

Reference: 16/00412/OUT	Site: Star Industrial Estate Linford Road Chadwell St Mary Essex
Ward: East Tilbury	Proposal: Outline application for proposed residential redevelopment, with all matters reserved apart from principle and access (Indicative layout provided indicates up to 203 dwellings)

Plan Number(s):		
Reference	Name	Received
5435 – SK06	Star Coward Boundary Plan	4 th April 2016
5435 – SK05 Rev C	Feasibility Site Layout	26 th September 2016
5435 – SK04 Rev A	Proposed Elevations and Floor Plans	22 nd March 2016
5435 – SK08	Site levels and Cross Sections	4 th April 2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> – S&R - Traffic Impact Assessment R4 – S&R - Foul & Surface Drainage Assessment R2 – S&R - Design and Access Statement – S&R – Flood Risk Assessment – S&R – Travel Plan – S&R - Flood Risk Assessment – S&R - Site allocations 	
Applicant: Apex Properties Ltd	Validated: 11 July 2016 Date of expiry: 31 October 2016 (EoT)
Recommendation: Refuse	

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks outline planning permission for the residential redevelopment of the site for up to 203 dwellings, with all matters reserved apart from access. Matters of appearance, landscaping, layout and scale are reserved for subsequent approval.
- 1.2 A number of indicative drawings are provided in the Design and Access Statement and application plans suggesting how the residential development could be accommodated. An indicative site layout shows a potential arrangement of building blocks and a road network through the site. Dwellings are indicatively arranged in short terraces, semi-detached pairs and detached blocks. The indicative site layout suggests that a back-to-back relationship would be achieved between proposed dwellings and existing dwellings to the north and west of the site. A drawing illustrating dwelling types shows an indicative arrangement of two-bedroom flatted blocks and three and four-bedroom houses throughout the site. The scale and massing is indicated as comprising predominantly two-storey development, with two flatted blocks over three-storeys. The indicative site layout suggests a schedule of accommodation as follows:

Site Area:	3.94 hectares
No. of Dwellings:	96 x 2 bedroom 3 person units (flats) 97 x 3 bedroom 5 person units (houses) 10 x 4 bedroom 6 person units (houses) Total 203 dwellings (96 flats and 107 houses)
Amenity Space:	Private gardens for houses with private amenity areas averaging at approximately 83 sqm. Communal amenity area for flats, approximately 1,300 sqm. Landscaped setting for flats, approximately 2,300 sqm
Building Height:	3 storey flat blocks with a maximum height of 12m and 2 storey housing [some with rooms in roof for the 4 bedroom units] with a maximum height of 8.9m
Car Parking:	184 off street parking spaces within the curtilage of each dwelling or in parking courts near flat blocks

2.0 SITE DESCRIPTION

- 2.1 The application site comprises 3.94 Hectares of land currently occupied by two commercial estates known as the Star Industrial Estate and the Cowards Industrial Estate. The Star estate is located to the south of the Cowards estate. Both Star and Cowards Industrial sites are accessed south of St John’s Road. The application site is bordered by established residential development to the north on Hill House Drive with Linford Road beyond. Sandy Lane runs north-south to the immediate east of the site with Green Belt land beyond featuring some residential plots.

- 2.2 The Star estate comprises open storage and industrial units arranged in a roughly linear form running north-south with a further unit to the west of the estate. The industrial units are of a relatively low height. The Cowards Estate comprises larger warehouses and an office unit.
- 2.3 To the south of the Cowards estate and to the west of Star Estate is a former sand pit of varying land levels. The sand pit forms part of the Green Belt which flanks the application site.

3.0 RELEVANT HISTORY

Reference	Description	Decision
12/30090/PMAJ	Change of use of secondary industrial land and sand pit to residential use.	Pre-application advice given

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

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

Three letters of representation have been received objecting to the proposals. The letters object to the proposals on the following grounds:

- Access;
- Additional traffic;
- Amenity impacts including noise, litter and smells;
- Environmental pollution.

4.3 ENVIRONMENT AGENCY:

No objection, subject to Council being satisfied regarding foul and surface water drainage and detailed conditions.

4.4 NHS ENGLAND:

The proposal would be likely to have an impact upon the provision of local GP practices and a contribution towards local facilities is recommended (and a contribution of £69,680 will be required)..

4.5 ANGLIAN WATER:

No objection subject to conditions.

4.6 ESSEX AND SUFFOLK WATER:

No objections.

4.7 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

4.8 FLOOD RISK MANAGER:

Objection. Further information required regarding surface water management of the site.

4.9 HIGHWAYS:

Objection. Recommend refusal.

4.10 LANDSCAPING:

No objection, subject to conditions.

4.11 PUBLIC RIGHTS OF WAY:

Recommendations made regarding improvements to the suggested realignment of Public Footpath 116 linking to the public open space via the footpaths rather than between the previously approved housing development and the industrial estate.

4.12 HOUSING:

The proposal will need to provide 35% affordable housing units to comply with policy.

4.13 EDUCATION:

The proposal will generate a requirement for education contributions at nursery, primary and secondary levels (and a contribution of £1,336,126.16 will be required).

4.14 PUBLIC HEALTH:

Advised the proposal would put pressure on local health care services, particularly the two local GP practices.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework (NPPF)

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

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

1. Building a strong, competitive economy
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
10. Meeting the challenge of climate change, flooding and coastal change

5.2 Planning Practice Guidance (PPG)

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application comprise:

- Climate change
- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Land affected by contamination

- Noise
- Planning obligations
- Renewable and low carbon energy
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

5.3 Local Planning Policy

Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site as falling within a Secondary Industrial and Commercial Area.

The following Core Strategy policies apply to the proposals:

SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP2: Sustainable Employment Growth
- CSSP3: Sustainable Infrastructure
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock¹

THEMATIC POLICIES

- CSTP2: The Provision of Affordable Housing
- CSTP6: Strategic Employment Provision
- CSTP22: Thurrock Design
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP27: Management and Reduction of Flood Risk²

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD8: Parking Standards³
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans²
- PMD12: Sustainable Buildings²
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment²
- PMD16: Developer Contributions²

[Footnote: ¹New Policy inserted by the Focused Review of the LDF Core Strategy.

²Wording of LDF-CS Policy and forward amended either in part or in full by the

Focused Review of the LDF Core Strategy. ³Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

5.4 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

5.5 Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

The above report was considered at the February 2014 meeting of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan.

Draft Site Specific Allocations and Policies DPD

5.6 The Consultation Draft "Issues and Options" DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD 'Further Issues and Options' was the subject of a further round of consultation during 2013. In this document the site is detailed as a "Housing Site Without Permission - EAT01 St John's Road/West of Sandy Lane, East Tilbury)". The indicative housing density of the site is 176 and the likely phasing 6-10 years.

5.7 The Planning Inspectorate has advised local authorities not to continue to progress their Site Allocation Plans towards examination where their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

6.0 ASSESSMENT

6.1 The issues to be considered in this case are:

1. Plan Designation and Principle of Development;
2. Layout and Design Issues;
3. Amenity Impacts;
4. Highways Issues;
5. Landscape Issues;
6. Flood Risk;
7. Planning Obligations.

1. PLAN DESIGNATION AND PRINCIPLE OF RESIDENTIAL DEVELOPMENT

- 6.2 Both the Coward and Star industrial estates are designated within the Interim LDF Proposal's Map as forming a Secondary Industrial and Commercial Area in Chadwell St Mary. However, both sites have also been identified in the Council's Site Specific Allocations and Policies Development Plan (Issues and Options) as a housing site with the potential capacity of 176 units [ref EAT01].
- 6.3 Before work paused in favour of the production of the Local Plan, the DPD reached 'Preferred Option' state prior to formal submission, before examination in public. The Council has previously accepted that those sites identified within this DPD would be carried forward into the new Local Plan. Therefore, considering the current lack of a more up-to-date development plan document, the allocation of both sites as a single, comprehensive housing site within the DPD should be considered to support the development proposal.
- 6.4 It is necessary however to also consider the impact of the loss of two commercial estates. Policy CSTP 6 is relevant in this case and stipulates that existing commercial land in such areas should be safeguarded where it is required to maintain a sufficient supply of employment land within the plan period.
- 6.5 The applicant has stated that both estates are not viable for long term retention; owing to the close proximity of the estates to the residential area, access [which is achieved through residential streets to the north] is restricted to 6am to 6pm with no working or access on Sundays or Bank Holidays. The applicant has argued that this restriction has severely limited the commercial options available to the estates because modern commercial operators seek 24 hour operation. It is apparent that both estates are declining and only one long term client is presently secured [at Cowards estate].
- 6.6 The loss of the estates would clearly result in a reduction of employment land in the Borough however given the restricted nature and declining condition of the estates it is clear that they are unlikely to meet the requirements of modern commercial operators going forward. In this respect, the estates are not considered viable for long term retention. The comprehensive redevelopment of both sites would accord with the requirements of Policy CSTP1 and contribute towards the Council's housing supply in the urban area, reducing development pressure upon the Green

Belt. In addition, the removal of the commercial estates from the residential area would improve the amenities of local residents by removing the movement of HGVs and other commercial vehicles from the locality.

- 6.7 Members are also advised that an earlier iteration of a proposal incorporating just the Star industrial estate and the sand pit was considered at pre-application stage and subject to a Design Review hosted by Design Council CABE. The Design Review warned against the redevelopment of the single estate and made recommendation that the applicant should consider the comprehensive development of both Star and Coward Industrial estates, in the interests of quality place making.
- 6.8 In conclusion under this heading, the proposal to redevelop both commercial estates in a comprehensive manner is compelling. Whilst it would reduce the amount of commercial land from the Borough, the comprehensive redevelopment of both sites would bring about positive change to the location and provide much needed housing in the Borough. On balance it is considered that the principle of the development is sound.

2. LAYOUT AND DESIGN ISSUES

- 6.9 The application has been submitted in outline form with all matters except access (appearance, landscaping, layout and scale) reserved for subsequent approval. Members will therefore need to be satisfied that the site can accommodate the quantum of development proposed without harm to character or amenity and in compliance with relevant adopted Core Strategy policies.
- 6.10 An indicative site layout plan has been prepared which shows an illustrative arrangement for road layout, built form and garden areas across the site. Vehicular and pedestrian access into the site is proposed to be taken from the access road south of St John's Road serving the estates. The highways considerations associated with the re-use of this access are assessed elsewhere in this report. With reference to layout, the access would link the development to the remainder of the residential areas south of Linford Road via St John's Road.
- 6.11 Public Footpath 116 runs to the immediate west of the application site. The Council's Rights of Way Officer has indicated that it would be preferable to realign the footpath linking it to the public open space via the footpaths along the access road into the recently approved housing development to the west of the site, rather than between the previously approved housing development and the Cowards Estate. The applicant has agreed to this realignment and this matter would need to be included within the s106 legal agreement.
- 6.12 The indicative site layout plan also suggests how building blocks could be arranged to achieve back-to-back or back-to-flank relationships with existing properties to the west and north and properties under construction to the east.
- 6.13 The indicative site layout shows the access leading to a loop road across the northern half of the application site which then leads to an internal road running north-south into the southern half of the site. Dwellings would be orientated so that

they would be back-to-back with recently approved housing development under construction to the immediate west. The indicative layout also shows the main building blocks within the site would be laid out with back-to-back relationships. This approach is generally supported.

- 6.14 The buildings blocks on the indicative site layout to the south and south western half of the site are shown to have rear aspects looking out over the sand pit. It would be preferable if the dwellings which overlook the sand pit were orientated to make best use of the open views across the sandpit and down towards river terrace of the Thames; this is one of the finest views from Chadwell and it would be unfortunate if the development did not make the most of this open vista and look outwards rather than inwards on this part of the site.
- 6.15 As noted above, the indicative arrangement of building blocks shows a clear definition between private amenity space and public realm. The indicative site layout suggests that adjoining rear gardens would be adjoined by the proposed rear garden areas. This indicative approach to the layout is supported.
- 6.16 The application proposes a development of up to 203 dwellings on a site comprising 3.94 hectares, resulting in a development of 51.5dph. This density is generally compatible with surrounding residential density including the site adjacent currently under construction and the application further west of St John's Road also under consideration on this agenda (planning application ref. 15/00379/OUT). Based on this single measure, the quantum of development proposed for the site will be generally compatible with the context of surrounding development. Policy CSTP1 of the adopted Core Strategy sets out the Council's policy approach to residential density and states that development should be both design-led and should seek to optimise the use of land compatible with local context. A density range of 30-70dph will generally be sought for locations such as the current site. The proposal is within the range of appropriate densities referred to by CSTP1.
- 6.17 The applicant states that it is intended that parking will be provided in close proximity to dwellings and courts and enclosures would be formed for this purpose.
- 6.18 The indicative mix of dwellings suggests that the majority of units would be houses, 97 (48%) three-bedroom houses and 10 (5%) four-bedroom houses, with 96 two-bedroom flats making up the remainder of the development (47%). Policy CSTP1 requires that new residential developments provide a range of dwelling types and sizes to reflect, inter-alia, local context. The proposed ratio of flats (47% of the total) is less than the total number of houses (53%) and in the context of Chadwell St Mary as a whole the introduction of 96 additional flats would have no discernable impact on the prevailing form of family housing.
- 6.19 As this is an outline application, the layout and design proposals are indicative at this stage although the applicant states that an Essex Design Guide vernacular housing redevelopment is proposed. However, there is no prevailing style or consistency in finishing materials in areas surrounding the site. The detailed appearance of the proposed dwellings can be considered at the reserved matters stage and through the use of planning conditions.

- 6.20 Existing residential development to the west and north of the site is predominantly two-storey in scale, although there are three storey flatted blocks to the immediate north on Hill House Drive, and there is a mix of terraced, semi-detached and detached housing. There is also a detached dwelling, The Gables, to the north east corner of the application site. The indicative site layout and content of the Design and Access Statement suggest that the development will be mainly two-storey in scale, with the potential for some three-storey elements along the northern boundary, and on the southern boundaries overlooking the sand pit. It is considered that a two-storey development with limited three-storey elements would be compatible with local context. However, as the scale of the development is a reserved matter, a planning condition would need to be imposed.
- 6.21 With regards to the visual impact of the proposal, the indicative layout suggests that the built form would be most visible when viewed from Chadwell Hill and across the sand pit. The existing sand pit fringe of the site has some trees and shrubs which would help mitigate the effects however it recognised that the sites are presently occupied by large, bulky commercial warehouse buildings and the introduction of 2-3 storey residential properties would be likely to have less of a visual impact on the landscape.
- 6.22 Nonetheless, any detailed application would need to include a high quality landscaping scheme given the site's raised position on the boundaries with the Green Belt. Furthermore, the proposed provision of the public open space immediately west of the built form would help provide a landscape character, context and fringe for the residential development. The visual impact of the development when viewed from the south and west could be controlled via suitable planning conditions.

3. AMENITY IMPACTS

- 6.23 As noted above, the existing properties in Hill House Drive are two storey houses and three storey flatted blocks. These properties have amenity areas and rear gardens adjoining the site. Houses at the site under construction to the west will either have rear gardens backing onto the site or residential flank walls in relative close proximity to the site boundary. The indicative site layout accompanying this application suggests a layout with a back-to-back relationship between existing and proposed dwellings. This approach to layout should, subject to detail, ensure that the privacy and outlook of neighbouring properties are protected.
- 6.24 The application proposes a main point of access serving the site which re-uses the access road serving the industrial estates from St John's Road. The route of this access passes along the frontages of existing residential dwellings and dwellings in the new development. Although morning and evening peak activity from vehicles entering and leaving the site could be expected, any noise and disturbance from vehicles using the access should be seen in the context of use of the existing access by commercial vehicles accessing the industrial estates. It is considered that disturbance associated with vehicle movement on the access road would not be significant.

4. HIGHWAYS ISSUES

- 6.25 As set out above, the application has been submitted in outline form with all matters reserved except access. It therefore follows that the access to the development must be carefully considered and the impact of the proposal fully understood and mitigation introduced where appropriate and necessary.
- 6.26 Notwithstanding the land-use principle of the development, the Council's Highway Officer has raised serious objections to the proposal based upon the lack of information provided by the applicant relating to traffic flows to and from the development. The Highway Officer is concerned that without data to evidence the impact of the development it is not possible to advise Members on the likely impact of the development on the local road network, in particular, the Cross Keys Junction.
- 6.27 A Transport Assessment (TA) has been submitted but the Council's Highway Officer has advised that it does not adequately assess the impact of the development at the Cross Keys junction and does not cover any alternative modes of transport. At this time, the Cross Keys junction is over capacity at peak times and on occasion, traffic queues extend along the Linford Road towards St. Johns Road in the morning peak. Similarly queues extend along River View with queues back towards Wood View in the evening peak.
- 6.28 The PICADY assessment for the development shows that the junction of Linford Road and St. John's Road would operate within capacity however the Council's Highway Officer does not consider that the assessment adequately reflects the existing conditions at the Cross Keys junction. This is particularly with regard to some traffic movements, especially large vehicle traffic, which would be taken off the network and this may impact on how the Cross Keys junction operates. It also does not take account of the current physical layout of the junction, being contrived, and therefore not having sufficient capacity on some junction approaches to incorporate likely traffic flows and distribution; which will be different to the current HGV prescribed route.
- 6.29 The development would also necessitate alterations to the junction of Linford Road and St John's Road, to remove the large radii and to bring the road design in line with residential estate road standards. This junction is currently designed for large vehicle movements and it would be appropriate to reduce the size of this junction to be more reflective of the proposed use of the development, and to ensure that highway safety is not prejudiced. Additionally, the access road would need to be designed for a residential classification, rather than as its current design as an industrial estate road.
- 6.30 It is clear that the development will impact on a Level 1 Urban Distributor and as set out in Policy PMD9 the development cannot be supported where severe impacts are identified. It is possible that the impacts of the development could be mitigated however the TA provided by the applicant provides insufficient detail to allow a package of measures to be agreed.

- 6.31 On this basis a recommendation of refusal is substantiated on PMD9 Road Network Hierarchy and PMD10 Transport Assessments and Travel Plans Policies of the LDF Core Strategy.
- 6.32 Turning to parking standards, this Council's Highway Officer has advised that the application site lies within an area of low accessibility. For these areas, the Council's draft parking standard recommends parking of 2 spaces for dwellings with two or three bedrooms and 3 spaces for dwellings of 4 bedrooms or more. For all types of dwelling 0.25 spaces per dwelling in addition to the above should be provided for visitors.
- 6.33 The indicative site layout indicates 184 car parking spaces would be provided for the proposal. Parking provision should reflect draft parking standards described above and giving an overall requirement of 467 spaces.
- 6.34 Members are reminded this is an outline planning application with the detail of site layout reserved for future approval. The indicative site layout could provide further off-street car parking provision and this should be considered at detailed planning stage. It is considered that a planning condition could be imposed to address final parking provision.

5. LANDSCAPE ISSUES

- 6.35 The Council's Landscape and Ecology Advisor has no objections to the proposal on landscape or ecology grounds and has commented that the existing commercial site is not considered to have any significant landscape or ecological value and its loss would bring about an opportunity to strengthen the landscaping and boundary of the site against sand pit and wider Green Belt boundaries.
- 6.36 As previously raised, the application site is at the top of the escarpment and therefore any buildings on the southern boundary are likely to be prominent against the skyline unless carefully sited. Existing commercial buildings are already visible from Chadwell Road however their effects are partially softened by existing vegetation. New planting along this fringe would provide additional mitigation. It would be beneficial to future occupiers of the site if the development could link to the proposed public open space via the existing public rights of way as it would help improve and regularise access to this area.
- 6.37 It is therefore considered that the southern boundaries of the site would need to be carefully landscaped to ensure that it respects the site topography and the existing character of the location. As this is an outline application only indicative detail has been provided regarding landscaping. It is considered that a planning condition would be required to address the landscaping of the site and the visual effects of the siting of the buildings to ensure that the visual impacts of the development are acceptable.

6. FLOOD RISK

- 6.38 Core Strategy Policies CSTP27 and PMD15 require new developments to demonstrate that they would be compliant with regards flood risk and drainage.

The Environment Agency has advised that it raises no objections subject to the Council being satisfied that the development would provide adequate foul and surface water drainage. The Council's Flood Risk Manager has objected to the application because the applicant's Flood Risk Assessment and Surface and Foul Water Drainage Strategy do not provide adequate information to satisfactorily assess the foul and surface water impacts of the development.

- 6.39 In light of the above, the Council cannot be satisfied that the development would not lead to adverse conditions in relation of surface water drainage and flood risk. As a consequence the application is not considered to be compliant with Core Strategy Policies CSTP27 and PMD15 and as a direct consequence the proposal is recommended for refusal for this reason.

7. PLANNING OBLIGATIONS

- 6.40 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.
- 6.41 Changes to Government policy in April 2015 mean that the Council can no longer use a tariff based approach to s106 (as was the case with the former Planning Obligation Strategy). Consequently, the Council has developed an Infrastructure Requirement List (IRL) that identifies specific infrastructure needs on an area basis.
- 6.42 The IRL therefore provides 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.
- 6.43 From the IRL the proposal would fall within the category H3 scenario for housing development. The IRL identifies a requirement for major applications in the Chadwell St Mary Ward to contribute toward local education provision (at nursery, primary and secondary level) and local healthcare facilities. It is likely that highway mitigation would also be required to make the development acceptable in planning terms and it follows that a package of highway measures would also form part of a s.106 agreement. However, as discussed above, it is not presently possible to define what the package of measures would include.
- 6.44 As the site seeks to provide in excess of 10 units, the Council would expect 35% of the total number of dwellings to be provided as affordable units.
- 6.45 At the time of drafting this report the applicant has agreed to the above requirements however it has not been possible to agree a package of highway mitigation measures owing to the lack of information contained in the TA.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposal to redevelop both commercial estates in a comprehensive manner is compelling. Whilst it would reduce the amount of commercial land from the Borough, the comprehensive redevelopment of both sites would bring about positive change to the location and provide much needed housing.
- 7.2 However, notwithstanding the support for the principle of the development, the applicant has failed to provide adequate information to alleviate the Council's concern regarding traffic generation and foul and surface water drainage rates for the development. As neither the Council's Highway Officer nor the Flood Risk Manager is satisfied with the degree of information provided, it can only be concluded that the application does not comply with Core Strategy Policies CSTP27, PMD15, PMD9 and PMD10 in relation to transport assessments, travel plans, flood risk and drainage.

8.0 RECOMMENDATION

It is recommended that the application be **REFUSED** for the following reasons:

1. Core Strategy Policy PMD9 Road Network Hierarchy states that the Council will only permit new accesses or the increased use of existing access where (amongst other requirements):
 - the development avoids causing congestion as measured by link and junction capacities;
 - the developments will minimise adverse impacts on the quality of life of local residents, such as noise, air pollution, and the general street environment;
 - the development will make a positive contribution to accessibility by sustainable transport.

Core Strategy PMD10 Transport Assessments and Travel Plans, states that the Council will expect Travel Plans and Transport Assessments to accompany planning applications in accordance with guidance in Guidance on Transport Assessments (March 2007).

The submitted Transport Assessment does not adequately assess the impact of the development at the Cross Keys junction and does not cover any alternative modes of transport. The submitted Transport Assessment is particularly inadequate with regard to large vehicle traffic, which would be taken off the network and impact on how the Cross Keys junction operates. The Transport Assessment also fails to take account of the current physical layout of the junction.

It is clear that unless adequately mitigated any intensification of use will be likely to increase queuing traffic in the location and impact severely on a Level 1 Urban Distributor Road. The Transport Assessment fails to quantify the level of impact and as such a package to mitigate the impacts of the development cannot be agreed. On this basis the application is contrary to Policy PMD9 and PMD10 of the Council's Adopted LDF Core Strategy.

2. Core Strategy Policies CSTP27 and PMD15 require new developments to demonstrate that they would be compliant with regards flood risk and drainage.

Based upon the submitted Flood Risk Assessment and Surface and Foul Water Drainage Strategy, the Council is not satisfied that the applicant has adequately demonstrated that the proposal would not result in flood risk and foul and surface water drainage problems, contrary to guidance contained with Adopted LDF Core Strategy Policies CSTP 27 and PMD15.

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

