and Manor Road. They would also be visible to the occupiers of the residential properties above the Civic Square commercial parade.

4.5.2 Although it is proposed to paint and roof the shipping containers, the Inspector agreed with the Council that they are by design, shipping containers and would retain such an appearance. Whilst located behind a row of commercial premises the site is situated immediately adjacent to a residential area. Shipping containers are not a feature associated with residential areas and are visually out of keeping for this reason. Their size, design and utilitarian form causes visual harm to the character and appearance of the locality. The Inspector considered this harm is clearly visible in the outlook of existing neighbouring residential occupiers. 9. The Inspector considered that proposal introduces structures substantially out of keep with the locality that are clearly visible over existing boundaries. The Inspector concluded that the visual harm arising from the presence of the shipping containers, even if painted and hosting a pitched roof, would diminish the enjoyment of the residential living environment for neighbouring occupiers and would harm the enjoyment the existing occupiers should reasonably expect to enjoy.

4.5.3 The appeal was dismissed. The full appeal decision can be found online.

4.6 Application No: 22/00420/CLOPUD

Location: Greenwise Nurseries, Vange Park Road, Vange, Basildon, Essex, SS16 5LA

Proposal: The use of the land for growing plants and retail sale thereof together with the importation of plants and retail sale of plants. The use of land for storage and display for sale of garden material and garden equipment predominantly in the open. Use of land for storage and display for sale of storage containers, building materials and other general materials un-related to garden, predominantly in the open. Use of land for general storage of building and other materials predominantly in the open together with associated buildings.

Appeal Decision: Appeal Dismissed

4.6.1 The Inspector commented that the question posed by the appellants is whether the storage and display for sale of storage containers would be lawful, if undertaken as part of a mixed use also comprising the other uses/ activities described in the 2010 CLUED.

4.6.2 The Inspector considered that whilst the wording of the 2010 CLUED and the proposed CLOPUD may appear similar, the characteristics would be materially different. The Inspector concluded that the storage and display for sale of storage containers does not fall within the description of the type of things that may be stored and/or sold from the site within the 2010 CLUED. On the balance of probability, on the information submitted with the appeal, the Inspector concluded the introduction of that element into the overall range of composite uses would result in a material change in the character of the use, in the absence of any restriction in the scale of storage and/or sales that may take place. Given that no planning permission exists for that material change of use, the Inspector concluded that they were not satisfied that the proposed use would be lawful within the meaning of the Act.

4.6.3 The appeal was dismissed. The full appeal decision can be found online.

4.7 Application No: 23/00149/HHA

Location: Lyndfield Orsett Road, Horndon On The Hill, Essex, RM16 3BH

Proposal: First floor side extension.

Appeal Decision: Appeal Dismissed

4.7.1 The Inspector agreed with the Council in concluding that the proposal would result in a disproportionate addition over and above the size of the original building. Therefore, the proposal would be inappropriate development which is, by definition, harmful to the Green Belt. Consequently, the proposal would conflict with Policy PMD6 of the CS, which seeks to protect the Green Belt from harm, and with the Framework.

4.7.2 The appeal was dismissed. The full appeal decision can be found online.

4.8 Application No: 22/01630/PNTC

Location: Land Adjacent The White Heart, Kings Walk, Grays, Essex

Proposal: The development proposed is proposed 5G telecoms installation: H3G 15m phase 9 street pole and additional equipment cabinets.

Appeal Decision: Appeal Dismissed

4.8.1 The Inspector was not satisfied that the harm to the character and appearance of the area would be outweighed by the need for the installation to be sited as proposed. Consequently, they were not satisfied that the public benefits of the proposal would outweigh the harm the Inspector identified to the significance of the designated heritage asset. The Inspector concluded that the appeal should be dismissed.

4.8.2 The appeal was dismissed. The full appeal decision can be found online.

4.9 Application No: 21/00606/FUL

Location: 37 Bridge Road, Grays, Essex, RM17 6BU

Proposal: The development proposed is a self contained dwelling unit at the rear of existing HMO.

Appeal Decision: Appeal Dismissed

4.9.1 With respect to the impact upon character and appearance, the Inspector concluded that the development would harm the character and appearance of the area. The proposal would therefore conflict with Policies CSTP22 and PMD2 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (2015).

4.9.2 With regard to living conditions, the Inspector concluded that the development would not provide suitable living conditions for future occupants of the dwelling. The proposal therefore conflicts with Policy PMD1 of the CS and the retained Annexe 1, which state that development will not be permitted where it would cause or is likely to cause unacceptable effects on the amenity of future occupiers of the site and the Framework, which requires a high standard of amenity for existing and future users.

4.9.3 And finally, with respect to parking and highway matters, the Inspector concluded that development would have an unaccepted effect on highway safety through the loss of the existing parking spaces. The proposal would therefore conflict with Policies PMD2 and PMD8 of the CS and the Framework, which collectively require development to demonstrate high quality design, responding to the sensitivity of the site and its surroundings, comply with adopted parking standards and not have unacceptable impacts on the road network or highway safety.

4.9.4 The appeal was dismissed. The full appeal decision can be found online.

5.0 APPEAL PERFORMANCE:

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

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
Total No of Appeals	1	2	0	1	6	6	3	7	4	0	9		
No Allowed	1	1	0	0	2	2	0	3	0	0	2		
% Allowed	100%	50%	0%	0%	33.3%	33.3%	0%	42.8%	0%	-	22.2%		

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

This report is an update report and as such there are no specific financial implications.

8.2 Legal

Implications verified by: **Mark Bowen**
Interim Project Lead – Legal.

The Appeals lodged will either have to be dealt with by written representation procedure or (an informal) hearing or a local inquiry. During planning appeals the parties will usually meet their own expenses and the successful party does not have an automatic right to recover their costs from the other side. To be successful a claim for costs must demonstrate that the other party had behaved unreasonably.

Where a costs award is granted, then if the amount isn't agreed by the parties it can be referred to a Costs Officer in the High Court for a detailed assessment of the amount due

8.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager - Community Development and Equalities Adults, Housing and Health Directorate

There are no direct diversity or equality implications arising from this report.

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

None.

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

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

10. Appendices to the report

- None

Agenda Item 8

Planning Committee: 14 March 2024

Application Reference: 23/00442/FUL

Reference: 23/00442/FUL	Site: Car Parks Crown Road and Darnley Road Grays Essex
Ward: Grays Riverside	Proposal: The erection of a part five, part four and part three storey building and a separate two storey building to provide 53 no. self-contained flats, with a mix of 1 and 2 bed units, with associated parking, landscaping, access and infrastructure, including refuse and cycle stores.

Plan Number(s):		
Reference	Name	Received
14201-DB3-B00-ZZ-DR-A-20134	Proposed Site Elevations Sheet 5 without trees	28th April 2023
14201-DB3-B00-00-DR-A-20001	Location Plan	16th April 2023
14201-DB3-B00-00-DR-A-20005	Existing Site Layout	16th April 2023
14201-DB3-B00-ZZ-DR-A-20124A	Proposed Site Elevations Sheet 5	16th April 2023
14201-DB3-B01-ZZ-DR-A-20872D	Proposed Area Schedules	16th April 2023
210320-GSL-ZZ-XX-DR-C-7001	Proposed Drainage Plan	16th April 2023
14201-DB3-B00-ZZ-DR-A-20130C	Proposed Site Elevations Sheet 1 without trees	27th October 2023
14201-DB3-B00-ZZ-DR-A-20131C	Proposed Site Elevations Sheet 2 without trees	27th October 2023
14201-DB3-B00-ZZ-DR-A-20132C	Proposed Site Elevations Sheet 3 without trees	27th October 2023
14201-DB3-B00-ZZ-DR-A-20133C	Proposed Site Elevations Sheet 4 without trees	27th October 2023
14201-DB3-B00-00-DR-A-20100I	Proposed Site Plan	27th October 2023
14201-DB3-B00-00-DR-A-20110I	Proposed Site Ground Floor Plan	27th October 2023
14201-DB3-B00-00-DR-A-20111H	Proposed Site First Floor Plan	27th October 2023
14201-DB3-B00-02-DR-A-20112H	Proposed Site Second Floor Plan	27th October 2023
14201-DB3-B00-03-DR-A-20113H	Proposed Site Third Floor Plan	27th October 2023

14201-DB3-B00-04-DR-A-20114G	Proposed Site Fourth Floor Plan	27th October 2023
14201-DB3-B00-05-DR-A-20115G	Proposed Site Roof Plans	27th October 2023
14201-DB3-B00-ZZ-DR-A-20120F	Proposed Site Elevations Sheet 1	27th October 2023
14201-DB3-B00-ZZ-DR-A-20121E	Proposed Site Elevations Sheet 2	27th October 2023
14201-DB3-B00-ZZ-DR-A-20122E	Proposed Site Elevations Sheet 3	27th October 2023
14201-DB3-B00-ZZ-DR-A-20123C	Proposed Site Elevations Sheet 4	27th October 2023
14201-DB3-B00-ZZ-DR-A-20140C	Main Communal Entrances	27th October 2023
14201-DB3-B00-ZZ-VF-A-01910	Darnley Rd_3D View from Derby Rd Bridge	27th October 2023
14201-DB3-B00-ZZ-VF-A-01911	Darnley Rd_3D View from roundabout	27th October 2023
14201-DB3-B00-ZZ-VF-A-01912	Darnley Rd_3D View From Darnley Road	27th October 2023
14201-DB3-B02-ZZ-DR-A-20150B B02	GF Flat Window W5 Sunlight Review	27th October 2023
14201-DB3-B04-ZZ-DR-A-20155B B04	GF Flat Window W3_4 Sunlight Review	27th October 2023
24140001-STR-HGN-100-DR-D-00603 REV P2	Cycle parking arrangement long stay	27th October 2023
24140001-STR-HGN-100-DR-D-00601 - REV P5	General Arrangements	27th October 2023
24140001-STR-HGN-100-DR-D-00602 REV P2	Cycle parking arrangement long stay	27th October 2023
24140001-STR-HGN-100-DR-D-00604 REV P2	Refuse store arrangement	27th October 2023
24140001-STR-HGN-100-DR-D-00605 - REV P2	Swept Path Analysis: Refuse Vehicle	27th October 2023
24140001-STR-HGN-100-DR-D-00606 - REV P2	Swept Path Analysis: Refuse Vehicle	27th October 2023
24140001-STR-HGN-100-DR-D-00607 - REV P2	Swept Path Analysis 10m Rigid Vehicle	27th October 2023

24140001-STR-HGN-100-DR-D-00608 - REV P2	Swept Path Analysis 7T Box Van	27th October 2023
24140001-STR-HGN-100-DR-D-00609 - REV P2	Swept Path Analysis: Pumping Appliance	27th October 2023
24140001-STR-HGN-100-DR-D-00610 - REV P2	Swept Path Analysis: Pumping Appliance	27th October 2023
24140001-STR-HGN-100-DR-D-00611 - REV P2	Swept Path Analysis: Pumping Appliance	27th October 2023
D3088-FAB-00-XX-DR-L-1000 PL05	Combined Hard and Soft Landscaping	27th October 2023
24140001-STR-HGN-100-DR-D-00612 - REV P2	Swept Path Analysis HIAB	27th October 2023
24140001-STR-HGN-100-DR-D-00613 - REV P2	Swept Path Analysis: Internal Road Access	27th October 2023
24140001-STR-HGN-100-DR-D-00614 - REV P1	Swept Path Analysis: SDV	27th October 2023
24140001-STR-HGN-100-DR-D-00615 - REV P1	Distance between Refuse Store and Block 3 & 4	27th October 2023

The application is also accompanied by:

- Planning Statement
- Design and Access Statement and Appendices
- Landscaping Strategy
- Air Quality Assessment
- Arboricultural Pre-Planning Tree Report, Arboricultural Method Statement, Tree Constraints Plan and Tree Schedule
- Daylight and Sunlight Reports (Neighbouring Properties, within the scheme and amenity areas)
- Energy and Sustainability Strategy
- Fire Statement
- Flood Risk Assessment and SuDs Strategy
- Health Impact Assessment
- Landscape Strategy
- Acoustic Planning Report
- Preliminary Ecological Appraisal
- Preliminary Site Investigation Report
- Statement of Community Involvement

- Transport Statement, On Street Parking Survey and Residential Travel Plan
- UXO Risk Assessment

Applicant:

Thurrock Council (Housing)
c/o Agent: Frances Young DLP Consultants

Validated:

16 May 2023

Date of expiry:

31 March 2024 (Extension of time agreed with applicant)

Recommendation: Grant Planning Permission subject to conditions and obligations

Please note this application was deferred from the 8 February 2024 Planning Committee meeting by the Chairman for non planning reasons. The application is on the agenda for determination at this 14 March 2024 Planning Committee meeting.

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

1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

1.1 Full planning permission is sought for the erection of a part five, part four and part three storey building and a separate two storey building to provide 53 no. self-contained flats, with a mix of 1 and 2 bed units, with associated parking, landscaping, access and infrastructure, including refuse and cycle stores.

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

Site Area (Gross)	0.61 ha						
Height	Part 3/ part 4/ part 5 storeys (17.75m max storey height)						
Units (All)	Type (ALL)	1-bed	2-bed	3-bed	4-bed	5-bed	TOTAL
	Houses						
	Flats	10	43				53
	TOTAL	10	43				53
Affordable Units	Type (ALL)	1-bed	2-bed	3-bed	TOTAL		
	Houses						
	Flats	10	10		20		
	TOTAL	10	10		20		

Car parking	Total allocated: 2 disabled spaces and 2 car club spaces Total Visitor: 0 spaces Total: 4 spaces
Cycle parking	Total allocated: 53 spaces (1 per unit) Total Visitor: 54 spaces Total: 107 spaces
Amenity Space	Each apartment would have access to their own balcony, some ground floor units have access to front gardens. A landscaped communal amenity space with play space
Density	86 units per ha for the whole site

1.3 Below is a more detailed description of key aspects of the proposal.

Layout

1.4 The layout for the proposed building that would occupy the Crown Road car park would comprise of an ‘L’ shaped layout that has been designed as a perimeter block fronting onto Crown Road, Stanley Road and Darnley Road. To the rear of the building a new communal amenity area would be created and would include a play space. An external path would be created running along the northern part of this site for access to the communal amenity area and for access to the rear of the building.

1.5 The layout for the Darnley Road building would result in the siting of a new building at the northern end of the car park with the principal elevation facing into Darnley Road and the adjacent to the terraced houses in the road.

1.6 Apartment Layout and Mix:

Plot	Floor	Units
Darnley Road Apartments 2 units	Ground	1 x 1 bed unit
	First floor	1 x 2 bed unit
Crown Road Apartments 51 units	Ground	11 units 3 x 1 bed & 8 x 2 bed
	First	14 units 2 x 1 bed & 12 x 2 bed
	Second	14 units 2 x 1 bed & 12 x 2 bed
	Third	9 units 2 x 1 bed & 7 x 2 bed
	Fourth	3 units - all 2 bed

- 1.7 In terms of tenure, 33 of the units would be for the private market and 20 units would be for affordable housing. With respect to the affordable units, 15 would be for affordable rent and 5 for shared ownership.

Scale and Height

- 1.8 The proposal would comprise of a main apartment block in the form of a part five, part four and part three storey building up to 18m in height. The tallest element would be adjacent to Derby Road bridge and then this would step down to three storeys then back up to four storeys at the corner point of where Crown Road joins Stanley Road. The proposed building in Darnley Road would be a separate two storey building to follow the scale and height of the existing terrace buildings in the street.

Design and Appearance

- 1.9 The proposed apartment block to be located on the existing Crown Road car park would represent a modern contemporary design whereas the proposed building in Darnley Road would have a more traditional appearance to reflect the terraced houses in the street. Materials and elevational treatments have been designed to reflect the local area and include features such as bay balconies and similar brick types (to existing development).

Amenity Space and Landscaping

- 1.10 To the rear of the proposed apartment block in the Crown Road car park a communal amenity space would be created. This would be landscaped with trees, shrubs and a grass lawn, and would include a play area. A swale, as part of the surface water drainage scheme, would wrap around the border of the play area for collecting and storing rainwater. For the Darnley Road part of the development new trees are proposed along the car park perimeter.
- 1.11 The proposed play space is to be focussed on younger children, under 5's but also 5-11 year olds.
- 1.12 Each apartment would have access to their own balcony amenity space with ground floor units having their own front door access and front garden area (for some of the units). All apartments would have access to the communal amenity space.

Access, Parking and Servicing

- 1.13 Vehicular access to the site is via Darnley Road which currently provides access to Darnley Road car park and a second access to the existing Crown Road car park as well as existing permit holder parking under Derby Road bridge. The proposal would result in the loss of Crown Road car park and reduction in parking spaces at Darnley Road car park to allow for the separate two storey buildings to be constructed at the northern end of this car park. There would be no vehicle access to either building with access from the existing highway/car park areas.
- 1.14 For pedestrian access, there are multiple entrances to the proposed main building occupying the Crown Road car park part of the site. For the separate two storey building at the northern end of Darnley Road car park the two apartments would have their own dedicated pedestrian access arrangements. The proposal includes two ground floor disabled wheelchair units, one in the Darnley Road apartment block and the other in the Crown Road apartment block.
- 1.15 For parking, Darnley Road car park would be retained and would comprise of 16 car parking spaces plus 1 new disabled parking space nearest to the two-storey building, to be constructed at the northern end of this car park. On street, two car club parking spaces would be provided along with another disabled parking space. The proposal would therefore provide 4 car parking spaces, 2 disabled and 2 car club parking spaces. Three of these spaces would be provided on street.
- 1.16 Darnley Road, the section to the east of the Derby Road bridge, would be used for servicing and refuse collections as well as refuse collections from Stanley Road via a new loading bay. Bin stores have been incorporated into the proposed building's design along with external bin stores to the north of the main building's amenity space. Bin stores would be provided adjacent to the ground floor entrance of the first-floor apartment for the separate two storey building at the northern end of Darnley Road car park.

2.0 SITE DESCRIPTION

- 2.1 The site is approximately 0.61 hectares and comprises of the Crown Road car park, Darnley Road car park, an access to both car parks and parking areas underneath Derby Road bridge. All car parks are surface levelled car parks. Crown Road car park provides 96 parking spaces for public pay and display parking, Darnley Road provides 29 parking spaces and parking under Derby Road bridge. Both provide a mix of pay and display and permit holder spaces. The permit holder parking is part of the Controlled Parking Zone (CPZ Zone C) and operates Monday to Saturday 9am to 6pm, which also applies for all on-street parking.
- 2.2 Around the boundaries of Crown Road car park are areas of limited vegetation including a small number of trees. An access road provides access from the

Darnley Road area to both car parks, although the main entrance to Crown Road car park is via its south eastern entrance onto the roundabout junction where Crown Road and Stanley Road meet.

- 2.3 Both car parks are located adjacent to each other to the south of Darnley Road and west of Stanley Road. Directly along Crown Road car park's northern boundary is a single-track private access serving the rear gardens of properties in Darnley Road. Crown Road runs along the southern site boundary with the C2C railway line directly to the south of it. To the west of the site is the Derby Road bridge. The areas to the north, east and south of the railway line are predominantly residential but to the west is Grays town centre and the two transport hubs of Grays railway station and the bus station.

3.0 RELEVANT PLANNING HISTORY

- 3.1 None relevant to this proposal.

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.

6 objections received raising the following concerns:

- Additional traffic
- Loss of amenity
- Overlooking property from 4 and 3 storey heights
- Access to site
- Environmental pollution
- Litter/smells
- Materials unacceptable
- Out of character and out of place development
- Unsympathetic development
- Possible excessive noise from increased traffic and vibration
- Wind vortex altered by 5/4/3 storey building.
- Loss of light to existing properties
- Not enough detail about affordable housing
- New building is unsympathetic.

- Traffic management underestimates present difficulties
- Parking loss a major impact on businesses, shops, commuters, residents and religious venues
- Existing parking is 'residents only' making it difficult for visitors
- Increased need for parking
- Hedgerows removed.
- Carbon footprint increases with build.
- Pollution adds to health issues in Grays.
- Reduction in people's quality of life
- Car parks are not underused as stated in the applicant's documents.

4.3 ANGLIAN WATER:

No objection subject to a planning condition requiring a surface water management strategy to be approved.

4.4 EDUCATION:

No objection subject to a financial contribution of £98,642.93 based on the development providing a policy compliant level of affordable housing (35% of the development) to meet additional demand towards primary school education in the area as primary schools in the planning area are at or are already at capacity. There is no requirement for financial contributions towards secondary and nursery level education based on current data.

4.5 EMERGENCY PLANNER:

No objection.

4.6 ENVIRONMENTAL HEALTH:

No objection subject to planning conditions requiring a dust management plan for air quality reasons, for noise mitigation to be implemented as per the applicant's Noise Impact Assessment and a Construction Environmental Management Plan, which shall also include the need for a watching brief for contamination.

4.7 ESSEX POLICE ARCHITECTURAL LIAISON:

Boundary treatment of the development together with arrangements for existing permit parking holder spaces beneath Derby Road bridge should be agreed.

4.8 ESSEX FIRE SERVICE:

No objection as access is satisfactory for the fire service. Further considerations will be subject to the Building Regulations.

4.9 FLOOD RISK ADVISOR:

No objection subject to a condition requiring surface water drainage details to be approved.

4.10 HIGHWAYS:

No objection subject to conditions and a S106 agreement as explained below:

There had been initial concerns regarding the impact of the development on the surrounding highway network, particularly in relation to PMD8 Parking Standards and PMD9 Road Network Hierarchy. The applicant has, however, provided additional mitigation measures that would now comply with these policies; being no longer severely adversely affecting the network. These measures include financial contributions towards the Council extending the day and times of operation of the controlled parking zone to 24 hour use (£25,000), the provision of car club vehicles to mitigate the harm from a zero-parking provision for the development (£75,000), improved lighting and CCTV surveillance to the parking area underneath Derby Road bridge (£240,000) as S106 requirements, along with the requirement to enter into a S278 agreement for works on the highway for the parking spaces. This would make the development compliant with the Council's Adopted Parking Strategy (2022). The development would meet the minimum requirements of policy to be considered acceptable in highways terms.

4.11 HEALTH AND SAFETY EXECUTIVE:

No comments because the height of the development is below the 18m and 7 storey threshold as set out in the PPG.

4.12 LANDSCAPE AND ECOLOGY ADVISOR:

No objection on landscape and ecology grounds subject to the payment of the Essex Coast RAMS tariff of £8,308.29.

4.13 NETWORK RAIL:

No objections but request that informatives be added to any permission regarding the future construction works to ensure no impact to railway land/assets.

4.14 NHS ENGLAND:

No objection subject to a financial contribution of £27,400 towards additional health services arising from the needs of the development.

4.15 URBAN DESIGN OFFICER:

No objection and the revised plans with reduced parapets and railings would match the proposed balconies, this helps to reduce the massing of the building and overshadowing. Recommend conditions regarding materials to be agreed.

4.16 WASTE OFFICER:

No response.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

The original NPPF was published on 27th March 2012 with the most recent revision dated 19 December 2023. 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: (a) the local planning authority cannot demonstrate a 5 year supply (or a 4 year supply), if applicable, or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous 3 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:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 10. Supporting high quality communications infrastructure
- 11. Making effective use of land
- 12. Achieving well-designed and beautiful places
- 14. Meeting the challenge of climate change, flooding and coastal change

5.2 Planning Policy Guidance

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

- Air Quality
- Climate change
- Design: process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Fire safety and high-rise residential development
- First Homes
- Flood Risk and Coastal Change
- Healthy and safe communities
- Housing and economic land availability assessment
- Housing and economic needs assessment
- Housing needs of different groups.
- Housing for older and disabled people
- Housing: optional technical standards

- Housing supply and delivery
- Light pollution
- Natural Environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking
- 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 28 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)
- CSSP2 (Sustainable Employment Growth)
- CSSP3 (Infrastructure)

THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision of Affordable Housing)
- CSTP7 (Network of Centres)
- CSTP8 (Viability and Vitality of Existing Centres)
- CSTP11 (Health Provision)
- CSTP12 (Education and Learning)
- CSTP13 (Emergency Services and Utilities)
- CSTP14 (Transport in the Thurrock Urban Area)
- CSTP18 (Green Infrastructure)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSTP25 (Addressing Climate Change)
- CSTP26 (Renewable or Low-Carbon Energy Generation)

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. In December 2023 the Council began the Initial Proposals Consultation (Regulation 18) following agreement at Full Council.

5.5 Thurrock Design Strategy

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

5.6 Grays Town Centre Studies (non planning studies)

2013 – The Council's 'Vision for Grays'

2016 – 'Grays Development Framework'

2017 – 'Grays Town Centre Framework' sets out a framework for the physical and social regeneration of Grays Town Centre with a vision for the future.

2020 – the 'Grays Future High Street Fund Business Case'

2023 – Grays Town Centre Study

2023 – Grays Town Centre Transport Study

6.0 ASSESSMENT

6.1 The material considerations for this application are as follows:

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

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The site is designated in the Grays Town Centre Area on the LDF Proposals Map but is shown as 'white land', meaning that there are no specific land use designations for the site. Given this is the case there would be no planning policy objections to the site being redeveloped for another use, and in this instance, residential use of an existing town centre site. Re-use of previously developed land within urban areas would accord with the requirements of paragraph 124 of the NPPF and paragraph 90 of the NPPF recognises residential uses can play an important role in a town centre at appropriate sites, such as this one.

6.3 Outside of the planning policy framework, and since the LDF was adopted, the Council has had a long-held ambition to introduce more mixed uses within Grays town centre to introduce an evening economy and introduce residential development in appropriate locations. To assist the Council's future vision for the town centre a number of studies have been produced. Most relevant to this site is the Grays Town Centre Framework (2017) which identifies the site as a 'development opportunity site' and one for 'residential use' requiring an 'active street frontage'. The Grays Town Centre Framework explains the vision for the town centre to improve connectivity to the river; support residents, students and businesses; and introduce more mixed uses for an evening economy along with retail community, leisure, cultural and residential uses. In addition to this, the Grays Town Centre Study is the most recent study from 2023 and makes reference to the

'potential to provide a mix of new residential development in and on the edge of the town centre'. Both these studies provide the most up to position regarding the Council's vision for the town centre, but both are not planning policy documents or SPD/SPG, therefore they cannot be afforded any weight but can be viewed as a guide.

- 6.4 It is considered that the proposed redevelopment of this site for residential purposes would be acceptable in principle.

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

- 6.5 The proposal is for residential development and 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 74 of the NPPF. Therefore, for housing developments in the Borough, the titled balance of the presumption in favour of sustainable development as set out in paragraph 11d of the NPPF applies.
- 6.6 Paragraph 80 of the NPPF requires local planning authorities to monitor progress in building out sites which have permission and where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authorities housing requirement over the previous 3 years, an action is required to increase delivery. The Council's Housing Delivery Test Action Plan (HDTAP) was published in August 2019 and identifies a housing delivery shortfall of 309 homes over the three previous financial years up until 2017/18. One of the priorities identified in the HDTAP for the Council is to consider opportunities for development at a higher density in urban areas (paragraph 4.6 of the HDTAP), which is applicable here with a density range of 86 dwelling per hectare which is more than the density range of 30-70 dwellings per hectare in policy CSTP1. Re-use of previously developed land within urban areas for meeting housing supply is considered more appropriate for future housing development, reduces the risk of the potential loss of Green Belt within the Borough and would accord with the requirements of paragraph 124 of the NPPF.
- 6.7 Policy CSTP1 requires the dwelling mix for new residential developments to be provided in accordance with the latest housing need assessments. In June 2022 the South Essex Housing Needs Assessment (HNA) was published and is relevant to consideration of future planning applications. It is also an evidence-based document to inform the preparation of the new Local Plan and replaces the May 2016 Strategic Housing Marketing Assessment (SHMA) and the update SHMA Addendum (May 2017). The HNA sets out the housing need and mix requirements for the Borough but also the wider area of South Essex. For Thurrock the HNA identifies the need for 2 and 3 bedroom units for the housing market. For affordable housing there is a housing need, particularly for 1 and 2 bedroom units. The

proposed housing mix would therefore meet the needs of the HNA and therein the dwelling mix requirements of policy CSTP1.

- 6.8 For affordable housing, policy CSTP2 seeks to achieve 35% of the development to be allocated for affordable housing and paragraph 65 of the NPPF requires 'at least 10% of total number of homes to be available for affordable home ownership'. The proposal would provide 1 and 2 bedroom units to meet the HNA for Thurrock and would provide 20 affordable units out of the 53 proposed which equates to 37% affordable housing provision from the proposed development. The tenure of the affordable housing provision would be 15 for affordable rent and 5 for shared ownership, which is acceptable. The proposal meets the requirements of policy CSTP2, and the affordable housing would be secured as a planning obligation through a S106 legal agreement.

III. PARKING, ACCESS AND TRAFFIC IMPACT

- 6.9 Policies CSTP14, PMD8, PMD9 and PMD10, and chapter 9 of the NPPF promote sustainable transport opportunities including walking and cycling, ensuring access is maintained or improved, requiring the consideration of traffic impacts and ensuring parking is provided in accordance with adopted standards. The Grays Town Centre Framework also recognises the need for improvements for movement, connectivity and access around the town centre and links to the river, as well as maximising the amount of people living within walking distance of shops, services and transport links. The Grays Town Centre Transport Study advises on amending parking standards and reducing long stay parking in the town centre.

Loss of Parking and the Proposed Parking Strategy

- 6.10 One of the first considerations for this proposal is the loss of car parking from Crown Road and Darnley Road car parks. The site is not protected for car parking use through any local planning policy designations. Crown Road car park currently has a capacity for 96 parking spaces and Darnley Road car park has a capacity for 29 parking spaces, 125 spaces in total. Both are public car parks that provide 'pay and display' parking during the daytime 9am to 6pm Monday to Saturday and Darnley Road also allows for permit holder parking for Controlled Parking Zone (CPZ) C. Also within the site area are 24 parking bays underneath Derby Road bridge and on street parking that are further permit holder parking spaces for the CPZ. These car parking spaces would be retained as existing and unaltered. The proposal would lead to the loss of Crown Road car park (96 parking spaces) and the loss of 12 parking spaces from Darnley Road car park, 108 car parking spaces lost in total.
- 6.11 Policy PMD8 requires new developments to comply with the Council's Parking Design and Development Standards (February 2022) this applies to all vehicles

and cycle parking. Paragraph 111 of the NPPF advises on setting parking standards. The Council’s Parking Design and Development Standards (February 2022) identify the following parking requirements for flatted development:

Use & Accessibility	Car Vehicle Parking Requirement	
	High Accessibility	Medium Accessibility
C3 Dwelling – Flats:	0 – 1 space per dwelling	1 – 1.5 spaces per dwelling
For Visitor Parking	0.5 spaces per dwelling	

6.12 For High Accessibility areas, the criteria defines this as within 500m walking distance of a rail station (with existing or new safe walking provision); or 500m walking distance of a designated Town Centre (with existing or new safe walking provision); and within an established Controlled Parking Zone with hours of operation that covers evening and weekend controls. In terms of the criteria, the site is within 500m walking distance of the Grays rail station and Grays town centre. The site is also within an established Controlled Parking Zone (CPZ) Zone C; however, this only operates its restrictions from Monday to Saturday 9am to 6pm so importantly this does not cover evenings nor all of the weekend. As a result, this location cannot be considered as High Accessibility criteria based on the adopted Parking Standards. Instead, as advised by the Council’s Highway Officer, the site currently falls within a Medium Accessibility area and therefore the 1-1.5 car parking spaces per dwelling applies as required by the Parking Standards.

6.13 In addition to the Parking Standards paragraph 2 of policy PMD8 is relevant to this application for this town centre location as it states that:

‘...in other parts of the Thurrock Urban Area where the Council considers the potential substantial modal shift is clearly demonstrated by the Transport Assessment/Statement and Travel Plans, the reduced maximum standard for non-residential car parking and reduced minimum standards for residential car parking will be applied. Where the reduced standards are applied, the Council will require developer contributions to support the development of controlled parking zones, the enforcement of parking restrictions and car-free living, and other measures to reduce inappropriate on-street parking’.

6.14 The application includes a Transport Statement (TS) which considers the modal shift. The TS states that 16 parking spaces would be retained in Darnley Road car park plus the provision of one new disabled space would be provided through this development. On street, another disabled space would be provided along with 2 car

club spaces, so in total 4 car parking spaces would be provided for this development.

- 6.15 The TS states that 1 of the 4 spaces to be provided would have active charging infrastructure for electric vehicles and is anticipated that all spaces would have electric charging infrastructure installed for future use. The TS states that residents and visitors would still be able to use spaces via pay display and/or Controlled Parking Zone permits. The TS considers the proposal based on the Council's High Accessibility criteria of the adopted Parking Standards.
- 6.16 In support of the approach taken within the applicant's TS a Car Park Assessment has been undertaken to demonstrate why a 'car free' development is being provided and this considers the following:
- Site location and local amenities
 - Nearby developments
 - Policy context
 - Local car or van availability data
 - Travel to work patterns
 - On-street parking stress surveys
 - Grays public car parks utilisation
 - Car club benefits
 - Changing travel habits, and
 - Measures to mitigate the parking proposals.
- 6.17 In summary of the above, the TS considers that for this site and location there are 24 parking spaces underneath Derby Road bridge immediately adjacent to the site and that the permit holder parking is only in place Monday to Saturday 9am to 6pm, so outside of these times this area can be used for car parking. That future developments in the area would need fewer parking provision, because this is a town centre location. That the national and emerging local policy context promotes sustainable transport and the reduced need for private vehicle ownership, which would also help address climate change. That the Census data for this ward area shows lower car and van ownership than the rest of Thurrock and shows a downward trend for this location, which the TS considers is a reason why the maximum parking standards need not apply here. That Census data shows that travel to work patterns show that 18% of existing residents of Thurrock work in inner London and 66% of those use public transport, to show the reduced need for car ownership. That changing travel habits during and since the Covid-19 pandemic with more people working from home and less commuting and need for car ownership.

- 6.18 Furthermore, on-street parking surveys were undertaken on two weekdays in 2021 and this shows overnight availability within the site's vicinity and using the Census data the TS states the demand is likely to be for approximately 40 parking permits in total. The TS says the parking demand from this proposed development can be accommodated on-street given the 72 available parking spaces identified through the on-street parking surveys. For the Grays public car parks, the TS refers to parking surveys undertaken in June 2018. For Darnley Road car park utilisation, the car park did not exceed 83% (24 spaces) any time of the day and the surveys showed this car park was mostly used at night, probably from residents in the Controlled Parking Zone (CPZ) Zone C. For Crown Road car park utilisation, the car park did not exceed 47% (45 vehicles) during the day, and, at its peak parking demand there were still 34 spaces available. The TS states that the surveys demonstrate that there is still spare capacity in the two car parks.
- 6.19 To mitigate the development in terms of parking demand, two approaches are proposed by the applicant, within the site and off site.
- 6.20 Within the site area, 2 car club and 2 disabled car parking spaces, 3 of these being on-street spaces. The TS states that the proposed 2 car club spaces provide a cost-effective alternative to the expense of individual car ownership and reflects changing travel demands for younger generations. The TS also suggests car clubs reduce the need for parking provisions with new development. The Council's Highways Officer identifies that the adopted Parking Standards recognise the benefits of car clubs and the 2 spaces for a car club and 2 disabled spaces would meet this part of the Parking Standards, along with the environmental benefits of less car parking spaces from a car club use.
- 6.21 For off-site, the TS identifies three measures, and these include reducing the normal number of parking permit entitlement, revisions to the Controlled Parking Zone and re-purposing surrounding public car parks. In terms of parking permit entitlement, the Council's current policy allows each dwelling to apply for up to a maximum of 3 permits per household. The TS identifies that the proposal is to limit this to 1 permit per dwelling for the proposed development. However, the applicants offer of controlling parking permits goes beyond planning as the planning application cannot prevent or limit people applying for more than 1 parking permit, it sits outside of planning. The second measure offered by the applicant is a financial contribution towards the costs of consulting and implementing an extension to the Controlled Parking Zone C to restrict proposed residents from parking on the local highway network, or, as an alternative, to provide a smaller Controlled Parking Zone in the vicinity of the site with longer operating periods, this is assessed below. The third measure is to consider repurposing existing public car parks across Grays to allow for permit holder parking as the surveys showed spare capacity throughout the daytime and evening periods at car parks in the town centre. This is not clear

and precise mitigation and has not been identified through the Council's Highway Officer's consultation response as required mitigation.

- 6.22 In assessing the parking position and the mitigation identified, the Council's Highways Officer has considered the parking position with the scheme and the Council's Highways Officer recognises the mitigation put forward and considers the general approach to be sufficient to overcome the initial concerns regarding the lack of proposed parking. This is because paragraph 2 of policy PMD8, as identified above, allows for reduced minimum standards to apply where evidence has been demonstrated within Transport Statements, which is the case here. The policy allows for reduced standards to apply but *'requires developer contributions to support the development of controlled parking zones, the enforcement of parking restrictions and car-free living, and other measures to reduce inappropriate on-street parking'*. To mitigate the impact of the development, the Council's Highways Officer requires an extension of the day and times of the Controlled Parking Zone for 24-hour use, which would put this location into the High Accessibility area criteria of the Parking Standards. The proposal to amend the Controlled Parking Zone requires a process outside of the scope of this planning application and requires a consultation process with the public. Changes to the Controlled Parking Zone would be taking place after planning permission has been granted.
- 6.23 The Council's Highways Officer also requires the provision of a car club vehicle scheme and is seeking improvements to the current parking arrangements underneath Derby Road bridge to make it more secure and accessible with improved lighting and CCTV cameras.
- 6.24 Overall, in summary on parking grounds, the Council's Highways Officer has no objection to the application which follows the planning policy criteria of paragraph 2 of policy PMD8 and requires revisions to the existing Controlled Parking Zones and other mitigation as identified. It is considered that the application is acceptable on parking grounds having regard to policy PMD8 and the guidance within the NPPF.

Cycle Parking

- 6.25 The Council's adopted Parking Design and Development Standards for flats in High Accessibility areas require 1 secure and covered cycle parking space per dwelling. The applicant's Planning Statement explains that 53 secure and covered cycle parking spaces would be provided. In addition, 54 cycle parking spaces for visitors to the site with some covered and others not covered. In total 107 cycle parking spaces would be provided which is acceptable with regard to the Council's adopted Parking Design and Development Standards and policy PMD8.

Access, Servicing and Connectivity

- 6.26 Policy PMD9 seeks to minimise the number of new accesses required onto the highway network and to ensure that new access creation makes a positive contribution towards highway safety. The proposal would not result in any new vehicle accesses being formed. A vehicle layby would be formed on Stanley Road to the east of the development for refuse vehicles and a turning head would be provided to allow vehicles to turn at the southern end of Darnley Road adjacent to the building that would occupy Crown Road car park. Refuse stores are shown on the plans to be within but also outside of the building in identified locations at the site to allow for access.
- 6.27 The proposed development would create new pedestrian and cycle access points for accessing the building but would also lead to the creation of new footpaths around the building that would occupy the Crown Road car park. Such access points do not exist, and this will link with existing footways along roads in the area. A footpath would pass through and allow access to the northern side of the building proposed to occupy the Crown Road car park. Two new pedestrian and cycle access arrangements would be formed for the new building proposed to occupy the northern end of Darnley Road car park.
- 6.28 In terms of connectivity, the site is located in Grays town centre is within 500m of the High Street where there is access to essential shops, services and amenities. Pedestrian and cycle access to the town centre facilities can be via Crown Road or Clarence Road (to the north). Grays railway station is 300m from the site where there are regular rail connections to London and Southend. The bus station is adjacent to the railway station and the bus station is served by 14 different bus routes. In terms of connectivity the site is located in a highly accessible location.

Traffic Impact

- 6.29 Policy PMD10 requires Transport Assessments to accord with relevant transport guidance and paragraph 113 of the NPPF requires planning applications to be supported by Transport Assessments so that the likely impacts of the proposal can be assessed. Paragraph 104 of the NPPF requires the impact of development on transport networks to be addressed and paragraph 115 of the NPPF identifies that development should only be prevented or refused on highway grounds if there is a 'severe' impact upon the road network.
- 6.30 In terms of trip rates, the TS shows the proposed development would generate an indicative total person trip generation of 32 and 34 two-way trips in the AM and PM peak periods respectively. This includes a relatively low level of 8 additional trips in the AM peak and 9 in the PM peak, and even in lower for bus trips. There would also be additional pedestrian and cycle trips generated. Based on this information

the TS considers the proposed development would have negligible impact on the public transport and active travel networks, and a reduced impact upon the highway network when compared to the existing car park uses whilst having regard to the policies listed above.

Conclusion to this section

- 6.31 The assessment of the loss of parking, access, traffic impacts, connectivity and mitigation measures have been subject to consultation and discussions throughout the lifetime of this planning application. The Council's Highway Officer considers that a number of planning conditions and planning obligations are necessary to mitigate the impact of the development. Overall, the access, traffic impacts, connectivity, parking and mitigation measures are considered acceptable with regard to the relevant policy and the NPPF/PPG tests/considerations. Where identified the mitigation measures can be secured through planning obligations through a S106 legal agreement and planning conditions where identified.

IV. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.32 Policies CSTP22, CSTP23 and PMD2 are relevant along with the guidance within the NPPF/PPG. In addition, the Thurrock Design Strategy was adopted as a supplementary planning document (SPD) and endorsed as a material consideration in the determination of planning applications in March 2017.
- 6.33 Prior to the submission of the planning application the proposed development was subject to a Design Review in November 2022. The applicant's Design and Access Statement demonstrates that various iterations to the design of the proposed development along with the comments from the Design Review were considered as part of the submission of this application.

Layout

- 6.34 The proposed layout of the development on the Crown Road car park would introduce development to form a new street scene with front elevations of the building fronting onto Crown Road and Stanley Road in an 'L' shaped block. A good-sized communal amenity space would be provided to the rear of this building and the enclosed nature of the building would help provide safety and security to the communal amenity space for the benefit of its users. The layout shows a footpath through the northern part of this location for access to the communal amenity area and for rear access to the building.
- 6.35 The layout for the Darnley Road building would result in the siting of the building at the northern end of the car park with the principal elevation facing into Darnley Road adjacent to the terraced houses in the road.

- 6.36 Overall, there are no objections to the proposed layout of this development with regards to policies CSTP22 and PMD2.

Scale and Height

- 6.37 Policy PMD3 for tall buildings of more than six storeys high or a height of two storeys above the prevalent form of development requires an assessment against the *Criteria for Evaluation* set out in *Section 4 of the CABE/English Heritage publication 'Guidance on Tall Buildings' (2007)*, or latest version. Whilst within the immediate vicinity of the site there are two storey buildings to the north and east, the Derby Road bridge and multi-storey car park and shopping centre provide taller structures to the west, along with the Council Offices and Pullman Court buildings. The proposed development is up to a maximum of five storeys in height. Therefore, it is considered that the criteria of this policy would not apply.
- 6.38 The proposal would comprise of the main apartment block of a part five, part four and part three storey building up to 18m high on the location of the existing Crown Road car park. The proposal would represent a significant change to this part of the town centre from the current surface level car park. The layout of this part of the proposed development means the tallest element would be adjacent to Derby Road bridge and this would then step down to three storeys then back up to four storeys at the corner point of where Crown Road joins Stanley Road. The scale and height of the proposed building to occupy the existing Crown Road car park is considered acceptable in this context.
- 6.39 The proposed building in Darnley Road would be a separate two storey building to follow the scale and height of the existing terrace buildings in the street and would 'bookend' the western end of the road.
- 6.40 Overall, there are no objections to the proposed scale and height of this development with regard to policies CSTP22 and PMD2

Design and Appearance

- 6.41 The proposed apartment block would represent a modern contemporary design and would represent a change in comparison to the nearby traditional two storey terraced houses in the area. Nevertheless, the proposed design of the building has been carefully considered not only in layout and scale terms but also in its design and appearance in this location. The stepping arrangement of the design helps break up the bulk of the building and allow for the façades to turn the corner to front the street scene of Crown Road and Stanley Road.

- 6.42 The proposed building in Darnley Road would have a more traditional appearance to reflect the proportions and form of the existing terraced houses in the street along with front boundary treatment.
- 6.43 Materials and elevational treatments have been designed to reflect the local area and include features such as bay balconies and similar brick types (to existing development).
- 6.44 Overall, there are no objections to the proposed design and appearance of this development with regard to policies CSTP22 and PMD2

Impact upon the area

- 6.45 Within the immediate vicinity of the site are two storey traditional terraced houses to the north and east, to the south of Crown Road is the railway and to the west is the Derby Road bridge which has a significant impact upon this location. With regard to the impact upon the area it is considered that from the plans and the Design and Access Statement the layout, scale, height, design and appearance of the proposed buildings would appear acceptable in this location having regard to the existing character and appearance of the area and the wider town centre. The Council's Urban Design Officer raises no objections.

Conclusion to this section

- 6.46 Overall, having regard to the above assessment, the indicative layout, scale, design and appearance of the proposed development would be acceptable having regard to policies CSTP22, CSTP23 and PMD2, and the guidance contained within the NPPF and PPG.

V. LIVING CONDITIONS AND AMENITY SPACE

- 6.47 Consideration is given to the future living conditions and amenity space to be provided for these units in regard to Annex 2 of the 'saved' BLP, and policies PMD1 and PMD2.
- 6.48 In terms of living conditions for future residents, the internal layout of the apartments has been carefully considered. A couple of the apartments in the proposed building on the existing Crown Road car park benefit from a dual aspect outlook but there are also a small number of apartments with a single aspect outlook. A few apartments at the lower levels of the building on the rear elevations of the building which could suffer a lack of sunlight as identified in the applicant's Daylight and Sunlight Assessment where a few rooms would not achieve the sunlight target due to the rooms all facing either west or north and east facing,

however, the majority of rooms would meet the sunlight exposure requirements of the BRE guidance. There are no issues with regard to outlook and daylight for the proposed development at the Darnley Road car park location.

- 6.49 For amenity space considerations each apartment would have a balcony, some with multiple balconies as well as access to the communal amenity space to the rear of the building for those units within the Crown Road car park part of the site. The proposed development at the Darnley Road car park location would have balconies and some incidental amenity space surrounding the building. For amenity space considerations this is considered acceptable with regard to policy PMD2 and 'saved' Annex 1 of the Borough Local Plan. In addition, future occupiers would also have easy access to Grays Town Park, which is close to the site.

VI. OPEN SPACE, LANDSCAPING AND TREES

- 6.50 Policies CSTP18, CSTP20, PMD2 and PMD5, along with paragraphs 135 and 136 of the NPPF are relevant to this consideration.
- 6.51 To accord with the requirements of policies CSTP20 and PMD5, sports and recreational opportunities should be provided, including children's play space. When compared to the current car parks at the site the proposal would introduce an enclosed communal amenity space including children's play space, cycle storage, outdoor seating areas and a detailed landscaping scheme for those units within the Crown Road car park part of the site. The exact details of this will need to be agreed through condition but the applicant's Landscape Strategy demonstrates a range of hard and soft landscaping including tree planting along with examples of children's play equipment. In addition to the details the future maintenance of this area shall need to be agreed through planning conditions.
- 6.52 The applicant's Arboricultural Report confirms there are a number of trees around the edges of the car parks and none of these trees are subject to Tree Preservation Orders (TPOs). The applicant's Arboricultural Report identifies that 8 trees would need to be removed to make way for the development, but this is not considered to be a significant issue as a detailed landscaping scheme is proposed including replacement tree planting.
- 6.53 The Council's Landscape and Ecology Advisor raises no objections to the proposed landscaping and the proposal is considered acceptable with regard to the open space and landscape provision having regard to policies CSTP20 and PMD5.

VII. ECOLOGY AND BIODIVERSITY

- 6.54 Policies CSTP19 and PMD7 are relevant along with the guidance and paragraphs of the NPPF/PPG for ecology and biodiversity.

On site ecology/biodiversity

- 6.55 The site consists of mainly hardstandings and made ground with only small areas of grassland, hedgerows and shrubs and trees around the boundaries of the car parks. The applicant's Preliminary Ecological Appraisal states that only the hedgerows, shrubs and trees would support nesting birds and potential roosting and foraging bats. The applicant's report recommends these should be retained, although the applicant's Arboricultural Report identifies that eight (8) trees would be removed but a detailed landscaping scheme would provide more landscaping than there is currently at the site, so, this would lead to improved ecology and biodiversity opportunities at the site. The proposal would lead to native planting schemes, enhanced landscaping and features for ecology to thrive, such as bug hotels.
- 6.56 The Council's Landscape and Ecology Advisor raises no objections on ecology and biodiversity grounds. Full details of the landscaping scheme will need to be secured through a planning condition.

Habitat Regulations Assessment

- 6.57 The site is within the Essex Coast Recreational Avoidance Mitigation Strategy (RAMS) zone of influence and the proposed development falls within the scope of the RAMS as relevant development. It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. Without mitigation the proposed development is likely to have a significant effect on the Thames Estuary and Marshes Special Protection Area.
- 6.58 To avoid the developer needing to undertake their own individual Habitat Regulations Assessment the Essex Local Planning Authorities within the Zones of Influence have developed a mitigation strategy to deliver the measures to address direct and in-combination effects of recreational disturbance on SPA. A tariff to fund the mitigation, which is payable for all additional new units is currently set at £156.76 per unit.

- 6.59 For this application the Council's Landscape and Ecology Advisor has undertaken the Habitat Regulation Assessment for the authority and identified that a financial contribution of £8,308.28 is required based on the current tariff applied for RAMS mitigation. For this planning assessment the Habitat Regulation Assessment is acceptable to mitigate the impact of the development.

Conclusion to this section

- 6.60 Subject to the identified landscaping condition and the financial contribution towards the RAMS mitigation being secured there are no objections to the proposal with regard to ecology and biodiversity considerations having regard to policies CSTP19 and PMD7 along with the guidance and paragraphs of the NPPF/PPG.

VIII. FLOOD RISK AND DRAINAGE

- 6.61 Policies CSTP27 and PMD15 are relevant along with paragraphs 165 to 175 of the NPPF and the guidance contained within the PPG for flood risk and drainage considerations.
- 6.62 The site is located in lowest risk flood zone (Flood Zone 1), but a Flood Risk Assessment (FRA) has been submitted which also deals with surface water drainage considerations. As the site is within Flood Zone 1 the Sequential and Exception Tests, as set out in the NPPF and PPG do not need to be applied. The FRA states that ground floor finished floor levels would range from 6.55m AOD to 8.725m AOD. The FRA demonstrates the site would be at a low risk of flooding from all sources and therefore safe from flooding.
- 6.63 In terms of surface water, the proposal would drain into an underground tank via the drainage network around the outside of the buildings. The underground tank would be connected to a new connection at a nearby surface water sewer which is owned and maintained by Anglian Water. It is stated in the applicant's FRA that Anglian Water have confirmed that offsite foul and surface water sewer network has capacity based on the discharge rates stated in the FRA. Anglian Water raise no objections subject to more information being provided through a surface water management strategy condition. The Council's Flood Risk Officer raises no objection subject to a surface water drainage condition.
- 6.64 Overall, the proposal is acceptable with regard to flood risk and drainage subject to mitigation through planning conditions to ensure compliance with policies CSTP27 and PMD15 along with paragraphs 165 to 175 of the NPPF and the guidance contained within the PPG for flood risk and drainage considerations.

IX. AIR QUALITY AND NOISE

- 6.65 Policy PMD1 seeks to safeguard amenity from air and noise/vibration pollution. Paragraphs 190 and 192 of the NPPF are relevant to these considerations.
- 6.66 The site is within an Air Quality Management Area (AQMA) No.1, an area comprising of a number of properties along London Road, Orsett Road and Stanley Road in Grays. The applicant's Air Quality Assessment identifies that the proposal has the potential to increase air pollutants as a result of road traffic exhaust emissions for the operational phase and from dust from the construction phase of the development. To mitigate the impact of air pollutants the applicant's Air Quality Assessment has identified the need for dust controls during the construction phase of the development and this can be secured through a planning condition for a Construction Environmental Management Plan. With regard to air pollutants through road traffic exhaust emissions the applicant's Air Quality Assessment has identified that the level of vehicle movements are predicted to be low and therefore road traffic impacts were predicated to be not significant. The applicant's Air Quality Assessment concludes that the site is suitable for residential development with regard to air quality.
- 6.67 The applicant's Noise and Vibration Assessment has undertaken background noise level checks at the site boundary and this was undertaken in the winter of 2022. A single measurement was undertaken for vibration from passing trains. The applicant's Noise and Vibration Assessment shows that internal noise levels would exceed minimum sound levels (Lowest Observed Adverse Effect Level) during the daytime and night-time for habitable rooms facing the road and railway at the site from passing vehicles and trains. Therefore, mitigation in the form of thermal double-glazed windows and internal ventilation equipment is required to ensure internal living conditions meet the acceptable indoor sound levels. For external sound criteria, the applicant's Noise and Vibration Assessment considers that criteria can be achieved, it should be noted that the design of the development has put the communal external amenity areas to the rear of the building in the location of the existing Crown Road car park. The building therefore acts as a screen to Crown Road and the nearby railway line to reduce noise impact. Each apartment would have access to balconies and verandas with some of these facing south towards the road and railway line and some facing other directions away from Stanley Road and Crown Road.
- 6.68 With regard to vibration, the applicant's Noise and Vibration Assessment has considered short term vibration impacts from passing trains and the impact is found to be below the levels requiring mitigation.
- 6.69 The Council's Environmental Health Officer raises no objection subject to planning conditions requiring a dust management plan for air quality reasons and the requirement for noise mitigation to be implemented as per the applicant's Noise Impact Assessment. A Construction Environmental Management Plan is also

required as a planning condition. Subject to these conditions being imposed the proposed development is considered acceptable with regard to air and noise/vibration considerations and is acceptable with regard to policy PMD1.

X. EFFECT ON NEIGHBOURING PROPERTIES

- 6.70 Policy PMD1 seeks to minimise impacts upon amenity from new development.
- 6.71 The nearest neighbouring properties to this development are the terraced houses closest to the proposed development at the northern end of the Darnley Road car park. The closest dwelling is 22 Darnley Road which is adjacent to the eastern site boundary, and 11 to 15 Darnley Road are located on the northern side of Darnley Road which would face the proposed development at the northern of the Darnley Road car park.
- 6.72 The terraced houses on the southern side of Darnley Road back onto a private accessway and to the south of this accessway would be the proposed development in the location of the existing Crown Road car park. On the eastern side of Stanley Road, a row of houses faces towards the proposed development on the existing Crown Road car park.
- 6.73 The application includes a Daylight and Sunlight Assessment for assessing the neighbouring surrounding properties using the BRE numerical target for Vertical Sky Component with 188 of the 190 windows proposed within the development meeting the daylight targets and only 3 windows falling marginal short of the target for reasonable values of sunlight. The conclusions of the Daylight and Sunlight Assessment demonstrate the proposed development would not have a material impact upon daylight and sunlight amenity of nearby properties.
- 6.74 Having reviewed the siting, layout, window and door orientation of the proposed two buildings and considered the applicant's Daylight and Sunlight Assessment it is considered that there would not be any significant overlooking, loss of privacy or visual intrusion to the occupiers of the existing neighbouring houses.
- 6.75 The proposed development, and in particular the proposed building on the Crown Road car park, would lead to a change to the appearance of this location with development up to 5 storeys high at its highest point. However, this building has been designed to ensure the highest part is located towards the southern and south- western part of the site, furthest away from nearby neighbouring buildings. The up to 5 storeys height of the Crown Road development would represent a similar height to the existing Derby Road bridge height. It is considered that the built form of both buildings proposed on the Darnley Road car park and Crown Road car

park would not have a detrimental impact upon the occupiers of the nearby buildings.

- 6.76 In comparison to the existing car parks the proposal would lead to a change activity associated with the site from a car park use to residential uses, with some of Darnley Road car park remaining. Therefore, in terms of activity, noise and disturbance the proposal would not lead to any significant issues upon the occupiers of the nearby buildings.
- 6.77 The proposal would not impact upon any nearby businesses nor their activities.
- 6.78 For the reasons stated above the proposed development raises no objections with regard to neighbouring residential amenity having regard to the criteria set out in policy PMD1.

XI. ENERGY AND SUSTAINABLE BUILDINGS

- 6.79 Policy PMD13 requires a minimum of 20% of predicted energy from decentralised and renewable or low carbon sources for all uses associated with the proposed development. Paragraphs 162 and 163 of the NPPF and guidance within the PPG are relevant to the energy and sustainability considerations.
- 6.80 The applicant's Energy and Sustainability assessment states that they are committed to meeting the Council's policies in respect of minimising energy and water consumption, promoting sustainable design and construction techniques and renewable energy use. The details of the exact energy and sustainability systems to be installed can be secured through a planning condition but details within the applicant's Energy and Sustainability assessment identifies that air source heat pumps would be installed within all dwellings for heating and hot water. Solar photovoltaics would be installed on the roof. The feasibility of district heating systems are being considered but the applicant has not confirmed whether this would be installed, the planning condition can capture all energy and sustainability systems post decision. The provision of renewable and low carbon energy sources would achieve the policy requirements of a minimum of 20% energy provision from renewable or low carbon sources.

XII. VIABILITY AND PLANNING OBLIGATIONS

- 6.81 Paragraph 57 of the NPPF sets out the three tests required for planning obligations (as set in regulation 122(2) of the Community Infrastructure Levy Regulations) with all three test needing to be met:
- (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.

- 6.82 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.
- 6.83 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.
- 6.84 Through the consultation process a Section 106 is necessary to secure a policy compliant level of affordable housing (35%); a financial contribution of £98,642.93 towards primary school education as primary schools in the planning area are at or are already at capacity; a financial contribution of £27,400 to the NHS towards local healthcare; and a financial contribution of £8,308.29 towards Essex Coast RAMS. There are also three highway contributions required and these are a financial contribution of £25,000 for modifications to the existing Controlled Parking Zone C to allow for 24 hour use, a financial contribution of £75,000 towards the provision of a car club scheme, a financial contribution of £240,000 for improved lighting and CCTV surveillance to the parking area underneath Derby Road bridge, and a £5,000 monitoring fee towards the Council's monitoring and post decision work associated with these planning obligations.

XIII. OTHER MATTERS

- 6.85 With regard to fire safety, since the Grenfell disaster there is now a requirement for a Fire Statement to be submitted with planning applications where new development is proposed to contain two or more dwellings and be 18m high or 7 storeys. In this instance the part 5 storey part of the building ground to highest point is 17.75m high. The PPG guidance is clear that the measurement for fire safety assessment is taken 'from the ground level on the lowest side of a building to the top storey upper floor surface', which when measured from the plans is 13.5m and is therefore under the 18m high level where the HSE would wish to comment.

Further requirements regarding fire safety are dealt with through the Building Regulations which is separate to Planning Legislation so if approved the proposed development would be subject to the Building Regulation requirements. The Essex Fire Service has also confirmed the requirements to meet the Building Regulations.

- 6.86 With regard to land contamination and ground conditions, the Council's Environmental Health Officer raises no objection subject to a Construction Environmental Management Plan, which shall also include the need for a watching brief for contamination.

XIV. SUSTAINABILITY

- 6.87 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 and for the 'presumption in favour of sustainable development' to apply, as set out in paragraph 11 of the NPPF. It therefore needs to be demonstrated through any future submission that sustainable development is achieved.
- 6.88 For the economic objective, the proposal would create employment opportunities for the construction phase. When the development is occupied, new residents would provide household spending within the local economy. The dwellings would provide an opportunity for local people to live and work in this area.
- 6.89 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
- 6.90 For the environmental objective, the proposed developments would deliver a high-quality designed development. Energy efficient measures are proposed through this application and would also be secured through the Building Regulations. The development would be built to surface water management measures to reduce flooding. The implementation of noise mitigation measures would make the apartments adjacent to the railway habitable for future occupiers. As identified above the site is accessible by a range of transport modes.
- 6.91 It is therefore considered that the development can meet the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

- 7.1 The proposal would lead to the total redevelopment of one of the town centre car parks, Crown Road car park, and the partial redevelopment of Darnley Road car park for residential development at this edge of town centre site. The introduction of residential development in the town centre has long been a vision of the Council and is identified through the various studies that have been produced since the LDP was adopted. The Grays Town Centre Framework (2017) and the more recent Grays Town Centre Study (2023) both help provide useful guidance to this, but both are evidence-based documents rather than planning policy. However, the NPPF encourages residential development within town centres to supplement existing town centre uses and encourages re-use of existing brownfield land. The principle of the development is therefore acceptable.
- 7.2 One of the key considerations with this application is the loss of parking from all of Crown Road car park and part of Darnley Road car park, however, following careful review of the information submitted the Council's Highway Officer has no objections to the development in this sustainable town centre location subject to mitigation being secured through revisions to the existing Controlled Parking Zone C, the provision of a car club vehicle scheme and improvements to the current parking arrangements underneath Derby Road bridge.
- 7.3 The proposed 53 dwellings would contribute to the Council's Housing land supply needs and would provide a policy compliant level of affordable housing. The proposed would create a high-quality energy efficient designed development and would include a dedicated communal amenity space in the centre of the layout of the development on the former Crown Road car park that would be landscaped providing more greenery and biodiversity to the site.
- 7.4 All other material considerations are considered acceptable having regard to planning policy and where required mitigation can be secured through planning conditions and obligations.

8.0 RECOMMENDATION

- 8.1 To Grant Planning Permission and delegate authority to the Chief Planning Officer to finalise the Section 106 legal agreement and finalise the planning conditions as set out below:
- 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:
- Provision of 35% of the total units of this development to be for Affordable Housing with the tenure to be 15 for affordable rent and 5 for shared ownership.

- A financial contribution of £98,642.93 to meet additional demand towards primary school education in the area.
- A financial contribution of £27,400 towards additional health care services arising from the needs of the development.
- A financial contribution of £8,308.29 towards the Essex Coast RAMS ecological mitigation.
- A financial contribution of £25,000 for modifications to the existing Controlled Parking Zone C to allow for 24 hours use.
- A financial contribution of £75,000 towards the provision of a car club scheme.
- A financial contribution of £240,000 for improved lighting and CCTV surveillance to the parking area underneath Derby Road bridge.
- The requirement for the applicant to enter into a s278 agreement for works on the highway for the parking spaces.
- A monitoring fee of £5,000 towards the Council’s monitoring and post decision work associated with these planning obligations.

ii) the following planning conditions:

Standard Time Limit

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

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

Approved Plans

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

Plan Number(s):		
Reference	Name	Received
14201-DB3-B00-ZZ-DR-A-	Proposed Site Elevations	28th April 2023

20134	Sheet 5 without trees	
14201-DB3-B00-00-DR-A-20001	Location Plan	16th April 2023
14201-DB3-B00-00-DR-A-20005	Existing Site Layout	16th April 2023
14201-DB3-B00-ZZ-DR-A-20124A	Proposed Site Elevations Sheet 5	16th April 2023
14201-DB3-B01-ZZ-DR-A-20872D	Proposed Area Schedules	16th April 2023
210320-GSL-ZZ-XX-DR-C-7001	Proposed Drainage Plan	16th April 2023
14201-DB3-B00-ZZ-DR-A-20130C	Proposed Site Elevations Sheet 1 without trees	27th October 2023
14201-DB3-B00-ZZ-DR-A-20131C	Proposed Site Elevations Sheet 2 without trees	27th October 2023
14201-DB3-B00-ZZ-DR-A-20132C	Proposed Site Elevations Sheet 3 without trees	27th October 2023
14201-DB3-B00-ZZ-DR-A-20133C	Proposed Site Elevations Sheet 4 without trees	27th October 2023
14201-DB3-B00-00-DR-A-20100I	Proposed Site Plan	27th October 2023
14201-DB3-B00-00-DR-A-20110I	Proposed Site Ground Floor Plan	27th October 2023
14201-DB3-B00-00-DR-A-20111H	Proposed Site First Floor Plan	27th October 2023
14201-DB3-B00-02-DR-A-20112H	Proposed Site Second Floor Plan	27th October 2023
14201-DB3-B00-03-DR-A-20113H	Proposed Site Third Floor Plan	27th October 2023
14201-DB3-B00-04-DR-A-20114G	Proposed Site Fourth Floor Plan	27th October 2023
14201-DB3-B00-05-DR-A-20115G	Proposed Site Roof Plans	27th October 2023
14201-DB3-B00-ZZ-DR-A-20120F	Proposed Site Elevations Sheet 1	27th October 2023
14201-DB3-B00-ZZ-DR-A-20121E	Proposed Site Elevations Sheet 2	27th October 2023
14201-DB3-B00-ZZ-DR-A-20122E	Proposed Site Elevations Sheet 3	27th October 2023
14201-DB3-B00-ZZ-DR-A-20123C	Proposed Site Elevations Sheet 4	27th October 2023
14201-DB3-B00-ZZ-DR-A-	Main Communal	27th October 2023

20140C	Entrances	
14201-DB3-B00-ZZ-VF-A-01910	Darnley Rd_3D View from Derby Rd Bridge	27th October 2023
14201-DB3-B00-ZZ-VF-A-01911	Darnley Rd_3D View from roundabout	27th October 2023
14201-DB3-B00-ZZ-VF-A-01912	Darnley Rd_3D View from Darnley Road	27th October 2023
14201-DB3-B02-ZZ-DR-A-20150B B02	GF Flat Window W5 Sunlight Review	27th October 2023
14201-DB3-B04-ZZ-DR-A-20155B B04	GF Flat Window W3_4 Sunlight Review	27th October 2023
24140001-STR-HGN-100-DR-D-00603 REV P2	Cycle parking arrangement long stay	27th October 2023
24140001-STR-HGN-100-DR-D-00601 - REV P5	General Arrangements	27th October 2023
24140001-STR-HGN-100-DR-D-00602 REV P2	Cycle parking arrangement long stay	27th October 2023
24140001-STR-HGN-100-DR-D-00604 REV P2	Refuse store arrangement	27th October 2023
24140001-STR-HGN-100-DR-D-00605 - REV P2	Swept Path Analysis: Refuse Vehicle	27th October 2023
24140001-STR-HGN-100-DR-D-00606 - REV P2	Swept Path Analysis: Refuse Vehicle	27th October 2023
24140001-STR-HGN-100-DR-D-00607 - REV P2	Swept Path Analysis 10m Rigid Vehicle	27th October 2023
24140001-STR-HGN-100-DR-D-00608 - REV P2	Swept Path Analysis 7T Box Van	27th October 2023
24140001-STR-HGN-100-DR-D-00609 - REV P2	Swept Path Analysis: Pumping Appliance	27th October 2023
24140001-STR-HGN-100-DR-D-00610 - REV P2	Swept Path Analysis: Pumping Appliance	27th October 2023
24140001-STR-HGN-100-	Swept Path Analysis:	27th October 2023

DR-D-00611 - REV P2	Pumping Appliance	
D3088-FAB-00-XX-DR-L-1000 PL05	Combined Hard and Soft Landscaping	27th October 2023
24140001-STR-HGN-100-DR-D-00612 - REV P2	Swept Path Analysis HIAB	27th October 2023
24140001-STR-HGN-100-DR-D-00613 - REV P2	Swept Path Analysis: Internal Road Access	27th October 2023
24140001-STR-HGN-100-DR-D-00614 - REV P1	Swept Path Analysis: SDV	27th October 2023
24140001-STR-HGN-100-DR-D-00615 - REV P1	Distance between Refuse Store and Block 3 & 4	27th October 2023

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

Materials

- No development shall commence 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).

Secured by Design

- No development above ground level shall commence until details have been submitted to and approved and in writing by the local planning authority that demonstrate how the principles and practices of the Secured By Design 2019 have been incorporated into the design. The Development shall be carried out in accordance with the approved details.

Reason: In the interest of creating safer, sustainable communities in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

Landscaping Strategy

5. Prior to first occupation of the development the Landscape Strategy dated October 2023 and the details shown on drawing number D3088-FAB-00-XX-DR-L-1000 PL05 (the combined hard and soft landscaping plan) shall be implemented in accordance with these details and shall be retained and maintained as such thereafter.

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 or prior to first occupation of the development, whichever is sooner. 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.

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

The play area shall be constructed, completed and available for use prior to the first occupation of any dwelling and shall be 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 Strategy - Management and Maintenance

6. Prior to the first occupation of the development details of the future management arrangements for the maintenance of the communal amenity space, play space and landscaping of the site shall be submitted to and approved in writing by the local planning authority. The management details as approved shall be implemented and managed at all times thereafter.

Reason: In the interests of visual amenity and to accord with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2015).

Ecological and Biodiversity Enhancements

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

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

Surface Water Drainage Scheme

8. No development shall commence until a surface water drainage scheme for the development, based on the submitted sustainable drainage strategy has been submitted to and approved in writing by the local planning authority. The details shall include:
 - a) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details.
 - b) Supporting calculations confirming compliance with the Non-statutory Standards for Sustainable Drainage, and the agreed discharge rate of 6l/s and the attenuation volumes to be provided.
 - c) Details of the maintenance and management arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented.
 - d) Infiltration tests to be carried out in line with BRE 365 for the locations where SUDS are proposed.

The surface water drainage strategy shall be implemented as approved and in accordance with the programme for implementation. The surface water drainage strategy shall then be retained and maintained at all times thereafter.

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).

Road layout

9. Prior to the first occupation of the development the proposed modifications to the existing highway network including public roads, all footways and footpaths, and turning spaces shall be implemented, consolidated and surfaced in accordance with the approved plans and to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and the amenities of the occupiers of the development in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Parking Provision

10. Prior to the first occupation of the development the vehicle parking areas as shown on drawing number 14201-DB3-B00-00-DR-A-20100I (the proposed site plan) shall be hard surfaced, drained, sealed and marked out as shown on the approved plan. 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).

Electric Charging Points

11. Prior to the first occupation of the development details of electric charging provision for the allocated 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

12. The cycle parking facilities as shown on the as shown on drawing number 14201-DB3-B00-00-DR-A-20100I (the proposed site plan) shall be provided

prior to the first occupation of the dwellings and retained for such purposes thereafter.

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).

Noise mitigation measures

13. Prior to the first occupation of the development the noise mitigation measures as identified in the Acoustic Planning Report dated April 2023 shall be installed during the construction of the development and a verification report shall be submitted to and approved by the local planning authority to ensure the measures accord with the requirements of the Acoustic Planning Report dated April 2023. The noise mitigation measures shall then be retained and maintained, where necessary, at all times thereafter.

Reason: To protect the amenities of occupiers from nearby noise sources in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Refuse and Recycling

14. The refuse and recycling storage facilities as shown on in the Design and Access Statement dated October 2023 and drawing number 14201-DB3-B00-00-DR-A-201101 (the proposed site ground floor plan) shall be constructed, completed and be made available for use prior to the first 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].

Renewable and Low Carbon Energy

15. Prior to the first occupation of the development the energy and sustainability measures as detailed in the Energy and Sustainability Statement dated 4 April 2023 shall be implemented, maintained and retained in working order through the lifetime of the development.

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).

Communal TV/Satellite

16. 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 flats 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 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 DPD (2015).

Superfast Broadband

17. The dwellings within the development shall be provided with the means of connecting to superfast broadband. Upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling 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 114 of the NPPF.

Construction Environmental Management Plan (CEMP)

18. 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
- (f) 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.
- (g) Location and size of on-site compounds (including the design layout of any proposed temporary artificial lighting systems)
- (h) Details of any temporary hardstandings
- (i) Details of temporary hoarding
- (j) Method for the control of noise with reference to BS5228 together with a monitoring regime
- (k) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime.
- (l) Dust and air quality mitigation, monitoring and management.
- (m) Water management including waste water and surface water discharge.
- (n) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals.
- (o) A Site Waste Management Plan
- (p) Ecology and environmental protection and mitigation
- (q) Community liaison including a method for handling and monitoring complaints, contact details for site managers.
- (r) Details of security lighting layout and design, and
- (s) 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 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).

Informatives

Network Rail informative: The applicant is advised to contact Network Rail about pedestrian connectivity issues between Derby Road (on the bridge) and Crown Road as well as any impact upon the Network Rail Assets.

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

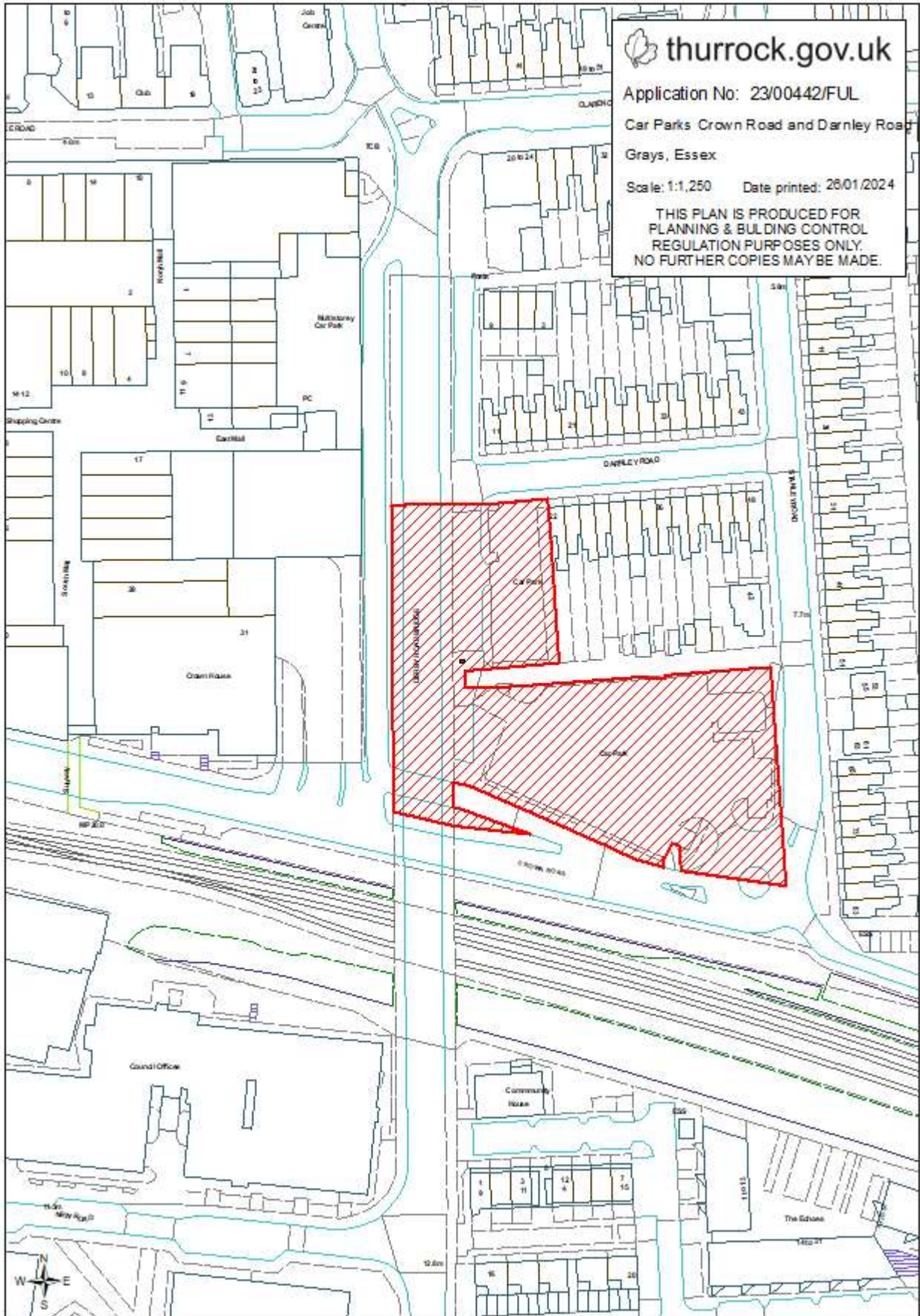
Positive and Proactive Statement

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**
Application No: 23/00442/FUL
Car Parks Crown Road and Darnley Road
Grays, Essex
Scale: 1:1,250 Date printed: 26/01/2024
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Agenda Item 9

Planning Committee 14.03.24	Application Reference: 23/01357/FUL
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Reference: 23/01357/FUL	Site: 10 Chestnut Avenue Grays Essex RM16 2UJ
Ward: Stifford Clays	Proposal: Demolition of existing garage and creation of new 3 bed, 5 person dwelling with secured cycle storage and bin storage. Alterations to existing dwelling comprising of hip to gable roof extension and single and two storey rear extensions. Erection of new outbuilding to both resulting dwellings and creation of new hardstanding and vehicle access to serve existing and new dwelling.

Plan Number(s):

Reference	Name	Received
10 HH 01	Existing Ground Floor Plans	9th February 2024
10 HH 02	Existing First Floor Plans	9th February 2024
10 HH 03	Existing Roof Plans	9th February 2024
10 HH 04	Existing Elevations	9th February 2024
10 HH 05	Existing Elevations	9th February 2024
10 HH 06	Proposed Ground Floor Plans	9th February 2024
10 HH 07	Proposed First Floor Plans	9th February 2024
10 HH 08	Proposed Roof Plans	9th February 2024
10 HH 09	Proposed Elevations	9th February 2024
10 HH 10	Proposed Elevations	9th February 2024
10 HH 11	Proposed Elevations	9th February 2024
10 HH 11A	Proposed Outbuilding Plans	9th February 2024
10 HH 12	Proposed Site Layout	9th February 2024
10 HH 13	Existing Site Layout	20th February 2024
10 HH 14	Location Plan	6th December 2023

The application is also accompanied by:

- Application form (Dated 20.11.2023)

Applicant:

Mr I Virk

Validated:

6 December 2023

Date of expiry:

31 January 2024

Recommendation: Approval, subject to conditions

This application is scheduled for determination by the Council's Planning Committee by virtue of it has being called in by Councillors Green, Hooper, Morris-Cook, Shinnick and Watson (in accordance with the Constitution, Chapter 5, Part 3 (b), 2.1 (d) (ii) to consider the design and character impact upon the street scene.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for an attached three-bedroom dwelling within Chestnut Avenue, which would form part of a set of terrace dwellings with no. 10 and 12 Chestnut Avenue. Permission is also sought for a hip to gable roof extension, new porch, single storey flat roof extension and part two storey extension to the rear of the existing dwelling at 10 Chestnut Avenue. Two new outbuildings are also proposed to the rear gardens of the new dwelling and no. 10, along with the creation of parking on the frontage serving the proposed dwelling, and a new vehicle access and parking to the frontage of the existing dwelling.
- 1.2 This application is a revised proposal following the recent refusal of previous applications ref. 23/00484/FUL and 23/01125/FUL.
- 1.3 The most recent refusal, application 23/01125/FUL, initially sought permission for a 4-bedroom detached dwelling at the site and a rearward extension to No. 10. This proposal was subsequently revised to a 3-bedroom dwelling but was refused for the following reason in October 2023:

- The proposed development would, by virtue of the narrowness of the resultant subdivided plots, the excessive width of the proposed dwelling, the close proximity of the new dwelling to its adjacent neighbours, lead to the site appearing cramped, overdeveloped and poorly related to the wide plots and spacious character and appearance of the immediate street scene in Chestnut Avenue. The proposal is therefore contrary to Policies CSTP22, CSTP23 and PMD2 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015] and the National Planning Policy Framework 2023.*

2.0 SITE DESCRIPTION

- 2.1 The site hosts a semi-detached dwelling and is located within a residential area in Grays. The site has an existing vehicle access and driveway leading to the garage located in front of the site that would serve the new property. Previously the dwelling had benefitted from a modest detached garage outbuilding to its western side and a single storey rear extension and conservatory, which has since been demolished. Footings have also been dug for the proposed outbuildings, however,

following the receipt of a planning enforcement complaint relating to this breach of planning control, construction works have currently ceased whilst the current application is determined.

3.0 RELEVANT PLANNING HISTORY

Application Reference	Description of Proposal	Decision
70/00341/FUL	Kitchen/diner addition	Approved
22/01423/PHA	Rear extension with a depth of 6.0 metres from the original rear wall of the property, with a maximum height of 4.0 metres and eaves height of 3.0 metres.	Permission Not Required 29.11.2022 (Not Implemented)
22/01664/HHA	Single storey and part two storey rear extension with alterations to the existing hipped roof	Approved (Works started)
23/00357/CLOPUD	Loft conversion hip to gable end with rear dormer and the addition of two roof lights.	Approved (Works started)
23/00484/FUL	Subdivision of site, demolition of existing outbuilding for erection of a 2 storey 4 bedroom dwelling, associated cycle storage, bin storage, and amenities as well as single storey rear extension to No. 10 Chestnut Avenue. Creation of new hardstanding to serve existing and new dwelling	Refused 05.09.23
23/01125/FUL	Demolishing the existing Outbuilding and creating a new house of 1 no. of (4 Bedrooms for 6 people), associated cycle storage, bin storage, and amenities and new vehicle access to original dwelling.	Refused 18.10.2023 Appeal lodged

The following Planning Enforcement history is also relevant:

Enforcement Complaint	Reference	Outcome
23/00432/BUNWKS	Works to rear garden started such as footings being dig and concrete poured, without possible planning permission	Received 02.10.23, investigated and closed pending outcome of current application.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2.1 PUBLICITY:

The application has been advertised by way of individual neighbour notification letters and a public site notice which has been displayed nearby. 50 comments have been received from 26 different neighbouring addresses objecting to the proposal on the following grounds:

- Proposed parking not achievable
- Previous reasons for refusal not resolved
- Potential use as a HMO
- Out of character
- Noise
- Litter/Smell
- Overlooking
- Footings for outbuildings already dug
- Additional Traffic
- Parking concerns
- Environmental Pollution
- Overdevelopment
- Possible excessive noise
- Plans incorrect relating to access
- Material(s) Unacceptable
- Loss of Amenity
- Access concerns
- Disturbance over the hoardings currently at the site

4.3 ENVIRONMENTAL HEALTH:

No objections, subject to conditions relating to hours of construction and the submission of a construction Environmental Management Plan

4.4 HIGHWAYS:

Further information required.

4.5 HIGHWAYS INFRASTRUCTURE:

No objections

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

5.1 The updated NPPF was published in December 2023. 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 ...

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.

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

- 2. Achieving sustainable development
- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

Planning Policy Guidance

5.3 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:

- Consultation and pre-decision matters
- Design: process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Housing needs of different groups
- Housing: optional technical standards
- Making an application
- Use of Planning Conditions

Local Planning Policy Thurrock Local Development Framework (2015)

5.4 The statutory development plan for Thurrock is the 'Core Strategy and Policies for Management of Development (as amended)' which was adopted in 2015. The Policies Map accompanying the Core Strategy allocates this site as a land without notation where broadly the same or similar uses would remain. As the site and the immediately surrounding area is residential it would be acceptable for the site to be used residential purposes. The following adopted Core Strategy policies would apply to any future planning application:

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

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

SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)

THEMATIC POLICIES

- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness

POLICIES FOR THE MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD8: Parking Standards

- 5.5 Policy CSTP22 requires all development to be of a high quality of design and to improve the quality of the environment within the borough. Paragraph iii) in particular *“requires developers to demonstrate that their proposals are designed to respect the distinct positive characteristics of areas within Thurrock, whether urban or rural, and create a sense of place within their schemes.”*
- 5.6 In the introduction to policy CSTP23, (2015) paragraph 5.139 sets out that *“the character of a place or area is derived from the recognisable and consistent patterns of natural, historic and built elements within it, which make it different or distinct from another place or area. Thurrock recognises that protecting and promoting the best elements of the Borough’s character and strengthening its sense of place provides benefits for community cohesion, the quality of life, and economic growth.”* The policy wording then sets out that the Council *“will protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place.”*
- 5.7 Policy PMD2 states that *“the Council requires all design proposals to respond to the sensitivity of the site and its surroundings, to optimize 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.”*

Thurrock Local Plan

- 5.8 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a ‘Call for Sites’ exercise. 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. In December 2023 the Council began Initial Proposals Consultation (Regulation 18).

Thurrock Design Strategy

5.9 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 Within the previous application, no concerns were raised with regard to the introduction of the single storey and part first floor rearward extension to the existing dwelling. As these elements of the proposal have remained the same as previously submitted, except for minor alterations to window placements which would not materially impact how these elements were assessed, they would be acceptable in this instance. The assessment below covers the following areas:

- I. Principle of development
- II. Design, layout, and impact upon the area
- III. Provision of a suitable living environment
- IV. Amenity impact of the development
- V. Traffic impact, access and parking
- VI. Other matters

I. PRINCIPLE OF DEVELOPMENT

6.2 The application site comprises the plot of no. 10 Chestnut Avenue, which falls within a residential area of Grays. There would be no land use or 'in principle' objection to the proposals, subject to compliance with relevant Development Management policies and any other material considerations.

6.3 It is noted that the Council is not able to demonstrate a 5-year housing land supply and, therefore, the NPPF advises that planning permission for the development should be granted unless the harm caused clearly and demonstrably outweighs the benefits of the proposal.

II. DESIGN, LAYOUT, AND IMPACT UPON THE AREA

6.4 The current application has amended the proposal from the previously refused schemes. The current proposal has altered the dwelling so that it would now be attached to the existing property forming a terrace, and altered the layout and outward appearance of the property so that it would better reflect the appearance and design of the existing property and semi-detached pair.

6.5 Previously, within application ref. 23/00484/FUL, a number of concerns were raised in regard to the introduction of a new dwelling in this location. Consideration had

been given to the subdivision of the existing characteristically wide existing plot, which would have resulted in two much narrower plots than what are typically found within the street scene. This would have been particularly apparent when compared with the wide adjacent neighbouring plots at No. 8 and 12 Chestnut Avenue, to which the new plots would appear at odds with. Additionally, the width of the new dwelling would have almost spanned the entire width of the newly subdivided plot, leaving little space between the new dwelling and the neighbours sited at No. 8 and 10 Chestnut Avenue at both ground and first floor level. This would have resulted in the new dwelling sitting in very close proximity to its neighbours. Given the characteristic spacious gaps found between detached dwellings within Chestnut Avenue, the new detached dwelling was considered likely to appear cramped and out of character with the street scene.

- 6.6 The revised application reference 23/01125/FUL maintained the proposed new detached dwelling in its previously proposed footprint, with revisions focusing more on altering the finer finishing details of the new dwelling, as opposed to attempting to alleviate the concerns regarding the potential cramped appearance of the plots, out of character width and the proximity of the new dwelling to its neighbouring dwellings. Subsequently, the revised application was not seen to overcome the fundamental issues of the proposal and concerns relating to potential overdevelopment of the site, harm to the character and appearance of the street scene and the resultant harm to the open and spacious character of Chestnut Avenue, and this most recent application was refused in October 2023. The Applicant has lodged an appeal against this most recent refusal.
- 6.7 Within the current application a more robust approach to tackling the above-mentioned design concerns raised has been undertaken. The new dwelling would now be attached to and extend out from the southern flank elevation of No. 10 Chestnut Avenue; together with the proposed hip to gable roof extension at No. 10, the proposal would create a seamless transition between the new dwelling and No. 10 and would broadly mirror the proportions and width of the other half of the existing semi-detached pair. The mirroring of the proportions and width of the semi-detached pair within the terraced row would result in a proposal that would not be considered to have a detrimental impact upon the appearance of the street scene.
- 6.8 Comments have been received objecting to the formation of a set of terraces within Chestnut Avenue, citing that the introduction of terraces would be out of character for the Avenue. It is accepted that there are no examples of terrace dwellings within Chestnut Avenue, with mostly detached and semi-detached dwellings being found within the street. The introduction of the terrace layout would, for this reason, be somewhat out of character for this location. Consideration is however given to the imbalance which currently existing between No. 10 and 12 Chestnut Avenue, with

No. 12 having a significantly greater width than No. 10. The new roof extension to No. 10 together with the new dwelling, would create a form which largely mirrors that of No.12, correcting the imbalance which exists between the plots. This is furthered given the proposed porch to the front of the new dwelling and No. 10 is to be of a similar appearance to that which exists to the front of No. 12.

- 6.9 Whilst the coverage of the plot would be similar to that which was previously proposed in terms of the dwellings width, the terraced layout would enable the built form of the new dwelling to be moved away from the shared boundary line with No. 8 Chestnut Avenue, creating a greater gap between the new dwelling and the neighbours at No. 8 Chestnut Avenue. This greater gap would more appropriately reflect an acceptable level of openness between the new dwelling and No. 8. For these reasons, given the revised dwelling together with No. 10 would reflect the design, appearance and scale of the attached dwelling at No. 12, it would be difficult to argue that the new dwelling would amount to any substantial undesirable impact towards the appearance or character of these dwellings or the street scene sufficient to warrant recommending refusal for this reason.
- 6.10 With respect to the proposed outbuildings, these would be located to the far eastern ends of the gardens and would be connected to each other externally but would be subdivided internally, in line with the subdivision of the site for each dwelling. The use of each of the outbuildings is stated to be for gym and playroom purposes, which are typically considered to be incidental uses to residential dwellings and considering their simplistic internal layout, each only having one room, this would suggest that the outbuildings uses would be incidental and ancillary to the main dwellinghouses and would not be used as separate living accommodation or for commercial use.
- 6.11 The design of the outbuildings would be simplistic, finished with brick and with flat roofs, which given their rear garden location with limited visibility from the public realm, would not raise any significant concerns. The proposed outbuildings would be of a larger footprint than those typically found within the area, their footprint would be of a proportional size when compared with the host dwellings and sizable gardens would be maintained at each plot and would therefore be acceptable.
- 6.12 Overall, the proposed new dwelling together with the outbuildings are found to be acceptable in terms of design, scale and appearance complying with Policies CSTP22, CSTP23 and PMD2.

III. PROVISION OF A SUITABLE LIVING ENVIRONMENT

- 6.13 The subdivision of the site would provide each dwelling with sufficient private amenity space, in line with the space standards set out in Annexe A1.2 of the 1997 Borough Local Plan.
- 6.14 The revised proposal would continue to provide a suitable living arrangement within the new dwelling and the existing dwelling, and each room would be served by a window, providing adequate natural lighting and outlook to its habitable rooms. The bedrooms within the new dwelling would comply with both the Council's standards as well as the Nationally Described Space Standards.
- 6.15 Overall, the internal and external amenity space and conditions provided to the proposed new dwelling on site would be considered acceptable in this instance and compliant with Policy PMD1.

IV. AMENITY IMPACT OF DEVELOPMENT

- 6.16 As the siting of the proposed new dwelling would be moved further away from no. 8 Chestnut Avenue there would be no detrimental impact to this neighbour's amenities as a result of the proposal. The new dwelling would be sited closer to the existing dwelling at No. 10, however, there would be no breach in either the 45 degree vertical or the 60 degree horizontal allowance as detailed within the Council's adopted design guidance. As such, it is not considered that the proposal would result in any adverse or harmful impact in terms of loss of light or overbearing impact to the occupiers of No. 10.
- 6.17 The outbuildings would have west facing doors and windows, offering views towards the rear elevation of no. 10 Chestnut Avenue and neighbouring dwellings within Chestnut Avenue. However, considering that the doors and windows would be at ground floor level, the views offered would be similar to what can be achieved from standing within the rear gardens. Therefore, it is not considered that the outbuilding in either plot would result in any overlooking over what would be expected or considered acceptable within a residential area. The siting of the outbuildings towards the rear end of the garden, would mean the distance retained between the outbuilding and the neighbouring dwellings would prevent any overbearing or intrusive impact towards the private amenity space of the neighbours.
- 6.18 The Council's Environmental Health Officer has recommended that if the application were to be viewed favourably, a condition restricting the hours of construction and demolition would be necessary, and that a Construction Environment Management Plan is submitted.
- 6.19 In line with the above, the proposal would not have an adverse impact upon

neighbouring amenity and would comply with PMD1.

V. TRAFFIC IMPACT, ACCESS AND PARKING

- 6.20 The revised proposed would result in two dwellings being situated at the site, with each having three bedrooms. As such, two off street parking spaces should be provided for each of the dwellings to be provided on site, in order to meet the Thurrock Council Parking Standards and Policy PMD8. Concerns surrounding parking issues have been raised as a clear concern from local residents within Chestnut Avenue.
- 6.21 This revised application has retained the same parking scheme as sought under application 23/01125/FUL. It was previously considered that the amount of off-street parking that could adequately be provided on the frontage would be acceptable. The current proposal continues to seek to provide parking for 2 vehicles to the frontages of each dwelling, accessed via individual access ways. The Council's Highways Officer raises no objections to the proposal, subject to conditions. The Council's Highways Infrastructure Officer has also confirmed that the proposed new vehicle crossover would comply with Vehicle Crossover policy and has raised no objections.
- 6.22 Whilst comments received from the neighbours relating to parking are acknowledged, given that the proposals would provide adequate off-street parking and access in line with Council policy PMD8 the proposals would be considered acceptable with respect to highway matters.

VI. Other matters

- 6.23 Many comments received from the neighbours have raised repeated concern over the potential use of the property as a larger House of Multiple Occupation (HMO) which falls under a Sui Generis use. Indeed, the initial application as submitted did appear on the basis of the described number of rooms and occupiers, and based upon the layout submitted, to reflect that of a larger HMO use. Officers sought clarification on this matter with the applicant's agent. The agent has confirmed the proposed use of the new dwelling is as a single family C3 use dwellinghouse and would not be used as a larger HMO.
- 6.24 Notwithstanding this clarification, if permission were to be granted for this development, given the concerns raised by local neighbours regarding the potential to use the properties as a larger HMO, it would be appropriate to define the scope of the permission and impose a condition to define the use of these two dwellings as single C3 use properties and that they should not be used as larger HMOs falling under a Sui Generis use without additional planning permission.

- 6.25 The application site falls within the Zone of Influence (Zol) within the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), as relevant development. Without mitigation the proposed development is likely to have a significant effect on the Thames Estuary and Marshes Special Protection Area. 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
- 6.26 The mitigation strategy involves a tariff for each residential unit which is £156.76 per unit to mitigate the in-combination effects of recreational disturbance on the Special Protection Area. Having considered the proposed avoidance and mitigation measures above, the Council takes the view that with adopted mitigation the project will not have an adverse effect on the integrity of the European sites included within the Essex Coast RAMS.
- 6.27 A unilateral undertaking would be an appropriate manner in order to secure the mitigation costs within the Essex Coast RAMs Zone of Influence. The applicant has agreed to paying the tariff without the need for a legal agreement in this instance. Therefore, the harm within the Zol would be effectively mitigated.

7.0 CONCLUSION AND REASON FOR RECOMMENDATION

- 7.1 The proposed development is considered to be acceptable in terms of scale, design, layout, character impact and impact upon local amenity, and highway safety. Local objections are noted but do not amount to justifiable reasons for refusal in this instance.

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following conditions:

Standard Time

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Approved drawings

2. No development shall take place other than in accordance with the following plans, drawings, and documents:

Plan Number(s):		
Reference	Name	Received
10 HH 01	Existing Ground Floor Plans	9th February 2024
10 HH 02	Existing First Floor Plans	9th February 2024
10 HH 03	Existing Roof Plans	9th February 2024
10 HH 04	Existing Elevations	9th February 2024
10 HH 05	Existing Elevations	9th February 2024
10 HH 06	Proposed Ground Floor Plans	9th February 2024
10 HH 07	Proposed First Floor Plans	9th February 2024
10 HH 08	Proposed Roof Plans	9th February 2024
10 HH 09	Proposed Elevations	9th February 2024
10 HH 10	Proposed Elevations	9th February 2024
10 HH 11	Proposed Elevations	9th February 2024
10 HH 11A	Proposed Outbuilding Plans	9th February 2024
10 HH 12	Proposed Site Layout	9th February 2024
10 HH 13	Existing Site Layout	20th February 2024
10 HH 14	Location Plan	6th December 2023

Reason: For the avoidance of doubt.

Use of dwellings

3. The dwellinghouse identified as No. 10 Chestnut Avenue and the new dwelling hereby approved are for residential purposes falling within Class C3 and shall only be used for residential purposes and shall not exceed the limitations as defined within use class C of the Town and Country Planning (use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.)

Reason: To define the scope of the permission and in the interests of amenity, highways safety and to ensure that the development remains integrated with its immediate surroundings and is provided with an adequate and acceptable level of off street parking provision as required by Policies PMD1, PMD2 and PMD8 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

Construction management plan

4. No development shall take place, including any works of demolition, until a

Construction Method Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. details of construction access.
- ii. the parking of vehicles of site operatives and visitors.
- iii. loading and unloading of plant and materials.
- iv. storage of plant and materials used in constructing the development.
- v. Details of temporary hardstanding
- vi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- vii. wheel washing facilities and sheeting of vehicles transporting aggregates.
- viii. measures to control the emission of dust and dirt during construction.
- ix. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenities of the area and highway safety and convenience.

Details of Materials/Samples to be submitted

5. Notwithstanding the information on the approved plans no development above ground level, shall commence 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 the local planning authority for approval. 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 rural Green Belt surroundings in accordance with policies PMD2 and PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Submission of hardstanding details

6. No development shall commence until details of the proposed hardstanding to the fronts of the two resultant dwellings at the site 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: For the avoidance of doubt and in order to safeguard the amenities of neighbouring occupiers and in the interests of visual amenity of the area in accordance with policies PMD1, PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Vehicle Access

7. The development hereby permitted shall not be first occupied until such time as the vehicle access shown on the approved plans (10 OS 1 dated 20 February 2024), has been suitably installed as shown on the approved plans. The vehicle access shall be retained in this form at all times thereafter.

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 boundary screening

8. No occupation shall take place until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the local planning authority. The screening as approved shall be completed prior to the first use/occupation of the development and shall be retained and maintained as such thereafter.

Reason: In the interests of the visual amenity of the area and to ensure that the proposed development, in the Green Belt, does not have a detrimental effect on the environment as required by policies PMD1, PMD2 and PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Hours of work

9. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours

Saturdays 0800 – 1300 hours

Unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

External materials

10. No development beyond the construction of foundations shall take place until details of the external finishing materials to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

Removal of PD Rights – Extensions and outbuildings

11. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, D or E of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions shall be erected to No. 10 Chestnut Avenue or to the new dwelling hereby permitted or outbuildings constructed within the curtilage of each dwelling without planning permission having first been obtained from the local planning authority.

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

INFORMATIVE:

Positive and Proactive Statement

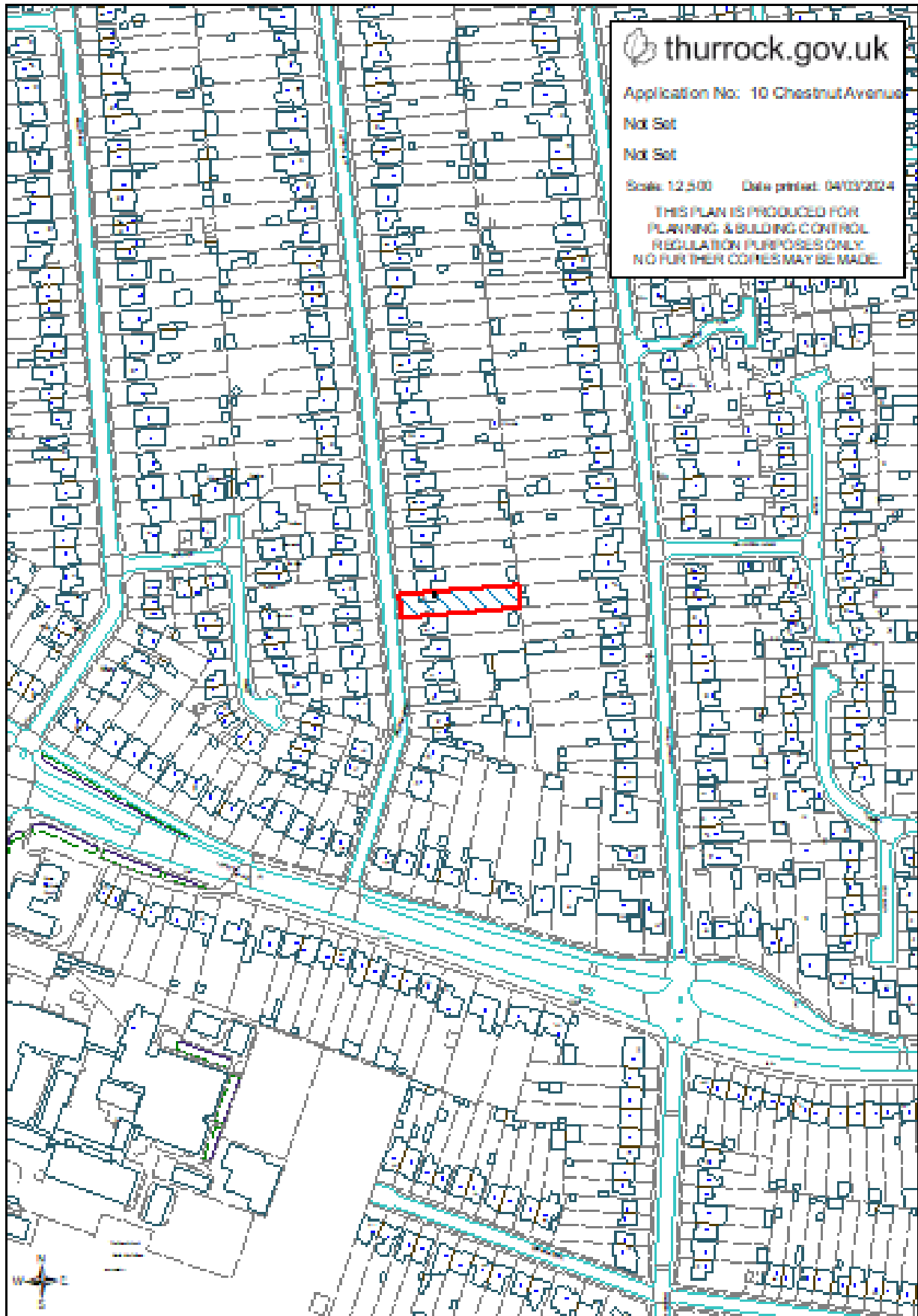
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

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

Documents:

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

www.thurrock.gov.uk/planning



Reference: 23/01452/ADV	Site: Land Adjacent 1 To 21 Kings Parade King Street Stanford Le Hope Essex
Ward: Stanford Le Hope West	Proposal: Installation of 1x electronic advertisement totem (Displaying travel information interspersed with adverts)

Plan Number(s):		
Reference	Name	Received
JCBD-22-240-13-1 REV 00 LCD	Proposed Plans	6th December 2023
(No Nos.)	Location Plan	6th December 2023
(No Nos.)	Site Layout	6th December 2023

The application is also accompanied by: <ul style="list-style-type: none"> - Application Form - Manufacturers specifications 65-inch totem. 	
Applicant: Mr Michael Boon	Validated: 6 December 2023 Date of expiry: 31 January 2024
Recommendation:	

This application is scheduled for determination by the Council’s Planning Committee because all applications by, or on behalf of, the Council are required to be considered by Committee (in accordance with Part 3 (b) Section 2 .1 (c) of the Council’s constitution).

1.0 DESCRIPTION OF PROPOSAL

- 1.1 The application proposes the erection of one internally illuminated two-sided travel information and advertising display unit.
- 1.2 The proposed totem would measure a maximum height of 2.0m, a width of 0.9m and a depth at the base of 0.5m and a depth of 0.18m for the actual signage.
- 1.3 The double-sided display would feature a light sensor which changes the brightness of the screen depending on the ambient lighting to ensure the most suitable brightness at any time.

1.4 The signage would display real time transport information for buses (and if required trains) to give accurate information to current bus passengers, it can also display messaging about delays / weather warnings / if and when required. The information displayed would provide a 50% split between travel information and advertising every minute.

1.5 Advertising local information on the signage would be encouraged.

2.0 SITE DESCRIPTION

2.1 The site lies within an existing Local Centre. The unit is to be located upon the public footpath located adjacent to no. 1 Kings Parade King Street, Stanford-Le-Hope.

3.0 RELEVANT PLANNING HISTORY

3.1 None that are relevant to this proposal.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2 PUBLICITY:

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

4.3 HIGHWAYS

No objections

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF) 2023

5.1 The revised NPPF was published in December 2023. 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:

11. Making effective use of land;
12. Achieving well-designed places.

5.2 National Planning Practice Guidance (NPPG)

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

- Advertisements
- Design
- Determining a planning application
- Town centres and retail

5.3 Local Planning Policy: Thurrock Local Development Framework (2015)

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

SPATIAL POLICIES

- CSSP2 (Sustainable Employment Growth)

THEMATIC POLICIES

- CSTP7 (Network of Centres)
- CSTP8 (Viability and Vitality of Existing Centres)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

POLICIES FOR MANAGEMENT OF DEVELOPMENT

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

5.4 Thurrock Local Plan

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

5.5 Thurrock Design Strategy

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

6.0 **ASSESSMENT**

6.1 The assessment below covers the following areas:

- I. PRINCIPLE OF THE DEVELOPMENT
- II. DESIGN AND IMPACT ON THE AREA
- III. HIGHWAY SAFETY

- I. PRINCIPLE OF THE DEVELOPMENT

6.2 The site is located with the Stanford le Hope Town Centre and proposes a travel information display and advert and is therefore acceptable in principle.

- II. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

6.3 By virtue of the modest size and scale of the totem, the proposal would pose a limited impact upon the visual amenity or character of the area and raise no concerns in relation to its overall appearance, according with Policies CSTP22, CSPTP23 and PMD2 of the Core Strategy.

- III. HIGHWAY SAFETY

- 6.4 The signage would occupy a small section of the pedestrian footpath and would not have any detrimental impact upon pedestrian movements, highway or public safety. Furthermore, Highways Officers have raised no objections. The proposal would therefore pose no impacts on highways safety, according with Policy PMD2 of the Core Strategy.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The proposed signage is considered to be acceptable in terms of its impact on the character, visual amenities of the area and highways safety and therefore satisfactory in terms of Policy CSTP22, CSTP23, PMD2 of the Core Strategy and Policies for the Management of Development Plan (as amended) 2015:

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following conditions:

- 1 The express consent hereby granted shall be for a period of 5 years beginning from the date of this decision.
- 2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 3 No advertisement shall be sited or displayed so as to:-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military).
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purposes of security or surveillance or for the measuring the speed of any vehicle.
- 4 Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- 5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- 6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reasons 1- 6: These conditions are imposed pursuant to Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

Approved Plans

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

Plan Number(s):		
Reference	Name	Received
JCBD-22-240-13-1 REV 00 LCD	Proposed Plans	6th December 2023
(No Nos.)	Location Plan	6th December 2023
(No Nos.)	Site Layout	6th December 2023

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

Positive and Proactive Statement

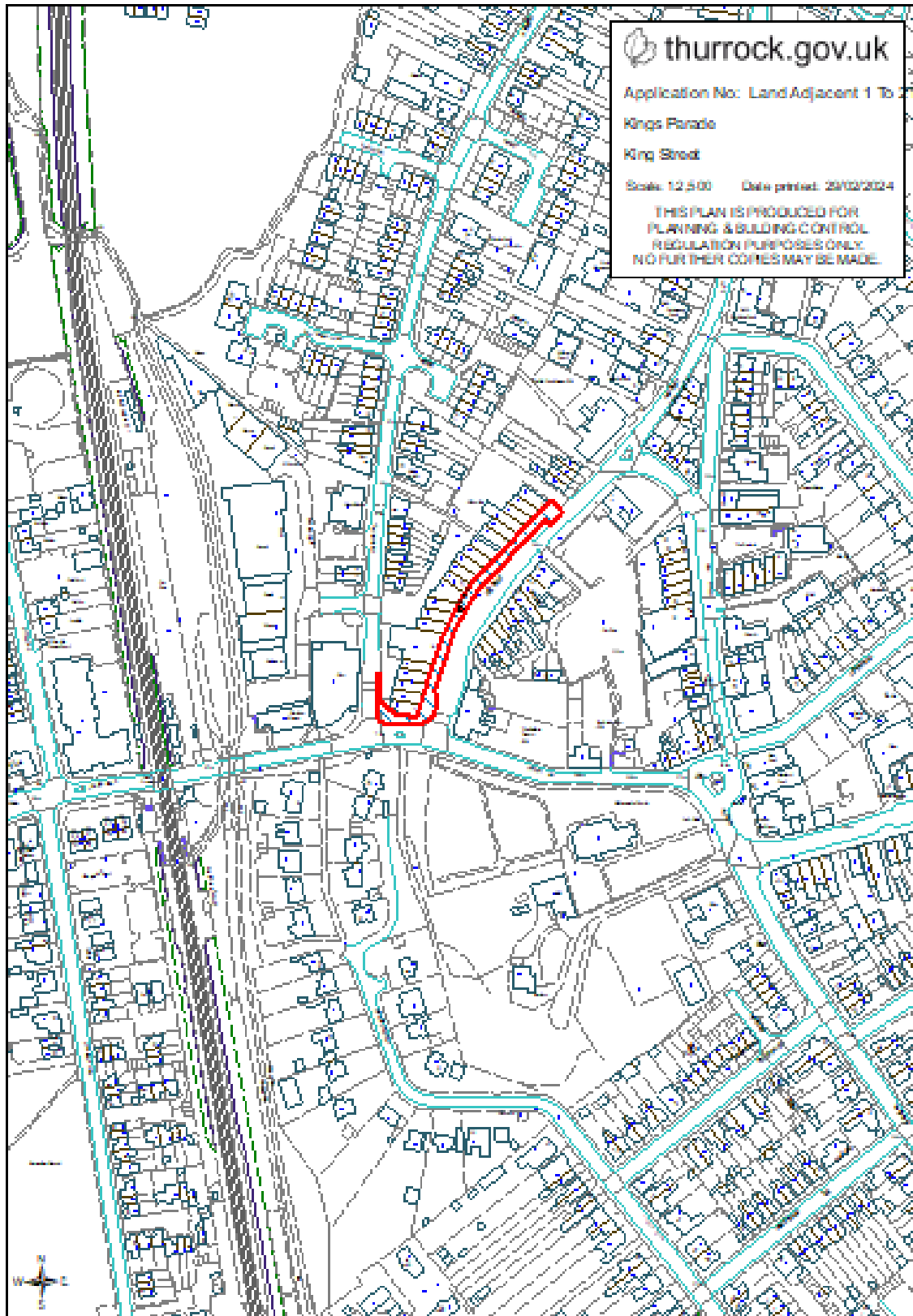
1. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) –

Positive and Proactive Statement: The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant advertising consent 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:

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Planning Committee 14.03.2024	Application Reference: 23/01453/ADV
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Reference: 23/01453/ADV	Site: Land Adjacent 57 To 89 St Johns Way Corringham Essex
Ward: Stanford East And Corringham	Proposal: Installation of 1x electronic advertisement totem (Displaying travel information interspersed with adverts)

Plan Number(s):		
Reference	Name	Received
00864946-DFF04D.	Proposed Site Layout	6th December 2023
JCBD-22-240-13-1 REV 01	Proposed Plans	6th December 2023
OS 100042766	Location Plan	6th December 2023

The application is also accompanied by: <ul style="list-style-type: none"> - Application Form - Manufacturers specifications 65-inch totem 	
Applicant: Mr Michael Boon	Validated: 6 December 2023 Date of expiry: 31 January 2024
Recommendation:	

This application is scheduled for determination by the Council’s Planning Committee because it has been called in by Cllrs Allen, Byrne, Massey and Speight (in accordance with the Constitution, Chapter 5, Part 3 (b), 2.1 (d) (ii) to assess the impacts on local visual amenity and because all applications by, or on behalf of, the Council are required to be considered by Committee (in accordance with Part 3 (b) Section 2 .1 (c) of the Council’s constitution).

1.0 DESCRIPTION OF PROPOSAL

- 1.1 The application proposes the erection of one internally illuminated two-sided travel information and advertising display unit.
- 1.2 The proposed totem would measure a maximum height of 2.0m, a width of 0.9m and a depth at the base of 0.5m and a depth of 0.18m for the actual signage.

- 1.3 The double-sided display would feature a light sensor which changes the brightness of the screen depending on the ambient lighting to ensure the most suitable brightness at any time.
- 1.4 The signage would display real time transport information for buses (and if required trains) to give accurate information to current bus passengers, it can also display messaging about delays / weather warnings / if and when required. The information displayed would provide a 50% split between travel information and advertising every minute.
- 1.5 Advertising local information on the signage would be encouraged.

2.0 SITE DESCRIPTION

- 2.1 The site lies within an of existing Local Centre. The unit is to be located upon the public footpath located near 'The Kiosk' opposite 18 St Johns Way, Corringham

3.0 RELEVANT PLANNING HISTORY

- 3.1 None that are relevant to this proposal.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, and a public site notice which has been displayed nearby. One neighbour objection has been received raising the following concerns:

- Object to an advertising board outside my property
- The pavement is narrow, more room on the corner 50ft away.

4.3 HIGHWAYS:

No objections

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF) 2023

5.1 The revised NPPF was published in December 2023. 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:

11. Making effective use of land;
12. Achieving well-designed places;

5.2 National Planning Practice Guidance (NPPG)

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

- Advertisements
- Design
- Determining a planning application
- Town centres and retail

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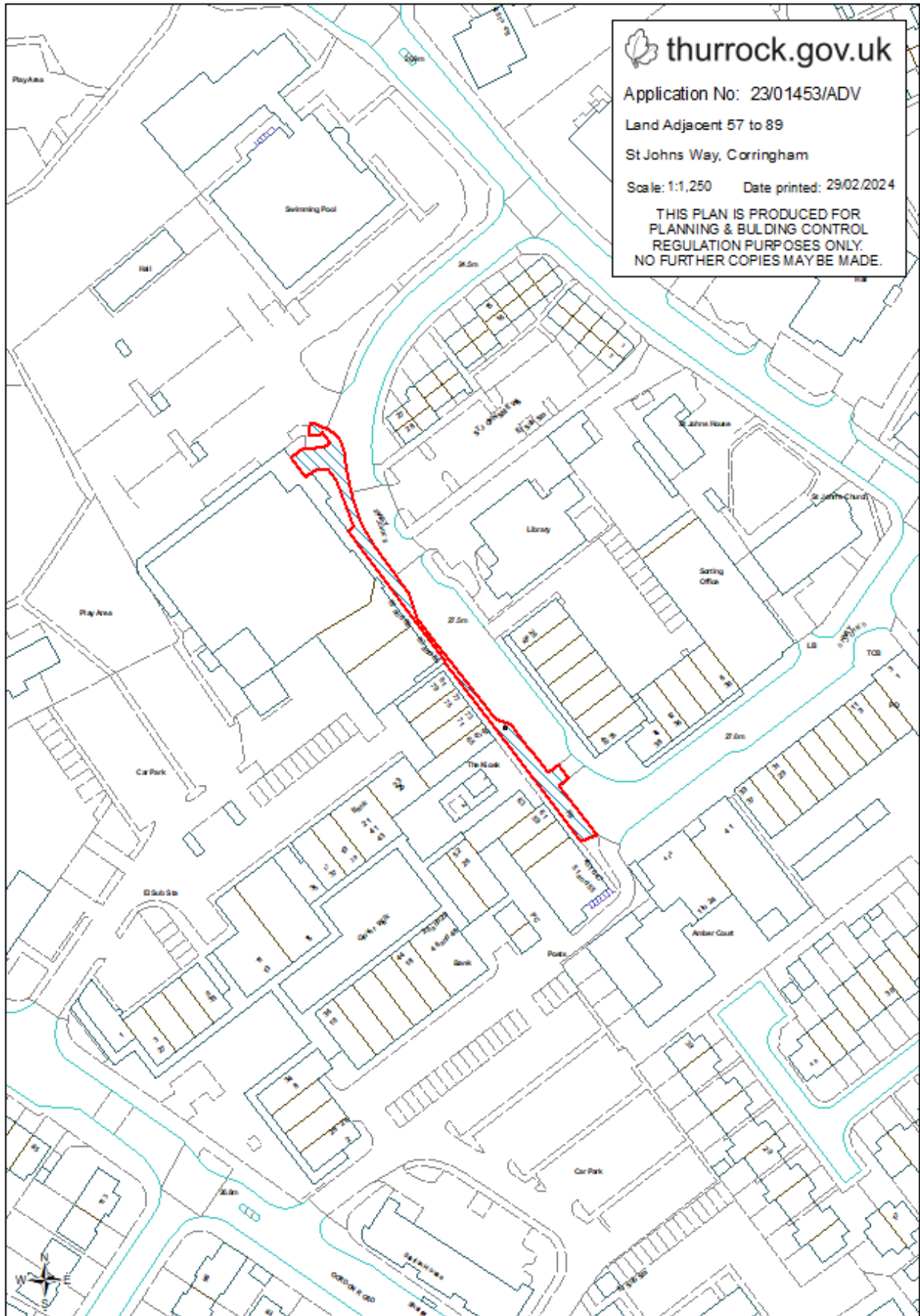
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