

Reference: 15/00379/OUT	Site: Land Adjacent 39 And 41 And To The South Of St Johns Road Chadwell St Mary Essex
Ward: Chadwell St Mary	Proposal: Outline application (with all matters reserved for a subsequent application apart from access) for proposed residential redevelopment of land between 39 and 41 St John's Road consisting of up to 43 dwellings, landscaping and new access.

Plan Number(s):		
Reference	Name	Received
5435 SK05 rev. C	Site Layout	20 th April 2016
5435 SK07	Location Plan	12 th May 2016
5435 SK04 rev. A	Proposed Elevations	22 nd March 2016
5453 SK08	Other	4 th April 2016

- The application is also accompanied by:
- Photographs
 - Flood Risk Assessment
 - Foul and Surface Water Drainage Strategy
 - Design and Access Statement
 - Statement of Special Circumstances
 - Transport Assessment
 - Highways Management Plan
 - Construction Management Plan
 - Control of Dust Method Statement
 - Waste Management Plan
 - Noise Report
 - Arboricultural Report
 - Travel Plan Assessment
 - Protected Species and Habitat Survey

Applicant: Apex Properties Ltd	Validated: 7 July 2015 Date of expiry: 31 October 2016 (EoT)
Recommendation: Refuse	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Councillors G Rice, B Rice, L Worrall, J Kent and J Potheary.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks outline planning permission (with all matters reserved for a subsequent application apart from access) for the proposed residential redevelopment of land between and to the rear of 39 and 41 St John's Road, consisting of up to 43 dwellings, landscaping and new access.
- 1.2 This application was originally submitted for 133 units across a much larger site area encompassing the land to the rear of 39 and 41 St John's Road and an area of Green Belt land to the immediate south which would link to the Star Industrial Estate to the south east. The application has subsequently been significantly reduced in scale and size to that which is now being considered.
- 1.3 The proposals involve the re-use of the existing access into the site from recently approved residential development at St John's Road currently under construction. An additional access on to the site from the existing St John's Road to the immediate north is also proposed. The application also includes an area of Green Belt land to the south as publicly accessible open space for the benefit of local residents.
- 1.4 A number of indicative drawings are provided suggesting how the quantum of 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, east 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:	1.1 hectares
No. of Dwellings:	24 x 2 bedroom 3 person units (flats) 7 x 3 bedroom 5 person units (houses)

	12 x 4 bedroom 6 person units (houses) Total 29 dwellings (24 flats and 19 houses)
Amenity Space:	Private gardens for houses with private amenity areas averaging at approximately 73 sqm. Communal amenity area for flats, approximately 273 sqm. Landscaped setting for flats, approximately 100 sqm.
Building Height:	3 storey flat blocks with a maximum height of 12m and 2 storey housing [with rooms in roof for the 4 bedroom units] with a maximum height of 8.9m.
Car Parking:	36 off street parking spaces indicated within the curtilage of each dwelling or in parking courts near flat blocks

2.0 SITE DESCRIPTION

2.1 The application site is located on land between and to the rear of 39 and 41 St John’s Road and was formerly a quarry which has been backfilled. The site is bordered by a recent development of 20 houses off St John’s Road to the immediate east and the land further to the west is occupied by residential properties on Furness Close. The south eastern part of the site is bordered by the Cowards Industrial Estate. Footpath 116 runs south along the un-adopted access road and then south west close to the north west boundary of the industrial estate. The total site area comprises approximately 1.1 Hectares; the land between 39 and 41 St John’s Road comprising 0.61 Hectares along with 0.51 Hectares of land south of the residential site. The application site is bordered by residential development to the west, east and north and open Green Belt land to the immediate south.

2.2 The site fronting St John’s Road is grassed. The area of the site proposed for public open space is also grassed and with some overgrown shrubbery and vegetation, with views over the escarpment to the River Thames. Ground levels are uneven and generally rise up towards the rear boundaries of the existing residential development before falling south towards the escarpment.

2.3 The northern half of the application site is designated as a residential area, as shown in the Council’s LDF Interim Proposals Map. The land located within the southern half of the application site is designated as Metropolitan Green Belt.

3.0 RELEVANT HISTORY

Reference	Description	Decision
10/00006/FUL	Erection of 20 dwellings and provision of new access adjacent to 1 St Johns Road.	Withdrawn
08/00092/FUL	20 new dwellings.	Withdrawn

00/00993/FUL	44 new dwellings	Withdrawn
92/00598/OUT	Outline application for residential development.	Refused
91/00754/FUL	44 No. Flats in Two and Three Storey Blocks.	Approved (never implemented)
88/00844/OUT	Proposed Residential Development & Public Open Space (Outline).	Refused
58/00528/OUT	Extraction of sand and gravel from 7 acres of land at Chadwell Hall Farm, Chadwell St Mary, shown hatched diagonally in ink within the area edged red on the site plan acc. the application	Approved

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

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

Twenty two letters of representation have been received, all objecting to the proposals. Seventeen of these letters were in relation to the original larger scheme [133 unit scheme]. Upon receipt of revised plans [43 unit scheme], neighbours were re-consulted and five letters of objection have been received in relation to the current proposals. The letters object to the proposals on the following grounds:

- Access;
- Additional traffic and car parking;
- Amenity impacts including noise and overlooking;
- Building on open space;
- Pressures on local infrastructure;
- Flood risk;
- Impacts on wildlife;
- Environmental pollution;
- Impacts on bridleways.

4.3 ENVIRONMENT AGENCY:

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

4.4 NATURAL ENGLAND:

No objections.

4.5 ESSEX AND SUFFOLK WATER:

No objections.

4.6 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

4.7 FLOOD RISK MANAGER:

Objection, with regard to information provided in relation to surface water management and foul water drainage.

4.8 EMERGENCY PLANNING OFFICER:

No objections. Matters associated with surface water management should be considered by the Flood Risk Manager.

4.9 HIGHWAYS:

No objections, subject to detailed conditions and adoption of the main access road from the east.

4.10 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.

4.11 HOUSING:

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

4.12 LANDSCAPE AND ECOLOGY:

No objections subject to conditions.

4.13 EDUCATION:

The proposal will generate a requirement for education contributions at nursery, primary and secondary levels (and a contribution of £336,059.21 will be required).

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
9. Protecting Green Belt land
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
- Open space, sports and recreation facilities, public rights of way and local green space
- 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
- CSSP3: Sustainable Infrastructure
- CSSP4: Sustainable Green Belt
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock¹

THEMATIC POLICIES

- CSTP2: The Provision of Affordable Housing
- CSTP20: Open Space
- 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
- PMD6: Development in the Green Belt
- 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 – CSM15 Rear of 1-39 St John's Road, Chadwell St Mary)". The indicative housing density of the site is 25 and the likely phasing 0-5 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 Impacts;
6. Flood Risk;
7. Planning Obligations.

1. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

6.2 The application site should be considered in two halves: the northern half of the site lies within a residential area, and the southern half of the site lies within the Metropolitan Green Belt. Residential development is proposed only in the northern half of the site with the southern half site proposed to be improved so that it would be an area of public open space accessible for the benefit of all members of the local community.

6.3 The northern half of the site is designated within the Core Strategy Interim Proposals Map as being within the residential area. The principle of the development for the provision of additional housing within a residential area would comply with the requirements of Policy CSTP1, which states that the Council is required to deliver a minimum of 18,500 dwellings between 2001 and 2021. The site is also allocated within the Council's Site Specific Allocations and Policies Development Plan (Issues and Options) as a housing site without planning permission with the potential capacity for 25 units. 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 this site as a single, comprehensive housing site within the DPD should be considered to support the development proposal.

6.4 The southern half of the application site lies within the Metropolitan Green Belt as defined within the Thurrock Local Development Framework, Core Strategy (2011). Policy PMD6 applies and states that permission will not be given, except in very special circumstances, for the construction of new buildings, or for the change of use of land or the re-use of buildings unless it meets the requirements and

objectives of National Government Guidance.

- 6.5 Paragraph 80 of the NPPF sets out five purposes which the Green Belt serves:
- i. to check the unrestricted sprawl of large built-up areas;
 - ii. to prevent neighbouring towns from merging into one another;
 - iii. to assist in safeguarding the countryside from encroachment;
 - iv. to preserve the setting and special character of historic towns; and
 - v. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The development would not conflict with any of the five purposes listed above.

- 6.6 The primary consideration with regards to Green Belt policy is the visual impact of the changes to the landscaping of this area. Paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being described as their openness and their permanence. With the exception of a single detached garage shown on the indicative site layout, which would not be considered acceptable within the public open space, the proposal does not seek to construct buildings or any residential development on this Green Belt land. The applicant seeks to improve the appearance of this area of land by removing any debris and remnants from anti-social behaviour with a view to carrying out a more cohesive landscape plan for this area of land.
- 6.7 In conclusion under this heading, the principal of residential development on the northern half of the site is acceptable and the proposed changes to the open area of Green Belt land in the southern half would not conflict with the purposes of the Green Belt. The improvements to the southern part of the site could also bring about an opportunity to significantly improve the appearance and landscaping of the fringe of Chadwell St Mary. As a consequence the proposal would not be considered to adversely affect the openness of the Green Belt. Conversely it would encourage and promote access by making this area more usable as public open space, and as such the proposal would not be contrary to the NPPF or PMD6.

2. LAYOUT AND DESIGN ISSUES

- 6.8 The application has been submitted in outline form with all matters except access 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.
- 6.9 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 serving the new development to the immediate east and taken from St John's Road. 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 up to the development to the immediate east and ultimately connect to St John's Road. A second access is also proposed directly on to St John's Road, although the Highways Officer has recommended this access is downgraded to a pedestrian only access.

- 6.10 Public Footpath 116 runs to the south and east 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 site from the east rather than between the previously approved housing development and the adjacent industrial estate. The applicant has agreed to this realignment which should be secured by s.106 legal agreement.
- 6.11 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.
- 6.12 On the northern part of the site the indicative site layout plan indicates that new dwellings would be orientated at a 90 degree angle to St John's Road fronting an access road leading from St John's Road. This arrangement would not replicate the layout of the established residential development on St John's Road and it would be preferred if some dwellings would front directly on to the main road and the category of the proposed access road in this location downgraded to a pedestrian only access and the main access and exit into the site to come from the east through the adjacent development under construction. The applicant has indicated that this reorientation of the frontage element of the development on to St John's Road could be achieved and an outward looking layout of development is welcomed. A planning condition would need to be included to address this issue.
- 6.13 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.
- 6.14 The application proposes a development of up to 43 dwellings on a site area (not including the public open space area) of 0.61 hectares, resulting in a density development of 70dph. This density is generally compatible with surrounding residential density including the site adjacent currently under construction. 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.

- 6.15 The indicative mix of dwellings suggests that 24 (56%) of the dwellings would comprise two-bedroom flats, with three and four-bedroom houses making up the remainder of the development (16% and 28% respectively). 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 (56% of the total) is greater than the number of dwellings (44%), however, in the context of Chadwell St Mary as a whole the introduction of 24 additional flats would have no discernable impact on the prevailing form of family housing.
- 6.16 Existing residential development to the west, north and east of the site is two-storey in scale with a mix of terraced, semi-detached and detached houses. Dwellings within the adjacent Furness Close and St John's Road are predominantly short terraced rows. 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. It is considered that a two-storey development with limited three-storey elements would be compatible with local context.
- 6.17 With regards to the visual impact of the proposal, the application is only in outline, but the indicative layout shows building would be north of an existing bank which would form the boundary between the housing and open space. This existing bank has a line of trees and shrubs which would help mitigate the effects. New planting along this bank would provide additional mitigation. The proposed provision of public open space immediately south of the built form would help improve and formalise access to this area, particularly if it is linked in with the existing public rights of way. The visual impact of the development when viewed from the south could be controlled via suitable planning conditions.
- 6.18 Some indicative elevational details have been provided with the application, although appearance is a reserved matter. 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.

3. AMENITY IMPACTS

- 6.19 As noted above, existing dwellinghouses in St. John's Road to the north and Furness Close to the west have rear gardens adjoining the site. Houses at the site under construction to the east 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.
- 6.20 The application proposes a main point of access serving the site which re-uses the access road serving the new development adjacent from St John's Road. The route of this access passes along the frontages of 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 the adjacent industrial estate. It is considered that disturbance associated with vehicle movement on the access road would not be significant.

4. HIGHWAYS ISSUES

- 6.21 The Council's Highway Officer has raised no objections to the proposal, subject to the vehicular access to the site coming from the east through the existing development under construction. The applicant has confirmed they have a right of way across this land. The Highway Officer has recommended the access road is adopted, which should be secured via the s106 Agreement. Whilst the indicative site layout shows a vehicular access, the Highway Officer has recommended that the proposed access to St John's Road should be downgraded to a pedestrian only access. A condition requiring the downgrading of this access would be necessary.
- 6.22 The indicative site layout indicates 36 car parking spaces would be provided for the proposal. This application is 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. This would give an overall requirement for 109 spaces. It is difficult to assess the current level of parking on the indicative layout, however, it would seem that the level of parking provided is below the parking standards and this will need to be reviewed within a detailed application; however, the Council is satisfied that 43 units could be accommodated on the site including the 109 parking spaces, amenity area, associated cycle storage and refuse storage associated with the development.
- 6.23 The Highways Officer has recommended that a Parking Strategy be submitted with any subsequent detailed application and has requested that a condition be included. The indicative site layout can, however, provide further off-street car parking provision and this should be considered at detailed planning stage. As this is an outline application it is considered that a planning condition would be required to address final parking provision.

5. LANDSCAPE ISSUES

- 6.24 The Council's Landscape and Ecology Advisor has commented that the site is not considered to have any significant ecological value and its loss can be mitigated by the appropriate management of the proposed public open space.
- 6.25 As previously discussed, 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 housing and commercial buildings are already visible from Chadwell Road however their effects are partially softened by existing vegetation. This development would be north of an existing bank which would form the boundary between the housing and open space. This bank has a line of trees and shrubs which would help mitigate the effects. New planting along this bank would provide additional mitigation. The public open space would help

improve and regularise access to this area, particularly if it is linked in with the existing public rights of way.

- 6.26 The Council's Landscape and Ecology Advisor has no objections to the proposal on landscape or ecology grounds, but has highlighted the importance of the retention of this open space as a natural green space rather than having any formal play or other provision. The slope is part of the Thames Terrace grassland which is recognised to be important for a range of rare invertebrates. While there would be scope to carry out tree and hedge planting along the bank to improvement the screening and provide additional habitat interest the remainder of the grassland should be left unimproved.
- 6.27 It is therefore considered that the southern boundary treatment would need to be carefully designed to ensure that it respects the site topography and the existing agricultural character of the grassland. As this is an outline application only indicative detail has been provided on the site layout plan regarding the public open space. If Members are minded to support the application, it is considered that a planning condition is required to address the landscaping of the open space and the visual effects of the siting of the buildings to ensure that most of the area is retained as natural grassland.

6. FLOOD RISK

- 6.28 Core Strategy Policies CSTP27 and PMD15 require new developments to demonstrate that they would be compliant with regards flood risk and drainage. The Council's Flood Risk Manager has identified that there is a concern that the applicant's Flood Risk Assessment and Surface and Foul Water Drainage Strategy submitted do not provide adequate information to satisfactorily assess the foul and surface water impacts of the development.
- 6.29 Given the objection by the Council's Flood Risk Manager, in relation to the detail provided within the applicant's Flood Risk Assessment and Surface and Foul Water Drainage Strategy submitted, the Council cannot be satisfied that the development would not lead 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

- 6.30 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.
- 6.31 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.

- 6.32 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.
- 6.33 From the IRL the proposal would fall within the category H1 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.
- 6.34 In relation to highways improvements, the Council's Highway Officer has advised that the main access into the site from the east. Should the road not be offered for adoption by the applicant mitigation measures shall be included within the s106 Agreement.
- 6.35 As the site seeks to provide in excess of 10 units, the Council would expect the development to provide affordable housing. It is the applicant's intention to provide the 35% policy compliant affordable housing provision, which would be dependent upon the final number of units applied for at the detailed planning stage.
- 6.36 At the time of drafting this report the applicant has agreed to the above requirements however the s106 Agreement has not been completed and signed.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The principle of residential development of this site is considered sound and the development provides an opportunity to provide additional housing in the urban area.
- 7.2 However, notwithstanding the land use principle, the Council's Flood Risk Manager objects to the proposal on the basis of the level of information provided regarding the foul and surface water drainage rates for the development. As the Flood Risk Manager is not satisfied with the drainage information provided, it can only be concluded that the application does not comply with Core Strategy Policies CSTP27 and PMD15 in relation to flood risk and drainage.

8.0 RECOMMENDATION

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

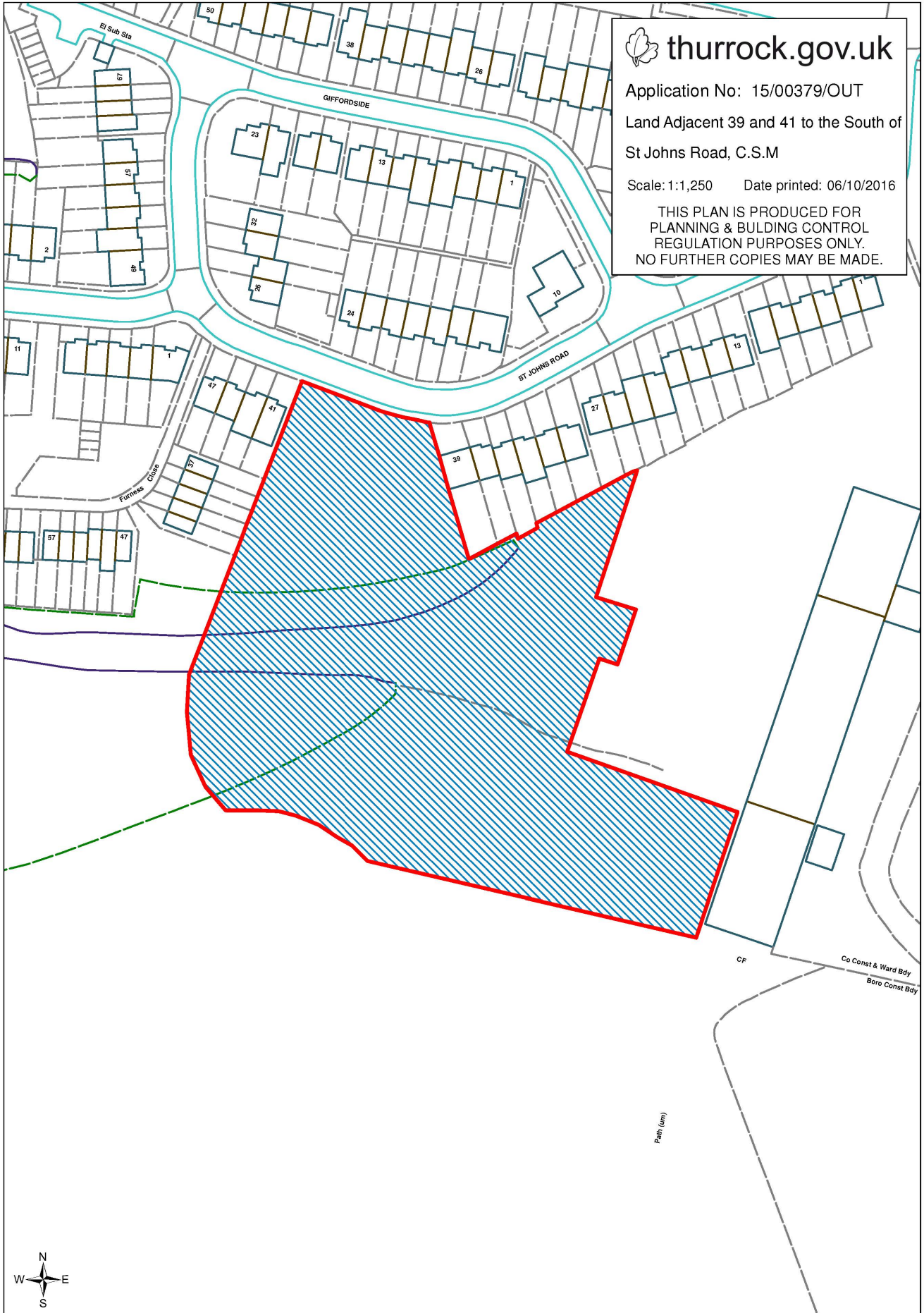
1. Core Strategy Policies CSTP27 and PMD15 require new developments to demonstrate that they would be compliant with regards flood risk and drainage.

The Council's Flood Risk Manager has concerns regarding the detail within the Flood Risk Assessment and Surface and Foul Water Drainage Strategy submitted. The Council is not, therefore, 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 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



 **thurrock.gov.uk**

Application No: 15/00379/OUT
Land Adjacent 39 and 41 to the South of
St Johns Road, C.S.M

Scale: 1:1,250 Date printed: 06/10/2016

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