

Reference: 21/01926/FUL	Site: Vanderkamp Stanhope Industrial Park Wharf Road Stanford Le Hope Essex SS17 0EH
Ward: Stanford Le Hope West	Proposal: Retention of change of use of land from car sales (sui generis) back to flexible E g i and ii (light industrial), B2 (general industry) and B8 (storage or distribution) and construction of workshop and storage building

Plan Number(s):		
Reference	Name	Received
1007-CSL-ZZ-XX-DR-S-001-REV B	10m x 30m Building Ground & Roof Plans	18 November 2021
1007-CSL-ZZ-XX-DR-S-002 REV B	10m x 30m Building Elevations	10 November 2021
21-167-PL-01- Rev C	Site Location Plan, Existing & Proposed Block Plans	19 November 2021
21-167-PL-02- Rev A	Proposed Site Layout	11 January 2022

The application is also accompanied by: - Planning Statement	
Applicant: Vanderkamp	Validated: 19 November 2021 Date of expiry: 21 March 2022 (Extension of time agreed with applicant)
Recommendation: Approve, subject to conditions	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Cllrs S Hebb, A Anderson, G Collins, J Duffin and D Huelin (in accordance with the Constitution Chapter 5, Part 3 (b), 2.1 (d) (ii)) to assess and examine the impact to the amenity of residents in the nearby area.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission to retain a workshop and storage building to the south west corner of the site. The building is 10m in width, 30m in length and 7.8m in height. The building is an aluminium framed demountable providing storage and a mechanical repair workshop for maintaining commercial equipment.
- 1.2 The application also requires change of use to flexible Class E g) i and ii (light industrial), B2 (general industry) and B8 (storage or distribution) from the present sui generis use of car sales. This would essentially take the site back into the approved use classes within the site wide planning consent.

2.0 SITE DESCRIPTION

- 2.1 The application site is located within the Stanhope Industrial Park which is allocated as a Secondary Commercial and Industrial Area in the Council’s Core Strategy. The site is adjacent to Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar site.
- 2.2 The site was previously used for open storage of vehicles. The site is enclosed with a metal security fence and surfaced with hardstanding.

3.0 RELEVANT HISTORY

3.1 The following table provides the relevant planning history for the site:

Application Reference	Description of Proposal	Decision
19/00799/FUL	Change of use of land from flexible B1(c) (business), ancillary B1(a) (offices), B2 (general industry) and B8 (storage or distribution) uses to car sales (sui generis) with associated office (site C)	Approved
16/01455/FUL (larger site which included application site)	Use of land for open storage (B8 Use)	Approved
09/50023/TTGREM	Reserved matters pursuant to outline consent 04/00765/OUT. Proposed	Approved

	development of 24,863 sq.m of B1(C), B2 and ancillary B1(A) & B8 floorspace, access and landscaping	
04/00765/OUT	Outline application for 28,095 square metres of B1(c), B2 and ancillary B1(a) and B8 uses, landscaping and access improvements	Approved

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: www.thurrock.gov.uk/planning

4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. There were no comments received.

4.3 DP WORLD:

Expressed concerns over ecology.

4.4 ENVIRONMENTAL HEALTH:

No objections.

4.5 HIGHWAYS:

No objection

4.6 LANDSCAPE AND ECOLOGY:

Carried out Habitats Regulation Assessment (HRA) and no objections.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

5.1 The revised NPPF was published on 20 July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or
 - ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

¹ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites ...

² The policies referred to are those in this Framework relating to: habitats sites and/or SSSIs, land designated as Green Belt, Local Green Space, AONBs, National Parks, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.

The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF 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. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

- 2. Achieving sustainable development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 15. Conserving and enhancing the natural environment

National Planning Practice Guidance (PPG)

5.2 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:

- Design: process and tools
- Light pollution
- Natural Environment
- Noise
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

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

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY:

- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock

SPATIAL POLICIES:

- CSSP2: Sustainable Employment Growth

THEMATIC POLICIES:

- CSTP6: Strategic Employment Provision
- CSTP19: Biodiversity
- CSTP22: Thurrock Design

POLICIES FOR THE MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD7: Biodiversity, Geological Conservation and Development

- PMD8: Parking Standards

Thurrock Local Plan

- 5.4 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an 'Issues and Options (Stage 1)' document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

Thurrock Design Strategy

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

6.0 ASSESSMENT

- 6.1 The assessment below covers the following areas:

- I. Principle of the development
- II. Design and layout
- III. Traffic impact, access and car parking
- IV. Impact upon ecology and biodiversity
- V. Amenity

I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The site forms part of a designated Secondary Employment Area in the Core Strategy. Therefore, the use of the site for an industrial use is acceptable and was the former use before the former car sales (sui generis) use. The proposed building would be relatively small in footprint within the overall site area.
- 6.3 In accordance with paragraph 11 of the NPPF the proposal should be considered in the context of the principle of sustainable development. It is acknowledged that the

site is located within a sustainable location in relatively close proximity to other industrial units.

- 6.4 The applicant has indicated that it is expected that 10 jobs could in the future be created by the development, thereby complying with the Council's objectives to promote job growth in this part of the borough. Accordingly, the proposal is acceptable in principle and in accordance with policies CSSP2 and CSTP6 of the Core Strategy.

II. DESIGN AND LAYOUT

- 6.5 The new building would be typical of many such commercial buildings throughout the commercial parts of the borough and is considered to be acceptable given the location. The use of the wider part of the site is typical of many of the adjoining plots and again, would be acceptable.
- 6.6 Given the above the proposal is considered to comply with the requirement of policies PMD2 and CSTP22.

III. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.7 The traffic generation from the development would be low with an expected maximum 2 HGV movements per week and the remainder of vehicle movements being made by small vans and cars for the staff. Whilst it is acknowledged that there are concerns regarding traffic accessing the Stanhope Industrial Estate site as a whole, each case must be looked at on its own merits. The relatively small scale of the proposal must be viewed in context.
- 6.8 This site was previously occupied by a company called Auto Channel with a car sales and storage business. There were approximately 130 cars and vans parked on the site and the company used car transporters to bring cars to and from the site. This would have resulted in a considerable level of traffic generation on a regular basis.
- 6.9 The proposal would not generate a significant amount of traffic. It actually brings the benefit of substantially less traffic movements into and out of the industrial park than the previous user, to the advantage of other local business and nearby residential properties. The proposal is for a relatively small workshop/storage building on a site allocated for industrial purposes. The applicant is prepared to ensure that any large vehicles accessing the site do so via Corringham Road so as not to cause harm to adjacent residential areas. There is also ample turning and parking space within the site.
- 6.10 The proposed access and parking are considered to be acceptable and would accord with the requirements of PMD2 and PMD8.

IV. IMPACT UPON ECOLOGY AND BIODIVERSITY

- 6.11 The site is located approximately 360m from the Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar site. As such the extent to which the development is likely to have a significant effect on European sites needs to be assessed under the Conservation of Habitats and Species Regulations 2017 (as amended) by Thurrock Council in its capacity as the competent authority in the form of a Habitats Regulation Assessment (HRA).
- 6.12 The Council's Landscape and Ecology Advisor has considered the potential effects that the scheme could have on the SPA and protected species known to be present on the adjacent site. This assessment has been used to inform the preparation of an HRA. The conclusions of this report show the development would not result in any direct loss of habitat of the SPA or functionally linked habitat. Therefore, it is determined that, on the basis of the information available, the development will not have a likely significant impact on a European site either alone or in combination with other plans or projects in accordance with the NPPF, CSTP19 and PMD7.

V. AMENITY

- 6.13 The site itself is set away from any residential properties on the south side of the industrial area. Nonetheless, the access to the overall site passes residential properties and the proposal should have restricted hours of operation and HGV routing, in common with other planning applications at the site. There is no additional lighting at the site and any new lighting would require planning permission. With the addition of conditions, the proposal fits within the aims and objectives of PMD1.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

- 7.1 The principle of the development returns the site into the previously approved industrial use, which is that of the wider site and complies with the site's designation within the Core Strategy. The workshop and storage building are relatively small within the application site and the finish is acceptable. The development would not affect the adjacent Thames Estuary and Marshes Special Protection Area (SPA) and Ramsar site or amenity.

8.0 RECOMMENDATION

8.1 Recommendation A:

That the local planning authority formally determine pursuant to the Conservation of Habitats and Species Regulations 2017 (as amended), and on the basis of the information available, that the development proposed will not have a likely significant effect on a European site either alone or in combination with other plans or projects.

8.2 Recommendation B:

Approve, subject to the following conditions:

TIME LIMIT

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by 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
1007-CSL-ZZ-XX-DR-S-001-REV B	10m x 30m Building Ground & Roof Plans	18 November 2021
1007-CSL-ZZ-XX-DR-S-002 REV B	10m x 30m Building Elevations	10 November 2021
21-167-PL-01- Rev C	Site Location Plan, Existing & Proposed Block Plans	19 November 2021
21-167-PL-02- Rev A	Proposed Site Layout	11 January 2022

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].

HGV ROUTING AND NUMBER OF MOVEMENTS

- 3 All vehicles over 7.5 tonnes which are related to the operation of the use hereby approved are required to access and exit the site via Wharf Road and Corringham Road to the Manorway and A13.

There shall be no more than 2 (each way) HGV movements per week, unless previously agreed in writing with the Local Planning Authority.

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

HOURS OF OPERATION

- 4 The use hereby permitted shall not be operated outside of the hours 07:00 - 19:00 Mondays to Friday, 07:00 - 19:00 Saturdays or at any time whatsoever on Sundays or bank holidays. Furthermore, no vehicles shall enter or leave the site outside of these hours.

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].

Hours of vehicle movements

5. No vehicles shall leave the site outside of 7am - 7pm Monday - Saturday or at all on Sundays or Bank Holidays.

A Vehicle Booking System (VBS) shall be in operation at all times the site is operational. This system shall record details of the registration, origin, destination and operators of each vehicle entering and leaving the site and the time of such movements. Details of the VBS shall be submitted to the Local Planning Authority for approval within ONE MONTH of the date of this permission.

On the approval of the submitted details by the Local Planning Authority this scheme shall be implemented and operated at all times.

The details in the VBS shall be kept on site and shall be available to be inspected by the Local Planning Authority upon the provision of no less than 7 days notice.

Reason: In the interests of residential amenity and to ensure that the proposed development is integrated within its immediate surroundings as required by Policy PMD1 of the Thurrock Core Strategy

Informative(s)

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

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

Documents:

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

www.thurrock.gov.uk/planning

