

<b>Reference:</b> 15/00234/FUL	<b>Site:</b> Land Off And Adjacent To School Manor Road Grays Essex
<b>Ward:</b> Grays Thurrock	<b>Proposal:</b> Proposed development of 93 dwellings consisting of apartments, terraced, semi-detached and detached houses with amenity space and access road.

<b>Plan Number(s):</b>		
Reference	Name	Received
100H	Site Layout	27th November 2017
300A	Proposed Site Layout	7th September 2018
301A	Proposed Elevations	7th September 2018
302A	Proposed Elevations	7th September 2018
303A	Proposed Elevations	7th September 2018
304A	Proposed Elevations	7th September 2018
305A	Proposed Elevations	7th September 2018
305A	Proposed Elevations	7th September 2018
306A	Proposed Elevations	7th September 2018
307A	Proposed Elevations	7th September 2018
308A	Proposed Elevations	7th September 2018
309A	Proposed Elevations	7th September 2018
310A	Proposed Plans	7th September 2018
311A	Proposed Plans	7th September 2018
312A	Proposed Plans	7th September 2018
313A	Proposed Plans	7th September 2018
314A	Proposed Plans	7th September 2018
315A	Proposed Plans	7th September 2018
316A	Proposed Elevations	7th September 2018
320	Proposed Elevations	7th September 2018
321	Proposed Elevations	7th September 2018
322	Proposed Elevations	7th September 2018
323	Proposed Elevations	7th September 2018
324	Proposed Elevations	7th September 2018
325	Proposed Elevations	7th September 2018

The application is also accompanied by the following updated information:

- Planning Statement Addendum
- Design and Access Statement
- Contaminated Land Desk Study
- Extended Phase 1 Habitat Survey and Reptile and Invertebrate Surveys
- Flood Risk Assessment, Drainage Reports and Flood Warning and Evacuation Plan
- Noise Report
- Transport Assessment including Updated Transport Note
- Landscape Strategy

**Applicant:**

Mr M James

**Validated:**

25 July 2016

**Date of expiry:**

30 November 2018 [Extension of time agreed with applicant]

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

## 1.0 BACKGROUND

- 1.1 This planning application was originally considered at the Planning Committee on 12 July 2018 where Members resolved to defer determination of the planning application to allow the applicant time to resolve the design issues by taking the scheme through a CABE design review and working with officers.
- 1.2 Since the July planning committee the applicant decided not to engage in a CABE design review process but has been working positively with officers, including the Council's Urban Design Advisor, to address the design issues. In early September revised plans and updated studies and reports were received and have been subject to public consultation.

## 2.0 DESCRIPTION OF REVISED PROPOSAL

- 2.1 The proposal is for the same number of dwellings [93] but has a slightly different housing mix with more flats [55 compared to 48] than houses [now 38 compared to 45]. All of the flats would be accommodated within two blocks, would be sited towards the southern boundary of the site. The access to the development and internal road into the site remain the same as the previous plans but, in layout terms, all of the houses would be sited to the western side of the internal road with the front [principal] elevation of each dwelling fronting the road. Along the eastern side of the internal road a 2m wide footway/cycle link would be provided along with links to land beyond the site. A landscaped buffer would be provided along the eastern site boundary along with an area of public open space.

2.2 The revised proposed development is summarised as follows:

Site Area (Gross)	2.31 ha					
Height	Up to 5 storeys [15.2m] for the flats, 2 and 3 storey houses [up to 11.1m]					
Units (All)	Type (ALL)	1-bed	2-bed	3-bed	4 bed	TOTAL
	Houses		23	10	5	38
	Flats	19	31	5		55
	TOTAL	19	54	15	5	93
	Flats	Block – 1 Plots 39-63	25 flats	9 x 1 bed, 16 x 2 bed		
		Block – 2 Plots 64-93	30 flats	8 x 1 bed, 17 x 2 bed, 5 x 3 bed		
	Houses	Plots 1 – 6		3 bed		
		Plot 7		3 bed		
		Plot 8		3 bed		
		Plot 9 - 11		2 bed		
		Plot 12 - 20		2 bed		
		Plots 21 - 24		2 bed		
		Plot 25		3 bed		
		Plot 26		3 bed		
		Plot 27 - 28		2 bed		
		Plot 29 - 31		2 bed		
		Plot 32 - 33		2 bed		
		Plot 34 - 38		4 bed		
Car Parking	Flats: 55 spaces [1.3 space per flat] Houses: 76 spaces [2 spaces per house] Visitors: 15 spaces Total: 146					
Amenity Space	Shared/Communal Amenity Space: 363 sqm for Block 1 and 990 sqm for Block 2 Houses: smallest 50 sqm and largest 139 sqm Public Open Space: 746 sqm					
Density	40 dwellings per hectare for the overall site					

### 3.0 SITE DESCRIPTION

- 3.1 The site is approximately 2.31 hectares and is an 'L' shaped site located at the eastern end of Manor Road, which is the only vehicular access point into the site across a section of unmade road between the eastern end of Manor Road and the site boundary. The site is undeveloped and is covered in vegetation [small trees and scrubs] apart from an area where footpath no.186 crosses through the site in a north to south direction.
- 3.2 To the north are residential properties in Manor Road, Silverlocke Road and Cherry Tree Close but directly to the north is a scrap metal works, which would share the access arrangements into the site. Immediately to the eastern boundary is an open watercourse known as the Chadwell New Cross Sewer, which is defined as a 'main river' by the Environment Agency. Beyond the watercourse is a field and to the south east are commercial units within Thurrock Park Way. Immediately to the southern boundary is the London, Tilbury and Southend railway line and beyond the railway line is Tilbury Docks. To the west is the Thameside Primary School and Manor Park.

#### **4.0 CONSULTATION 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)

#### **4.2 PUBLICITY:**

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

Seven letters of representation were originally received with two of these objecting to the application.

The objections raised the following concerns:

- Traffic capacity is currently at its maximum limit;
- Manor Road – traffic conflicts due to school;
- Difficulties with turning right into Gypsy Road and the T junction onto the Broadway;
- Manor Road and Gypsy Lane is gridlocked twice a day because of the school;
- Increased vehicle movements;
- Land is part of the flood plain;
- Will current ditch be widened or dredged to accommodate water run off;
- Insufficient drainage to accommodate surface water;

- A small piece of countryside with wildlife and part of the landscape;
- Has an environmental study been conducted to assess the impact on wildlife;
- Yet another concrete jungle with housing crammed in;
- Green belt land not to be built on;
- Overlooking of property;
- Object to dwellings on plot 9 and 10 would impact upon privacy;
- Land is used for operational activities of neighbouring scrap yard;
- Plot 9 would be built over the existing sewer and watercourse;

The revised plans have been advertised by way of individual neighbour notification letters and public site notices which have been displayed nearby. The details below are from the most recent consultation to the revised plans:

1 letter of objection raising the following concerns:

- Access to site
- Additional traffic

#### 4.3 ANGLIAN WATER:

No objection subject to a condition regarding a surface water drainage scheme to be approved.

#### 4.4 EDUCATION:

No objection subject to a financial contribution of £519,888.01 towards for nursery, primary and secondary education in the area or towards an extension to existing secondary school in the East Secondary School Planning Area [IRL 0427].

#### 4.5 EMERGENCY PLANNER:

No objection subject to a condition requiring a Flood Warning and Evacuation Plan.

#### 4.6 ENVIRONMENT AGENCY:

No objection subject to the Sequential and Exception Tests being applied by the local planning authority.

#### 4.7 ENVIRONMENTAL HEALTH:

No objection subject to conditions for requiring sound insulation being installed, Construction Environmental Management Plan [CEMP], and a watching brief for

contaminated land.

4.8 ESSEX COUNTY COUNCIL ARCHAEOLOGY:

No objection subject to a condition regarding an archaeological monitoring programme to be agreed.

4.9 ESSEX FIELD CLUB:

Object due to inadequate ecological information.

4.10 ESSEX FIRE AND RESCUE SERVICE:

No objection but there is a need for additional fire hydrants through the Building Regulations.

4.11 ESSEX AND SUFFOLK WATER:

No objection.

4.12 FLOOD RISK MANAGER:

No objection subject to conditions

4.13 HIGHWAYS:

No objections subject to conditions.

4.14 HOUSING:

No objection subject to affordable housing being provided. In light of the views of the independent viability advice an off-site commuted sum should be secured for affordable housing provision

4.15 LANDSCAPE AND ECOLOGY ADVISOR:

No objection subject to a more detailed landscape scheme being agreed and details of reptile translocation, including a receptor site.

4.16 NETWORK RAIL:

No objection.

4.17 NHS ENGLAND:

No objection subject to a financial contribution of £10,000 towards additional floorspace at the Dr Yadava N Practice.

#### 4.18 PUBLIC FOOTPATH OFFICER

No objections but would prefer a dedicated path located alongside the existing water and to be fenced for the safety of pedestrians.

#### 4.19 TRAVEL PLAN CO-ORDINATOR:

No objection.

#### 4.20 URBAN DESIGN ADVISOR:

No objections subject to conditions.

### 5.0 POLICY CONTEXT

#### 5.1 National Planning Policy Framework

The revised NPPF was published on 24 July 2018 and sets out the government's planning policies. Paragraph 14 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
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 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
- 15. Conserving and enhancing the natural environment

#### 5.2 Planning Policy Guidance

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 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Climate change
- Design
- Determining a planning application
- Flood Risk and Coastal Change
- Health and wellbeing
- Housing and economic land availability assessment
- Light pollution
- Natural Environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Travel plans, transport assessments and statements in decision-taking
- Tree Preservation Orders and trees in conservation areas
- Use of Planning Conditions
- Viability

### 5.3 Local Planning Policy Thurrock Local Development Framework (2011)

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

#### OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)<sup>1</sup>

#### SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)
- CSSP2 (Sustainable Employment Growth)
- CSSP5 (Sustainable Greengrid)<sup>3</sup>

#### THEMATIC POLICIES



- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP6 (Strategic Employment Provision)
- CSTP9 (Well-being: Leisure and Sports)
- CSTP11 (Health Provision)
- CSTP12 (Education and Learning)
- CSTP14 (Transport in the Thurrock Urban Area)<sup>3</sup>
- CSTP18 (Green Infrastructure)
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP21 (Productive Land)
- 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 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>
- PMD10 (Transport Assessments and Travel Plans)<sup>2</sup>
- PMD12 (Sustainable Buildings)<sup>2</sup>
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD15 (Flood Risk Assessment)<sup>2</sup>
- PMD16 (Developer Contributions)<sup>2</sup>

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

#### 5.4 Thurrock Local Plan

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.

## 5.5 Thurrock Design Strategy

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 principles issues to be considered with this case are:

- I. Principle of the Development
- II. Housing Mix and Affordable Housing
- III. Design and Layout and Impact upon the Area
- IV. Landscaping and Amenity Space
- V. Ecology and Biodiversity
- VI. Traffic Impact, Access and Car Parking
- VII. Flood Risk and Drainage
- VIII. Noise
- IX. Effect on Neighbouring Properties
- X. Viability and Planning Obligations
- XI. Sustainability
- XII. Other Matters

### I. PRINCIPLE OF THE DEVELOPMENT

6.2 Whilst the site is undeveloped and covered in vegetation the majority of the site is allocated in the LDF Proposal's Map as 'Land for New Development in Primary Areas' where policies CSSP2 [Sustainable Employment Growth] and CSTP6 [Strategic Employment Provision] apply. The areas of the site not allocated would be acceptable for development in principle. The site is not within the Green Belt [the Green Belt boundary is the neighbouring watercourse, to the east of the site].

6.3 As identified in the planning history, planning application references 09/50024/TTGOUT and 11/50307/TTGOUT approved employment development but neither application commenced and both have permission have now lapsed. There have been no further planning applications for employment development on this site since its allocation in the 2011 LDF Core Strategy.

6.4 The site is subject to a number of constraints; namely its irregular shape, poor access arrangements, it's location within a high risk flood zone [flood zone 3] and being adjacent to an area of public open space. The site also has some ecological value. As the site involves a route through tight knit residential streets and past a primary school on the neighbouring the site it is considered difficult for the site to be developed for employment purposes with the likelihood of mostly small scale

offices, light industrial uses or research and development [Class B1] uses being acceptable, and general industrial and storage [Class B2] and distribution uses [Class B8] likely to be considered unacceptable given the constraints identified. The neighbouring scrap metal works, which shares the access arrangements into this site, is an existing long term established use on a much smaller site. The identified constraints were also recognised when the site was allocated for employment through the 'Draft Site Specific Allocations DPD – Site Assessment – High Level Sieve' [page 122] because the site is adjoining the urban area, outside of the Green Belt and conformed with the Regional Spatial Strategy, which was part of the policy position at the time. The Regional Spatial Strategy has since been abolished and the 'Draft Site Specific Allocations DPD' is no longer being progressed on the advice of the Planning Inspectorate.

- 6.5 The most recent employment land review indicates that the Borough has a surplus of employment land which is disproportional to the housing needs of the Borough. On such basis it is considered that this site could be used for alternative use other than its employment allocation.
- 6.6 The proposal is for residential development and there is a housing need within the Borough as the Council cannot, at present, demonstrate an up to date five year housing land supply to comply with the requirements of paragraph 73 of the NPPF. This undeveloped site adjoins the urban area of Grays and therefore is within close proximity of facilities, services and sustainable transport links, and is outside of the Green Belt. The site is therefore considered to represent a sustainable location for residential development.
- 6.7 Taking into account all these factors it is considered that residential use of the site would be acceptable in principle, subject to all other material considerations being acceptable.

## II. HOUSING MIX AND AFFORDABLE HOUSING

- 6.8 Policy CSTP1 requires the dwelling mix for new residential developments to be provided in accordance with the latest [May 2016] Strategic Housing Marketing Assessment [SHMA] and the update Addendum [May 2017]. The SHMA sets out the housing need and mix requirements for the Borough but also the wider context of South Essex. The SHMA identifies the need for 3 bedroom semi-detached and terraced houses, and the need for 1 and 2 bedroom flats. The proposed dwelling mix is different from the previous plans with a proposed mix of 38 houses and 55 flats, compared to the previous mix of 45 houses and 48 flats. However, the revised development would still provide both family dwellings and flatted development, in accordance with the SHMA and therein the dwelling mix requirements of policy CSTP1.

- 6.9 With regard to affordable housing, policy CSTEP2 seeks to achieve 35% of the development to be allocated for affordable housing. However, the application has been subject to a viability assessment as the proposal cannot provide the policy compliant level of affordable housing. The viability assessment has been independently reviewed and identifies that the development can provide £421,750 to fund planning obligations. Following consultation with the Council's Housing Officer it has been identified that financial contribution should be used to provide off site affordable housing provision, as the Council's Housing Officer advises that the contribution would not provide enough for on-site serviced affordable housing units for a Registered Provider.

### III. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.10 The Thurrock Design Strategy was adopted as a supplementary planning document and endorsed as a material consideration in the determination of planning applications in March 2017. Section 3 of the Guide ('Designing in Context') requires applicants to appraise a development site by taking the following considerations into account:
- understanding the place;
  - working with site features;
  - making connections; and
  - building in sustainability.
- 6.11 Existing development in the surrounding area comprises the neighbouring school to the west, early 20<sup>th</sup> century terraced houses to the north west an infill bungalow adjacent to the metal works, and to the north east area 1970's and 1980's housing estates. To the south and south east are large scale commercial warehouse buildings at Thurrock Park Way and Tilbury Docks.
- 6.12 The irregular shape of the site means the site is constrained in terms of its opportunities to create a varied layout and is narrow at the top to middle part of the site. The need for a 'buffer zone' along the site's eastern side adjacent to the neighbouring watercourse further constrains the developable area of the site. The majority of the site is only 43m wide.
- 6.13 In comparison to the previous layout, the alignment of the internal spine road is positioned further to the east which allows for all dwellings to be sited to the western side of the road. This allows for the retention of a wider landscape buffer, which visually assists the site and is also required for ecological reasons and allows for a centrally located area of public open space, which is a significant improvement upon the previous layout. The Council's Urban Design Advisor agrees that the 'proposed linear layout of the dwellings is appropriate, units elevate to maximise open views to the east, enlarged fenestration and balcony features have now been

incorporated'. The majority of the proposed dwellings are proposed to be sited to front the road with habitable rooms facing east to benefit from views towards the existing watercourse and open field beyond the site's eastern boundary. This layout helps with the transition from the natural field environment and watercourse to the east to the urban landscape to be created through this development. The proposed siting of the dwellings on the western side of the road creates a strong urban edge. The proposed siting of the flats towards the southern boundary provides a buffer to the railway. The revised layout is considered to address the previous issues of flank walls fronting the road, and gardens and fenced boundaries onto the ecological buffer. It is therefore considered that the changes to the proposed layout are considered as a significant improvement and addresses the previous concerns.

- 6.14 In terms of scale, the majority of the dwellings would be two storeys, however, in the southern part of the site [from plot 34 onwards] the dwellings would be three storey townhouses and then a part three/part four/part five storey block of flats with the five storey element positioned towards the southern end of the building as a corner feature. This proposed arrangement shows an acceptable height transition towards the flatted development on the site. The second block of flats nearest the western boundary would be similar in scale. The proposed flats are located at the lowest ground levels in the site and when travelling towards the southern area of the site these blocks would be seen in the context of the large buildings in the backdrop of Tilbury Docks. The proposed scale of the development is therefore considered acceptable and represents a significant improvement when compared to the previous plans.
- 6.15 One of the main issues with the previous scheme was the lack of a comprehensive design language and following negotiation with Officers the scheme has been re-designed to reflect a legible contemporary approach with a more orderly form of house types. The proposed design would incorporate gables, large sized window openings, recessed balconies and some roof gardens, which collectively would provide a much higher quality development than the previous scheme. Although the coloured plans help show how the development would appear details of the materials shall need to be agreed through a planning condition. The Council's Urban Design Advisor raises no objections to the revised plans and recommends conditions for materials and specific design/feature detail.
- 6.16 Therefore, the overall design of the development is considered acceptable and would accord with policies CSTP22, CSTP23 and PMD2, and the guidance contained within chapter 12 of the NPPF.

#### IV. LANDSCAPING AND AMENITY SPACE

- 6.17 The site is covered in vegetation apart from small pockets of land where there is a path which passes through the centre of the site in a north to south direction. The majority of the vegetation would be removed as part of the proposals but none of the vegetation contains any noteworthy species and none of the existing trees are protected by Tree Preservation Orders. The proposed revised layout shows some existing trees would be retained and to compensate for the loss of any trees and vegetation the proposal includes a landscaping strategy, which demonstrates new trees would be planted. The Council's Landscape and Ecology Advisor identifies that this landscape strategy requires refinement and further information for all hard and soft landscaping works, which can be subject of a planning condition, along with details of a future landscape management plan to meet the policy requirements of PMD2.
- 6.18 To accord with the requirements of policies CSTP20 and PMD5, sports and recreational opportunities should be provided, including children's play space, unless a commuted sum is offered for improvements to existing open space/sport facilities. When compared to the previous plans the revised plans show a centrally located area of public open space which would incorporate a children's play space with details of the play equipment and future maintenance to be agreed through planning conditions. This centrally located open space feature is welcomed and demonstrates a significant improvement when compared to the previous plans. In addition to this, a proposed pedestrian access would be located along the western site boundary allowing access into the neighbouring public open space for the benefit of future occupiers and for the benefit of permeability and connectivity to the wider area, as this site includes a dedicated footway/cycle link between Grays and Tilbury.
- 6.19 Each block of flats would have areas of communal amenity space and when compared to the previous plans the revised plans show that these communal amenity areas offer a more usable amenity area, which is acceptable with regard to policy PMD2 and 'saved' Annex 1 of the Borough Local Plan. In addition, future occupiers would also have the choice of using the centrally located public open space and the neighbouring public open space to the west of the site, which can be accessed via the proposed pedestrian gate on the western boundary.
- 6.20 The revised layout to the development has also improved the private amenity areas associated with the houses. The smallest private amenity space would be 50m<sup>2</sup> for a 2 bedroom unit and the largest 139m<sup>2</sup> for a 3 bedroom unit. Based on the internal floorspace some of the dwellings would be below the private amenity space requirement as stated 'saved' Annex 1 of the Borough Local Plan. However, the proposal includes a centrally located area of public open space and to the west of the site is a further existing public open space which can both be used for amenity provision and Planning Inspectors have found similar sized private amenity spaces

to be acceptable. On balance the level of private amenity space is considered acceptable for the proposed houses on this site with regard to policy PMD2.

## V. ECOLOGY AND BIODIVERSITY

- 6.21 The Council's Landscape and Ecology Advisor recognises that this is a significant improvement compared to the previous layout. An updated Ecological Appraisal has been submitted which identifies the same ecological mitigation and enhancement measures for inclusion within the proposed development such as the use of green roofs on buildings to support wild flowers, log piles, insect houses, and nest boxes for birds, the details of which can be subject of a planning condition. No objections are raised but details of the reptile translocation shall need to be secured through a planning condition as the site was identified in the 2017 reptile survey as a key reptile site due to its good populations of slow-worms and common lizard.

## VI. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.22 Access to the site would remain the same as the current access and the previous plans as there is only one vehicle access from the eastern end of Manor Road. This access would lead into the internal spine road through the site to serve the 93 dwellings. The Council's Highway's Officer has no objections to the access arrangement which accords with the requirements of policy PMD9.
- 6.23 The updated Transport Note to the Transport Assessment [TA] identifies the same traffic generation and impacts upon the highway as the previous plans, which raises no objection from the Council's Highway Officer.
- 6.24 The proposal would require diversion of the public footpath 186 as this currently passes through the centre of the site in a north to south direction. Similar to the previous plans, the revised plans include the footpath alongside the proposed cycleway through the site with links shown to areas beyond the site, including links to future bridges over the watercourse. The Council's Highway's Officer has confirmed [that they have the funding for the footpath/cycleway works through existing planning obligations so there is no requirement for funding for this infrastructure through planning obligations [section 106]. The Council's Public Footpath Officer considers that a dedicated public right of way should be provided to the western side of the watercourse and should include fencing for pedestrian safety. Whilst this may be a desirable alternative for pedestrians compared to the proposed shared footpath and cycle route along the central spine road through the development, a public right of way in the location sought by the Council's Public Footpath Officer would conflict with the requirements of retaining an ecology buffer adjacent to this watercourse and therefore the proposed shared footpath and cycle route along the central spine road through the development is considered the

preferable option. Outside of the scope of this application the Council could use public rights of way powers to provide a route to the eastern side of the watercourse if necessary.

- 6.25 With regard to parking, the Council's Highway's Officer advises that the site is within an area of 'low accessibility' and therefore the Council's draft parking standards recommends a minimum of 2 spaces for houses and 1.25 spaces for flats. For all types of dwelling 0.25 spaces per dwelling in addition to the above should be provided for visitors. The revised layout plans show that a total of 146 car parking spaces would be provided with 76 spaces for houses [2 spaces per house] and 55 spaces for the flatted development [1.3 spaces per flat]. There would also be 15 visitor spaces. The proposed parking level is slightly less than the previous plans but it should be noted that this has changed to reflect the revised dwelling mix, which is different from the previous plans with a proposed mix of 38 houses and 55 flats, when compared to the previous mix of 45 houses and 48 flats. The dwelling mix therefore changes to the parking level requirements. Nevertheless, the proposed parking provision meets the Council's draft parking standards and the Council's Highway's Officer has no objections to the proposed level of parking having regard to policy PMD8.
- 6.26 For cycle parking the Council's Highway's Officer requires 1 secured covered cycle parking space per dwelling and there would be space within car ports and future rear garden buildings for the houses to meet this requirement, without significantly affecting usable private garden space. For the flats, secure covered cycle parking would be provided within the ground floor area of each block of flats. There is no objection to this cycle provision for the flats. All cycle parking provision levels are acceptable with regard to policy PMD8 and the Council's draft parking standards.

## VII. FLOOD RISK AND DRAINAGE

- 6.27 The revised layout of the proposed development meets the 'Sequential Test' and 'Exception Test'. A revised Flood Warning and Evacuation Plan [FWEP] has been submitted and following consultation the Emergency Planner raises no objection subject to a planning condition.
- 6.28 In terms of surface water drainage, an updated Surface Water Drainage Strategy has been provided and this demonstrates a range of techniques would be implemented for managing surface water, these include storage of rainwater, infiltration techniques, attenuation in a storage pond [proposed adjacent to the southern site boundary] and using tanks and sub bases and discharge into the neighbouring water course. The Council's Flood Risk Manager raises no objection subject to conditions regarding the finer details being agreed and details of the future management and maintenance of the surface water drainage systems.



- 6.29 For foul drainage it is stated that the development would connect to the existing sewerage system and Anglian Water raise no objections as the Tilbury Water Recycling Centre has available capacity to accommodate these flows.

## VIII. NOISE

- 6.30 The revised information includes an updated Environmental Noise Assessment identifying noises sources from outside of the site. These include the scrapyard adjacent to the site entrance to the north, and the railway line together with the rail freight link spur into Tilbury docks to the south, along with nearby commercial uses to the south east in Thurrock Park Way. The updated Environmental Noise Assessment identifies that the noise associated with the railway line together with the rail freight link spur into Tilbury docks to the south are a significant noise sources with the Thurrock Park Way commercial uses being less obtrusive and the scrapyard to the north having lengthy quiet periods and occasional loud impulsive noises from scrap processing.
- 6.31 The proposed development has taken account of these noise environments and with the railway line to the south representing the most significant noise source for the future occupiers of the flats to the southern end of the site. The proposed siting of the flats would be set back from the railway line with the parking area in between. However, to achieve an acceptable internal noise environment within the updated Environmental Noise Assessment recommends mitigation through suitable glazing and ventilation to ensure the internal accommodation meets with British Standards and the World Health Organization [WHO] guidelines. The Council's Environmental Health Officer raises no objection to this approach and but require agreement of the details, which can be secured through the use of a planning condition.
- 6.32 For outside amenity areas the updated Environmental Noise Assessment has considered the revised layout and identifies that amenity spaces for the proposed development would be sited in an arrangement to avoid the noise environments to the south [Tilbury Docks and railway] and the north [scrap yard] to ensure levels accord with the relevant British Standard and the WHO guidelines maximum level 55 dB.
- 6.33 With the requirement for mitigation, where necessary and subject to planning conditions, the proposed development can provide an acceptable noise environment for future occupiers to accord with policy PMD1.

## IX. EFFECT ON NEIGHBOURING PROPERTIES

- 6.34 The nearest residential neighbouring properties are located in Silverlocke Road and a small number of properties have private gardens that back onto the site. The northern part of the site currently has extensive vegetation cover along the site's boundary with the nearest property. The nearest dwellings would be located on plots 1 and 2 which front onto the streetscene as the internal spine road enters the site. The proposed building to building distance would be approximately 23m and is considered too distant from the neighbouring properties to result in any adverse impact upon residential amenity to conflict with policy PMD1.
- 6.35 Thameside Primary School is located to the western site boundary where there is currently extensive vegetation. Some of this vegetation would be removed and therefore some of the proposed dwellings to the western side of the site would have rear gardens backing onto the school boundary and rear elevations of dwellings facing towards the school. This raises no loss of amenity issues with regard to policy PMD1.

## X. VIABILITY AND PLANNING OBLIGATIONS

- 6.36 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.37 Certain LDF policies identify requirements for planning obligations and this depends upon the type of development proposed and consultation responses from the application process.
- 6.38 Following changes in legislation (Community Infrastructure Levy Regulations), in April 2015 the Council produced its Infrastructure Requirement List (IRL) which changed the way in which planning obligations through section 106 agreements can be sought. The changes brought in pooling limitations to a maximum of 5 contributions towards a type or item of infrastructure. The IRL therefore provides an up to date list of physical, social and green infrastructure to support new development in Thurrock. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.
- 6.39 Through the consultation process to this application and assessing the information contained within the Council's IRL the proposal would fall within the category H2 scenario for housing development [between 51-150 dwellings]. The consultation process identifies the following planning obligations required from this proposal:

- 35% of the development to provide for affordable housing provision to meet policy CSTEP2
- A financial contribution of £526,016.87 towards nursery, primary, secondary education in the area or towards the IRL project IRL 0427 an extension to existing secondary school in the East Secondary School Planning Area.
- A financial contribution of £10,000 towards additional floorspace at the Dr Yadava N Practice.

6.40 In this case, the IRL project referenced by the Council's Education Team relates to a project to expand schools within Stanford Le Hope which would be unlikely to be CIL compliant. On this basis, this request should be disregarded.

6.41 The revised plans have been subject to a viability assessment which has been considered by the Council's independent viability assessors. The independently reviewed report identifies that the scheme can sustain no more than £421,750 to fund planning obligations, which in light of the consultation responses should be used for an off-site affordable housing contribution and for the NHS contribution.

6.42 The independent viability advisor states that *'if the Council were minded to grant planning permission then a viability review mechanism should be included within the s106 legal agreement'*. The review mechanisms would be triggered if the scheme has not reached slab level on 10 units within 2 years of consent being granted; this would allow for the viability of the development to be re-visited for consideration of s106 contributions and/or affordable housing provision.

## XI. SUSTAINABILITY

6.43 As part of the planning balance consideration has to be given to the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF with all three needing to be satisfied for the 'presumption in favour of sustainable development' to apply.

6.44 For the economic role the proposal would create employment opportunities for the construction phase. When the development is occupied new residents would provide household spending within the local economy. The dwellings would provide opportunity for local people to live and work in this area. For the social role the development would help create a new community in this location. For both the social and economic role the development would provide dwellings for the area and contribute towards the Council's five year housing land supply. For the environmental role there would be a loss of some existing habitat for ecology and wider biodiversity but development in this location helps reduce the pressure for new housing development in the Green Belt. The proposed revised development is considered acceptable in design terms in this location and in the wider context of

creating a high quality form of development to meet the environmental objective of the NPPF. The development would be built to ensure flood resilience and surface water management measures to reduce flooding. It is therefore considered that the development can meet the Environmental, Social and Economic objectives as outlined in paragraph 8 of the NPPF.

## **XII. OTHER MATTERS**

- 6.45 Each house would have space within the plot to provide refuse and recycling facilities. The two blocks of flats would have refuse and recycling facilities within the ground floor of the buildings. The road layout has been designed to ensure refuse vehicles can reach all refuse collection points.
- 6.46 With regard to methods to minimise water and energy consumption, and the use of decentralised, renewable and low carbon energy generation, the applicant's planning statement states that the proposal would meet with policy requirements for PMD12 and PMD13. No specific details have been provided but the applicant is willing to provide this information through the use of a planning condition.
- 6.47 Due to size of private gardens to the dwelling it is considered necessary to remove of permitted development rights to ensure the private gardens remain of a size that is usable to all occupiers over the lifetime of the development.

## **7.0 CONCLUSIONS AND REASONS FOR APPROVAL**

- 7.1 Since consideration of the application at the July planning committee the applicant and agent have engaged with officers and the revised plans demonstrate that a high quality form of development could be achieved. The revised plans address the concerns raised previously.
- 7.2 All other material consideration are acceptable subject to planning conditions, planning obligations and upgrades to the Public Right of Way and the inclusion of cycleway links to the wider area.

## **8.0 RECOMMENDATION**

- 8.1 Approve, subject to the following:

- i) the completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:
  - A financial contribution towards off site affordable housing in the form of a commuted sum of £411,750;

- A financial contribution of £10,000 towards additional floorspace at the Dr Yadava N Practice.

#### Viability review mechanism

- In the event that development has not reached slab level for 10 plots within 2 years of the grant of planning permission and/or if there are future planning applications seeking revisions to the house types, a financial viability review shall be undertaken by the applicant / developer / owner to assess whether the development can generate a commuted sum towards affordable housing and / or relevant infrastructure.

ii) the following planning conditions:

#### 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.

#### Approved Plans

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

Plan Number(s):		
Reference	Name	Received
100H	Site Layout	27th November 2017
300A	Proposed Site Layout	7th September 2018
301A	Proposed Elevations	7th September 2018
302A	Proposed Elevations	7th September 2018
303A	Proposed Elevations	7th September 2018
304A	Proposed Elevations	7th September 2018
305A	Proposed Elevations	7th September 2018
305A	Proposed Elevations	7th September 2018
306A	Proposed Elevations	7th September 2018
307A	Proposed Elevations	7th September 2018
308A	Proposed Elevations	7th September 2018
309A	Proposed Elevations	7th September 2018

310A	Proposed Plans	7th September 2018
311A	Proposed Plans	7th September 2018
312A	Proposed Plans	7th September 2018
313A	Proposed Plans	7th September 2018
314A	Proposed Plans	7th September 2018
315A	Proposed Plans	7th September 2018
316A	Proposed Elevations	7th September 2018
320	Proposed Elevations	7th September 2018
321	Proposed Elevations	7th September 2018
322	Proposed Elevations	7th September 2018
323	Proposed Elevations	7th September 2018
324	Proposed Elevations	7th September 2018
325	Proposed Elevations	7th September 2018

**Reason:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved with regard to policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### Materials

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. In addition, the details shall include all surface materials, rainwater goods, metering arrangements, fenestration details [including reveals]. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the local planning authority.

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

### Boundary treatment

4. Prior to first occupation of the development details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site have been submitted to and approved by the local planning authority. The boundary treatments shall be erected/installed in accordance with the approved details and retained as such thereafter.

**Reason:** In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

### **Landscape Protection**

5. All trees, shrubs and hedgerows to be retained on the site shall be protected by chestnut paling fencing for the duration of the construction period at a distance equivalent to not less than the spread from the trunk. Such fencing shall be erected prior to the commencement of any works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing; no changes in ground level may be made or underground services installed within the spread of any tree or shrub [including hedges] without the previous written consent of the local planning authority.

**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].

### **Landscaping Scheme**

6. Prior to first occupation of the development a detailed scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any trees and hedgerows to be retained, together with measures for their protection in the course of development, and a programme of maintenance, shall be submitted to and approved in writing by the local planning authority. The details shall include information about the green roofs to the car ports. The landscaping details shall include details of type and species of replacement trees for the trees to be lost as a result of the development. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015], and in the interests of ecology and

biodiversity or protected species are addressed in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

### **Reservation of Open Space and Details of Play Area**

7. The areas shown on the approved drawings as "play space" and "public open space" shall be reserved for such purposes. Prior to first occupation of the development a scheme detailing the surfacing, landscaping and play equipment within the play space shall be submitted to and agreed in writing with the Local Planning Authority. The surfacing, landscaping and play equipment shall be provided in accordance with the details as approved prior to the first occupation of the dwelling on site and shall be retained for such amenity purposes thereafter.

**Reason:** To ensure amenity space within the development is provided in accordance with policies CSTP18, CSTP20, PMD2 and PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Landscape Management Plan**

8. Prior to first occupation of the development a landscape management plan, including management responsibilities and maintenance schedules for the upkeep of all landscaped areas, public open space and play areas, other than domestic gardens, has been submitted to and approved in writing by the local planning authority. The landscape management plan shall be implemented in accordance with the details as approved and retained thereafter, unless otherwise agreed in writing with the local planning authority.

**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].

### **Ecology Mitigation and Enhancements**

9. The development shall be undertaken in accordance with the mitigation and ecological enhancement measures contained within the 'Invertebrate Survey' dated July 2017, the 'Reptile Presence/likely Absence Survey' dated July 2017, the 'Extended Phase 1 Habitat Survey' dated October 2014 and 'Preliminary Ecological Appraisal' dated September 2018 which is attached to and forms part of this permission.



**Reason:** In order to ensure that the interests of ecology and biodiversity or protected species are addressed in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Translocation of reptiles**

10. Prior to the commencement of development, a scheme for the capture and translocation of reptiles from the site shall be submitted to and approved in writing by the local planning authority. The capture and translocation of reptiles shall be undertaken in accordance with the approved scheme, unless otherwise agreed in writing by the local planning authority.

**Reason:** In order to ensure that the interests of ecology and biodiversity or protected species are addressed in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Highway Details**

11. No development shall commence until details of the access to the highway, layout of the streets, estate road construction, turning spaces, street furniture, signage, surface finishes, footways, cycleways and footpaths have been submitted to and approved by the local planning authority. The details to be submitted shall include plans and sections indicating design, layout, levels, gradients materials and method of construction and whether the roads are proposed to be put forward for adoption by the Highway Authority. The approved details shall be implemented prior to occupation of the development, unless otherwise agreed in writing by the local planning authority, and shall be retained and maintained at all times thereafter

**Reason:** To ensure the highway works 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].

### **Sight Splays and Speed Reduction Measures**

12. No development shall commence until details of sight splays and speed reduction measures at all proposed junctions and bends in the road such details have been submitted to and approved by the Local Planning Authority. The sight

lines as approved shall be maintained and retained at all times thereafter free from any obstructions above the level of the adjoining highway carriageway.

**Reason:** To ensure the highway works 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].

### **Plot Accesses**

13. Prior to the occupation of any dwelling, the proposed estate road, footways and footpaths, turning spaces and driveways (where applicable) between the dwelling(s) and the existing highway, shall be properly consolidated and surfaced, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** In the interests of highway safety and amenities of the occupiers of the proposed residential development in accordance with policies PMD1, PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Plot Sight Splays**

14. Prior to the first use of any vehicle access onto the highway clear to ground level sight splays of 1.5 metres x 1.5 metres from the back of the footway shall be laid out either side of the proposed access within the site and maintained and retained as such at all times thereafter.

**Reason:** 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**

15. The development hereby permitted shall not be first occupied until such time as the vehicle parking area indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area(s) shall be retained in this form at all times. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development unless otherwise agreed with the Local Planning Authority.

**Reason:** To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is

provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

### **Cycle and Footway**

16. The dual use footway and cycleways shown on drawing number 300A 'Site Plan' shall be implemented in accordance with this approved plan and be permanently retained and maintained throughout the development free from any obstructions.

**Reason:** To ensure the dual use footway and cycleways links through the site and beyond the site are provided in the interests of sustainability and highway safety in accordance with policy CSTP14 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Cycle Provision**

17. Prior to first occupation of the flats the cycle storage areas as shown on the relevant plans for the flats shall be made available for use for residents and visitors of the flats in accordance with the approved plans and shall be retained for bicycle storage use thereafter.

**Reason:** To ensure appropriate parking facilities for bicycles/powered two wheelers are provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

### **Travel Plan**

18. The measures and procedures set out within the submitted 'Framework Residential Travel Plan' dated November 2016 and updated July 2017 shall be binding on the applicants or their successors in title. The measures shall be implemented upon the first occupation of the development hereby permitted and shall be kept in place. The Travel Plan shall be made available to all new occupiers of the site. Upon written request, the applicant or their successors in title shall provide the local planning authority with written details of how the agreed measures contained in the Travel Plan are being undertaken at any given time.

**Reason:** To reduce reliance on 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].

## **Refuse and Recycling Provision**

19. Prior to first occupation of the flats the refuse and recycling storage facilities as shown on the relevant plans for the flats shall be made available for use for residents and visitors of the flats in accordance with the approved plans and shall be retained for such purposes at all times thereafter.

**Reason:** In To ensure that refuse and recycling provision is provided in the interests of visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## **Levels**

20. No development shall commence until details showing the proposed finished ground and finished floor levels of the development in relation to the levels of the surrounding area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the scheme as approved.

**Reason:** In order to protect the visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

## **Surface Water Drainage Scheme**

21. 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:

- Limiting discharge rates to the Greenfield 1 in 1 for all storm events up to and 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 as approved prior to first occupation of the development and shall maintained and retained at all times thereafter.

**Reason:**

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

In accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

**Surface Water Maintenance Plan**

- 22.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 shall be provided and be implemented for all times thereafter.

**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 risk. Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. In accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

**Surface Water Yearly Logs**

- 23.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 so that they continue to function as intended to ensure mitigation against flood risk. In accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Flood Warning and Evacuation Plan [FWEP]**

24. Notwithstanding the details contained within the submitted Flood Warning and Evacuation Plan [FWEP], prior to the first occupation of the development hereby permitted an updated Flood Warning and Evacuation Plan [FWEP] for the development shall be submitted to and approved in writing by the local planning authority. The updated Flood Warning and Evacuation Plan [FWEP] shall include the requirements of the Thurrock Council's Emergency Planner consultation response. The approved measures within the Flood Warning and Evacuation Plan [FWEP] shall be implemented, shall be made available for inspection by all users of the site and shall be displayed in a visible location(s) at 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].

### **Noise mitigation measures**

25. Prior to the first occupation of the development the noise mitigation measures as identified in the 'Environmental Noise Assessment' dated 3 September 2018 shall be implemented during the construction of the development and the noise mitigation measures shall be retained at all times thereafter.

**Reason:** To protect the amenities of future residential occupiers from nearby noise sources in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Solar Panels and Photovoltaic**

26. External or roof mounted solar or photovoltaic panels shall not be installed unless details of their siting, design and location have been submitted to and approved in writing by the local planning authority with details installed as approved.

**Reason:** To ensure that development takes place in an environmentally sensitive way and in the interest of visual amenity in accordance with Policy PMD13 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Archaeological monitoring**

27.No demolition/development [or preliminary groundworks shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

**Reason:** To ensure that investigation and recording of any remains takes place prior to commencement of development in accordance with Policy PMD4 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **External lighting**

28.Prior to the first occupation of the development details of the means of external lighting shall be submitted to and agreed in writing with the local planning authority, with the exception of domestic lighting within the curtilage of the residential plots. The details shall include the siting and design of lighting together with details of the spread and intensity of the light sources and the level of luminance. The lighting shall be installed in accordance with the agreed details prior to first occupation of the dwellings retained and maintained thereafter in the agreed form, unless otherwise agreed in writing by the local planning authority.

**Reason:** In the interests of highway safety and residential amenity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Watching brief for contaminated land**

29.In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared.

Details of the investigation, risk assessment and any required remediation work shall be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which shall be submitted to and approved in writing of the Local Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy PMD1 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015].

### **Removal of Permitted Development Rights**

30. Notwithstanding the provisions of Schedule 2, Part 1 Classes A and E of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no extensions or separate buildings (other than ancillary outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site without planning permission having been obtained from the local planning authority.

**Reason:** In order to safeguard the amenities of neighbouring occupiers and in the interests of visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Communal TV/Satellite**

31. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking or re-enacting that Order with or without modification] the flats hereby permitted shall be equipped with a communal satellite dish(es). Details of the number, size, external appearance and the positions of the satellite dish(es) shall be submitted to and agreed in writing by the local planning authority prior to the installation of such systems. The agreed communal satellite dish systems shall be installed prior to the residential occupation of the flats and thereafter retained. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any Order revoking or re-enacting that Order with or without modification] other than those agreed by way of the above scheme, no additional satellite dish(es) or aerials shall be fixed to the building without the prior written approval of the local planning authority.



**Reason:** In the interests of visual amenity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

### **Superfast Broadband**

32. The houses and flats within the development shall be provided with the means of connecting to superfast broadband. Upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, shall be in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the local planning authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure.

**Reason:** In order to ensure that suitable infrastructure is provided at the site for the benefit of occupiers, in accordance with paragraph 112 of the NPPF.

### **Construction Environmental Management Plan (CEMP)**

33. 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 in writing. The CEMP should contain or address the following matters:

- (a) Hours of use for the construction of the development
- (b) Hours and duration of any piling operations,
- (c) Vehicle haul routing in connection with construction, remediation and engineering operations,
- (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
- (e) Details of construction any access or temporary access, and details of temporary parking requirements; 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
- (f) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems];
- (g) Details of any temporary hardstandings;
- (h) Details of temporary hoarding;

- (i) Method for the control of noise with reference to BS5228 together with a monitoring regime
- (j) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime
- (k) Dust and air quality mitigation and monitoring,
- (l) Water management including waste water and surface water discharge,
- (m) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
- (n) A Site Waste Management Plan,
- (o) Ecology and environmental protection and mitigation,
- [o] Community liaison including a method for handling and monitoring complaints, contact details for site managers.
- [p] details of security lighting layout and design;
- [q] a procedure to deal with any unforeseen contamination, should it be encountered during development.

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 and to ensure the construction phase does not materially affect the free-flow and safe movement of traffic on the highway; in the interest of highway efficiency, safety and amenity, in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD [2015].

### Informative

#### Public Right of Way Diversion

1. No development shall be carried out which obstructs any part of the public right of way [shown on the Definitive map], which shall be kept open for use at all times, unless a temporary diversion has been first consented under the provisions of the Town and Country Planning Act 1990 [as amended]. Unless an Order under Section 257 has been made and confirmed or the right of way otherwise extinguished under an order of the Magistrates' Court it is a criminal offence to obstruct a public right of way. Planning permission alone does not authorise obstruction.

### 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: <http://regs.thurrock.gov.uk/online-applications>

