

<p><b>Reference:</b> 18/00887/FUL</p>	<p><b>Site:</b> Land To East Of Euclid Way And South Of West Thurrock Way West Thurrock Essex</p>
<p><b>Ward:</b> West Thurrock And South Stifford</p>	<p><b>Proposal:</b> Redevelopment of the site to provide 256 dwellings (an uplift of 242 dwellings when combined with 17/00548/REM Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 1 of the outline part of application ref.13/01231/FUL comprising the construction of 214 residential dwellings, new public open space, car parking and associated infrastructure works) and associated provision of open space, landscaping, car parking and infrastructure works</p>

<b>Plan Number(s):</b>		
Reference	Name	Received
AA6979-2001	Site Location Plan	26 June 2018
AA6979-2003 A	Proposed Masterplan – Coloured	24 August 2018
AA6979-2004 A	Proposed Masterplan – Roof	24 August 2018
AA6979-2005 A	Proposed Site Plan – Ground Floor	24 August 2018
AA6979-2006 A	Dwelling Type Plan	24 August 2018
AA6979-2007 B	Parking Plan	24 August 2018
AA6979-2008 A	Cycle Plan	24 August 2018
AA6979-2009 A	Proposed Refuse Plan	24 August 2018
AA6979-2010 A	PV Plan	24 August 2018
AA6979-2011 A	Materials Location Plan	24 August 2018
AA6979-2012	Street Elevations 1, 2, 3 & 4	26 June 2018
AA6979-2021	Perimeter Block A – Front Elevations	26 June 2018
AA6979-2022	Perimeter Block A – Rear Elevations	26 June 2018
AA6979-2023	Perimeter Block B – Front Elevations	26 June 2018
AA6979-2024	Perimeter Block B – Rear Elevations	26 June 2018
AA6979-2025	Perimeter Block C – Front Elevations	26 June 2018
AA6979-2026	Perimeter Block C – Rear Elevations	26 June 2018
AA6979-2030	Block 1 Plans (sheet 1 of 3)	26 June 2018
AA6979-2031	Block 1 Plans (sheet 2 of 3)	26 June 2018
AA6979-2032	Block 1 Plans (sheet 3 of 3)	26 June 2018
AA6979-2033	Block 1 Elevations (sheet 1 of 2)	26 June 2018

AA6979-2034	Block 1 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2035	Block 2 Plans (sheet 1 of 3)	26 June 2018
AA6979-2036	Block 2 Plans (sheet 2 of 3)	26 June 2018
AA6979-2037	Block 2 Plans (sheet 3 of 3)	26 June 2018
AA6979-2038	Block 2 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2039	Block 2 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2040	Block 3 Plans (sheet 1 of 3)	26 June 2018
AA6979-2041	Block 3 Plans (sheet 2 of 3)	26 June 2018
AA6979-2042	Block 3 Plans (sheet 3 of 3)	26 June 2018
AA6979-2043	Block 3 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2044	Block 3 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2045	Block 4 Plans (sheet 1 of 2)	26 June 2018
AA6979-2046	Block 4 Plans (sheet 2 of 2)	26 June 2018
AA6979-2047	Block 4 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2048	Block 4 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2049	Block 5 Plans (sheet 1 of 3)	26 June 2018
AA6979-2050	Block 5 Plans (sheet 2 of 3)	26 June 2018
AA6979-2051	Block 5 Plans (sheet 3 of 3)	26 June 2018
AA6979-2052	Block 5 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2053	Block 5 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2054	Block 6 Plans (sheet 1 of 3)	26 June 2018
AA6979-2055	Block 6 Plans (sheet 2 of 3)	26 June 2018
AA6979-2056	Block 6 Plans (sheet 3 of 3)	26 June 2018
AA6979-2057	Block 6 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2058	Block 6 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2059	GA Matrix	26 June 2018
AA6979-2061	House Type A2	26 June 2018
AA6979-2062	House Type C1	26 June 2018
AA6979-2063	House Type C2	26 June 2018
AA6979-2064	House Type D1	26 June 2018
AA6979-2065	House Type E1	26 June 2018
AA6979-2066	House Type E2	26 June 2018
AA6979-2067	House Type M1	26 June 2018
AA6979-2068	House Type M2	26 June 2018
AA6979-2069	House Type E3	26 June 2018
AA6979-2070	House Type E4	26 June 2018
PR122-01E	Landscape Masterplan Rev E	24 August 2018
PR122-02B	Public Open Space Rev B	26 June 2018
PR122-03A	Tree Pit Rev A	26 June 2018
T134-002B	Swept Path Analysis (in TA)	24 August 2018
T134-003B	Visibility Analysis (in TA)	24 August 2018
T134-004B	Primary Site Access (in TA)	24 August 2018

T134-005B	Parking Court Access (in TA)	24 August 2018
T134-100	Surface and Foul Water Drainage Strategy (in FRA)	26 June 2018
T134-101	Existing Drainage Catchment Plan (in FRA)	26 June 2018
T134-200	Concept Levels Strategy (in FRA)	26 June 2018

The application is also accompanied by:

- Planning Statement, prepared by Savills
- Design and Access Statement (inc. Landscape Design), prepared by PRP Architects and Matt Lee Landscape Architecture
- Flood Risk Assessment and Drainage Strategy, prepared by Ardent Consulting Engineers
- Transport Assessment (inc. Vehicle Tracking), prepared by Ardent Consulting Engineers
- Arboricultural Impact Assessment, prepared by Southern Ecological Solutions
- Extended Phase 1 Habitat Survey, prepared by Southern Ecological Solutions
- Noise Impact Assessment, prepared by SRL Technical Services Limited
- Air Quality Assessment, prepared by SRL Technical Services Limited
- Energy Statement, prepared by BBS Environmental
- Viability Assessment, prepared by Savills (CONFIDENTIAL)

**Applicant:**

Bellway Homes Limited (Essex)

**Validated:**

26 June 2018

**Date of expiry:**

19 October 2018 (Extension of time agreed with applicant)

**Recommendation:** Approve, subject to conditions and s106 agreement.

This application is scheduled for determination by the Planning Committee because the application is of a strategic nature (in accordance with Part 3 (b) 2.1. (a) of the Council's Constitution).

## 1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks full planning permission for the development of 256 dwellings, with associated private and public amenity space, means of enclosure, parking, vehicle and pedestrian accesses and drainage.

1.2 Table 1 below summarises some of the main points of detail contained within the development proposal:

<b>Site Area (Gross)</b>	3.57 ha
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<b>Height</b>	Two storey houses and three/four storey flat blocks					
<b>Units (All)</b>	<b>Type (ALL)</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4-bed</b>	<b>TOTAL</b>
	Houses	0	27	11	18	56
	Flats	85	115	0	0	200
	<b>TOTAL</b>	<b>85</b>	<b>142</b>	<b>11</b>	<b>18</b>	<b>256</b>
<b>Car parking</b>	Flats: 200 Houses: 93 Visitor: 73  Total: 367 (one space is for the proposed electrical substation, average of 1.5 spaces per unit)					
<b>Amenity Space for houses</b>	All houses would have access to a private garden, minimum size 30 sq.m to maximum size 142 sq.m					
<b>Flats</b>	All flats at first floor and above have a private balcony. Communal amenity space.					
<b>Density</b>	72 units per ha for the whole site					

**2.0 SITE DESCRIPTION**

- 2.1 The application site is a mainly rectangular shaped parcel of land located to the south of West Thurrock Way (B186) and in-between the Tony Le Voi car dealership (to the east) and the Weston Avenue roundabout junction to the west. Euclid Way is to the western boundary of the site. The application site comprises the former Gala Bingo which incorporates Frankie and Bennies, KFC and the associated parking areas to the north and an area of disused scrub land to the south.
- 2.2 On the northern side of the B186, opposite the site, are retail and restaurant uses (The Range, Currys, Home Sense, Pizza Hut etc.) with associated car parking and circulation areas. To the west of the site are retail/D1 uses and parking areas located on the 'Tunnel Estate'. To the south and east, the site is bordered by phase 1 of the housing development which has permission under 17/00548/REM.
- 2.3 The site formed part of the former chalk quarry and workings which occupied what is now the Lakeside Basin. The site is located within the high risk flood zone (Zone 3) with ground levels falling across the site from north to south. Levels at West Thurrock Way next to the site are noticeably higher than the site at approximately 4m A.O.D.

**3.0 RELEVANT HISTORY**

3.1 There is an extensive planning history for the application site. However, the relevant applications are the outline permission and related applications. The early planning history for the site includes planning applications associated with the winning and working of chalk.

Reference	Description	Decision
18/00926/NMA	Application for a proposed non-material amendment to change the boundary between Phase 1 and Phase 2 as shown on the site location plan. of planning permission ref. 13/01231/FUL (Demolition of existing buildings and redevelopment to provide: in detail: a superstore extending 6,694 sqm (GIA) (Use Class A1) and petrol filling station; restaurants extending 704 sqm (GIA) (Use Class A3); a drive-through restaurant extending 246 sqm (GIA) (Use Class A3/5); community space extending 1,026 sqm (GIA) (Use Class D1/2); and associated car parking, landscaping and highways improvements; in outline (all matters reserved except access): up to 320 residential units (Use Class C3) and associated highways improvements. Hybrid application)	Approved
18/00791/FUL	Engineering works and remediation of the site for potential housing phase two (13/01231/FUL Demolition of existing buildings and redevelopment to provide: in detail: a superstore extending 6,694 sqm (GIA) (Use Class A1) and petrol filling station; restaurants extending 704 sqm (GIA) (Use Class A3); a drive-through restaurant extending 246 sqm (GIA) (Use Class A3/5); community space extending 1,026 sqm (GIA) (Use Class D1/2); and associated car parking, landscaping and highways improvements; in outline (all matters reserved except access): up to 320 residential units (Use Class C3) and associated highways improvements. Hybrid application)	Approved
18/00337/DMI	Application for prior notification of proposed demolition: Former Harry Ramsden restaurant building, Gala Bingo Hall and Estates Kiosk	Prior Approval Granted

	building, West Thurrock Way.	
17/00679/FUL	Application for remediation and associated engineering works for Phase 1 of the outline part of planning permission 13/01231/FUL	Approved
17/00548/REM	Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 1 of the outline part of application ref. 13/01231/FUL, comprising the construction of 214 residential dwellings, new public open space, car parking and associated infrastructure works	Approved
17/00343/NMA	Application for a non-material amendment following a grant of planning permission: Proposed removal of condition no. 10 (Code for Sustainable Homes) of planning permission ref. 13/01231/FUL	Approved
13/01231/FUL	Demolition of existing buildings and redevelopment to provide: in detail: a superstore extending 6,694 sqm (GIA) (Use Class A1) and petrol filling station; restaurants extending 704 sqm (GIA) (Use Class A3); a drive-through restaurant extending 246 sqm (GIA) (Use Class A3/5); community space extending 1,026 sqm (GIA) (Use Class D1/2); and associated car parking, landscaping and highways improvements; in outline (all matters reserved except access): up to 320 residential units (Use Class C3) and associated highways improvements. Hybrid application.	Approved

- 3.2 The original hybrid application for the wider site was 13/01231/FUL and the outline element of this application is now Bellway Phase 1, which is presently being built under 17/00548/REM. The full part of the hybrid application for the superstore has not been implemented and this site is where the current proposal for residential would be. The application has an amended red line which includes 14 units from Phase 1, this has been approved as a non-material amendment, therefore, this application is for an uplift of 242 dwellinghouses when combined with 17/00548/REM. Phases 1 and 2 together would create 456 new residential units, the scheme has been designed to create one cohesive place.

#### 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](http://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 comments have been received.

4.3 ANGLIAN WATER:

No response received at time of writing this report.

4.4 EDUCATION:

Request financial contribution for nursery, primary and secondary provision of £872,884.73.

4.5 EMERGENCY PLANNING:

No objection, with conditions.

4.6 ENVIRONMENT AGENCY:

No objection.

4.7 ENVIRONMENTAL HEALTH:

No objection, with conditions.

4.8 ESSEX AND SUFFOLK WATER:

No response received at time of writing this report.

4.9 ESSEX COUNTY FIRE & RESCUE SERVICE:

No objections.

4.10 FLOOD RISK MANAGER:

Objection.

4.11 HEALTH & WELLBEING:

No objection.

**4.12 HIGHWAYS:**

No objection, with conditions and S106.

**4.13 HIGHWAYS ENGLAND:**

No objection.

**4.14 HOUSING:**

Affordable housing should be policy compliant.

**4.15 LANDSCAPE & ECOLOGY:**

No objection.

**4.16 NATURAL ENGLAND:**

No objection.

**4.17 NHS ENGLAND:**

Request community contribution of £95,417, towards internal reconfiguration of existing space and/or improvements to the existing IT infrastructure for the benefit of the patients of St. Clements Health Centre.

**5.0 POLICY CONTEXT****National Planning Guidance**National Planning Policy Framework (NPPF)

5.1 The NPPF was published on 27 March 2012 and amended on 24 July 2018. Paragraph 10 of the Framework sets out a presumption in favour of sustainable development. Paragraph 2 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 11 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:

2. Achieving sustainable development
5. Delivering a sufficient supply of homes



6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

### Planning Practice Guidance

5.2 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. The PPG contains a number of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Air quality
- Climate change
- Design
- Determining a planning application
- Ensuring the vitality of town centres
- Flood Risk and Coastal Change
- Hazardous Substances
- Health and wellbeing
- Land affected by contamination
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions
- Viability

### **Local Planning Policy**

#### Thurrock Local Development Framework (2015)

5.3 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” (as amended) in 2015. The following Core Strategy policies apply to the proposals:

#### Spatial Policies:

- CSSP1 (Sustainable Housing and Locations)

- CSSP3 (Sustainable Infrastructure)
- CSSP5 (Sustainable Greengrid)

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision of Affordable Housing)
- CSTP9 (Well-being: Leisure and Sports)
- CSTP11 (Health Provision)
- CSTP12 (Education and Learning)
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)<sup>3</sup>
- CSTP15 (Transport in Greater Thurrock)
- CSTP18 (Green Infrastructure)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP25 (Addressing Climate Change)<sup>2</sup>
- CSTP26 (Renewable or Low-Carbon Energy Generation)<sup>2</sup>
- CSTP27 (Management and Reduction of Flood Risk)<sup>2</sup>

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)<sup>3</sup>
- PMD7 (Biodiversity, Geological Conservation and Development)<sup>2</sup>
- PMD8 (Parking Standards)<sup>3</sup>
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)<sup>2</sup>
- PMD12 (Sustainable Buildings)<sup>2</sup>
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD14 (Carbon Neutral Development)
- PMD15 (Flood Risk Assessment)<sup>2</sup>
- PMD16 (Developer Contributions)<sup>2</sup>

[Footnote: <sup>1</sup>New Policy inserted by the Focused Review of the LDF Core Strategy. <sup>2</sup>Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. <sup>3</sup>Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

### Thurrock Local Plan

- 5.4 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in 2018.

### Thurrock Design Strategy

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

## **6.0 ASSESSMENT**

- 6.1 The assessment below covers the following areas:

- I. Principle of the Development
- II. Design and Layout
- III. Landscaping
- IV. Traffic Impact, Access and Car Parking
- V. Impact Upon Ecology and Biodiversity
- VI. Ground Contamination
- VII. Noise and Air Quality
- VIII. Energy and Sustainability
- IX. Flood Risk and Site Drainage
- X. Viability and Planning Obligation

### **I. PRINCIPLE OF THE DEVELOPMENT**

- 6.2 The Policies Map accompanying the Core Strategy identifies this part of the site as employment land. However, the site is partly occupied by now vacant commercial buildings and is partly vacant. Furthermore, the 'Thurrock Spatial Vision for 2026' set out at Chapter 3 of the Core Strategy identifies Lakeside / West Thurrock as a 'Key Area of Regeneration and Growth'. Chapter 3 (paras. 3.24-3.25) refer to Lakeside / West Thurrock and note that: *"The great majority of new housing, employment and associated development in the Borough will be located in the Lakeside/West Thurrock Regeneration Area. A mix of 3,300 new dwellings will be located to the south and east of Lakeside ... The Lakeside Basin will be transformed into a Regional Centre (town centre), and, together with the wider area, will provide between 7,000 and 9,000 jobs. Development will include a substantial expansion of retail floorspace (50,000 sqm net of comparison floorspace) to serve subregional needs and additional convenience and service retail, office and leisure floorspace to broaden the mix of uses. There will be an additional 3,000 dwellings, improved open space, and more community and health facilities"*. Although the spatial allocation of

new residential development has not been progressed through a Site Specific Allocations and Policies DPD, there is clearly an intention in the Core Strategy to introduce new residential uses at Lakeside. Indeed Policy CSSP1 refers to West Thurrock / Lakeside Basin as a broad location for housing. The proposal would contribute to housing land supply within an area which has been promoted for housing within the Core Strategy.

- 6.3 Phase 1 of the residential development which was part of the original hybrid permission is being built out presently which has started the transformation of the Lakeside Basin for mixed use which includes residential. Consequently, the principle of the proposed redevelopment of the site for residential would meet the aims and objectives of the Core Strategy with regards to the Lakeside Basin.

## II. DESIGN AND LAYOUT

- 6.4 The overall design strategy for the scheme is to create distinctive places and character areas within the site. The layout and detailed design of the scheme has been developed to complement the emerging development at the adjacent Phase 1 site. The proposed development includes a mix of two storey houses, and three and four storey blocks of flats.
- 6.5 Three blocks of flats are proposed to front on to West Thurrock Way, these blocks would be four storeys high, positioned horizontally to the road and would have a double gable roof. The massing and form of these blocks will both act as a public frontage to the entire site and an attractive, permeable feature. These blocks provide landmark buildings in this location and respond to the noise and air quality constraints of this road.
- 6.6 Flats are also proposed to be situated to the south of the site while the houses would be positioned centrally. The exception to this is a block of flats located in the centre-east of the site, fronting an area of landscaped public open space. The proposals adopt a perimeter block structure mirroring the layout of the internal roads and the development on Phase 1. The houses are predominantly positioned around the edges of the blocks with rear gardens behind.
- 6.7 To create variety within the development, a range of house types are included within the proposed development. There are commonalities between each of the house types, although each has distinguishing features. This approach has the effect of creating points of interest at key nodes and establishing different character areas within the development. Design references are taken from the Phase 1 site and a carefully selected materials palette will be used to complement the characteristics of the consented scheme.
- 6.8 Therefore, the proposed appearance of the development would deliver the quality required by both national and local policies and is supported. In particular, the proposals promote the use of both good quality finishing materials and a defining architectural 'language' across the site which would create a strong and distinct sense of place. It is considered that the appearance of the development would meet the key aims of the Thurrock Design Strategy in ensuring high quality development and responding to context.

### III. LANDSCAPING

- 6.9 The scheme incorporates extensive landscaping in the form of tree, hedge, ornamental shrub, amenity grass and wildflower planting. An area of landscaped open space to the in the eastern central area of the site includes seating for the enjoyment of residents and the general public. Each of the houses has a private garden and the blocks of flats each adjoin an area of communal open space which will be landscaped to a high standard.
- 6.10 The site layout has sought to relate to the Phase 1 scheme and features such as the east-west linear park and street alignments would help deliver a unified sense of place between the different phases. Similarly the planting and hard materials palettes relate to the first phase.

### IV. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.11 The site is accessed from an existing roundabout on West Thurrock Way, the proposed roads would be built to a standard which would allow them to be formally adopted by the Council. The access to the site would be taken from the existing roundabout junction located to the south of the KFC building. These roundabout junctions provide access onto West Thurrock Way and, in turn, access to the wider road network. The current application proposes one main point of access from the roundabout junctions which link to an internal road. There is also a proposed third point of access at the south and south-west boundary, which connects to Euclid Way and runs parallel to the Western boundary of the wider site. This third access would provide a pedestrian and cycle link only.
- 6.12 The Council's Highways Officer raises no objection to the principle of the development on this site subject to conditions and S106 contribution. The level of parking provided on the site meets the Councils Draft Parking Standards with an average over the site of 1.5 parking spaces per unit. The development meets the Council's Draft Parking Standards in terms of parking spaces for the dwellings and the associated visitor parking.
- 6.13 The development is on a site which has planning permission for a retail superstore and restaurants. The Transport Assessment has assessed the traffic impact will be less than the extant permission for various retail and food units proposed at this location and thus minimal impact on the highway network. The proposal also includes connectivity with the addition of a cycle path and pedestrian linkages. The original hybrid planning permission included highways contributions which have been paid. The design of the proposal and the payments already made will go some way to reduce traffic impact within the basin; thus making the development proposals acceptable to policy.

### V. IMPACT UPON ECOLOGY AND BIODIVERSITY

- 6.14 The site has low ecological value at present and the proposed landscape measures will mitigate the loss of habitat features. Whilst the proposal is within the zone of influence of the West Thurrock Lagoon and Marshes SSSI, the Council's Landscape and Ecology Advisor considers that the development would not have any adverse effects on the SSSI.

#### VI. GROUND CONTAMINATION

- 6.15 The site is heavily contaminated, as with the site for phase 1, and the remediation has been addressed within an approved full planning permission 18/00791/FUL. Therefore, the decontamination of the site and preparation for residential re-use has been agreed.

#### VII. NOISE AND AIR QUALITY

- 6.16 The Council's Environmental Health Officer has no concerns over noise, subject to a condition requiring compliance with the submitted Noise Impact Assessment.
- 6.17 The Council's Air Quality Officer has agreed with the findings of the revised air quality assessment (section 4.2 and Appendix D6a), that mitigation in the form of rear single aspect ventilation systems will need to be put in place for all properties that fall inside the 16 metre boundary from the West Thurrock Way roadside. The inlets must be sited outside the 16 metre boundary to ensure clean air is drawn into these buildings. A planning condition would satisfy all air quality concerns with regard to this development.

#### VIII. ENERGY AND SUSTAINABILITY

- 6.18 The flats and houses would all incorporate energy efficiency measures including enhanced insulation, luminous efficient lighting, high-performance condensing gas boilers and photovoltaic (PV) panels. This would mean that the development would achieve at least 15% of the developments' energy needs through the use of decentralised, renewable or low carbon technologies.

#### IX. FLOOD RISK AND SITE DRAINAGE

- 6.19 A Flood Risk Assessment (FRA) was submitted with the application as the site is within flood zone 3. The Environment Agency has no objections; nonetheless the Council must apply the Sequential and Exception Tests.
- 6.20 The Council has applied the Sequential and Exception Test, which is required by the NPPF. The purpose of the Sequential Test is to steer new development to areas with the lowest probability of flooding (Zones 1 and 2). Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives for the development to be located in zones with a lower probability of flooding the Exception Test can be applied.
- 6.21 The Sequential Test has been applied to the proposals and concludes that there

are no reasonably available sites located in areas of lower flood risk within the search area that would be appropriate for the type of development proposed. The Exception Test also needs to be applied as the proposal is classified as a 'more vulnerable use' within flood zone 3 but it is considered that the proposals would deliver benefits to sustainability which would outweigh flood risk issues and that, subject to mitigation, the development will be safe without increasing flood risk elsewhere.

- 6.22 A detailed surface drainage strategy seeks to use swales, underground attenuation devices and an attenuation basin, which will be maintained and managed by the landowner/future operator. Details of the proposed surface drainage systems shall be subject to a planning condition.
- 6.23 Subject to conditions, there are no objections raised from the Environment Agency, Flood Risk Advisor or Emergency Planner and the proposal is therefore considered acceptable with regard to policies CSTP27 and PMD15.

#### X. VIABILITY AND PLANNING OBLIGATIONS

- 6.24 The applicant's Viability Statement shows that the residual land value of the proposed scheme produces a deficit against the benchmark land value and as such the scheme is not technically viable. This is even without the provision of affordable housing or other financial contributions. Notwithstanding, the applicant is prepared to deliver the scheme.
- 6.25 The applicant's Viability Statement has been studied and appraised by an external viability consultant appointed by Thurrock Council. The information within this report is confidential as it is commercially sensitive. Whilst the importance of affordable housing and community contributions is paramount, the independent assessment findings confirms that the development is not commercially viable. Policy CSTP2(3) confirms *the Council recognises that the majority of Thurrock's identified housing land supply is on Previously Developed Land often subject to a variety of physical constraints. The capacity of a site to deliver a level of Affordable Housing that can be supported financially will be determined by individual site 'open book' economic viability analysis where deemed appropriate. This analysis will take into consideration existing use values, as well as other site-specific factors.*
- 6.26 There were financial contributions secured under 13/01231/FUL and all the relevant payments have been received by the Council. The hybrid consent involved both commercial and residential, with commercial generating significant contributions for mainly highways (based on mitigating the impact of a food store). The specific wording of the obligation requires several payments prior to commencement of (any) development, so these have already been paid. The s106 payments already paid total just over £1,227,000.
- 6.27 Notwithstanding the above, any consent granted should be subject to an s106 agreement requiring a review of scheme viability if the scheme has not reached slab level on 20 no. plots within two years of consent being granted.

**7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL**

7.1. This proposal would bring forward the second phase of residential development at this site and would provide a range of housing needed for this area. The development on previously developed land would contribute 242 new units to the Council’s 5 year housing land supply; a factor which should be given significant weight when assessed against the NPPF and the housing requirements identified in Core Strategy policies CSSP1 and CSTP1. The proposal has been subject to negotiation with officers to ensure that a high quality design is brought for the site in accordance with Core Strategy policies.

**8.0 RECOMMENDATION**

8.1 Approve, subject to the following:

i) the completion and signing of an obligation under s106 of the Town and Country Planning Act 1990 relating to the following heads of terms:

- Viability Review if the scheme has not reached slab level on 20 no. plots within two years of consent being granted

ii) the following planning conditions:

**TIME LIMIT**

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

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

**PLANS**

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

<b>Plan Number(s):</b>		
Reference	Name	Received
AA6979-2001	Site Location Plan	26 June 2018
AA6979-2003 A	Proposed Masterplan - Coloured	24 August 2018
AA6979-2004 A	Proposed Masterplan – Roof	24 August 2018
AA6979-2005 A	Proposed Site Plan – Ground Floor	24 August 2018



AA6979-2006 A	Dwelling Type Plan	24 August 2018
AA6979-2007 B	Parking Plan	24 August 2018
AA6979-2008 A	Cycle Plan	24 August 2018
AA6979-2009 A	Proposed Refuse Plan	24 August 2018
AA6979-2010 A	PV Plan	24 August 2018
AA6979-2011 A	Materials Location Plan	24 August 2018
AA6979-2012	Street Elevations 1, 2, 3 & 4	26 June 2018
AA6979-2021	Perimeter Block A – Front Elevations	26 June 2018
AA6979-2022	Perimeter Block A – Rear Elevations	26 June 2018
AA6979-2023	Perimeter Block B – Front Elevations	26 June 2018
AA6979-2024	Perimeter Block B – Rear Elevations	26 June 2018
AA6979-2025	Perimeter Block C – Front Elevations	26 June 2018
AA6979-2026	Perimeter Block C – Rear Elevations	26 June 2018
AA6979-2030	Block 1 Plans (sheet 1 of 3)	26 June 2018
AA6979-2031	Block 1 Plans (sheet 2 of 3)	26 June 2018
AA6979-2032	Block 1 Plans (sheet 3 of 3)	26 June 2018
AA6979-2033	Block 1 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2034	Block 1 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2035	Block 2 Plans (sheet 1 of 3)	26 June 2018
AA6979-2036	Block 2 Plans (sheet 2 of 3)	26 June 2018
AA6979-2037	Block 2 Plans (sheet 3 of 3)	26 June 2018
AA6979-2038	Block 2 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2039	Block 2 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2040	Block 3 Plans (sheet 1 of 3)	26 June 2018
AA6979-2041	Block 3 Plans (sheet 2 of 3)	26 June 2018
AA6979-2042	Block 3 Plans (sheet 3 of 3)	26 June 2018
AA6979-2043	Block 3 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2044	Block 3 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2045	Block 4 Plans (sheet 1 of 2)	26 June 2018
AA6979-2046	Block 4 Plans (sheet 2 of 2)	26 June 2018
AA6979-2047	Block 4 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2048	Block 4 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2049	Block 5 Plans (sheet 1 of 3)	26 June 2018
AA6979-2050	Block 5 Plans (sheet 2 of 3)	26 June 2018
AA6979-2051	Block 5 Plans (sheet 3 of 3)	26 June 2018
AA6979-2052	Block 5 Elevations (sheet 1 of 2)	26 June 2018
AA6979-2053	Block 5 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2054	Block 6 Plans (sheet 1 of 3)	26 June 2018
AA6979-2055	Block 6 Plans (sheet 2 of 3)	26 June 2018
AA6979-2056	Block 6 Plans (sheet 3 of 3)	26 June 2018
AA6979-2057	Block 6 Elevations (sheet 1 of 2)	26 June 2018

AA6979-2058	Block 6 Elevations (sheet 2 of 2)	26 June 2018
AA6979-2059	GA Matrix	26 June 2018
AA6979-2061	House Type A2	26 June 2018
AA6979-2062	House Type C1	26 June 2018
AA6979-2063	House Type C2	26 June 2018
AA6979-2064	House Type D1	26 June 2018
AA6979-2065	House Type E1	26 June 2018
AA6979-2066	House Type E2	26 June 2018
AA6979-2067	House Type M1	26 June 2018
AA6979-2068	House Type M2	26 June 2018
AA6979-2069	House Type E3	26 June 2018
AA6979-2070	House Type E4	26 June 2018
PR122-01E	Landscape Masterplan Rev E	24 August 2018
PR122-02B	Public Open Space Rev B	26 June 2018
PR122-03A	Tree Pit Rev A	26 June 2018
T134-002B	Swept Path Analysis (in TA)	24 August 2018
T134-003B	Visibility Analysis (in TA)	24 August 2018
T134-004B	Primary Site Access (in TA)	24 August 2018
T134-005B	Parking Court Access (in TA)	24 August 2018
T134-100	Surface and Foul Water Drainage Strategy (in FRA)	26 June 2018
T134-101	Existing Drainage Catchment Plan (in FRA)	26 June 2018
T134-200	Concept Levels Strategy (in FRA)	26 June 2018

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

### **EXTERNAL MATERIALS**

- 3 The development shall be carried out using the material details as shown on the materials location plan Ref. AA6979-2011 and page 78 of the Design and Access Statement.

Reason: In the interests of visual amenity and to ensure that the proposed development is integrated with its surroundings in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **SOFT AND HARD LANDSCAPING SCHEME – DETAILED**

- 4 No development shall take place above ground until full details of the provision and subsequent retention of both hard and soft landscape works on the site have been submitted to and approved in writing by the local planning authority. These details shall include:

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support
- 3) Details of the aftercare and maintenance programme

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation.

Hard Landscape works

- 4) Details of walls with brick types, construction design and dimensions
- 5) Details of paved surfacing, with materials finishing and edgings
- 6) Details of street furniture, with designs materials and dimensions

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

Reason: To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN [CEMP]**

- 5 No construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority. The CEMP should contain or address the following matters:
  - (a) Construction hours and delivery times for construction purposes;
  - (b) Hours and duration of any piling operations;
  - (c) Vehicle haul routing in connection with construction
  - (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site;
  - (e) Details of construction access;
  - (f) Location and size of on-site compounds;
  - (g) Details of temporary hoarding/boundary treatment;

- (h) Method for the control of noise with reference to BS5228 together with a monitoring regime.

Works on site shall only take place in accordance with the approved CEMP.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **SURFACE WATER DRAINAGE**

- 6 No development shall commence until a revised surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. This shall reflect the principles of that submitted for 17/00548/REM on release of condition application 17/01178/CONDC, alongside the details outstanding:
- A final drainage plan with FFLs, conveyance routes, location and sizing of all drainage features within the system.
  - Construction drawings of each feature within the drainage system.

The scheme shall subsequently be implemented prior to occupation, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that a suitable surface water drainage strategy is agreed & implemented & flood risk interests are adequately managed in accordance with Policy CSTP27 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **SURFACE WATER INFILTRATION**

- 7 No infiltration of surface water drainage from hard paved surfaces into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: To protect the water environment to avoid pollution of the water environment and to minimise flood risk in accordance with policies PMD1 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **PUBLIC OPEN SPACE MANAGEMENT**

- 8 Prior to construction above ground level of any of the buildings a management plan the management and maintenance of the areas of public open space within the development shall be submitted to and approved in writing by the local planning authority. Thereafter these areas shall be permanently managed and maintained in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure the appropriate management and maintenance of open space on the site in accordance with Policy PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **TRAVEL PLAN – RESIDENTIAL**

- 9 Prior to the first residential occupation of the dwellings hereby permitted, a Travel Plan shall be submitted to and agreed in writing with the local planning authority. The Travel Plan shall include detailed and specific measures to reduce the number of journeys made by car to the site and shall include specific details of the operation and management of the proposed measures. The commitments explicitly stated in the Travel Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the [first residential occupation of the dwellings / flats etc. hereby permitted] and shall be permanently kept in place unless otherwise agreed in writing with the local planning authority. Upon written request, the applicant or their successors in title shall provide the local planning authority with written details of how the measures contained in the Travel Plan are being undertaken at any given time.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policy PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **VISIBILITY AT JUNCTIONS**

- 10 Notwithstanding the submitted information, details shall be submitted to and approved by the Local Planning Authority prior to commencement on site of the emerging visibility sight splays at all junction and bends including speed reduction measures. Such details shall be implemented on site to the satisfaction of the Local Planning Authority before occupation.

Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **PARKING PROVISION**

- 11 The development hereby permitted shall not be first occupied until such time as the vehicle parking area shown on the approved plans has been hard surfaced, sealed in and marked out as shown on the approved plans. The vehicle parking areas shall be retained in this form at all times thereafter. The vehicle parking areas shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## **FLOOD WARNING AND EVACUATION PLAN [FWEP] – DETAILS TO BE PROVIDED**

- 12 Prior to the first occupation of any building a Flood Warning and Evacuation Plan [FWEP] for the development shall be submitted to and approved in writing by the local planning authority. The approved measures within the Plan shall be implemented, shall be made available for inspection by all users of the site and shall be displayed in a visible location all times thereafter.

Reason: 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 [2015].

## **BIN STORES**

- 13 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 approved form, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that a suitable layout & design providing for appropriate waste management facilities is agreed, in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## **VEHICLE PARKING & TURNING AREAS**

- 14 The parking and turning areas for each respective dwelling shall be provided before they are occupied, and shall thereafter be retained for the purposes of parking/turning, and in the approved form, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## **ACCESS ROADS, STREETS, FOOTWAYS & CYCLEWAYS PROVISION**

- 15 None of the dwellings hereby permitted shall be occupied until the access road(s), street(s), footway(s) and cycleway(s) serving that dwelling have been constructed to the satisfaction of the local planning authority, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of securing a safe & accessible development in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

**SOUNDPROOFING/NOISE INSULATION**

- 16 The noise insulation measures and specifications within Noise Impact Assessment, Phase 2, West Thurrock Green, SRL, Report Number: C/14542A/T01A/JYT, August 2018, shall be implemented within the residential units prior to first occupation of the development and shall be permanently retained as approved thereafter.

Reason: To protect the amenities of future residential occupiers 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 [2015].

**AIR QUALITY MITIGATION**

- 17 The air quality measures and specifications within Air Quality Assessment, Phase 2, West Thurrock Green, SRL, Report Number: 14542AQ-T02, August 2018, shall be implemented within the residential units prior to first occupation of the development and shall be permanently retained as approved thereafter.

Mitigation in the form of rear single aspect ventilation systems will need to be put in place for all properties that fall inside the 16 metre boundary from the West Thurrock Way roadside, and the inlets sited outside the 16 metre boundary to ensure clean air is drawn into these buildings.

Reason: In the interests of the amenity and to mitigate the impact of development in accordance with by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

**SOUNDPROOFING/NOISE INSULATION**

- 18 Prior to the commencement above ground level of the residential development hereby approved, a scheme for noise insulation of the dwellings hereby approved, based on an updated noise assessment, shall be submitted to, and agreed in writing by the local planning authority. The scheme shall detail measures so that all habitable rooms achieve the internal guide levels as specified by BS8233:2014. The scheme shall also identify and state the glazing specifications for all the windows potentially affected by road traffic noise and noise from existing and proposed commercial uses, including acoustic ventilation, where appropriate. The approved measures shall be incorporated into the residential units in the manner detailed prior to their residential occupation and shall thereafter be permanently retained as approved, unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of future residential occupiers 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 [2015].

**RENEWABLE ENERGY**

- 19 The measures and specifications within Energy Statement, Bespoke Builder Services

Ltd, Report Number EST-WTG-69362 Issue 1, June 2018, shall be implemented within the residential units prior to first occupation of the development and shall be permanently retained as approved thereafter.

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 [2015].

### **Informative(s)**

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

### **Documents:**

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

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



