

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

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

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> <li>– S&amp;R - Transport Assessment Rev 6.1</li> <li>– S&amp;R - Foul &amp; Surface Drainage Assessment R2</li> <li>– S&amp;R - Design and Access Statement</li> <li>– S&amp;R – Travel Plan</li> <li>– S&amp;R - Flood Risk Assessment</li> <li>– S&amp;R - Site allocations</li> </ul>	
<b>Applicant:</b> Apex Properties Ltd	<b>Validated:</b> 11 July 2016 <b>Date of expiry:</b> 31 October 2016
<b>Recommendation:</b> To Approve, subject to conditions and s106 Legal Agreement	

## 1.0 UPDATE

- 1.1 At the time of drafting the committee report, the applicant was working to resolve the objections raised by the Council’s Flood Risk Manager and Highway Officer. The surface water drainage concerns have now been addressed and there are no flood risk objections to the proposal.

- 1.2 The applicant has been working closely with the Highway Officer regarding the Transport Assessment which demonstrates the level of traffic generation of the proposal and its likely impact. The applicant has submitted a revised version of the Transport Assessment which identifies that the current Cross Keys junction works within capacity with the inclusion of the traffic generated from development. The Transport Assessment shows that additional traffic flows from the development at the junction is shown to worsen the capacity at the junction; however, the traffic flows would not impact severely on the operation of the junction. This is not entirely agreed by the Highway Officer who still has concerns over the analysis and considers that there would likely be some harm at the junction as a result of the proposal. Nonetheless, taking a balanced judgement, it is considered that the harm will likely not be so severe as to sustain a recommendation of refusal, subject to the agreement on a mitigation package at the Cross Keys junction.
- 1.3 As a consequence, the Highway Officer raises no objections in principle to the proposals, subject to mitigation measures regarding impact upon the Cross Keys junction. A feasibility design for junction improvements is being advanced by the Council with a projected design and build cost of £100,000.00. The applicant has indicated he is willing to provide the necessary mitigation which can be secured via the s106 Legal Agreement.
- 1.4 It is therefore recommended that the application be **APPROVED** subject to:
- A.** The completion and signing of a planning obligation under S.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:
- the payment of a financial contribution of £1,336,126.16 towards education provision at nursery, primary and secondary levels (as identified by ref. H3 of the IRL);
  - the payment of a financial contribution of £69,680 towards local GP practices via NHS England (as identified by ref. H3 of the IRL);
  - the payment of a financial contribution of £100,000.00 towards highway improvements at the Cross Keys junction to be provided prior to commencement of the development in accordance with the Planning Obligations Strategy;
  - 35% affordable housing provision;
  - The realignment of Public Footpath 116;
  - To reconstruct the access road from the development site to Linford Road with a flexible road construction within footpaths on both sides of the carriageway and street lighting;
  - To realign the junction of Linford Road and St. Johns Road.
- B.** The following planning conditions:

## **TIME LIMIT OUTLINE**

1. All applications for approval of reserved matters shall be made not later than the expiration of two years beginning with the date of this permission and the development must be begun not later than the expiration of one year from the final approval of reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **DETAILS TO BE SUBMITTED**

2. No development shall commence until full details of the following reserved matters have been submitted to and approved in writing by the local planning authority:
  - appearance;
  - landscaping;
  - layout; and
  - scale

REASON: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **MAXIMUM NUMBER OF UNITS**

3. The development shall not exceed a maximum of 203 dwellings. Unless otherwise agreed in writing by the local planning authority, the mix of dwellings to be delivered by the totality of the development shall not exceed 47% flats.

REASON: To ensure that the scheme implemented is in accordance with the principles established by this permission.

#### **MAXIMUM HEIGHT OF BUILDINGS**

4. No building on any part of the development hereby permitted shall exceed three-storeys in height.

REASON: In order to comply with the terms of the application and to ensure that the development is integrated into its surroundings in accordance with Policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

#### **BOUNDARY TREATMENTS**

5. No development shall take place until there has been submitted to and approved in writing by the local planning authority details of the locations, heights, designs, materials and types of all boundary treatments to be erected

on site. The boundary treatments shall be completed in strict accordance with the approved details before the buildings are first occupied.

REASON: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with Policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **SAMPLES OF MATERIALS**

6. Prior to the commencement of development samples of the materials to be used in the construction of the external surfaces of buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and to ensure that the development is satisfactorily integrated with its surroundings in accordance with Policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **BIN STORES**

7. Detailed plans submitted pursuant to condition 2 above shall provide full details of the number, size, location, design and materials of bin and recycling stores to serve the development, together with details of the means of access to bin and recycling stores for residents and refuse operatives, including collection points if necessary. The development shall make provision for:

- 1 x 180 litre container for refuse, 1 x 240 litre container for recycling and 1 x 240 litre container for kitchen and garden waste per residential dwelling.
- Flats containing more than 4 units shall be provided with communal bins. The calculation used for refuse and recycling provision shall be as follows:
  - o Number of households x 180-litre capacity [residual waste]
  - o Number of households x 240-litre capacity [dry recycling]

The bin and recycling stores as approved shall be provided prior to the first occupation of any of the residential units they serve and shall be constructed and permanently retained in the form agreed.

REASON: In the interests of residential amenity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2011].

### **PARKING PROVISION**

- 8.. Detailed plans submitted pursuant to condition 2 above shall show at least 2

parking spaces per house, 1.5 parking spaces per flat and 0.25 parking spaces for visitors to ensure that adequate land is provided for the parking and / or garaging of private cars, motorcycles and other powered two-wheeled vehicles in accordance with the details contained within the Transport Assessment (ref. S16-287/TA October 2016 Revision 6.1) and the Council's draft Parking Standards and Good Practice document (March 2012)

REASON: To ensure that adequate provision is made for the parking of vehicles in the interests of highways safety, in accordance with Policy PMD8 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **CYCLE STORAGE**

9. Detailed plans submitted pursuant to condition 2 above shall provide full details of the number, size, location, design and materials for secure and weather-protected cycle parking facilities to serve the development. One secure and covered cycle parking space shall be provided per dwelling. Such details shall be agreed in writing with the Local Planning Authority and shall be installed on site prior to first occupation and shall thereafter be permanently retained for sole use for cycle parking.

REASON: In the interests of highway safety and in order to promote more sustainable modes of transport.

### **TRAVEL PLAN**

10. Prior to occupation of the development hereby approved, a Travel Plan shall be submitted to and approved by the Local Planning Authority and retained and updated periodically for the entire time the development is in use.

REASON: To promote sustainable travel choices for staff and visitors, in the interests of highway safety, efficiency and amenity in accordance with Policy PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

### **CEMP**

11. No demolition or construction works shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority in writing, which should contain the following:
  - i. a Site Waste Management Plan;
  - ii. details of measures to minimise fugitive dust during demolition, construction, demolition and stockpiling of materials (including a wheel wash for vehicles);
  - iii. details of measures to minimise noise during demolition and construction to comply with the recommendations (including those for monitoring) set out in

- Parts 1 and 2 of BS5228:2009 'Code of Practice for Noise and Vibration Control on Construction and Open Sites';
- iv. details of security lighting layout and design;
  - v. a procedure to deal with any unforeseen contamination, should it be encountered during development;
  - vi. proposed HGV numbers and movement plan;
  - vii. ALV number and proposal plan;
  - viii. site offices and temporary hard stand for materials, plant and car parking for site operatives;
  - ix. wheel washing facilities;
  - x. temporary access

Works on site shall only take place in accordance with the approved Construction Environmental Management Plan.

REASON: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **HOURS OF OPERATION**

12. No demolition or construction works in connection with the development shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday	0800 – 1800 hours
Saturdays	0800 – 1300 hours.

Unless the prior written approval of the local planning authority has been obtained.

REASON: In the interest of protecting surrounding residential amenity and in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

### **LEVELS**

13. No development shall take place until details of existing and finished site levels and finished external surface levels have been submitted to, and approved by, the local planning authority. The development shall be implemented in accordance with the agreed details.

REASON: In order to protect the amenities of surrounding occupiers and to ensure the satisfactory development of the site.

### **SURFACE WATER MANAGEMENT STRATEGY**

14. Prior to the commencement of development a surface water management strategy shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the agreed measures within the strategy, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that adequate measures for the management of surface water are incorporated into the development.

### **RENEWABLE ENERGY**

15. Prior to the construction above ground level of any of the buildings, details of measures to demonstrate that the development will achieve the generation of at least 10% of its energy needs through the use of decentralised, renewable or low carbon technologies shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that development takes place in an environmentally sensitive way in accordance with Policy PMD13 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (2011).

### **HARD AND SOFT LANDSCAPING**

16. No part of the development hereby permitted shall be occupied until a scheme of hard and soft landscaping for the site has been submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include details of all existing trees and shrubs on the site, and details of any to be retained, together with measures for their protection in the course of development and details of the management and maintenance arrangements for new planting. All planting, seeding or turfing comprised within the landscaping scheme shall be carried out in the first planting season following completion of that stage or phase of development. Any trees or plants which within a period of 5 years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other specimens of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

### **HIGHWAY LAYOUT AND ACCESS**

17. No part of the development hereby permitted shall be occupied until full details of the proposed highway works in St John's Road and a detailed design and layout of the proposed access from St John's Road, have been submitted to and approved in writing by the local planning authority. The development shall then be constructed in accordance with the approved details with

implementation being provided prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of highway safety.

### **GARAGES FOR PARKING ONLY**

18. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 and Section 55 of the Town and Country Planning Act 1990, the garages hereby approved/permitted shall only be used for the parking of cars in connection with the residential use of the site and for no other purposes whatsoever. The garage space shall be a minimum internal dimension of 3m in width and 7m in depth per vehicle space.

REASON: To ensure that satisfactory off-street car parking provision is made in accordance with the Local Planning Authority's standards and in the interests of highway efficiency and amenity.

### **SERVICE ROADS**

19. The carriageway[s] within the development hereby permitted [apart from the wearing surface] and footways shall be constructed prior to the occupation of any residential units detailed to have access from such road[s] or footways and the proposed road[s] and turning space[s] shall be constructed in such a manner as to ensure that each dwelling before it is residentially occupied is served by a properly consolidated and surfaced carriageway and footway between the dwellings and existing highway. Furthermore, the footways and footpaths commensurate with the frontage of each dwelling shall be constructed and completed within six months from the date of the first occupation of that dwelling. The wearing surface shall be completed prior to the residential occupation of the 50th residential unit.

REASON: In the interests of highway safety and amenity in accordance with policy PMD2 of the Thurrock Core Strategy and Policies for the Management of Development DPD [2011].

### **INFORMATIVE:**

1. 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.



Chief Highways Engineer,  
Highways Department,  
Thurrock Council,  
Civic Offices,  
New Road,  
Grays Thurrock,  
Essex. RM17 6SL

**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](http://www.thurrock.gov.uk/planning)