

Reference: 16/01446/FUL	Site: Former Harrow Inn Harrow Lane Bulphan Essex RM14 3RL
Ward: Orsett	Proposal: Demolition of former public house and restaurant and erection of a weight loss and wellness centre (with 21 guest rooms) and associated access improvements, parking and landscaping.

Plan Number(s):		
Reference	Name	Received
WCB.01	Location Plan	21st October 2016
WCB.02	Proposed Site Layout	21st October 2016
WCB.03	Proposed Floor Plans	21st October 2016
WCB.04	Proposed Floor Plans	21st October 2016
WCB.05	Proposed Floor Plans	21st October 2016
WCB.06	Proposed Floor Plans	21st October 2016
WCB.07	Proposed Floor Plans	21st October 2016
WCB.08	Proposed Elevations	21st October 2016
WCB.09	Proposed Elevations	21st October 2016
WCB.10	Proposed Elevations	21st October 2016
WCB.11	Proposed Elevations	21st October 2016
WCB.12	Sections	21st October 2016
WCB.13	Drawing	21st October 2016
WCB.14	Drawing	21st October 2016
WCB.15	Drawing	21st October 2016

The application is also accompanied by:

- Design and Access Statement
- Flood Risk Assessment
- Drainage Strategy
- Landscape Design Statement
- Landscape Masterplan
- Transport Statement

<p>Applicant: Joy Jarvis</p>	<p>Validated: 9 November 2016</p> <p>Date of expiry: 1 March 2017 [Extension of time agreed with applicant]</p>
<p>Recommendation: Approve, subject to conditions.</p>	

This application is scheduled for determination by the Council's Planning Committee because the application is of a major scale and has strategic implications based upon its location in the Green Belt.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the demolition of the existing fire damaged buildings and removal of hardstanding and the erection of a health and wellness centre with 21 guest bedrooms gymnasium, swimming pool, dance studio, treatment rooms and manager accommodation.
- 1.2 The application also proposes improved access and parking arrangements, and additional landscaping to the site.
- 1.3 A summary of the proposals is provided in the table below:

Site Area:	2.15 hectares	
Layout	Ground floor	Reception, office, 5 treatment rooms, swimming pool, dance studio, boot room, lounge, dining room, kitchen, biomass building, garage for manager's flat, a plant room and a service building house refuse storage and other storage areas.
	First Floor	14 guest bedrooms with ensuite bathrooms and site manager's two bedroom flat
	Second Floor	7 guest bedrooms with ensuite bathrooms
	One lift and one stairwell would connect all levels along with internal and external hallways/walkways	
Building Height:	Part 3 storey(10.7m)/part 2 storey (approximately 6.7m) and with a contemporary flat roof finish	
Car Parking:	34 parking spaces in the northern half of the site and 12 cycle spaces.	

2.0 SITE DESCRIPTION

- 2.1 This 2.15 Ha site comprises the former Harrow Inn and restaurant in two separate buildings. Both buildings are extensively fire damaged. The site is relatively flat with two bridges over a ditch forming access into the site from Harrow Lane. The northern access leads to an overgrown impermeable parking area whilst the southern provides access to the former Harrow Inn, restaurant and smaller car park.
- 2.2 The site is found within the Bulphan Fenland and is bounded to the north by Fen Lane, west by Harrow Lane, east and south by pasture land.
- 2.3 The site is located within the Metropolitan Green Belt and also lies within Flood Zone 3a and fluvial Flood Zone 2.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
10/50196/TTGFUL	New detached dwelling house and detached garage block to replace the Harrow Inn (The Harrow House)	Refused
10/50192/TTGFUL	New detached dwelling house and detached garage block to replace The Fen Restaurant (The Fen House)	Refused
11/00084/FUL	New detached dwelling house and detached garage block to replace The Fen Restaurant.	Refused
11/00085/FUL	New detached dwelling house and detached garage block to replace The Harrow Inn	Refused
14/00064/FUL	Demolition of former public house and restaurant and construction of a new dwelling and block of three stables with tack room.	Approved
15/30085/PMAJ	Pre-Application advice regarding proposed development of the site as a wellness centre	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.

No written comments have been received.

- 4.3 ENVIRONMENT AGENCY:

No objections.

- 4.4 NHS ENGLAND:

No objections.

- 4.5 FLOOD RISK MANAGER:

No objections, subject to conditions.

- 4.6 EMERGENCY PLANNING OFFICER:

No objections, subject to conditions

- 4.7 LANDSCAPE AND ECOLOGY ADVISOR:

No objections, subject to conditions.

- 4.8 URBAN DESIGN OFFICER:

No objections, subject to conditions.

- 4.9 HIGHWAYS:

No objections, subject to conditions.

- 4.10 PUBLIC RIGHTS OF WAY:

No objections, subject to conditions.

- 4.11 HEALTH AND WELL BEING:

No objections.

4.12 ENVIRONMENTAL HEALTH:

No objections, subject to conditions.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 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.
- 5.2 The following headings and content of the NPPF are relevant to the consideration of the current proposals:
4. Promoting sustainable transport
 6. Delivering a wide choice of high quality homes
 7. Requiring good design
 8. Promoting healthy communities
 9. Protecting Green Belt land
 10. Meeting the challenge of climate change, flooding and coastal change
 11. Conserving and enhancing the natural environment

Planning Practice Guidance

- 5.3 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 subtopics. Those of particular relevance to the determination of this planning application comprise:
- Climate change
 - Conserving and enhancing the historic environment

- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Health and wellbeing
- Natural Environment
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

Local Planning Policy

Thurrock Local Development Framework (2011)

5.4 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹
- CSSP2 (Sustainable Employment Growth)

Thematic Policies:

- CSTP9 (Well-being: Leisure and Sports)
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP25 (Addressing Climate Change)²
- CSTP26 (Renewable or Low-Carbon Energy Generation)²
- CSTP27 (Management and Reduction of Flood Risk)²

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²

- PMD6 (Development in the Green Belt)
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)³
- PMD7 (Biodiversity, Geological Conservation and Development)²
- PMD8 (Parking Standards)³
- PMD9 (Road Network Hierarchy)
- PMD12 (Sustainable Buildings)²
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation); and
- PMD15 (Flood Risk Assessment)²

[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].

Focused Review of the LDF Core Strategy (2014)

- 5.5 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.

Draft Site Specific Allocations and Policies DPD

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

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

- 5.7 The above report was considered at the February meeting 2014 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

6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Principle of the Development
- II. Harm to the Green Belt and 'other' harm and whether the harm is clearly outweighed by other circumstances, so as to amount to Very Special Circumstances
- III. Design, Layout and Sustainability
- IV. Traffic Impact, Access and Car Parking
- V. Amenity, Landscape and Ecology Impacts
- VI. Flood Risk and Site Drainage
- VII. Ground Contamination
- VIII. Infrastructure

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The Adopted Interim Proposals Map accompanying the LDF Core Strategy (2011) designates the site as being within the Metropolitan Green Belt.

6.3 The NPPF states that a Local Planning Authority should regard the construction of new buildings in the Green Belt as 'inappropriate' unless the proposal involves (amongst other things) limited infilling or the partial or complete redevelopment of previously developed sites (Brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.4 The NPPF defines "Previously developed land" to be: *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of*

the permanent structure or fixed surface structure have blended into the landscape in the process of time.

- 6.5 The principle assessment to be made with this application is whether the proposal would have greater impact upon the openness of the Green Belt in comparison to the existing development on the site.
- 6.6 A calculation of the floor space and volume of the existing building with a comparison of the proposed development has been undertaken so that a comparison of the impact upon the Green Belt can be considered.

	Footprint	Floorspace	Volume
Existing pub / restaurant building	500 sqm	800 sqm	4500 cubic metres
Current area of hardstanding	4000 sqm	N/A	N/A
Proposed building	880 sqm	1900 sqm	5600 cubic metres
Proposed hardstanding	3000 sqm	N/A	N/A
Difference between existing building & proposed building	380sqm increase	1100sqm increase	1100 cubic metres increase
Difference between existing hardstanding and proposed hardstanding	1000 sqm reduction	N/A	N/A

- 6.7 As can be seen from the above table, while the development proposal would reduce the amount of hardstanding across the site, it would represent an increase in floor area, volume and height above the existing buildings on site. Consequently, the proposed development would have a greater impact upon the openness of the Green Belt than the existing development. It follows that the proposed wellness centre constitutes inappropriate development in the Green Belt.

II. HARM TO THE GREEN BELT AND 'OTHER' HARM AND WHETHER THE HARM IS CLEARLY OUTWEIGHED BY OTHER CIRCUMSTANCES, SO AS TO AMOUNT TO VERY SPECIAL CIRCUMSTANCES

- 6.8 Having established that the proposal constitutes inappropriate development in the Green Belt, it is necessary to consider the matter of harm and whether there are any very special circumstances in favour of this development. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to

consider whether there is any other harm to the Green Belt and the purposes of including land therein.

- 6.9 At paragraph 79, 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 are their openness and their permanence.
- 6.10 The site is located on Previously Developed Land (PDL) as defined within Annex 2 of the NPPF but would have a greater visual impact upon the openness of the Green Belt by virtue of the floor area and volume proposed. It is considered that the loss of openness, which is contrary to the NPPF, should be afforded substantial weight in consideration of this application.
- 6.11 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.*
- 6.12 The proposal would contravene the NPPF as the development would lead to encroachment into the countryside (iii). CS Policy PMD6 seeks to maintain the openness of the Green Belt. By replacing the vacant buildings on site with a larger building of greater volume and floor area the proposal would reduce the openness of this rural fenland location.
- 6.13 In light of the above, it is a straight forward matter to conclude that the proposals would be contrary to purpose (iii) of paragraph 80 of the NPPF and the objectives of Policy PMD6. The proposal is therefore both inappropriate development and harmful by reason of a loss of openness.
- 6.14 Paragraph 87 of the NPPF states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 88 goes on to state; *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*.
- 6.15 Notwithstanding the NPPF's presumption in favour of sustainable development (para 14), Policies in the NPPF clearly indicate that development in the Green Belt should be restricted and sets out the test by which inappropriate development should be judged.
- 6.16 Neither the NPPF nor the LDF-CS provide guidance as to what can comprise 'very special circumstances', either singly or in combination. Some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness

of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances.

6.17 The Design and Access Statement submitted by the applicant to accompany the planning application sets out the applicant's case for development. This can be summarised under six headings;

- a) *Pre-application history and CABE review;*
- b) *Opportunity to benefit Thurrock residents and general public;*
- c) *Uniqueness of the proposal and the site location;*
- d) *The need for a site manager's accommodation;*
- e) *Providing employment opportunities;*
- f) *The opportunity to improve the appearance and conditions on site;*

6.18 The section below summarises and considers the arguments advanced by the applicant. The conclusions of this report will assess whether the harm to the Green Belt is clearly outweighed by other considerations, either collectively or individually.

a) Pre-application history and CABE review

6.19 The applicant states that they have spent considerable time working with officers to find a suitable solution to re-develop the site. As part of the pre-application submission, the scheme was subject to a Commission of Architecture and Built Environment (CABE) Design Review.

6.20 In its review, CABE advised against the reuse, extension or conversion of the existing buildings on the site given their fire damaged state, commenting that this would limit the design potential for the centre given its unique nature and likely requirements. CABE took the view that it would be more appropriate to redevelop the site in a holistic manner which may necessitate an increase in floor area, volume and footprint but would result in a higher quality development which could enhance the immediate environment.

6.21 This factor, when taken alone, should be afforded little weight in consideration of this planning application.

b) Opportunity to benefit Thurrock residents and general public

6.22 Under this heading, the applicant states:

"[The] Wellness Centre will promote and deliver direct and positive health answers to the community. Major health problems such as obesity can be individually assessed at the Centre, on a one-to-one basis by qualified and specialised staff. It will be a place where appropriate exercise and relaxation can be provided under positive supervision through dance moves and floor exercises, swimming and carefully controlled gym training that would be tailored to suit all individuals and capabilities...Improving public health awareness and assisting those on the verge of developing serious health issues as a result of being obese, for example, cannot be ignored. Its effect on national and local services is pushing public facilities

beyond breaking point. Individuals must take more responsibility for their own welfare and not totally rely on society. The proposed Wellness Centre will provide a means for the public to obtain personal dignity and have a way to take control of their lives and be less of a burden, not only to themselves, but to society as a whole."

- 6.23 Policy CSTP9 (Well-being: Leisure and Sports) states that the Council and partners will support the delivery of a physically active, socially inclusive and healthy community through the provision of high quality sports and leisure facilities and appropriate spaces for those that live, work, and visit the borough. Leisure and sport facilities have an important role in improving the wellbeing of the community. This includes ensuring the physical and mental health of individuals, preventing disease and reducing the health inequalities that exist across the Borough.
- 6.24 The applicant's argument in favour of the proposal benefitting the health and wellbeing of residents of Thurrock is supported by Development Plan policies however it can only be given limited weight to support Inappropriate Development in the Green Belt.

c) Uniqueness of the proposal and the site location

- 6.25 Under this heading the applicant has argued that there are no other facilities in UK that offer the same services as currently proposed. The applicant considers the site's location in flat fenland surrounded by public footpaths to provide the perfect environment for the facility; the topography of the site and improvements in the landscaping proposed as part of the application would enable guests to be more active, increase their mobility address their health issues.

- 6.26 The applicant states:

"The Wellness Centre will provide care and wellbeing for sectors of the public. It will provide for those who need solace, understanding, and a way to remove themselves from everyday matters not necessarily through direct medication but concentrating on exercise, self-healing, fitness and self-control. The intention of the Wellness Centre is to provide a framework of support to enable people to potentially get their lives back into shape through activity. The access to the outdoors is vital for this proposal and the flat open landscape and the public footpaths lend the site to being the ideal location for the proposal"

- 6.27 The opportunities provided by the site's location and the uniqueness of the proposed facility is noted and understood. It is clear that the success of the facility is linked to an isolated and peaceful environment and the Fenland location would provide a suitable environment for the development. On balance, it is considered that some weight should be given to this argument in favour of the development by the applicant.

d) The need for a site manager's accommodation

- 6.28 Under this heading, the applicant states:

“To maintain on site 24/7 security, safety and maintenance for the guests it is necessary to have a site manager with accommodation. This takes the form of a two bedroom apartment in the north eastern corner of the [building]...the managers apartment is designed as an integral part of these proposals. It becomes, for comparison purposes, what is the farmers cottage to the farm scenario. One of vital importance to the everyday functioning of the Wellness Centre.”

- 6.29 The applicant’s argument for the need for a manager to live on site is understood. Given the needs of the guests it would be expected that a member of staff would be available at all times and that some accommodation for the member of staff would be reasonable to be expected. However, the proposal seeks to provide 21 rooms for guests based upon their business model. It is possible that the manager’s accommodation could be provided in lieu of one of two of the guest rooms however this has not been explored by the applicant. This factor should be given no weight in support of the proposal.

e) Providing employment opportunities;

- 6.30 Under this heading the applicant suggests that the centre would require 12 members of staff. Whilst the creation of employment opportunities is welcomed the numbers are not significant and accordingly this factor should not be given any weight.

f) The opportunity to improve the appearance and conditions on site;

- 6.31 Under this heading, the applicant states:

“The site is derelict and renewed growth in this location will invigorate land of the right type, that is, previously developed land, back into the community use by providing a new public utility.” The proposal would be open to all members of the public as guests could book for short of longer periods of stay at the centre.

- 6.32 Since the submission of the planning application, the applicant has additionally advised that the site has suffered from fly-tipping and a JCB digger has been stolen. The fly-tipping has cost the applicant in the region of £186,000 and this does not include the cost of the digger that was stolen and which was worth £35,000. The applicant will also have to re-build the bridge which was destroyed at a cost of £8,000. The applicant has reiterated their desire to improve the site conditions through the re-development proposals.
- 6.33 From a pragmatic point of view, the applicant’s plans are welcomed; the burnt out buildings are long standing eyesores in the landscape and the introduction of a high quality bespoke development would clearly improve the appearance and function of the site. Acts of vandalism and theft would also be controlled via the redevelopment. This matter should be given moderate weight in favour of the development proposal.
- 6.34 In concluding this section, the crucial consideration here is whether the applicant’s case for very special circumstances clearly outweighs the in-principle harm due to the inappropriateness of the development and the harm arising from the loss of

openness resulting from an increase in the built form on the site.

- 6.35 It is important to note that the NPPF encourages the redevelopment of derelict, previously developed land in the Green Belt however in this case the applicant's replacement buildings would exceed the size of the existing buildings on site. In the event that the buildings were reduced in size to be no greater than the existing, the development would not represent 'Inappropriate Development' and the applicant would not be required to submit a case for very special circumstances. The consideration for Members is whether the circumstances put forward by the applicant are sufficient to *clearly* outweigh the harm that would be caused by the increase in footprint, floor space and volume highlighted in the table at 6.6.
- 6.36 On balance, it is considered that the matters put forward by the applicant can be collectively seen as very special circumstances in favour of the development.

III. DESIGN, LAYOUT AND SUSTAINABILITY

- 6.37 Section 7 of the NPPF sets out the need for new development to deliver good design. Paragraph 57 specifies that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic consideration.
- 6.38 The centre would be located slightly north of the position of the existing restaurant and public house, with a building of modern, contemporary design over two storeys with a central three storey element. The concept of the building is to utilise vertical planes that are both rectangular and square yet off set against each other in plan form and stepped in height. Sustainable materials are proposed to be used that would absorb sunlight and reflect the sky and the surrounding countryside. The Council's Urban Design Officer has been involved in the pre-application discussions with the applicant and has provided guidance as to the most appropriate way forward following the CABA review.
- 6.39 The proposed building would consist of three blocks (labelled B1, B2 and B3 each colour coded on the submitted plans). All three blocks are equally square-sided, identical in plan form size. It is a concept of using simple, but intriguing geometry to draw the eye to an object in a flat wide landscape like a piece of sculpture. The flat elevations are then punctuated by cut outs, shadows and projections.
- 6.40 The maximum height of the proposal would be 10.7m for the three storey element and approximately 6.7m for the two storey elements. A biomass facility is also proposed as part of the development which would incorporate a flue with a maximum height of approximately 11.5m.
- 6.41 The ground floor would provide the kitchen and office accommodation, reception, main entrance and dining room. Five private treatment rooms would also be

provided on the ground floor alongside a dance studio and swimming pool. The biomass facility and garage serving the manager's flat would also be at the located on the ground floor. The first floor would encompass a two bedroom flat for use of the site manager in the north eastern corner of B1. The remainder of the first floor would be occupied by 14 guest rooms. The second floor would comprise the remaining 7 guest rooms.

- 6.42 The CABE Design Review referred to maximising natural heat sources and utilising those within the architectural language of the proposal where possible. The proposal utilises solar array systems located on the elevations as part of a functional design ethic. The provision of solar arrays would provide the energy requirements of the building and supply any surplus to the National Grid overriding the need to disturb the land further with ground heat source pumps and their pipes.
- 6.43 Three sides of the elevations would have the PhotoVoltaic solar arrays as described, off set from the main face walls. The elevations show blue coloured PhotoVoltaic tiles, however, the Council's Urban Design Officer has advised that this may be somewhat utilitarian in colour and that black or opaque tiles, with a blue accent, would be more appropriate. This could be dealt with via a suitable planning condition.
- 6.44 The centre would be generally orientated to face the road by presenting the most positive facades surrounded by generous landscaping. The Urban Design Officer has provided detailed comments in relation to the proposal and is broadly content with the latest set of plans. Some further detailed changes have been suggested by the Urban Designer which can be addressed via suitable planning conditions as these principally relate to the internal layout, circulation space, and internal floor to ceiling heights of the upper floor guest rooms.
- 6.45 In light of the above, and subject to conditions, the proposal is considered to comply with the objectives of CS Policies CSTP22, CSTP23, PMD1 and PMD2.

IV. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.46 The Council's Highway Officer has advised that given the location, small staffing numbers and limited traffic movements expressed within the submitted transport statement, no travel plan will be required for the proposal. Subject to planning conditions relating to the technical access details and layout, the Council's Highway Officer has no objections to the parking and access arrangements for the site. The proposal would comply with CS Policy PMD8 and PMD1 in this regard.

V. AMENITY, LANDSCAPE AND ECOLOGY IMPACTS

- 6.47 The application site is remote from residential development. The immediate locality is flat fenland and the development will be visible however it is recognised that the existing fire damaged buildings are also prominent in the landscape. As discussed above, the development is considered to represent high quality development which would improve and enhance the appearance of the site. The Council's Landscape and Ecology Advisor has raised no objection to the proposed development.

- 6.48 Stone Hall is the closest neighbour lying to the immediate north east of the application site along Fen Lane. The other closest neighbours are situated at the southern end of Harrow Lane at Judds House and Judds Farm. It is not considered that the proposal would adversely impact upon the amenities enjoyed by these neighbours by virtue of noise, loss of privacy or overlooking. The proposal would comply with CS Policy PD1 with regards to its visual and amenity impacts.
- 6.49 The landscape strategy has sought to respect the sensitive setting of the site within the extensive fenland landscape. It proposes the removal of the poor quality conifers that currently screen the site which is welcomed. The strategy does not propose excessive new tree planting which again would have been out of character with the fenland landscape. Close to the buildings it is proposed to have a formal, well-maintained landscape with natural stone paving, clipped hedges, avenues and formal lawns. It is considered that the proposed landscape strategy is appropriate for the site and reflects the points raised during the pre-application meetings and CABA Design Review.
- 6.50 In conclusion under this heading, the proposal would accord with the aims and objectives of Policies CSTP19, PMD7 and PMD2 of the Core Strategy and Section 11 of the NPPF.

VI. FLOOD RISK AND SITE DRAINAGE

- 6.51 The site lies within tidal Flood Zone 3a and fluvial Flood Zone 2 defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high and medium probability of flooding. The proposal is classified as a 'more vulnerable' development. The Environment Agency has no objections to the proposal provided the Council is satisfied that the development will be safe for its lifetime.
- 6.52 A Site Specific Flood Warning and Evacuation plan (FWEP) that can be maintained for the lifetime of the development has been proposed for the development and an appropriate condition has been included. The Council's Flood Risk Manager has no objections to the proposal given the submission of information regarding surface water drainage and is satisfied subject to appropriate conditions being included in relation to surface water drainage. The proposal would comply with CS Policies PMD15 and CSTP25 and CSTP27 in relation to flood risk and drainage.

VII. GROUND CONTAMINATION

- 6.53 The Council's Environmental Health Officer (EHO) has commented that it is not anticipated that the proposal would generate any contaminative issues affecting the proposed development but due to the past history, however, the site has been heavily fly tipped. The EHO has therefore recommended a watching brief be kept during ground works for any unforeseen contamination that may be encountered.

IX. INFRASTRUCTURE

- 6.54 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. 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.
- 6.55 The response from the Council's Highway Officer does not identify the need for any requirement for contributions towards items on the Infrastructure Requirement List arising from this proposal. It is not therefore necessary to secure financial contributions to mitigate the impact of this development.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The NPPF sets out that the redevelopment of PDL is acceptable provided that the development proposed does not have a greater impact on openness than the existing development. In this case, the wellness centre would result in a larger building on site which would have a greater impact on openness than the existing fire damaged public house and restaurant. The proposal must therefore considered to be 'Inappropriate Development' which is harmful to the Green Belt, by definition. Significant weight should be attributed to this harm and the applicant is required to demonstrate very special circumstances to justify the development. In accordance with the NPPF, the harm has to be *clearly* outweighed by very special circumstances.
- 7.2 The case is finely balanced, however it is considered that the package of circumstances presented by the applicant and assessed above would clearly outweigh the harm to the Green Belt. All other matters are considered to be acceptable, subject to planning conditions.

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following conditions:

Condition(s):

Standard Time

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

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

Use

- 2 The development hereby permitted shall be used as a health and wellness centre as described in the planning application and for no other purposes whatsoever.

Reason: For the avoidance of doubt and to further define the scope of this permission given the site’s sensitive location within the Green Belt.

Samples of Materials

- 3 Samples of all materials to be used in the construction of the external surfaces of the building(s) hereby permitted, shall be submitted to and approved in writing by, the Local Planning Authority, before any part of the development is commenced.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policy PMD2 of the Thurrock LDF Core Strategy and Policies for Management of Development 2015.

Accordance with Plans

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

Plan Number(s):		
Reference	Name	Received
WCB.01	Location Plan	21st October 2016
WCB.02	Proposed Site Layout	21st October 2016
WCB.03	Proposed Floor Plans	21st October 2016
WCB.04	Proposed Floor Plans	21st October 2016
WCB.05	Proposed Floor Plans	21st October 2016
WCB.06	Proposed Floor Plans	21st October 2016
WCB.07	Proposed Floor Plans	21st October 2016
WCB.08	Proposed Elevations	21st October 2016
WCB.09	Proposed Elevations	21st October 2016
WCB.10	Proposed Elevations	21st October 2016
WCB.11	Proposed Elevations	21st October 2016
WCB.12	Sections	21st October 2016
WCB.13	Drawing	21st October 2016

WCB.14	Drawing	21st October 2016
WCB.15	Drawing	21st October 2016

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

Design Details

- 5 Notwithstanding the submitted plans, prior to the commencement of development details shall be submitted to the Local Planning Authority showing the following:
- Window design, including recesses and cills;
 - Door design, including any recesses;
 - Gutters, fascia and soffits;
 - internal layout of the building including circulation routes;
 - floor to ceiling heights for the first and second floors.

Thereafter, development shall be carried out strictly in accordance with the details approved.

Reason: In the interests of the character and visual amenities of the area, in accordance with Policies PMD2 and CSTP22 of the Thurrock Core Strategy and Policies for the Management of Development DPD 2015.

Landscaping Plan

- 6 No construction works in association with the development hereby permitted shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- a. All species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
 - b. Finished levels and contours;
 - c. Means of enclosure;
 - d. Minor artefacts and structures (e.g. furniture, activity equipment, refuse and other storage units including any cycle store, signs and lighting);
 - e. External surface material for parking spaces, pedestrian accesses.
 - f. Tree protection measures and details of the proposed management of the retained trees and hedges
 - g. Any preserved trees which it is proposed to remove and their suitable replacement elsewhere within the site

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased

shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: In the interests of the character and visual amenities of the area in accordance with Policy PMD2 of the Thurrock Core Strategy and Policies for the Management of Development DPD 2015.

Sight Splays

- 7 Sight splays of 2.4 metres x 43 metres shall be provided at the proposed access and thereafter maintained at all times so that no obstruction is present within such area above the level of the adjoining highway carriageway.

Reason: In the interests of highway safety and efficiency in accordance with Policy PMD2 of the Thurrock Core Strategy and Policies for the Management of Development DPD 2015.

Parking Layout

- 8 Prior to the occupation of the buildings hereby approved, the proposed parking area, as indicated on Drawing No WCB.14, shall be suitably surfaced, laid out and drained in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority and constructed concurrently with the remainder of the development hereby approved.

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 safety as identified under CS Policies PMD2 and PMD8 of the Thurrock Core Strategy and Policies for the Management of Development DPD 2015.

Construction Management Plan

- 9 Prior to the commencement of the works subject to this consent hereby approved, a Construction Management Plan shall be submitted to and agreed in writing prior to the commencement of the works hereby approved. The details shall include;
- (a) Hours and duration of works on site;
 - (b) Wheel washing and sheeting of vehicles transporting aggregates on to or off of the site;
 - (c) Details of construction access;
 - (d) Details of temporary hardstanding;
 - (e) Details of temporary hoarding;
 - (f) Water management including waste water and surface water drainage;
 - (g) Road condition surveys before demolition and after construction is completed, with assurances that any degradation of existing surfaces will be remediated as part of the development proposals. Extents of road condition surveys to be agreed as part of this CEMP;

- (h) Details of measures to minimise fugitive dust during construction demolition and stockpiling of materials;
- i) A Waste Management Plan;
- j) Details of any security lighting or flood lighting proposed including mitigation measures against light spillage outside the site boundary;
- k) Details of crushing and/or screening of demolition and excavation materials including relevant permits;
- l) Contingency plan, remediation scheme and risk assessment for any unforeseen contamination found at the site;

Once submitted to and agreed in writing by the Local Planning Authority the works shall be undertaken in strict accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not cause pollution in and to ensure the construction phase does not materially affect the free-flow and safe movement of traffic on the highway, in the interests of highway efficiency, safety and amenity and to ensure the development is in accordance with Policy PMD1 in of the Thurrock Core Strategy and Policies for the Management of Development DPD 2015 and in accordance with NPPF.

FWEP

- 10 Prior to the [first operational use / occupation] of any building located within Environment Agency Flood Zones 2 and 3, as detailed in the submitted flood risk assessment and supporting documentation [ref. T1655.L.23.01.2017] or as detailed in any subsequent amendment to the extent of these Flood Zones published by the Environment Agency, a Flood Evacuation and Emergency Response Plan for the development shall be submitted to and approved in writing by the local planning authority. The approved measures within the Plan shall be operational upon first [use / occupation] of the development and shall be permanently maintained thereafter.

Reason: In order to ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

Drainage Strategy

- 11 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
- Limiting discharge rates to the greenfield 1 in 1 year rate for all storm events up to an including the 1 in 100 year rate plus 40% allowance for climate change.
 - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.

- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason: To ensure that adequate measures for the management of [surface / foul] water are incorporated into the development in accordance with policy PMD15 of the Thurrock Core Strategy and Policies for the Management of Development DPD [2015].

Surface Water Maintenance Plan

- 12 No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risks are incorporated into the development in accordance with policy PMD15 of the Thurrock Core Strategy and Policies for the Management of Development DPD [2015].

Annual Logs of Surface Water Maintenance Plan

- 13 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan under condition 12 development in accordance with policy PMD15 of the Thurrock Core Strategy and Policies for the Management of Development DPD [2015].

INFORMATIVES:

1. The applicant's attention is drawn to the list of Informatives provided by the Flood and Water Management Team at Essex County Council in their letter dated 7th February 2017.

2. Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement

In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in 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

