

<p><b>Reference:</b> 18/00540/FUL</p>	<p><b>Site:</b> Town Centre Car Park King Street Stanford Le Hope Essex</p>
<p><b>Ward:</b> Stanford Le Hope West</p>	<p><b>Proposal:</b> Construction of a mixed use development comprising 159sq.m of retail/leisure/commercial units (within classes A1, A2, A3, A4, A5 and D2) at ground floor level and 47 residential units on upper floors together with an undercroft and surface car park (comprising 56 car parking spaces), access, landscaping and associated works.</p>

<b>Plan Number(s):</b>		
Reference	Name	Received
1000F	Proposed Site Layout	21st November 2018
1100E	Proposed Plans	21st November 2018
1110E	Proposed Plans	21st November 2018
1120E	Proposed Plans	21st November 2018
1130E	Proposed Plans	21st November 2018
1140E	Proposed Plans	21st November 2018
1160E	Roof Plans	21st November 2018
1200E	Proposed Elevations	21st November 2018
1201D	Proposed Elevations	21st November 2018
1210E	Proposed Elevations	21st November 2018
1220D	Proposed Elevations	21st November 2018
1230D	Proposed Elevations	21st November 2018
1700E	Other	21st November 2018
0200	Existing Elevations	21st November 2018
1710A	Proposed Plans	21st November 2018
0001A	Location Plan	21st November 2018
0010	Other	21st November 2018
0100A	Existing Plans	21st November 2018

The application is also accompanied by:

- Planning Statement
- Daylight and Sunlight Report
- Design and Access Statement

<ul style="list-style-type: none"> <li>Drainage Technical Note</li> <li>Aboriginal Assessment</li> <li>Heritage Statement</li> <li>Transport Assessment and draft Travel Plan</li> <li>Verified Views Report</li> </ul>	
<b>Applicant:</b> Capital Land Partners LLP c/o RPS Planning and Development Ltd	<b>Validated:</b> 17 April 2018  <b>Date of expiry:</b> 15 January 2019 [Extension of time agreed with applicant]
<b>Recommendation:</b> Approve, subject to planning conditions and obligations.	

This application is scheduled for determination by the Council's Planning Committee because it represents a major development proposal in a town centre which has significant strategic policy implications, in accordance with Chapter 5, Part 3 2.1 (a) of the Council's Constitution.

**1.0 DESCRIPTION OF PROPOSAL**

1.1 This application seeks full planning permission for the construction of a mixed use development comprising of two retail/leisure/commercial units of 159sqm (within classes A1, A2, A3, A4, A5 and D2) at ground floor level and 47 residential units on the upper floors of the proposed building together with an undercroft and surfaced car park [comprising 53 car parking spaces], access, landscaping and associated works.

1.2 The key elements of the proposals are set out in the table below:

<b>Site Area (Gross)</b>	0.35ha						
<b>Height</b>	26.72m over 5 storeys						
<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>5-bed</b>	<b>TOTAL</b>
	Houses						
	Flats	20	27				47
	<b>TOTAL</b>	<b>20</b>	<b>27</b>				<b>47</b>
	Ground Floor	1 flat [2 beds]					
	First Floor	14 flats [6 x 1 beds & 8 x 2 beds]					
	Second Floor	14 flats [6 x 1 beds & 8 x 2 beds]					
	Third Floor	13 flats [6 x 1 beds & 7 x 2 beds]					

	Fourth Floor	5 flats [2 x 1 beds & 3 x 2 beds]			
<b>Affordable Units</b>	<b>Type (ALL)</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>TOTAL</b>
	Houses				
	Flats	11	5		
	<b>TOTAL</b>	<b>11</b>	<b>5</b>		<b>16</b>
<b>Commercial Floorspace</b>	2 Ground Floor Commercial Units totalling 159 sq.m				
	Unit 1	92 sq.m			
	Unit 2	67 sq.m			
	All units are proposed to fall in Use Classes A1 [retail], A2 [financial and professional services], A3 [restaurants and cafes], A4 [drinking establishments], A5 [hot food take-aways] and D2 [assembly and leisure]				
<b>Car Parking</b>	<p>Flats: 1 space per unit – 47 spaces including 2 disabled spaces</p> <p>Commercial Units: 3 spaces</p> <p>Visitors: 3 spaces</p> <p>Total: 53 spaces using part of the existing car park [24 spaces] and within the basement/ground level of the development [29 spaces]</p> <p>Total remaining public car parking spaces: 43 spaces</p>				
<b>Cycle Parking</b>	54 spaces				
<b>Amenity Space</b>	Balconies 7sq.m in size on average with the exception of two first floor units which have larger terraces				
<b>Density</b>	134 units per ha for the whole site				

Access

- 1.3 The development would be accessed via the existing car park from the High Street, which forms a one way system through to King Street. From the one way system a left turn would be created serving 43 remaining public car park spaces and 24 car parking spaces allocated for occupiers of the flats and for their visitors, which would be located in area secured by a barrier system. Within the lower ground/basement area of the proposed development a right turn from the car park's one way system would provide access to a further 29 car parking spaces in an undercroft car park for occupiers of the flats and the commercial units. The existing car park exit onto King Street would remain the same.

### Layout

- 1.4 The basement/ground floor level of the proposed building would mainly comprise of the car park but also servicing arrangements, cycle storage, two commercial units and one ground floor flat, which would be sited towards the north eastern corner of the building. The first to fourth floor would comprise of flats on each level accessed via internal stairways and lift systems. On the roof of the building there would be an area allocated for photovoltaic solar panels.

### Scale

- 1.5 The proposed building would be 26.7m high over five levels; the building would be of a modern contemporary design featuring a palette of buff brickwork, glazing and stonework along with balcony features and a parapet style roof.

### Amenity and Landscaping

- 1.6 Each flat would have a balcony/terrace as a form of amenity space and planters would be provided to the front elevation of the building fronting onto King Street. The third floor of the building would incorporate a roof terrace on the corner of King Street and the existing car park exit.

## **2.0 SITE DESCRIPTION**

- 2.1 This application relates to an irregular shaped site measuring 0.35 hectares which is located in the middle of Stanford-le-Hope centre. The site is currently occupied by a derelict commercial premises on the corner of King Street/High Street which would be demolished as part of the development. The remainder of the site is currently used a town centre car park providing 76 spaces. The site is bounded by the High Street, Church Hill and King Street.
- 2.2 In terms of location the site is located in the east of the borough of Thurrock and is approximately 250 metres north-east of Stanford-le-Hope railway station.
- 2.3 The topography of the site is such that ground levels slope upwards towards the junction of King Street/High Street. To the south of the site are two Listed Buildings, the Church of St Margaret of Antioch [Grade I] and the 'Inn on the Green' public house [Grade II]. Towards the northern boundary of the site there are two trees with Tree Preservation Orders [TPO].
- 2.4 The site is within the commercial centre of Stanford Le Hope with shops and other commercial properties fronting High Street and King Street, some with residential units above. Buildings are generally 2 to 3 storey in height.

2.5 The site is located approximately 200 metres north of Stanford-le-Hope railway station, which provides regular services to London [Fenchurch Street] and Southend. Stanford-le-Hope is also sufficiently served by bus services. The site is in very close proximity to the Manorway and, therefore, provides direct access to the Strategic Highway Network (A13), which subsequently feeds into the M25 and A127.

### 3.0 RELEVANT PLANNING HISTORY

3.1 The following table provides the planning history:

Reference	Description	Decision
12/50463/TTGFUL	Construction of a mixed use development, comprising retail store at ground floor level and 22 residential units at first, second and third floor levels together with a surface and decked car park (comprising 101 car parking spaces), access, landscaping and associated works	Approved 18.12.2012  Permission valid for 3 years and has now expired

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

At the time of writing, 35 letters of objection had been received raising the following comments:

- Loss of Amenity;
- Out of character;
- Scale too much for this location and would have detrimental impact upon the town centre;
- 5 storey building would be a complete eyesore;
- Town centre needs more parking to sustain shops and not this development;
- Will impact upon the viability of the town centre;

- Additional traffic and congestion;
- Loss of parking will cause shops to close;
- Nowhere to park for the shops;
- Increased need for parking;
- Where is the permit parking going?
- Environmental pollution;
- Litter/smells;
- Possible excessive noise;
- Town is already overcrowded with no doctors, dentists and schools;
- Building will spoil the town;
- Access to site;
- Application needs to be refused and car park returned to community;
- Council should not have sold the car park;
- Current car park is now run down;
- Loss of jobs;
- Impact upon the church and the church car park;
- Spoiling view;

1 letter of support had also been received raising the following points:

- Proposal would create jobs
- Much needed improvements to the site
- Car park is an eyesore and magnet for antisocial behaviour

#### 4.3 ANGLIAN WATER:

No objection subject to a planning condition requiring a surface water management strategy.

#### 4.4 EDUCATION:

A financial contribution of £95,511.90 is required towards nursery, primary and secondary provision or towards an extension to existing primary school/s in the Corringham and Stanford-le-Hope Primary School Planning Area [IRL reference IRL0068].

#### 4.5 ENVIRONMENT AGENCY:

No comments to make.

#### 4.6 ENVIRONMENTAL HEALTH:

No objections subject to conditions requiring a Construction and Environmental

Construction Management Plan [CEMP], construction hours, and a watching brief for contamination. No implications for air quality.

4.7 ESSEX AND SUFFOLK WATER:

No objection.

4.8 ESSEX FIRE SERVICE:

No objections as fire safety will be required through the Building Regulations

4.9 ESSEX POLICE ARCHITECTURAL LIAISON OFFICER:

No response.

4.10 FLOOD RISK ADVISOR:

Holding objection as further information is required.

4.11 HIGHWAYS:

No objection as the reduced public parking which would still provide 43 public car parking spaces and the proposed development would be provide acceptable parking provision. A planning obligation is requested for a financial contribution of £10,000 for replacement of the existing footway and kerbing around the entire frontage of the site with King Street and High Street to improve the appearance of the highway around the site and provide good pedestrian ramps across both the vehicular accesses into the site.

4.12 HOUSING:

No objection subject to the development providing 35% affordable housing provision to accord with LDF policy CSTP2 and the latest Strategic Housing Market Assessment [SHMA].

4.13 LANDSCAPE AND ECOLOGY ADVISOR:

The proposal would result the loss of 2 trees subject of Tree Preservation Orders [TPO's] and other trees. No details provided of any landscape scheme therefore planning conditions regarding replacement trees and landscaping is required.

4.14 LISTED BUILDINGS AND CONSERVATION ADVISOR:

The harm caused to the Grade I listed Church of St Margaret of Antioch is considered 'less than substantial' and therefore this harm must be balanced against any public benefits which may arise as a result of the scheme (Paragraph 196 of the NPPF).

4.15 NHS ENGLAND:

No contributions required.

4.16 PUBLIC FOOTPATH OFFICER:

Public Footpath 166 should not be obstructed and be kept open for use at all times unless a request for a temporary closure is required whereby an alternative route would be considered/agreed and a diversion route signed accordingly.

4.17 PUBLIC HEALTH OFFICER:

No objections subject to construction management, contributions to public realm, healthcare, education and cycle routes

4.18 REGENERATION OFFICER:

Support the development subject to a condition that parking provided on site is to serve existing commercial uses in the rest of the town centre

4.19 TRAVEL PLAN CO-ORDINATOR:

No objection subject to amendments to the applicant's 'Framework Travel Plan'.

4.20 URBAN DESIGN ADVISOR:

No objections as amendments to the scheme have improved the development. Recommend conditions in relation to fenestration, balcony details, high quality materiality and landscaping to include surface material and wayfinding through appropriate signage.

## 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
- 7. Ensuring the vitality of town centres
- 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
- 16. Conserving and enhancing the historic 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 a range of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Climate change
- Conserving and enhancing the historic environment
- Design
- Determining a planning application
- Ensuring the vitality of town centres
- Flood Risk and Coastal Change
- Health and wellbeing
- Housing and economic development needs assessments
- Housing and economic land availability assessment
- 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
- Tree Preservation Orders and trees in conservation areas
- Use of Planning Conditions
- Viability

### 5.3 Local Planning Policy Thurrock Local Development Framework (2015)

The “Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review” was adopted by Council on the 28th February 2015. The following policies 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)

#### THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP7 (Network of Centres)
- CSTP8 (Viability and Vitality of Existing Centres)<sup>2</sup>
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP24 (Heritage Assets and the Historic Environment)

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>
- PMD3 (Tall Buildings)<sup>3</sup>
- PMD4 (Historic Environment)<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)
- 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. In December 2018 the Council began consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document.

#### 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 material considerations for this application are as follows:

- I. Principle of the Development
- II. Housing Land Supply, Need, Mix and Affordable Housing
- III. Design and Layout and Impact upon the Area
- IV. Impact upon Heritage Assets
- V. Traffic Impact, Access and Car Parking
- VI. Landscaping and Amenity Space
- VII. Effect on Neighbouring Properties
- VIII. Energy and Sustainable Buildings
- IX. Viability and Planning Obligations
- X. Sustainability
- XI. Other Matters

#### I. PRINCIPLE OF THE DEVELOPMENT

6.2 The site is located in the Stanford town centre and within the 'Shopping Areas' as defined on the LDF Proposals Map where policies CSTP7 (Network of Centres) and CSTP8 (Vitality and Viability of Existing Centres) are applicable. Section 3 of policy CSTP7 identifies Stanford as an '*Existing Local Centre*' and encourages the following development:

- i. *Renewal, upgrading or remodelling of existing floorspace;*
- ii. *Additional small scale retail floorspace space in suitable locations that will strengthen the centres' retail offer;*
- iii. *Investigation into the potential of a new supermarket on an appropriate site in Stanford-le-Hope to reduce convenience expenditure leakage from the east of the Borough.*

6.3 Policy CSTP8 seeks to *'maintain and promote the retail function of existing centres. Measures to improve the vitality and viability of the network of centres will be encouraged in order to meet the needs of the Borough's residents and act as a focus for retail, leisure, cultural, business and residential uses'*.

6.4 This application follows from an earlier scheme which obtained planning permission in 2012 under planning reference 12/50463/TTGFUL. That scheme provision of a retail store designed to be used as a supermarket to meet criteria iii from policy CSTP7, however, the applicant's supporting information for this application demonstrates that no end user was interested in the supermarket and the planning permission has since lapsed. For the current scheme, the applicant is reliant upon criteria ii of policy CSTP7 as the development makes provision for two smaller retail/commercial units to complement the existing retail/commercial offer in Stanford town centre. The location of these ground floor commercial units would help provide a link between King Street and the High Street joining the two main shopping parades within the town which are currently separately by this site. The development in this regard would enhance the vitality and viability of this town centre in keeping with the requirements of paragraph 86 [d] of the NPPF.

6.5 Policy CSTP8 allows for residential uses in appropriate locations and paragraph 23 of the NPPF *'recognises that residential development can play an important role in the vitality of centres'* and requires local planning authorities to *'set out policies to encourage residential development on appropriate sites'*. In addition to this, paragraph 85 [f] of the NPPF recognises the importance of residential development in ensuring the vitality of centres. In this town centre location, it is considered that there are opportunities for further residential uses above ground floor level which would support the vibrancy of the town.

6.6 In summary, there are no in principle objections to the re-development of the site and the provision of retail/commercial uses at ground floor level.

## II. HOUSING LAND SUPPLY, NEED, MIX AND AFFORDABLE HOUSING

6.7 The Council at present cannot demonstrate an up to date five-year housing land supply to comply with the requirements of a paragraph 67 of the NPPF. The relevant housing policies CSSP1 [Sustainable Housing and Locations] and CSTP1 [Strategic Housing Provision] should not be considered up to date, for housing

need, if the Council cannot demonstrate a five-year housing land supply. The proposal would contribute to the housing land supply providing the development can be built within 5 years.

- 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. In terms of the housing need requirement, the SHMA identifies a predominant need for 1 and 2 bedroom flats. The proposed development would provide flatted development in compliance with the SHMA and therein assist in meeting housing need and delivering a recognised dwelling mix requirement, in accordance with the requirements of policy CSTP1.
- 6.9 With regard to affordable housing, policy CSTP2 seeks to achieve 35% of the development to be allocated for affordable housing. The applicant is offering a policy compliant level of 35% affordable housing for this development, which meets the requirements of the Council's Housing Officer and be secured through a planning obligation to a future s106 legal agreement. The illustrative details to show the location of the affordable housing units shows 11 x 1 bedroom units and 5 x 2 bedroom units.

### 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.

King Street and the High Street are characterised by terraces of two and three storey buildings providing commercial uses on the ground floor and some residential above. To the west of the site are two storey buildings with pitched roofs, whilst opposite is a three storey terrace. The car park forms the only flat / levelled open area in this location. One of the key buildings in Stanford town centre is the church which can be seen from within the site and various vantage points around the town centre. The church also forms a dominant feature on the skyline from outside Stanford Le Hope.

- 6.11 The principal elevation of the building would front King Street and would present two floor commercial units at ground floor level. The return frontage onto the High Street would not include any ground floor commercial units as the ground level rises towards the High Street. The proposed layout would retain the car park at the rear of the site which would be partly segregated for residential parking but would also retain part of the existing public car park. The existing car park entrance and exit for vehicular traffic would remain the same.
- 6.12 Since the submission of the application, the applicant's architect has made various changes to the scheme in response to concerns raised by Council Officers and Consultees. No objections are raised to the internal layout of the upper levels of the building or the overall layout/siting of the development with regard to policy PMD2.
- 6.13 Changes have been made to the scale of the development to address earlier height concerns and the need to retain views towards the church. The proposed development would range between five, four and three stories in height. At its tallest, the development would project up to five storeys on the corner where King Street meets the High Street. It is recognised that at this point, the building would be taller than others in the immediate locality however given the space between buildings, a set back from the edge of the High Street and the neighbouring three storey development in the High Street this height could be successfully integrated into townscape. The building would be well articulated through the use of feature brickwork, large recessed window openings, modern balconies and recessed sections. In this regard, the building would be of an appropriate architectural order and acceptable for a modern town centre development.
- 6.14 It should be noted that through the approval of 12/50463/TTGFUL in 2012 the Council accepted a taller building than currently proposed. While this consent has lapsed it represents a benchmark against which the current scheme should be assessed against. The Council's Urban Design Advisor considers the building height variations as '*a more appropriate transition from the existing High Street buildings*', and raises no objections. The scale of the development is considered acceptable with regard to the requirements of policies PMD2 and PMD3.
- 6.15 Overall the proposed development is considered acceptable with regard to its layout, scale and design and can be successfully integrated into this town centre location, and achieve the requirements of high quality design as sought through policies CSTP22, CSTP23, PMD2, PMD3 and the guidance contained in the NPPF.

#### IV. IMPACT UPON HERITAGE ASSETS

- 6.16 The development would be within close proximity of the Church of St Margaret of Antioch, which is a grade I listed building. Careful attention should be paid to the potential impacts upon the setting and views of the heritage asset.
- 6.17 The Council's Historic Buildings and Conservation Advisor originally raised concerns over the scale and massing of the proposal and its impact upon the setting of the listed church, however changes to the scheme have reduced the potential for harm upon the setting of the listed church. The Council's Advisor has also raised concern to the potential for the development to interrupt views of the church and affect the way that the church is experienced in the town centre.
- 6.18 In an attempt to address the concerns raised, the applicant has provided an updated 'Verified View Analysis' which demonstrates that from a central position along King Street (at the zebra crossing point adjacent to the car park), views of the church will remain uninterrupted. Other views have also been provided at points outside of the town centre, along Southend Road to the east and from the Manorway roundabout junction. The architect has also amended the plans to allow for a larger space between the proposed building and the neighbouring building to the west to create a wider corridor of view from the zebra crossing in King Street.
- 6.19 Policy PMD4 states *'the Council will follow the approach set out in the NPPF in the determination of applications affecting Thurrock's built or archaeological heritage assets'*. When assessing the impact upon a designated heritage asset the NPPF advises on differing levels of assessment, these are 'total loss of the heritage asset', 'substantial harm' and 'less than substantial harm'.
- 6.20 The Council's Historic Buildings and Conservation Advisor is concerned that the development would affect *'how the church is experienced and interpreted from a number of significant high-value viewpoints as one progresses towards the church from a long distance to those more intimate views'* but advises, in regard to the NPPF tests, that the impact falls within the 'less than substantial harm' test. When assessed against the criteria of the NPPF paragraph 196 states *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'*.
- 6.21 The assessment is a matter of judgement. The applicant has argued that the development would be beneficial to the town centre because it would provide new residential accommodation (including 35% affordable housing provision) in the urban area, new commercial units, public realm improvements and the regeneration of derelict buildings. On balance, it is considered that the benefits of the scheme would outweigh the 'less than substantial harm' impact upon the listed church.

- 6.22 A second heritage asset within close proximity of the site is the 'Inn on the Green' public house, which is a grade II listed building. This heritage asset is located at the southern end of the High Street and with existing development in between the proposal would not adversely impact upon the setting of this listed building.

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

- 6.23 The site is located in a town centre location and is therefore within close proximity to retail, employment, education and commercial uses as well community support services. The site's location is within easy access of transport hubs including local bus stops and the nearby railway station. The site is therefore considered to be a sustainable location for residential and commercial uses.
- 6.24 The current one way car parking system accessed from a dedicated vehicle access the northern end of the High Street and egressed from a dedicated vehicle access onto King Street would remain. The access would allow for vehicle access to the car parking spaces underneath the proposed building and the remaining public car park and allocated residential parking spaces. The Council's Highway Officer raises no objections to the access arrangement which is acceptable with regard to policy PMD9.
- 6.25 In terms of traffic impact the applicant's Transport Assessment (TA) identifies that the existing car park on average attracts 172 two daily vehicle movements and that proposed development would result in 164 two way vehicle movements during the day. A reduced public car park would result in less two daily vehicle movements. In addition to the vehicle movements resulting from the proposed development the applicant's TA identifies that the development would have 'minimal' impact upon the local highway network and 'minimal' impact upon the public transport network. In this town centre location the proposed level of vehicle movements would be acceptable in terms of the impact upon the local public highway and no objections are raised by the Council's Highway Officer.
- 6.26 With regard to parking the Council's Highway Officer identifies this area as one which has 'high accessibility' in terms of the draft Parking Standards, which for flats requires up to one space per dwelling for vehicles, and one secure and covered space per dwelling for cycles. For visitors the draft Parking Standards identify 0.25 spaces per dwelling and one secure and covered space per dwelling for cycles. For the commercial uses the draft Parking Standards vary given the range of uses proposed for these commercial units and based on the site's 'high accessibility'.
- 6.27 The existing car park currently provides 76 public car parking spaces. Information provided in applicant's TA identifies that the current car park attracts high demand for short stay parking with an average of 83% of the total car parking spaces used

throughout the day on a Saturday but less vehicle parking within the week, although there is a high proportion of long stay car parking during the week where rail commuters and local staff within the town centre area use the car park. Through this proposal the level of public car parking would be reduced to 43 public car parking spaces. The applicant's TA identifies that the 'main purpose for the car park is to provide short stay parking for the town centre' and that the applicant's TA anticipates that the long stay car parking would be displaced to the railway station car park. The applicant's TA also identifies that there is a 'good supply of alternative car parking provision in the locality of the site'. There is existing on-street parking in King Street and the High Street for access to the commercial uses.

- 6.28 The proposed development would provide one car parking space per dwelling unit three visitor spaces and three spaces for the two commercial units through an area of undercroft parking and through the allocated parking within the existing car park area. There are 54 cycle parking spaces proposed which includes secure cycle parking within the building for residents and external cycle parking hoops to the front and side of the building for the commercial uses and visitors. The Council's Highway Officer raises no objections to the reduced public car park or to the level of parking proposed to serve this new development. The parking provision is therefore considered acceptable for this 'high accessibility' town centre location having regard to the draft Parking Standards and policy PMD8.
- 6.29 The applicant's draft 'Framework Travel Plan' raises no objections from the Council's Travel Plan Co-ordinator but requires some amendments to the text within the document to allow for monitoring, which can be agreed through a revised travel plan as a planning condition, which would accord with the requirements of policy PMD10 and paragraph 111 of the NPPF.
- 6.30 Public Footpath 166 runs through the site between Church Hill and King Street. The proposed site plan shows that the existing route of the public footpath will be retained in its same position with improvements through surfacing materials. These changes are considered to be a beneficial improvement to the public footpath. The Council's Footpath Officer has advised that the route should not be obstructed and should be kept open for use at all times unless a request for a temporary closure is required, whereby an alternative route would need to be considered/agreed and a diversion route signed accordingly, which can be included as an informative to this application as there is a separate process temporary closure/diversion of a public footpath outside of the scope of this planning application.
- 6.31 The Council's Highway Officer has identified a planning obligation for a financial contribution of £10,000 for replacement of the existing footway and kerbing the entire frontage of the site with King Street and the High Street to improve the

appearance of the highway around the site and provide good pedestrian ramps across both of the vehicular accesses with the site.

## VI. LANDSCAPING AND AMENITY SPACE

- 6.32 The applicant's Arboricultural Report identifies 24 trees within the site and these include a line of leylandii trees on the eastern boundary street corner of the High Street and a row trees along the eastern boundary of the car park, which includes a sycamore tree and a birch tree protected by Tree Preservation Orders [TPO's]. All of these trees would be removed as the proposed building would occupy this part of the site. This was considered acceptable with the previous permission and whilst it is unfortunate to lose trees, the applicant's Arboricultural Report recommends that at least five trees are planted to compensate for the loss of the higher categorised trees, which includes the TPO trees. Details of replacement trees and their location shall need to be agreed through a planning condition along with details of the proposed landscaping scheme, also through a planning condition. Trees identified to the south of the proposed building within the car park area and along the site boundaries are shown to be retained and will be subject to a planning condition for their retention. Both conditions can therefore help compensate for the loss of trees in consideration with the requirements of policy PMD2.
- 6.33 The plans show that each flat would have a balcony and two flats would have larger balconies, in addition to a communal roof terrace area measuring 70sq.m. The balconies are considered an acceptable form of amenity space for each flat in this town centre location having regard to policy PDM2. The nearest public park, Hardie Park, is located within an acceptable walking/cycling distance of the site, along with the park to the south of Billet Lane, for further amenity usage.

## VII. EFFECT ON NEIGHBOURING PROPERTIES

- 6.34 At ground floor level the majority of properties in King Street and the High Street have commercial usage but at first floor level and above, for those properties which are three storeys, there are flats above the ground floor uses.
- 6.35 The nearest buildings are 22/24 King Street which is located on the corner of King Street and the exit of the car park and directly to the west of the site, and 29-33 High Street located across the existing car park access to the south side of the site. For 22/24 King Street, which is in use as a taxi office, there are two windows on the eastern flank elevation which face towards the site but given the distance between the buildings across a public street these windows are not considered to be adversely affected. On the western elevation of the proposed development there are windows at first floor level which face towards the windows at 22/24 King Street but the nearest window faces across a public street and is not the sole source of

light or outlook for nearest proposed flat. The same layout is repeated for the second floor with third floor identifying this area as a balcony area.

- 6.36 The previous permission ref [12/50463/TTGFUL] included a taller development and would have projected closer to 22/24 King Street to the extent that it would have had more impact, but the impact from that development was not considered unacceptable with regard to the neighbouring property and policy PMD1.
- 6.37 For 29-33 High Street there are no windows in the northern flank elevation which faces the site but there is an external staircase the serves amenity areas to the flats at first floor level on the western elevation but this is located at an elevated position. The nearest flats in the proposed development would have oblique views of this amenity area but this is not considered to result in any adverse impact upon neighbouring amenity.
- 6.38 The applicant's Sunlight and Overshadowing Impact Assessment has considered the potential impact of the development upon all surrounding windows in the neighbouring/nearby existing buildings. This assessment has been undertaken in accordance with the Building Research Establishment [BRE] guidelines and demonstrates that there is no adverse daylight or sunlight implications for neighbouring occupiers.
- 6.39 The proposed development and its end users are not likely to give rise to any significant increase in noise and disturbance upon the surrounding area in terms of amenity impacts. The existing access entrance and exit would remain and therefore the noise climate in the area would be similar and no objections have been raised by the Council's Environmental Health Officer. It is considered necessary for future hours of use and delivery hours to be agreed through a planning condition in the interests of the upper levels of residential use.
- 6.40 In terms of the neighbouring amenity impact the proposal is considered acceptable with regard to policy PMD1.

## VIII. ENERGY AND SUSTAINABLE BUILDINGS

- 6.41 In terms of meeting the requirements of policies PMD12 [Sustainable Buildings] and PMD13 [Decentralised, Renewable and Low Carbon Energy Generation] it is stated in the applicant's Design and Access Statement that the development incorporate recycling facilities, the construction materials used would ensure the building is energy efficient, low water usage fittings would be installed, surface water would be attenuation and managed as part of a drainage strategy, and on the roof of the development photovoltaic panels would be installed for renewable energy provision. Details of these installations shall need to be agreed through a planning

condition to ensure the installations do not project above the parapet of the roof to be visible from ground level as this would impact upon the design of the building.

## IX. VIABILITY AND PLANNING OBLIGATIONS

- 6.42 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.
- 6.43 Certain LDF policies identify requirements for planning obligations and this depends upon the type of development proposed and consultation responses from the application process.
- 6.44 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.
- 6.45 Paragraph 56 of the NPPF identifies that planning obligations must only be sought where they meet all of the following criteria:  
*a) necessary to make the development acceptable in planning terms;*  
*b) directly related to the development; and*  
*c) fairly and reasonably related in scale and kind to the development*
- 6.46 Through the consultation process to this application and assessing the information contained within the Council's IRL the proposal would fall within the category H1 scenario for housing development [between 11-50 dwellings]. The following planning obligations have been identified for this proposal:
- Housing - For 35% of the proposed development to be provided for affordable housing.
  - Education - A financial contribution of £95,511.90 is required towards nursery, primary and secondary provision or towards an extension to existing primary school/s in the Corringham and Stanford-le-Hope Primary School Planning Area [IRL reference IRL0068].

- Highways - A financial contribution of £10,000 for replacement of the existing footway and kerbing the entire frontage of the site with King Street and the High Street to improve the appearance of the highway around the site and provide good pedestrian ramps across both of the vehicular accesses with the site.

6.47 The applicant has confirmed agreement to meeting the planning obligations.

#### X. SUSTAINABILITY

6.48 As part of the planning balance consideration has to be given to the Environmental, Social and Economic roles 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.

6.49 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 an opportunity for local people to live and work in this area. For the social role the development would help create a new community at this site. 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 the design of the proposed development and its impact upon the surrounding area along is acceptable along with an acceptable highway access and on-site parking provision.

#### XI. OTHER MATTERS

6.50 The site is located in a low risk flood zone [Flood Zone 1] so is acceptable for development in flood risk terms. The Council's Flood Risk Advisor has issued a holding objection as further information is required, however, it is considered that as this site is previously developed land in this town centre location details of surface water management can be determined through a planning condition in this instance and with regard to policy PMD15.

6.51 There are no records of contamination on site however the Council's Environmental Health Officer has requested a Watching Brief for contamination which can fall within the criteria of a Construction Environmental Management Plan (CEMP) planning condition if consent were to be granted.

6.52 The Council's EHO has raised no air quality issues for this development.

6.53 The applicant's TA identifies that refuse and recycling collections and deliveries to the site would take place at an allocated loading bay adjacent to the south elevation of the building, which is acceptable and remove the refuse vehicle from the access to the car park.

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

7.1 Whilst the proposal would lead to the reduction in public car parking space from 76 spaces to 43 public car parking spaces it is considered that the proposed development would assist in the regeneration of the town centre by creating new residential accommodation, new commercial floorspace and the removal of derelict buildings in accordance with policies CSTP7 and CSTP8 and the advice contained within the paragraph 85 of the NPPF.

7.2 The proposal would contribute to the Council's five-year housing land supply position and provide a policy compliant level of affordable housing. The site is located in a central town centre location, highly accessible by a range of transport modes. The proposed development would provide a visually acceptable form of development, which is well designed and in accordance with the core design aims of the Thurrock Design Strategy. The development's siting would maintain views from King Street of the listed church in this town centre location.

7.3 The highway impact and the level of parking provision for the proposed development is considered acceptable for this 'high accessibility' town centre location having regard to the draft Parking Standards and policy PMD8.

7.4 All other material considerations are acceptable subject to planning conditions, mitigation where necessary, and planning obligations.

## **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:
  - Housing - For 35% of the proposed development to be provided for affordable housing
  - Education - A financial contribution of £95,511.90 towards nursery, primary and secondary provision or towards an extension to existing primary school/s in the Corringham and Stanford-le-Hope Primary School Planning Area [IRL reference IRL0068].
  - Highways - A financial contribution of £10,000 for replacement of the existing footway and kerbing the entire frontage of the site with King

Street and the High Street to improve the appearance of the highway around the site and provide good pedestrian ramps across both of the vehicular accesses with the site.

- 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:

<b>Plan Number(s):</b>		
Reference	Name	Received
1000F	Proposed Site Layout	21st November 2018
1100E	Proposed Plans	21st November 2018
1110E	Proposed Plans	21st November 2018
1120E	Proposed Plans	21st November 2018
1130E	Proposed Plans	21st November 2018
1140E	Proposed Plans	21st November 2018
1160E	Roof Plans	21st November 2018
1200E	Proposed Elevations	21st November 2018
1201D	Proposed Elevations	21st November 2018
1210E	Proposed Elevations	21st November 2018
1220D	Proposed Elevations	21st November 2018
1230D	Proposed Elevations	21st November 2018
1700E	Other	21st November 2018
0200	Existing Elevations	21st November 2018
1710A	Proposed Plans	21st November 2018
0001A	Location Plan	21st November 2018
0010	Other	21st November 2018
0100A	Existing Plans	21st November 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].

### **Use Classes Commercial Units**

3. The ground floor commercial units shall only be used for uses falling with Classes A1, A2, A3, A4, A5 and D2 of the Schedule to the Town & Country Planning [Use Classes] Order 1987 [as amended] [or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification].

**Reason:** In the interests of retaining commercial uses on the ground floor having regard to 'main town centre uses' as identified in policy CSTP8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Materials**

4. No development, with the exception of demolition, 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, balcony detail, metering arrangements and 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].

### **Replacement tree planting details and implementation**

5. Prior to first occupation of the development hereby permitted details of replacement trees to be planted in the neighbouring area of the site, or at a site suitably identified, shall be submitted to and approved in writing by the Local planning authority. The tree details shall include the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme, unless otherwise to be maintained in agreement with the Council's leisure and/or tree officers. The tree

planting shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree 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.

**Reason:** To compensate for the removal of the existing trees on or along the boundary of the site and secure appropriate landscaping 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 shall be submitted to and approved in writing by the local planning authority. The details shall include all hard surfacing details. The scheme of landscaping shall be implemented as approved and 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].

### **Landscape Management Plan**

7. Prior to first occupation of the development a landscape management plan, including management responsibilities and maintenance schedules for the upkeep of all landscaped areas 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].

### **Parking Provision**

8. 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 Provision**

9. Prior to first occupation of the development hereby permitted the cycle storage areas as shown on the approved plans shall be made available for use 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**

10. Notwithstanding the details stated in the 'Framework Travel Plan' dated 19 April 2018 prior to the first residential occupation of the dwellings and/or commercial hereby permitted, a revised Travel Plan taking into account the comments from the consultation response from the Council's Travel Plan Co-ordinator shall be submitted to and agreed in writing with the local planning authority. 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 occupation 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 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].

### **Hours of use and delivery hours**

11. Prior to first use of the commercial units hereby approved details of the proposed hours of use and hours of any deliveries shall be submitted to and approved in writing by the local planning authority. The approved hours of use shall be implemented in accordance with the approved details and retained in such arrangement.

**Reason:** In the interests of amenity and to ensure that the development remains integrated with its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Outside Storage**

12. No goods, materials, packaging or other similar items shall be stored or kept outside of the front elevation of the building which fronts onto King Street.

**Reason:** In the interests of visual amenity as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Refuse and Recycling Provision**

13. Prior to first occupation of the flats and/or commercial uses the refuse and recycling storage facilities as shown on the approved plans shall be made available for use in accordance with the approved plans and shall be retained for such purposes at all times thereafter.

**Reason:** 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].

### **Surface Water Drainage Scheme**

14. No development, with the exception of demolition, shall commence until a scheme for the provision and implementation of surface water drainage incorporating sustainable urban drainage technique has been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be constructed and completed in accordance with the details as approved prior to the first occupation of the development hereby permitted.

**Reason:** To ensure the incorporation of an appropriate drainage scheme and 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].

### **Surface Water Maintenance Plan**

15. Prior to first occupation of the development hereby permitted 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 in accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **Solar Panels and Photovoltaic**

16. Prior to first occupation of the development hereby permitted details of the roof mounted solar or photovoltaic panels shall be submitted to and approved in writing by the local planning authority. The details shall include siting and height of the panels to ensure they do not project above the parapet. The roof mounted solar or photovoltaic panels shall be installed in accordance with the details as approved and retained for renewable energy provision thereafter.

**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].

### **External lighting**

17. Prior to the first occupation of the development hereby permitted 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 development and shall be 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].

### **Communal TV/Satellite**

18. 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] no flat shall be occupied until details of the number, size, external appearance and the positions of the communal satellite dish(es) have been 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 retained thereafter. 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] 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].

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

19. 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;
- (f) 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
- (g) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems];
- (h) Details of any temporary hardstandings;
- (i) Details of temporary hoarding;
- (j) Details of the method for the control of noise with reference to BS5228 together with a monitoring regime;
- (k) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime ;
- (l) Measures to reduce dust with air quality mitigation and monitoring,
- (m) Measures for water management including waste water and surface water discharge;
- (n) A method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals;
- (o) Details of a procedure to deal with any unforeseen contamination, should it be encountered during development;
- (p) A Site Waste Management Plan,
- (q) Details of security lighting layout and design; and
- (r) Contact details for site managers including information about community liaison including a method for handling and monitoring complaints.

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].

#### 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.
2. The properties within this development will not be eligible for inclusion with the Stanford-le-hope Resident's Permit Parking Scheme.

### 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>

