

<p>Reference: 19/01556/OUT</p>	<p>Site: Kings Farm / Thurrock Airfield Parkers Farm Road Orsett RM16 3HX</p>
<p>Ward: Orsett</p>	<p>Proposal: Application for outline planning permission with all matters reserved apart from access: Proposed mixed use development comprising up to 750 no. residential dwellings, medical facility, retail and commercial units.</p>

Plan Number(s):		
<u>Reference</u>	<u>Name</u>	<u>Received</u>
LP001	Location Plan	20 July 2021
RS-1493-01	Topographical Plan	15 October 2019
MP001 Rev F	Illustrative Masterplan	20 July 2021
KMC18068/008	Proposed Roundabout General Arrangement	25 May 2022
KMC 18068/009 (1)	Proposed Roundabout Geometry and design Parameters (sheet 1 of 3)	25 May 2022
KMC 18068/009 (2)	Proposed Roundabout Geometry and design Parameters (sheet 2 of 3)	25 May 2022
KMC 18068/009 (3)	Proposed Roundabout Geometry and design Parameters (sheet 3 of 3)	25 May 2022
MP0007	Indicative CGIs	20 July 2021

The application is also accompanied by:

- Planning Statement (July 2021);
- Design and Access Statement (July 2021);
- Health Impact Assessment (May 2021);
- Biodiversity Net Gain Report (April 2021);
- Utilities Feasibility Report (January 2021);
- Cover letter (July 2021);
- Legal opinion (September 2019);
- Environmental Statement (ES) including -
 - Contamination Phase I Report (within ES document)
 - Landscape Strategy (within ES document)

- Flood Risk Assessments (within ES document)
- Phase I Contamination Report
- Transport Assessment
- Transport Assessment Addendum
- Framework Travel Plan (within ES document)
- Technical Note Response to National Highways by KMC (May 2023)
- Technical Note 02: Response to Thurrock Council (August 2023)
- Technical Note 03: Response to Thurrock Council (December 2023)
- Deacon Design response (October 2023)
- A13/A1012 Stifford Clays & Treacle Mine Roundabouts Modelling Technical Note No. 2
- Planning Statement Addendum (February 2024)

Applicant:
Grasslands Ltd

Validated:
19 July 2021
Date of expiry:
12 July 2024 (Time extension
agreed with agent)

Recommendation: Refuse planning permission

This application is scheduled for determination by the Planning Committee because the application is considered to have significant policy or strategic implications and constitutes a departure from the Development Plan (in accordance with Part 3 (b), Section 2 2.1 (a) of the Council’s constitution). The application has been scheduled to be heard at two previous committee meetings in January 2023 & July 2023 and at those meetings it was agreed by the chairman of the Planning Committee that both items would be withdrawn from the agenda.

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks outline planning permission for a mixed-use development comprising of up to 750 residential dwellings and commercial floor space (1,000 sqm of floorspace on the application forms). The commercial uses would comprise of a medical centre along with shops and other uses within the light industry, general industry and warehousing categories (Class, E, B2 and B8 of the Use Classes Order). The key elements of the proposal are set out in the table below:

Site Area (Gross)	31.2 ha						
Height	Up to three-storeys (indicative)						
Units (All) (Indicative)	Type (ALL)	1-bed	2-bed	3-bed	4-bed	5-bed	TOTAL
	Houses		125	223	102		
	Flats	106	113				
	TOTAL	106	238	223	102		669
Affordable Units	35% of the scheme. Mix not specified.						
Car parking	Not specified at this time.						
Density	21.4 dwellings per hectare if 669 dwellings 24 dwellings per hectare if 750 dwellings						
Commercial use	0.5 hectares of the site designated for commercial uses						

- 1.2 Access is for determination while details of the appearance, landscaping, layout and scale of the development have been reserved and would be subject to a future application(s) for approval of reserved matters if this outline application were to be approved.
- 1.3 While not included in the description of development, the illustrative masterplan shows that all existing temporary and permanent buildings along with hardstandings would be removed.
- 1.4 The illustrative masterplan only demonstrates how 669 dwellings and 0.5 hectares for commercial, retail and medical facility could be delivered. It does not demonstrate that the site can accommodate up to 750 dwellings.
- 1.5 The proposal indicates that 35% of the scheme would be affordable housing.
- 1.6 The provision of affordable housing is not identified at this stage nor is their location on the site, but the Design and Access Statement refers to them being *'dispersed throughout the mix'*.

Access

- 1.7 This is the only matter for detailed consideration at this stage. The application proposes that a single vehicular access to the site would be provided directly from the A128 via the creation of a new 3 arm roundabout junction. The existing access onto Parkers Farm Road from the west would be closed and the residential curtilage of Kings Farm would be severed from its current direct access to the airfield/air strip.

- 1.8 In addition to the access plan from the Transport Assessment showing the roundabout junction the illustrative masterplan also shows a road re-alignment within the site and a roundabout junction on the A128. This would require the transfer of some land within the application site to highway land. It is proposed to provide an emergency access from the commercial area (indicatively located at the south-eastern part of the site) directly onto the A128 in case the sole access/roundabout is compromised/out of action. It is proposed that there is a pedestrian/cycle access to Parkers Farm Road.
- 1.9 Internal access is shown on the masterplan drawing running from the proposed A128 access via an entrance limb (main access point) and then a circular loop with spurs/cul-de-sacs which could access all the dwellings and proposed shops/commercial uses and medical centre.
- 1.10 The illustrative masterplan and landscape strategy shows pedestrian and cycle routes throughout the application site.

Groundworks

- 1.11 Flood mitigation / alleviation works are indicatively proposed which would include the re-profiling of ground levels. Flood compensation storage would be provided in the form of a new pond. The illustrative masterplan shows it located to the north-west of the application site and the indicative landscaping strategy also shows a possible location for the surface water drainage via a pond in this location.

Landscaping

- 1.12 Landscaping is not a consideration at this stage but an indicative landscaping scheme proposes retention of the majority of existing boundary trees/hedging with the only removal being that required to provide vehicle and cycle/pedestrian accesses. The submitted indicative landscape strategy shows a new planted woodland close to the new entrance to the site from the A128 and the proposed roundabout. This would provide a landscape buffer, public open space and other habitat areas. A range of hard and soft landscape treatments are shown throughout the site while additional public open space and hedgerow walkways would also be made available.

Layout

- 1.13 The illustrative masterplan lists an accommodation schedule showing residential development comprising of flats and houses. The layout of the illustrative masterplan shows flats, and various house types including terraced and detached houses. The

proposed commercial/medical development is indicated to the south-eastern part of the site in a 0.5 ha zone adjacent to the A128. Immediately to the north of the commercial area is an indicative emergency access onto the A128 and a woodland area with public open space. Allotments are shown by the southern boundary and areas of public open space are indicated throughout the site with a large SuDS area in the north-western part. A 3m perimeter path is shown along the southern boundary which extends around the perimeter of the site within a mix of paths (width not identified) and roads and an 8m no-build zone is located on the northern boundary to separate development from the Mardyke River. A bund on the northern boundary would also be retained and reinstatement of historic hedgerows are shown throughout the site. Retail uses with associated parking are shown centrally within the site that front onto open space. A 7.5m wide loop road with 1.8m footpaths either side would serve the development. Terraced dwellings and apartments are shown centrally in the site with a looser grain of development in the form of detached and linked-detached dwellings by the boundaries.

Scale and Appearance

- 1.14 No parameter plans have been submitted for consideration at the outline stage to demonstrate the maximum and minimum height of the proposed development. The design and access statement indicates that future buildings on the site would be up to three-storeys in height. There are no details regarding the appearance of the site other than 2 CGI images to show what the site could look like.

Environmental Impact Assessment

- 1.15 The planning application was originally submitted in October 2019. In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) the application was screened and it was determined that an Environmental Impact Assessment (EIA) was required. A Scoping Opinion to confirm the content and format of the EIA was issued in March 2020 and the planning application was validated in July 2021. Further information to support the EIA was subsequently submitted in May 2022. Various updates to studies and supporting information were submitted and received up until March 2024.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises a roughly rectangular-shaped parcel of land, approximately 31.2 hectares in area from the A128 to Parkers Farm Road. The land currently comprises a private airfield with a tarmac air strip (approved in 2007) surrounded by mown grass. A grassed air strip runs alongside the tarmac air strip and a grassed cross-strip has appeared in later aerial photographs (crossing the tarmac air strip). To the south-west of the site is the Aero Services building which

provides maintenance/repair services and has other ancillary buildings located by it. Most planes are parked outside to the immediate east/north-east of this building.

- 2.2 Beyond the Aero Services building to the west is an area of hardstanding used as a car park for approximately 15 cars and to the north is a mobile home. Vehicular access to the site is from Parkers Farm Road.
- 2.3 The site is generally flat/level and within Flood Zone 1. A tributary of the Mardyke runs along the northern boundary of the application site. Details submitted indicate that the site does have some surface and ground level flooding issues associated with pluvial (rain) events.
- 2.4 The application site is located in the Metropolitan Green Belt (GB). The northern boundary of the application site forms part of the external boundary of the Thames Chase Forest area.
- 2.5 The site is surrounded by open fields, many in agricultural use, with sporadic farm and other houses including Kings Farm itself, Greysteads, The Paddocks and The Dog and Pigeon public house. Along the A128 are limited instances of commercial uses.
- 2.6 The nearest settlements are Bulphan to the north and Orsett to the south.
- 2.7 The A128 is a distributor road. Parkers Farm is a single carriageway road. Neither the A128 nor Parkers Farm Road have any footpaths leading to the application site. There is a public bridleway (no. 178) running just outside and parallel to the southern boundary of the application site which connects Parkers Farm Road to the A128. There are no cycle paths within the vicinity of the application site. There are no bus stops in the vicinity of the application site, although routes run north/south along the A128 – service numbers 475 and 265.
- 2.8 Apart from the vehicle access onto Parkers Farm Road there is an unused gate onto the A128 and another unused gate onto the public bridleway. There appear to be grass/soft features either side of each of these gates.
- 2.9 To the south-east of the application site on the opposite side of the A128 at Ongar Hall are two Grade II Listed Buildings – the Hall itself and its barn.
- 2.10 While the application site does not include Kings Farm itself, a residential property, there is no boundary treatment between it and the airstrip. The planes are mainly parked in an extended garage/hangar which forms an extension of the Kings Farm property. The proposal would make the extension/hangar redundant. In 2009 an application was submitted to retain the as-built hangar extension. The permission

was subject to a legal agreement (S106) which was, as stated in the applicant’s submission “*To give the Local Planning Authority a measure of control over the existing airfield which it does not currently enjoy*”. The submission also confirmed that the domestic/airfield was one planning unit. It should be noted that at the time of the 2009 application to retain the domestic hangar, the owner of the house also owned the airstrip/field.

3.0 RELEVANT HISTORY

3.1 The planning history at the application site is extensive and varied. Prior to the airfield, the land was in agricultural use with Kings Farm containing a dwelling fronting onto Parkers Farm Road. The 2007 applications below were submitted following the service of Enforcement Notices. Relevant applications are as follows:

<u>Application Reference</u>	<u>Description of Proposal</u>	<u>Decision</u>
19/01557/SCR	Environmental Impact Assessment Screening Opinion pursuant to Part 3 (8) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017: Application for outline planning permission with all matters reserved apart from access for a proposed mixed-use development comprising 750 no. residential dwellings, medical facility, retail and commercial units.	EIA Required 15.10.19
20/00186/SCO	Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed application for outline planning permission with all matters reserved apart from access for a mixed-use development comprising 750 no. residential dwellings, medical facility, retail and commercial units together with ancillary development.	Advice given (as to the contents of the Environmental Statement to be submitted) 12.03.20

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters sent to 90 adjoining/nearby occupiers, a press advert and through site notices. The application has been advertised as a departure from the Development Plan, a major development and as accompanied by an Environmental Statement.

4.2 85 individual letters have been received objecting to the application (including from Dunton Community Forum). One letter has been received supporting the proposal subject to hedging being retained/improved along the boundary with the bridlepath and existing drainage pipes under the airfield being retained/replaced to ensure that the farmers field can drain into the Mardyke. The following matters of concern have been raised:

- unsafe / inadequate access/es;
- increased traffic congestion particularly around proposed roundabout;
- pollution and impact on air quality;
- harm to amenity;
- increased noise;
- loss of airfield facility;
- loss of GB; reduce width of GB to be unacceptably narrow;
- even if the site has some development it shouldn't be fully developed;
- it would be twice as big as Bulphan;
- urban sprawl;
- change the character of the area from rural to suburban;
- unsustainable and remote location;
- scale and height of development would be out of character in a rural area;
- flooding, particularly surface flooding;
- impact on ecological interests;
- adverse impact on existing limited infrastructure inc. schools and connectivity;
- Introduction of high levels of lighting in a current 'dark' location affecting astronomy and star gazing and consequent effect upon Langdon Hills nature reserve;
- Traffic and congestion;
- High accident record on A128;
- Catastrophic effect upon surrounding villages;
- Roads not suitable for extra use;
- Majority of the site is not Previously Developed Land;
- Proximity to high pressure gas lines.

4.3 CONSULTATION RESPONSES:

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

4.4 ANGLIAN WATER:

No objection subject to a condition requiring details of the foul drainage works to be provided along with a phase plan condition.

4.5 CIVIL AVIATION AUTHORITY:

No response received.

4.6 EDUCATION:

No objections subject to a financial contribution of £9,534,837.18 from the developer to mitigate the impact of the development on the provision of nursery, primary and secondary education.

4.7 ENVIRONMENT AGENCY:

No objections but the applicant may need an Environmental Permit in order to undertake the development if it is within 8m of the Mardyke which is a designated river.

4.8 ENVIRONMENTAL HEALTH:

No objection subject to conditions for a revised Construction Environmental Management Plan, full noise assessment with mitigation measures, and further contaminated land assessments. There are no air quality issues at the application site.

4.9 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objections subject to conditions being attached to any grant of planning permission.

4.10 ESSEX COUNTY FIRE & RESCUE SERVICES:

No response received.

4.11 ESSEX POLICE:

Essex Police requests that the developer seeks to achieve the relevant 'Secured by Design' accreditation which in this case will be Secured by Design Homes 2019 Version 2, March 2019 for the residential element of the proposal and Secured by Design Commercial developments 2015 Version 2 for the medical facility, retail and commercial elements.

It is recommended the developer contemplates the below in its architectural design:

- that the estate roads, footpaths, cycle ways and public areas are designed to address issues of permeability and connectivity, promoting natural surveillance.
- consideration given to the layout, orientation and positioning of dwellings; increasing the opportunity for natural surveillance, community interaction, engagement and participation and environmental control.

4.12 ESSEX & SUFFOLK WATER:

No response received.

4.13 FLOOD RISK (LLFA):

No objection subject to conditions regarding full details of the surface water drainage system, calculations regarding drainage/attenuation volumes, infiltration tests and the approved scheme being implemented and maintained in accordance with the approved details.

4.14 HIGHWAYS:

Recommend refusal on the following basis:

The access plans fail to incorporate appropriate measures to facilitate the movement of pedestrians and cyclists.

Severe concerns remain with the lack of facilities for cyclists and pedestrians both in the vicinity of the site, along the A128 and in terms of linking the site to the nearby villages of Bulphan and Orsett. Therefore, it is clear that there will be a heavy reliance on motor vehicles for the residents of this development which is contrary to NPPF objectives as well as policies CSTP15/16.

There is insufficient information to assess the potential impact of the development at the North Stifford Interchange and the Treacle Mine Roundabout.

4.15 HOUSING:

No objections on the basis of the development providing affordable housing but due to the location affordable housing should be provided on the basis of 70% (183 units) as affordable rent and 30% (79 units) as shared ownership.

4.16 LANDSCAPE/ECOLOGY:

For landscape considerations:

Object, as the proposed development would have adverse landscape and visual impacts as the site is within the Bulphan Fenland local landscape character area characterised by its open expansive views. The existing airfield retains this character as it lacks trees or other features that would enclose the views. The settlement pattern outside of Bulphan is predominately small-scale clusters of dwellings and farmsteads. The proposed layout is urban in character and not appropriate to this location. The proposed scheme has not attempted to respond to the local landscape setting and would have adverse visual impacts on local residents and users of nearby rights of way. The proposed mitigation is overly reliant on tree planting which is not characteristic of the local landscape.

For ecology considerations:

The effects upon ecology have been assessed as mainly minor adverse at a site level which is considered appropriate and which could be mitigated through design. The amount of RAMS tariff to be paid would be dependent on number of units permitted at reserved matters but the lack of recreational provision means that the Local Planning Authority as the competent authority cannot be satisfied that the scheme will not have adverse impacts on the Thames Estuary and Marshes SPA/RAMSAR arising from recreational disturbance.

4.17 NATIONAL HIGHWAYS:

Holding response. Insufficient information has been submitted to make a fully informed recommendation on whether the proposal would adversely impact the Strategic Road Network (SRN) at the A13 North Stifford Roundabout.

4.18 NATURAL ENGLAND:

It has been identified that this development site falls within the 'Zone of Influence' (Zoi) of one or more of the European designated sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). Therefore advise that the Council consider whether this proposal falls within scope of the Essex Coast RAMS.

4.19 NHS ENGLAND:

No objection subject to a financial contribution of £387,400 that would need to be secured through a S106 agreement to help mitigate the impact of the development should planning permission be granted. The contribution would be for Horndon-on-the-Hill and Orsett surgeries.

4.20 PUBLIC FOOTPATHS:

Bridleway 178 runs within the site along the southern boundary. The responsibility to maintain cutting the growth of trees and bushes to ensure useability of the route remains with the landowner.

4.21 PUBLIC HEALTH:

Air quality and noise monitoring and modelling is required along with further information on sustainable transport.

4.22 SPORT AND LEISURE:

No response received.

4.23 URBAN DESIGN:

The application cannot be supported as it raises various concerns, including: not least that the site is within designated Green Belt and such unplanned incremental growth is likely to miss significant opportunities with regard to place-making and infrastructure. For the moment, key concerns with the principle of development include:

- Erosion of the Green Belt;
- Landscape and visual impact; un-convinced that the site can accommodate the mix applied for without unreasonably compromising design standards;
- Unsustainable location;
- The site is close enough to Bulphan that it would significantly erode its rural setting but at the same time not close enough to provide an easily walkable (combined) settlement which promotes community cohesion and maximises local walkable amenities.

4.24 WASTE STRATEGY:

No response received.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework (NPPF)

The original NPPF was published on 27th March 2012 with the most recent revision dated 19 December 2023. 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 date⁸, 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 proposed⁷; 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.*

Footnotes:

- 7. *The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 187) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change.*
- 8 *This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.*

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:

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

- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 10. Supporting high quality communications infrastructure
- 11. Making effective use of land
- 12. Achieving well-designed and beautiful places
- 14. Meeting the challenge of climate change, flooding and coastal change

5.2 National Planning Practice Guidance (NPPG)

The NPPG contains a range of subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application include:

- Air Quality
- Climate change
- Design: process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- First Homes
- Flood Risk and Coastal Change
- Green Belt
- Healthy and safe communities
- Housing and economic land availability assessment
- Housing and economic needs assessment
- Housing needs of different groups.
- Housing for older and disabled people
- Housing: optional technical standards
- Housing supply and delivery
- Light pollution
- Natural Environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions

5.3 Local Planning Policy: Thurrock Local Development Framework (LDF) (2015)

The “Core Strategy and Policies for Management of Development” was adopted by Council on the 28 February 2015. The following policies apply to the proposals:

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1: (Promotion of Sustainable Growth and Regeneration in Thurrock).

SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations;
- CSSP2: Sustainable Employment Growth;
- CSSP3: Sustainable Infrastructure;
- CSSP4: Sustainable Green Belt; and
- CSSP5: Sustainable Greengrid.

THEMATIC POLICIES

- CSTP1: Strategic Housing Provision;
- CSTP2: The Provision of Affordable Housing;
- CSTP8; Vitality and Viability of Centres;
- CSTP9: Well-being: Leisure and Sports;
- CSTP10: Community Facilities;
- CSTP11: Health Provision;
- CSTP12: Education and Learning;
- CSTP13: Emergency and Utilities;
- CSTP15: Transport in Greater Thurrock;
- CSTP16: National/Regional Transport Networks;
- CSTP18: Green Infrastructure;
- CSTP19: Biodiversity;
- CSTP20: Open Space;
- CSTP22: Thurrock Design;
- CSTP23: Thurrock Character and Distinctiveness
- CSTP24: Historic Assets and Historic Environment
- CSTP25: Addressing Climate Change;
- CSTP26: Renewable or Low-Carbon Energy Generation;
- CSTP27: Management and Reduction of Flood Risk;

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity;
- PMD2: Design and Layout;
- PMD4: Historic Environment;
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities;

- PMD6: Development in the Green Belt;
- PMD7: Biodiversity, Geological Conservation and Development;
- PMD8: Parking Standards;
- PMD9: Road Network Hierarchy;
- PMD10: Transport Assessments and Travel Plans;
- PMD12: Sustainable Buildings;
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation;
- PMD15: Flood Risk Assessment; and
- PMD16: Developer Contributions

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. 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. In December 2023 the Council began the Initial Proposals Consultation (Regulation 18) following agreement at Full Council. The consultation has now closed.

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 2015.

6.0 ASSESSMENT

6.1 The EIA Regulations require local planning authorities to examine the information within the Environmental Statement (ES) to assess the significant effects of the proposed development on the environment (beneficial and adverse), in addition to the material planning considerations. The EIA Regulations require the likely significant effects of the development to cover the direct effects and any indirect, secondary, cumulative, transboundary, short, medium and long term, permanent and temporary, positive and negative effects of the development. The Environmental Statement considers the baseline conditions (existing conditions), construction and operational phases (when the development is occupied) as part of this assessment.

6.2 The assessment below therefore covers the following areas:

- I. Principle of the Development and Impact on the Green Belt
- II. Loss of Airfield
- III. Highways & Traffic Considerations
- IV. Design, Layout and Landscape and Visual Impact
- V. Ecological Considerations and Biodiversity
- VI. Ground Contamination
- VII. Noise and Air Quality
- VIII. Energy and Sustainability
- IX. Flood Risk and Site Drainage
- X. Heritage Assets - Archaeology and Historic Buildings
- XI. Planning Obligations

I. PRINCIPLE OF DEVELOPMENT AND IMPACT ON THE GREEN BELT

- 6.3 As the site is located within the GB policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that the Council will *'maintain the purpose function and open character of the Green Belt in Thurrock'*, and policy PMD6 states that the Council will *'maintain, protect and enhance the open character of the Green Belt in Thurrock'*. These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the Green Belt (GB) in accordance with the requirements of the NPPF.
- 6.4 Paragraph 142 of the NPPF states that the Government attaches great importance to the GB and that the *'fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'*.
- 6.5 It is important to understand that *'openness'* should be considered in both a *'spatial'* and *'visual'* context and development which may not be visually prominent may still cause harm to the fundamental purposes of the Green Belt. This is confirmed by the Planning Practice Guidance [Paragraph 001, Ref ID:64-001-20190722], which states that:
- "Openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume"*.
- 6.6 Furthermore, Paragraphs 152 and 153 of the NPPF (2023) state that: *"inappropriate development by definition, is harmful to the Green Belt and should not be approved except in very special circumstances"* and *"when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt"*.

6.7 Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm caused are clearly outweighed by other considerations.

6.8 In terms of Green Belt policy it is necessary to refer to the following key questions:

1. Whether the proposals constitute inappropriate development in the GB;
2. The effect of the proposals on the open nature of the GB and the purposes of including land within it; and
3. Whether the potential harm to the Green Belt by reason of inappropriateness and any other harm result from the proposal is clearly outweighed by other considerations to amount to the '*Very Special Circumstances*' necessary to justify inappropriate development.

1. Whether the proposals constitute inappropriate development in the GB;

6.9 Paragraph 154 of the NPPF states that the construction of new buildings in the Green Belt should be regarded as inappropriate, though there are exceptions to this listed within paragraphs 154 including:

(g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

- *not have a greater impact on the openness of the Green Belt than the existing development; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority."*

6.10 The applicants submitted a legal opinion with the application contending that the existing airfield could be construed as previously developed land in the GB. However, the whole site is not considered previously developed land. The definition of Previously Developed Land (PDL) in the NPPF states that it is land occupied by a permanent structure, including the curtilage of developed land and any fixed surface infrastructure. The definition also states that it '*should not be assumed that the whole of the curtilage should be developed*'. It is considered that the only elements of previously developed land on site are aircraft hangar buildings and a collection of buildings towards the south-western part of the site and the hardstanding areas. If the elements of the site as identified were considered to be PDL then it would allow for consideration against Paragraph 154(g) of the NPPF and this is only a small area of the site and is very different to the quantum of development sought through this

application. In order to comply with 154(g) it must not have a *greater impact* on the openness or cause *substantial harm*. While these matters are assessed in greater detail below, replacement of the existing limited built form with up to 750 homes and commercial uses would clearly have a greater and substantial impact upon the openness of the Green Belt, which by definition, causes substantial harm. It is worth noting that the applicant also notes that the development would result in a degree of harm to openness of the Green Belt (Paragraph 7.107 of DLP Addendum to Planning Statement, February 2024).

- 6.11 The proposal does not therefore meet any of these defined exceptions within the national planning policy. Similarly, none of the exceptions set out within Policy PMD6 would be applicable in respect of the erection of dwellings at the site. Accordingly, the proposed development is by NPPF definition inappropriate development in the Green Belt and permission should not be granted unless very special circumstances (VSCs) exist.

2. The effect of the proposals on the open nature of the GB and the purposes of including land within it;

- 6.12 Further to the harm arising to the Green Belt by virtue of the inappropriateness, it is important to consider the impacts of the proposal on the openness of the Green Belt, as well as the impact to the purposes of the Green Belt set out in paragraph 143 of the NPPF 2023.
- 6.13 The openness and permanence of the Green Belt form part of the essential characteristics of Green Belt land. The impact upon openness must therefore be considered.
- 6.14 The proposed development would change the character of the site from a mainly open Green Belt site with very limited development to an urban residential development of up to 750 dwellings and commercial uses with all the infrastructure associated with this type of development. Whilst the majority of trees and hedging around the site boundaries would be retained and the development would include some areas of open space, the introduction of a residential and commercial development within the site would clearly impact in a substantial manner upon the openness of the Green Belt, due to the introduction of built form over all of the site where there currently there is only a small area of existing development in the south west corner of the site. The proposed buildings would be clearly visible above boundary hedging/gates from surrounding roads, public footpath/bridleways to the south and to a degree from public footpaths on elevated ground to the east of the application site.
- 6.15 Consequently there would be a material impact to the openness of the Green Belt, in

both a spatial and visual sense.

6.16 Paragraph 143 states that the Green Belt serves five purposes:

"(a) to check the unrestricted sprawl of large built-up areas;

(b) to prevent neighbouring towns merging into one another;

(c) to assist in safeguarding the countryside from encroachment;

(d) to preserve the setting and special character of historic towns; and

(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."

6.17 In response to each of these five purposes:

a) to check the unrestricted sprawl of large built-up areas

This is not relevant as the proposal is for a new separate settlement.

b) to prevent neighbouring towns merging into one another

While the proposal would lie to the south of Bulphan, this is not relevant as the proposal is separate from existing towns and villages.

c) to assist in safeguarding the countryside from encroachment

The application site forms part of the Bulphan fen area and is clearly in the open countryside. There would be a significant encroachment in the countryside as a result of the proposals so would conflict with this purpose.

d) to preserve the setting and special character of historic towns

The proposal would not be located close to any existing historic towns such that there would be no specifically adverse impact on them.

e) to assist in urban regeneration by encouraging the recycling of derelict and other urban land).

This significant proposal of residential and commercial uses would not assist in the recycling of derelict and other urban land in existing urban areas in the Borough so

would conflict with this purpose as there is no spatial requirement for this site to be developed over a brownfield urban land site.

- 6.18 In conclusion the proposals would be harmful by way of loss of openness and would be harmful as a result of conflict with GB purposes (c) and (e). In accordance with the NPPF, substantial weight should be afforded to this harm to the GB.

3. Whether the potential harm to the Green Belt by reason of inappropriateness and any other harm result from the proposal is clearly outweighed by other considerations to amount to the 'Very Special Circumstances' necessary to justify inappropriate development.

- 6.19 The NPPF sets out that inappropriate development is, by definition, harmful to the GB and should not be approved except in very special circumstances. The NPPF goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the GB. 'Very Special Circumstances' will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 6.20 The applicant has set out a case for VSCs by outlining matters that they consider to be benefits of the scheme. These include:

1. Provision of new market and affordable housing
2. Provision of connectivity improvements
3. Provision of new public open space
4. Provision of new employment units
5. Provision of medical centre and shops
6. Early delivery of development

- 6.21 The applicants provided an addendum to the planning statement dated February 2024 which includes commentary on the recently published Initial Proposals Document (IPD) Regulation 18 2023 and offers additional reasons as potential Very Special Circumstances.

- 6.22 It notes that the application site is not included in any of the scenarios in the Initial Proposals Document (Reg 18) which it considers to be a shortcoming of the document, and also refers to the acute housing need identified and states that this should be given significant weight.

- 6.23 In terms of Very Special Circumstances it notes that they do not have to be unique or rare, as established in case law. It contends that the following are VSCs (in addition to those listed above) which would outweigh and harm to the Green Belt, by reason

of inappropriateness and any other harm:

- The provision of elderly accommodation
- Employment and economic benefits
- The provision of community facilities and infrastructure
- Green infrastructure and open space provision

6.24 With regard to the above points these were received during the course of the application. The applicants state that the proposal 'may' include a care home but there is no commitment to it so this cannot be considered. These additional points are all considered in the assessment below.

6.25 The main VSCs offered in the initial submission are considered in further detail below:

1. Provision of new market and affordable housing

6.26 Under this heading the applicant refers to the following factors:

- Core Strategy policy CSSP1 (Sustainable Housing and Locations) recognises that it will be necessary for the Council to release land from the Green Belt to meet housing need
- The Council's draft Local Plan Issues and options (Stage 2) consultation states that (i) the Council will have to consider releasing land from the Green Belt to accommodate new homes and supporting facilities (page 33) and (ii) the Council considers that given the acute shortage of land currently identified as being available to meet housing need over the plan period the exceptional circumstances required by the NPPF to justify some changes to Green Belt boundaries can be clearly demonstrated.
- The NPPF places greater emphasis on ensuring a sufficient supply of new housing and introduces a Housing Delivery Test.
- There is a considerable historic shortfall in meeting the Borough's housing targets and there is a significant shortfall in meeting the five-year supply.
- The South Essex Strategic Housing Market Assessment (2016) refers to an annual objectively assessed need of between 919 and 973 dwellings per annum and an affordable housing need of 555 dwellings per annum.
- The application site is deliverable and proposes policy compliant affordable housing (35%), i.e. minimum 234 dwellings. The site could help to meet affordable housing need ahead of the anticipated timeframe for the Local Plan.

- The applicants believe the Council's five-year housing land supply is 0.21 years.

6.27 For the above reasons the applicant considers that the provision of market and affordable housing should be given very significant weight. The applicant also points out that while the VSC should not relate to new housing provision alone, Government advice is that housing provision can form part of the VSC to justify inappropriate development in the Green Belt when this benefit is considered alongside one or more other benefits.

Consideration

6.28 The adopted Core Strategy (2015) sets out the Council's targets for the delivery of new dwellings. National planning policy as expressed at paragraph 60 of the NPPF states that (inter-alia) in order to support the Government's objective of significant boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

6.29 The Council does not have an up to date five-year housing land supply as required by the NPPF. The Thurrock Local Plan Five Year Housing Land Supply Position Statement (July 2016) gave the housing land supply position between 2.5 to 2.7 years. It is expected that the position has deteriorated further since this then but there is no up to date information on that to confirm the exact position at this time. The Council is working on the production of a new Local Plan and Reg 18 document was out to consultation over the winter of 2024. The new Local Plan will include new housing provision but the Council have not reached the next stage and is currently still working on that at the time of this report.

6.30 Paragraph 80 of the NPPF requires local planning authorities to monitor progress in building out sites which have permission and where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authorities housing requirement over the previous 3 years, an action is required to increase delivery. The Council's Housing Delivery Test Action Plan (HDTAP) was published in August 2019 and identifies a housing delivery shortfall of 309 homes over the three previous financial years up until 2017/18. One of the priorities identified in the HDTAP for the Council is to consider opportunities for development at a higher density in urban areas (paragraph 4.6 of the HDTAP), which is not applicable in this countryside green belt location as re-use of previously developed land within urban areas is considered more appropriate for future housing development and reduces the risk of the potential loss of Green Belt within the Borough.

- 6.31 Policy CSTP1 requires the dwelling mix for new residential developments to be provided in accordance with the latest housing need assessments. In June 2022 the South Essex Housing Needs Assessment (HNA) was published and is relevant to consideration of future planning applications. It is also an evidence-based document to inform the preparation of the new Local Plan and replaces the May 2016 Strategic Housing Marketing Assessment (SHMA) and the update SHMA Addendum (May 2017). The HNA sets out the housing need and mix requirements for the Borough but also the wider area of South Essex. For Thurrock the HNA identifies the need for 2 and 3 bedroom units for the housing market. For affordable housing there is a housing need, particularly for 1 and 2 bedroom units. The proposed indicative housing mix would provide an acceptable dwelling mix.
- 6.32 For affordable housing, policy CSTP2 seeks to achieve 35% of the development to be allocated for affordable housing and paragraph 65 of the NPPF requires 'at least 10% of total number of homes to be available for affordable home ownership'. The proposal shows an indicative housing mix and states that 35% of the development would provide affordable housing.
- 6.33 The identified housing need and the Council's lack of five-year housing land supply are such that the provision of new homes, both market and affordable at scale, attracts significant weight as factors towards 'very special circumstances' in the planning balance. However, as an outline application it has not been made clear how many new homes would contribute to the five-year housing land supply position given that if outline planning permission were to be granted there would be follow up applications for reserved matters and the discharge of planning conditions and obligations before work could commence on site.

2. Provision of connectivity improvements

- 6.34 The applicants indicate in their submission (in particular in the Transport Assessment Addendum) that the site's connectivity can be improved by:
- 1) Rerouting of a bus route to come into the application site from the A128. The applicants have also obtained a quote from a local bus company to provide a half-hourly service from the site along the A128.
 - 2) The provision of a travel plan which would include a car share scheme.
 - 3) The provision of footways and cycleways within the application site and along the A128 to the extent of the application's frontage onto the A1284).
 - 4) The provision of a new footpath/footway and realignment of Parkers Farm Road/Church Road with a 2m wide footway to provide access to the Bulphan

infant/junior School.

5) The provision of additional access points onto the public bridleway to the south of the application site.

6) The provision of accesses (vehicle/pedestrian/cycle) to the north of the application site to extend to Bulphan to the north, via a proposed urban extension to Bulphan.

7) The use of part of a cycle route (identified as part of a leisure ride) along ParkersFarm Road for access to senior schools and neighbouring villages via lower-level rural roads.

Consideration

- 6.35 The site is remote and new connections would be essential for providing sustainable transport choices. While the proposals to improve connectivity would appear to seek a good level of connectivity, they rely on others to either provide services (bus providers and the Council), rely on others to provide the land (for the pedestrian footway along Parkers Farm Road/Church Road and links to the north) or require planning permission (the pedestrian footway involves engineering earthworks; and further residential development to the north). Their provision cannot be secured by this application alone. The quote obtained by the applicants for a half-hourly service would not guarantee its provision and no other rural villages in Thurrock have such a high frequency and regular service. It would be up to a bus company to ensure a bus route linking this site would be commercially viable. It is considered highly unlikely that such a service would be financially viable in the long-term, and therefore this carries very little weight in justifying the sustainable travel credentials of the scheme and could not be secured by Section 106 Agreement.
- 6.36 The site currently is only accessible by private vehicles. It is considered that the connectivity of the site has potential to be improved, but with no confirmation that the plans outside the site would materialise, the connectivity would remain poor and would create an unsustainable development in this location. Connectivity is a standard requirement of national planning policy to provide sustainable and connected developments, so this is not a factor that can be given any weight as a very special circumstance.

3. Provision of new public open space

- 6.37 While layout and landscaping are reserved matters, the illustrative masterplan indicates that a large green space would be provided to the front (East) of the application site onto the A128 with other smaller spaces internally provided as urban spaces. The illustrative masterplan also shows areas of landscaping, habitat creation

and ponds / waterways providing flood attenuation and ecological interest. The public open space is cited as a recreational resource which would support the objectives of the NPPF.

Consideration

- 6.38 The application is only in outline form with layout and landscaping reserved for subsequent approval. Accordingly, the various site / master plan and landscape scheme/parameter plans submitted to support the application should be considered as illustrative only and representing one possible way in which the development might be accommodated on the site. Nevertheless, the indicative layout accompanying the submission shows an area adjacent to the A128 which would be provided as public open space (POS), located to the north-east of the proposed loop road. The size of this POS is not identified and differs from the size shown on the indicative landscape plan (which appears slightly larger).
- 6.39 Although the indicated north-eastern POS area would be free from built development and partly open, it is important to note that this open space is proposed to perform a number of functions. It is proposed to introduce woodland into this area (a mainly alien feature in a fenland landscape) in part as a visual and screening buffer from the noise and traffic activity associated with the busy and fast (50 miles per hour) A128 and the noise and activity associated with the traffic relating to the only vehicle access proposed into/out of this proposed large housing estate. It is also intended to provide new habitat as part of the submitted Ecological Mitigation Strategy. Its provision is therefore significantly influenced by the need to mitigate the development rather than provide any wider benefits.
- 6.40 In the north-western corner of the site, an open area (c.2.2Ha in extent) is indicated to provide a flood storage area, close to Parkers Farm Road and existing residential properties. The Flood Risk Assessment (FRA) proposes an area for the compensatory storage of floodwater located to the north-west. This area would be lowered to create an attenuation 'basin'. There would be times of the year when the basin is occupied in full or in part with water, thereby diminishing its utility as public open space. Even in a potential prolonged period of dry weather when the margins of the basin would be dry, public access to this space would still be limited. For these reasons, this part of the site would have limited value as useable public open space.
- 6.41 In addition to public open space policy PMD5 requires children's play space provision, sports provision and allotment provision. The illustrative layout plan indicate provision of such facilities and further details can be secured through planning conditions.
- 6.42 It is recognised that the proposed illustrative public space at the entrance of the site

would be usable by members of the public who currently live elsewhere in the Borough in addition to those living and using the site, but it would not be obvious to people outside the site and would be dependent upon private car use for access as no pedestrian route exists. This carries no weight as a factor towards a very special circumstance as the provision of public open space is a requirement of national and local planning policy (PMD5).

4. Provision of new employment units/economic benefits

- 6.43 Employment land and units are normally comprised of Class E(g)(iii), B2 and B8 uses. The applicants indicate that 1,000 sqm of floorspace would be provided for a variety of uses such as for shops, employment use and a medical facility. The applicants have not provided a detailed breakdown of the uses but have suggested 50 full-time and 50 part-time jobs (as indicated on the application form) would be created. The illustrative masterplan shows a 0.5ha area devoted to these mixed uses.
- 6.44 The applicants also refer to the construction-related activity and apportion moderate weight to this benefit.

Consideration

- 6.45 Employment Policy CSSP2 identifies Key Strategic Economic Hubs. The application site is not located in or near one.
- 6.46 CSTP6 (Strategic employment locations) states that *'...where proposals for new economic development are proposed outside the Primary and Secondary Industrial and Commercial areas, the Council will make an assessment against the following criteria: (i) Compatibility with uses in the area surrounding the proposal and potential impacts on those uses and (ii) Capacity and impact on the road network and access by sustainable modes of transport.'*
- 6.47 There is no evidence that additional employment land is needed in this location so this factor has no weight. It is not clear from the application form whether any employment use (original Use Class B1, B2, B8) would be included. However, the supporting documentation does refer to some of the 1,000 sq.m of "other" floorspace identified on the layout plans in the south-eastern corner as being for employment and the application form does indicate that some 50 full-time and 50 part-time jobs would be created. There is also no calculation as to whether 50 full time and 50 part time jobs would be provided or whether they would provide sufficient employment opportunities for new inhabitants of the proposed development.

A large amount of new floorspace proposed in this location would not be conducive to promoting sustainable forms of transport and does not represent a compatible use

in this countryside location. It is therefore considered that the site is not a sustainable one and is not one of the employment allocations as identified in policy CSTP6.

- 6.48 The Thurrock Employment Land Availability Assessment (2017) identifies a need for a more varied 'offer' in terms of industrial and commercial floorspace but this does not give reason to build on un-allocated Green Belt land. Therefore this factor attracts only very limited weight along with the temporary employment associated with the construction phase of the development.

5. Provision of Medical Centre and Shops

- 6.49 The applicants indicate that the provision of shopping/other uses and a medical centre would support the community proposed.

Consideration

- 6.50 Core Strategy Policy CSTP7 identifies the existing retail hierarchy comprising Lakeside regional centre, Grays town centre and local and neighbourhood centres. Bulphan is not identified within the retail hierarchy.
- 6.51 Policy CSTP8 (Vitality and viability of existing centres) states that the Council will maintain and promote the retail function of existing centres and will aim to guide and encourage development to existing centres and that it will also resist proposals for main town centre uses (such as retail) in out-of-town locations where other locations are available.
- 6.52 Retail policy CSTP8 indicates that new retail development should be located in existing retail areas to provide for the hierarchy of existing settlement patterns where they are in the most sustainable locations – near to railway stations and bus stations.
- 6.53 The proposal would provide 1,000 sq.m of retail floorspace (as indicated on the application form; albeit that the illustrative masterplan indicates that this may be split to provide other uses such as commercial and a medical centre). It also needs to be noted that the Transport Assessment Addendum of April 2022 indicates that the retail/commercial floorspace would be 4,200sq.m; as this has not been split and differs from the planning application. From this information it is not clear if the proposed retail element would trigger the NPPF requirement for a Retail Impact Assessment.
- 6.54 The NPPF requires that for retail and leisure development outside town centres a 2,500sqm floorspace threshold is used as a trigger to undertake an impact assessment. As there is no clarity in the submission about how much retail floorspace would be provided, the impact assessment (which may be required) has not been

undertaken. It is not possible to quantify the proposal's impact on existing centres within the hierarchy. Notwithstanding, even at 1,000sqm this is a significant amount of retail floorspace proposed outside the current retail hierarchy and would, as a minimum provide a parade of shops (and/or a larger store).

- 6.55 While any shops, commercial and other facilities could cater for the proposed occupiers of the 750 dwellings (a population size likely to be in the order of 1,500 – 2,500 people), shops in this location could be an attractor for others living locally in existing villages and remote dwellings as well as passing trade from the A128. With no public transport this has the potential to further exacerbate private vehicle journeys which could also affect the vitality and viability of the established town/village centres.
- 6.56 It is therefore considered that insufficient information has been provided to assess whether the proposal is likely to have an adverse impact on existing urban centres, contrary to Policy CSTP7 and CSPT8 of the Core Strategy 2015.
- 6.57 Policy CSTP10 (Community Facilities) states that the Council will promote provision of new community facilities on sites for new development where they meet an identified need.
- 6.58 Policy CSTP11 (Health Provision) states the Council will work with partners to deliver *“III. Health care facilities that are located according to need, and which are accessible to all people in the Borough, including by public transport, cycling or walking and IV. Health care facilities that meet existing and future community needs, including those needs arising from the new housing and employment that will be developed in the Borough over the lifetime of the plan.”*
- 6.59 The size of the proposal at up to 750 dwellings is large enough, and far enough away from other towns/villages as to require other ancillary services such as indoor community space. None is proposed.
- 6.60 The Transport Assessment Addendum of April 2022 suggests that the health centre would be 1,500sqm on its own – but this figure is incompatible with the information provided on the submitted application form.
- 6.61 The NHS have responded to the consultation having viewed the Health Impact Assessment and state *“The population arising from the development alone would generate the need for 128.5m² of additional primary healthcare floorspace, which is much smaller than the minimum size of 750m² needed for a facility to be viable.”* Therefore, the NHS consider that *“A new larger facility within the site could provide additional capacity to address the deficit in capacity currently experienced at existing surgeries. However, the location is isolated from existing communities. A short-term*

subsidy is proposed to extend an existing bus service, but it is likely that most staff and patients would rely on private cars to access the site rather than sustainable or active means of transport.” The NHS conclude that their preference is for “A financial contribution of £387,400 towards the extension of capacity at existing premises would be a more acceptable form of mitigating the impacts of this development.”

- 6.62 The applicant has, with other developers/landowners indicated that they are hopeful that this application site forms part of a wider new settlement which would extend between the airfield and Bulphan; it seems that the idea to provide a medical centre is partly with this proposed larger settlement in mind. This is speculative and there is nothing in policy terms to support such a proposition. This therefore carries no weight.
- 6.63 It is therefore considered that a contribution towards medical provision is needed. While ‘on-site’ provision may reduce car travel for those living on site, it would not be entirely self-contained and staff would need to travel by car to reach the site. The NHS does not support medical facilities in this unsustainable location. It is therefore considered that a contribution towards medical provision is appropriate, secured through a legal agreement prior to the grant of any planning permission.
- 6.64 The proposals are not well defined, are not a requirement in policy terms and the medical centre is not a requirement of the NHS. The remote location would also be likely to attract mainly private vehicle traffic from within the development and potentially elsewhere. It is considered that no weight should be given to this factor.

6. Early Delivery of development

- 6.65 The applicants indicate that the scheme has attracted a number of developers and that they can move forward towards an early delivery of the scheme once outline permission is received. Information provided by the applicants suggests a 5-10 year delivery time period (say 2027-2032); but there is no actual delivery timeline provided or phased delivery.

Consideration

- 6.66 There are no details of timetabling for the submission of reserved matters or commencing development/completing development. Given the need for reserved matters applications and conditions and planning obligation discharge to follow an approval it is not considered realistic to claim this site could be developed and delivered quickly, especially also given the number of dwellings which could be up to 750, which will take a number of years to build that quantum of housing. In the absence of any specific information this reason attracts no weight.

6.67 Green Belt Conclusions (recap):

It is concluded that the proposals comprise inappropriate and by definition harmful development with reference to the NPPF. The proposals would materially reduce the openness of the Green Belt as a result of the construction of the residential and commercial buildings and associated development.

With reference to the purposes of the Green Belt defined by NPPF paragraph 143, the scheme would result in encroachment to and loss of open/undeveloped Green Belt land and would fail to assist in urban regeneration, contrary to Green Belt purposes c) and e).

In accordance with NPPF Paragraph 153 “*substantial*” weight should be given to this harm.

With reference to the applicant’s case for VSCs, an assessment of the factors promoted is provided in the analysis above. A summary is provided below as to the weight that officers give to each purported VSC.

Brief Summary of GB Harm and Case for VSC			
<u>Green Belt Harm</u>	<u>Weight</u>	<u>Factors Promoted as VSC in favour of development</u>	<u>Weight</u>
Inappropriate development	Substantial	Provision of new market housing and affordable housing	Significant
Reduction in the openness of the GB		Provision of connectivity improvements	No weight
Conflict with GB purposes (c) and (e)		Provision of new, public open space	No weight
		Provision of new employment units/ medical centre	No weight
		Employment during construction	Very limited weight
		Quick delivery	No weight

6.68 A judgement must be made as to whether the VSCs presented are sufficient to outweigh the inappropriate and by definition harmful development in the Green Belt.

It is for the Committee to consider:

- i) the weight to be attributed to these factors;
- ii) whether the factors are genuinely 'very special' (i.e. site specific) or whether the accumulation of generic factors combine at this location to comprise 'VSC'.

6.69 Members of the Planning Committee are reminded of the content of NPPF paragraph 153 which states:

“Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.’

6.70 In this case and with reference to the above it is considered that the benefits of the proposals do not clearly outweigh the Green Belt harm due to inappropriate development or the other harm identified and, as a consequence, Very Special Circumstances (VSCs) do not exist which outweigh the harm identified.

II. LOSS OF AIRFIELD

6.71 The NPPF states in Paragraph 110 that planning policies should:

f) recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government’s General Aviation Strategy

6.72 The NPPF defines general aviation airfields (GA/GAA) as *“Licenced or unlicensed aerodromes with hard or grass runways, often with extensive areas of open land related to aviation activity.”*

6.73 The NPPF indicates that there should be a recognition of the importance of maintaining a national network of general aviation airfields. Beyond that there is no specification that any particular airfield has to be retained nor of how many airfields are needed to provide the network indicated.

6.74 No information has been provided by the applicants regarding the current usage of application site as an airfield. The proposal would result in the loss of an airfield, loss of aircraft storage and aircraft mechanical/repair services (including jobs associated with it). While business can form part of the flying offer, there is no evidence that this airfield is used in this context as either providing passenger services or commercial carrying services.

- 6.75 Other airfields exist locally, for example at Damyns Hall Farm/Aerodrome in Upminster and at Stapleford Abbots, Essex.
- 6.76 As indicated in the NPPF, there is no requirement to retain any specific airfield(s) in decision-making, just for planning policies to be written which consider the maintenance of a network. As such, the loss of an airfield must be considered in this context in the planning balance. With the availability of other airfields locally it is considered that the loss of this airfield would not constitute a reason to resist the application.

III. HIGHWAYS & TRAFFIC CONSIDERATIONS

- 6.77 Policy PMD9 seeks to minimise the number of new accesses required onto the highway network and to ensure that new access creation makes a positive contribution towards highway safety.
- 6.78 The A128 at the eastern boundary of the site is a 'Level 1 Strategic Non-Trunk' road. One point of access for vehicles is proposed to serve the whole development. The A128 would be re-aligned and a full roundabout provided with access into the site for two-way traffic and a footpath on the southern side which continues out of the site in a southerly direction. The Council's Highways Officer accepts the design would facilitate vehicles but it would not promote the effective movement of pedestrians and cyclists. The proposed footpath does not lead to any facilities within reasonable walking distance, terminating by the southern boundary of the site. After this point pedestrians would be forced to walk on the road. Plans provided by the applicants showing how offsite footpaths could potentially be provided but relies on other land ownership and does not form part of the application.
- 6.79 A series of lower category roads along a loop would penetrate through the site to serve the proposed dwellings. This has the potential to be acceptable subject to final design which would require traffic calming measures.
- 6.80 It is also proposed that an emergency vehicle access would be provided onto the A128; the illustrative masterplan shows that this would be to the south of the roundabout close to the shops and other commercial uses. Albeit illustrative, the masterplan shows this route as single carriageway.

Strategic Road Network:

- 6.81 As the site is located adjacent to the A128 and because traffic associated with the development could impact upon the (national) Strategic Road Network (SRN), National Highways (NH) has been consulted on the proposals. The applicants have liaised with National Highways over a sustained period of time but there remains

concerns over the impact that the proposal would have on the A13, specifically the interaction between the Treacle Mine Roundabout on the A1012 and the A13 Stifford Clays Roundabout. This means that more work would be required by the applicants to overcome the concerns expressed. This is not something that can be resolved by attaching conditions and given the amount of time the applicants have had to overcome this matter and other in-principle objections, this will also form a refusal reason. The applicants can however continue to work with NH prior to another application or appeal to try and resolve the matter.

6.82 The Council's Highway Officers have responded that they are concerned regarding the possible issues raised by NH regarding the Stifford Clays Roundabout and potential mitigation, which could in turn affect traffic flows around the Treacle Mine Roundabout. Without further information or modelling they cannot ascertain whether the impact would be acceptable or severe. The applicants have proposed various means with which to improve accessibility to the site such as footpaths, but they require off-site works and land in other ownership which cannot be relied upon. As such they maintain the following concerns:

- Neither Parkers Farm Road nor the A128 have footpaths or cycle paths;
- The site is remote from shops and services and public transport and would rely almost entirely on private vehicles such that it does not comply with NPPF, Chapter 9, as it does not promote sustainable transport as a whole;
- Concern regarding indicative layout of roads within the application site as to whether they can accommodate larger vehicles turning;

Taking into account all of these issues the proposal is considered unacceptable in Highway terms and is contrary to Core Strategy policies CSTP15/16.

Connectivity

6.83 The Planning Statement and Design and Access Statement (DAS) indicates that pathways and cycleways would be provided throughout the application site area with access onto Parkers Farm Road to the west of the application site. The scheme also proposes that there would be pedestrian access to the south onto the east/west Public Right of Way and footways are shown either side of the A128 to the extent of the application site.

6.84 There are no existing pedestrian footpaths to either side of Parkers Farm Road/Church Road north up to houses in Bulphan, nor designated cyclepaths.

6.85 The Council's Highway Officers have indicated the site is remote from shops, services and public transport and would rely almost entirely on private vehicles and not comply with NPPF as it does not promote sustainable transport.

- 6.86 If the nearest primary school (located in Bulphan) were to have capacity (or capacity could be increased), then there may be around 175 additional under 11-year-olds needing to use the Parkers Farm Road to walk/cycle to/from school. As this is unlikely to occur then occupiers of the new development would be highly likely to rely on private car use for this purpose.
- 6.87 The applicant's Transport Assessment Addendum (TAA) indicates that Parkers Farm Road/Church Road '*...could be provided with a new 2m wide footpath to the eastern side up to Bulphan's existing footpath network where a non-controlled crossing would be provided to enable users to cross to the existing footpath on the western side of the road*'. There is no controlled crossing point on Fen Lane near the school. The plans in the TAA show a footpath to link into the application site at the north-westernmost point at the back of the SuDS feature crossing over into a neighbouring field and the Mardyke (main river) before running west to exit onto Parkers Farm Road. The details would involve engineering earthworks to realign Parkers Farm Road to the west and recut the existing ditch on the eastern side, some of which would then provide a culvert for the water flow. The plans show new vehicle passing points and a formalisation of kerb upstands to the new footpath. The footpath scheme would involve the removal of a number of boundary trees/shrubs and/or the removal/cutting back of existing field boundary hedging.
- 6.88 It should be noted that the suggested footpath or road realignment works are not included within the application site's red line and are outside of the applicant's control. It is considered that planning permission would be required for the engineering earthworks proposed, and that none of the landowners affected have been formally notified. As these proposed works are outside the scope of the current planning application, the impact along Parkers Farm Road/Church Road has not been assessed as part of this current application, but they would create a greater area of hardstanding and formal curbing/footway and create a more urban appearance/function.
- 6.89 While Parkers Farm Road/Church Road do connect with the Primary School in Bulphan about 1.3km away (further for properties further to the east of the application site), the nearest secondary school is either in South Ockendon or Corringham/Stanford-le-Hope. It is proposed that an existing bus route could be diverted into the application site and that the applicants are prepared to support this financially for a limited period. However, the current timetable is very limited such that it is unclear if all school children could or would use the bus to get to/from school, particularly if that requires a connecting bus on their journey. The long-term viability of this proposal cannot be guaranteed.
- 6.90 It is therefore considered that the scheme would represent an unsustainable

development with limited connectivity, even with the public transport and walking/cycling measures proposed, and which cannot be relied upon in any regard. Most journeys would be made by private vehicles such that it does not comply with the sustainability objectives at the heart of the NPPF. Overall, this proposal is contrary to Policy CSTP15 of the Core Strategy and relevant criteria of the NPPF in relation to sustainable highways development.

Car and Cycle Parking

Parking - Residential

- 6.91 Policy PMD8 requires that development be carried out in accordance with adopted standards. This is an outline application and final numbers would form part of a reserved matters submission as there isn't sufficient information with the application to show potential parking provision.
- 6.92 The 2022 Parking Design and Development Standards require a minimum of 2 car parking spaces for houses and up to 1 parking spaces per flat (dependant on size). In addition, the Highways Officer indicates that 2% of spaces if provided should have Electric Vehicle (EV) Charging provision. Such measures would need to be conditioned to inform the future reserved matters.

Parking - Other uses

- 6.93 It is not possible to identify at the outline stage how much parking provision would be needed for the non-residential uses as there is insufficient/conflicting information so to determine how many would be needed. Again such measures would need to be conditioned to inform the future reserved matters.

Travel Plan

- 6.94 A Travel Plan accompanies the application and provides measures to reduce reliance on private motor vehicles and includes a variety of measures.
- 6.95 The provision of onsite measures, including a car club, are within the control of the applicants and would provide some assistance regarding the unsustainable location of the site, but the re-routing of the 565 bus service requires agreement from the bus operator and has not been formally agreed. The 565 bus service is also very limited and even if its re-routing were guaranteed it is considered that this would not be sufficient to overcome the isolated nature of the site and its reliance upon the car.
- 6.96 The measures proposed would not therefore be sufficient to overcome the site's distance from local services already referred to in this report.

IV. DESIGN, LAYOUT AND LANDSCAPE AND VISUAL IMPACT

- 6.97 Policy CSTP18 seeks to protect Green Infrastructure assets which can be large or small scale, natural and developed land. Policy CSTP22 requires proposals to have a *'positive response to the local context'*, and policy CSTP23 seeks to *'protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place'* with proposals needed to be considered where their character is a *'rural landscape'* and within the *'Green Belt'*.
- 6.98 Policy PMD2 states *'Development must contribute positively to the character of the area in which it is proposed, and to surrounding areas that may be affected by it. It should seek to contribute positively to local views....and natural features'*.
- 6.99 Paragraph 180 of the NPPF states that *'Planning policies and decisions should contribute to and enhance the natural and local environment by:*
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- 6.100 The site is located within the Bulphan Fenland within the open countryside. There are instances of isolated settlements in clusters of houses and farm buildings along with limited commercial development. The indicative plans demonstrate how a layout of up to 669 dwellings could be accommodated on the site with open space, buffer planting and tree planting along the boundary with the A128.
- 6.101 The layout falls short of the 750 dwellings in the application description and therefore has failed to show that the site can accommodate 750 dwellings. No illustrative elevations have been provided for assessment other than two CGI images.
- 6.102 While the layout would not be fixed as part of this application, the applicant has presented a tight knit urban grain across much of the site, with many instances of terraced properties and flats up to three-storeys tall. Detached and linked-detached dwellings are shown facing onto the open countryside and there are buffers of green planting shown throughout the site, but overall they do little to ameliorate the scheme's urban appearance, which would be perceived within the site and from the surroundings with views of elevations and roofs clearly demarcating this new urban

settlement. The layout shows a less dense level of development towards the countryside boundaries and has provided some green buffers, particularly on the eastern boundary where a woodland is proposed. Notwithstanding the eastern boundary planting, it is considered that the level of landscaping on the other boundaries is not appropriate through the creation of woodland environment that is out of keeping with the fenland landscape. This is proposed in such a way to ameliorate the scheme's urban appearance, which would be perceived within the site and from the surroundings with views of elevations and roofs clearly demarcating this new urban settlement. This would clearly result in the loss of the open landscape character of the fenland, as identified as a harm by the Council's Landscape Advisor.

- 6.103 The circular road through the site would accommodate vehicles and pedestrians and lead onto cul-de-sacs and home zone areas, while a pedestrian route around the perimeter of the site is shown. Even at the lower number of 669 dwellings, the illustrative masterplan shows perimeter footpaths appearing to be constrained and would not provide a welcoming route about the site, particularly when the need for robust landscaping is taken into account.
- 6.104 Increasing the quantum to 750 would inevitably diminish the available green space, the gaps between dwellings and the number of larger, detached properties on the indicative layout, exacerbating the detrimental impact of the proposal on the locality.
- 6.105 Although the submission indicates that buildings would only go up to three-storeys in height, the proposals still represent a stark and opposing contrast to the existing open nature of the fenland and countryside and would cause clear and discernible harm to the local landscape, with views onto the site from surrounding lanes and public rights of way, along with glimpsed views from the A128 and Parkers Farm Road.
- 6.106 The provision of tree planting along the boundary with the A128 is also considered at odds with the locality's open fenland nature although it is recognised that there are trees with TPOs located to the western site boundary which will remain.
- 6.107 It is considered that the proposed scheme has not attempted to respond to the local landscape setting and would have adverse visual impacts on local residents and users of nearby rights of way. The proposed mitigation is overly reliant on tree planting which is not characteristic of the local landscape, along with glimpsed views from the A128 and Parkers Farm Road. The site's separation from any nearby settlements further exacerbates the urbanising nature of the development in the middle of open countryside. For these reasons the Council's Landscape Advisor recommends that the scheme be refused due to its adverse landscape and visual impacts. As such the proposals are contrary to policies CSTP18, CSTP22, CSTP23, PMD2 and PMD6, and the NPPF.

V. ECOLOGICAL CONSIDERATIONS AND BIODIVERSITY

- 6.108 The site does not form part of any statutory site of designated ecological interest. A Landscape and Ecology Plan accompanies the current application which provides mitigation measures for protected species on the site, mitigation for loss of habitats and additional enhancements.
- 6.109 The habitat survey confirms that most of the site comprises species-poor grassland with features such as hedges, longer grass and ditches confined to the boundaries. The protected species assessment and additional surveys recorded badger activity, foraging bats, nesting birds and 3 species of reptiles mainly confined to the site boundaries. Fifteen breeding territories for skylark were recorded within the main site. The invertebrate assessment did not consider the site offered important habitat features for invertebrates. The ecological assessment has been undertaken in accordance with good practice guidance. The effects have been assessed as mainly minor adverse at a site level which is considered appropriate. There would be potential to mitigate these effects which could be controlled by condition.
- 6.110 The site is within the Essex Coast RAMS zone of influence (ZOI) and the proposed development falls within the scope of the RAMS as relevant development. Without mitigation the proposed development is likely to have a significant effect on the Thames Estuary and Marshes Special Protection Area. The scheme is for more than 100 units therefore a separate Habitat Regulations Assessment (HRA) is required to consider what additional mitigation is required above the standard tariff payment to deliver the measures to address direct and in-combination effects of recreational disturbance on SPA.
- 6.111 A HRA has been submitted with the application. The Stage 2 – Appropriate Assessment scopes out likely significant effects on the Thames Estuary and Marshes Special Protection Area (SPA) arising from direct habitat loss or physical damage to habitats that support qualifying species, or other impacts, including hydrological damage, pollution or physical disturbance, during construction due to the distance between the development site and SPA. Breeding and wintering birds surveys undertaken at the site did not record significant numbers of birds associated with the Thames Estuary and Marshes SPA and Ramsar on the development site. It is concluded that the site does not provide supporting habitat to the SPA and is not functionally linked to it.
- 6.112 The Statement to inform a HRA sets out a recreational disturbance mitigation package. The financial contribution is based on a total of 669 units although it is noted that the proposal is for up to 750 dwellings so the figure for the financial contribution must be based on the 750 dwelling proposal to avoid any potential shortfall in mitigation. The tariff to be paid would be dependent on the actual number of units

permitted at reserved matters (if outline permission were to be granted). A contribution will be needed towards the SPA/Ramsar to ensure that additional recreational activity arising from the new occupiers is mitigated, together with an improved on-site mitigation package at the reserved matters stage. The financial contribution shall need to be secured through a s106 legal agreement.

- 6.113 The Council's Ecology Advisor advises the HRA is not currently sufficient to confirm that the proposal would not have any adverse in-combination effects on the integrity of the Thames Estuary and Marshes SPA. Therefore, the development would not mitigate the impact upon the integrity of the Thames Estuary and Marshes SPA and is unacceptable.
- 6.114 Planning conditions could be used to secure mitigation measures for ecology mitigation and enhancement. However, the shortfall of an off-site contribution means the proposed development would not mitigate the impact upon the integrity of the Thames Estuary and Marshes SPA and is unacceptable.

VI. GROUND CONTAMINATION

- 6.115 A Phase I Desk-top Contamination assessment has been submitted with the application which concludes that due to the nature of the use (airfield and previously agriculture) that there is limited likelihood of contamination.
- 6.116 The Environmental Health Officer has reviewed the submitted Phase I Desk-top Assessment and concluded that a Phase II Contaminated Land assessment will be needed via a suitably worded condition.

VII. NOISE AND AIR QUALITY

- 6.117 There is no noise assessment submission and there should have been to understand the baseline and future projected noise environments that could affect future residential use of this site. The main noise would be from traffic using the A128. The Environmental Health Officer has written to advise in relation to occupational noise (for potential future residents) that, depending on the layout design, a traffic noise survey may be required. Noise protection measures to some habitable rooms may be needed to achieve the required good internal noise standards. Also, dependant of the final design, mitigation measures for the amenity areas may be necessary with regard to achieving the recommended noise levels with reference to Outdoor Living Areas: in the WHO - Guidelines for Community Noise. In the absence of a noise report with appropriate mitigation there is no certainty that the site's design can adequately protect residents from noise, and as such this will form a reason for refusal.

- 6.118 The Council's Environmental Health Officer confirms that there are no air quality issues arising from the proposed development.
- 6.119 A revised Construction Environmental Methodology Plan (CEMP) and a full noise assessment with mitigation measures would need to be submitted through conditions if outline permission were to be granted.
- 6.120 Planning conditions could be used to secure the proposed mitigation measures and consequently there are no objections to the proposals on noise or air quality grounds.

VIII: ENERGY/SUSTAINABILITY/MITIGATING CLIMATE CHANGE

- 6.121 Core Strategy Policy CST25 (addressing climate change) states, amongst others, that the Council will require climate change adaptation measures and technology to be considered from the outset in any development proposal including reduction of emissions, renewable and low carbon technologies, passive design, recycling and waste minimisation, and through the application of green infrastructure techniques.
- 6.122 Additionally, Policy CST26 (energy regeneration) states that the Council will look to encourage opportunities to generate energy from non-fossil fuel and low-carbon sources amongst other methods.
- 6.123 Policy PMD12 requires new developments to submit an Energy and Water Statement with planning applications while PMD13 states that developments of more than 5 dwellings should provide 20% of their predicted energy from decentralised and renewable or low-carbon sources unless it can be demonstrated that it is not feasible or viable. The applicant has not provided information on these matters and therefore not provided a commitment to renewable and sustainable technologies in the development. As such this will form an additional reason for refusal.

IX. FLOOD RISK & SITE DRAINAGE

Tidal/River flooding

- 6.124 The site is located in the low probability flood risk area (Zone 1). The site and surrounding areas benefit from tidal defences on the banks of the River Thames. These tidal defences protect the site and surrounding land to a 1 in 1000-year flood event standard. The tributary of the Mardyke running along the northern boundary of the application site is a 'main river', as defined by the Environment Agency (EA).
- 6.125 The applicant's FRA states that as the site is in Flood Zone 1 'More Vulnerable' and 'Less Vulnerable' development, associated with the proposed uses of the site, are considered 'appropriate' with regard to the sequential test as advised by the PPG. In

the event that lower risk sites are not available then the Exception Test must be satisfied. In this instance the Exception Test is not required as the site is in Flood Zone 1. The FRA also indicates that as the area is prone to surface water flooding it will be necessary to incorporate a SuDS compliant strategy to prevent any increased risk of on or off-site flooding with attenuation features and floor levels of proposed dwellings set 225mm above ground level.

Surface Water flooding

- 6.126 The application site is located in an area of fenland. Apart from the Mardyke Main River to the northern boundary, there is also a ditch located to the eastern side of the application site beyond the A128 and there is a large pond to the north beyond the tributary.
- 6.127 The EA's Surface Water flood maps shows some potential for flooding, mainly to the west/north of the application site but also running across the site from south-west to north-east. The highest level flood risk is to the north-west and south-west with mid/low across the full extent of the application site.

Detailed Flood Risk Mitigation Measures

- 6.128 The existing topography of the site and surrounding areas is generally flat and low lying. In order to address potential surface water flood risk issues surface water attenuation storage would be provided on-site through the formation of an intermittent pond to the north-western corner where levels would be reduced to form this basin. It is proposed additionally to provide ponds across the site as well as a linear water feature; it is not clear however if these would be needed to provide additional SuDS features.
- 6.129 Flood storage compensation, maintenance of the storage area, finished floor levels, resistance and resilience measures and safe access could be designed-in to incorporate climate change allowances at the reserved matters stage.
- 6.130 The Environment Agency have indicated that they have no concerns relating to flooding. Therefore, subject to relevant planning conditions, the proposal would be acceptable with regard to flood risk. Drainage can also be covered by conditions for both surface water and foul drainage.

X. HERITAGE ASSETS - ARCHAEOLOGY AND HISTORIC BUILDINGS

- 6.131 Core Strategy Policy PMD4 on Historic Environment indicates that the Council will seek to preserve historic buildings and assets.

Archaeology

6.132 The Council's Historic Environment Advisor indicates that the Historic Environment Record shows the proposed development lies within an area of known archaeological deposits south of the medieval village of Bulphan. A condition to undertake necessary trial trenching and recording should therefore be attached to any approval.

Historic Buildings

6.133 There are historic buildings to the south-east of the application site, but they are significantly distant from the site and would not be affected by the proposed development.

XI. PLANNING OBLIGATIONS

6.134 A number of consultee responses refer to the need to provide works and/or contributions towards facilities to make the development acceptable. Such measures would need to be included in a S106 Legal agreement under the following Heads of Terms (should planning permission be forthcoming):

- Provision of Affordable Housing (35%)
- Highway Works (new junction, footways etc.)
- Ecological Mitigation on identified protected sites – 750 x £163.86 (2022/23 tariff) = £122,895.00 (based on no of dwellings, this may need to be recalculated once the reserved matters are submitted)
- Medical care provision (off site) - £387,400.00 – Peartree Surgery & Orsett Surgery
- Education provision - £9,534,837.18 to fund to mitigate the impact of the development on the provision of nursery, primary and secondary education.
- Landscape maintenance plan (more than 5 years)

6.135 The above are requirements in relation to Policies in the Core Strategy including Policy PMD16 (developer contributions).

6.136 As there has been no Section 106 provided to secure the above this shall also form a reason for refusal.

7.0 CONCLUSIONS AND REASONS FOR REFUSAL

7.1 The principal issue for consideration in this case is the assessment of the proposals against planning policies for the Green Belt and whether there are considerations which clearly outweigh harm such that the VSC to justify a departure from normal policy exist. The proposals are ‘*inappropriate development*’ in the GB, would lead to the loss of openness and would cause some harm to the purposes of the Green Belt. Substantial weight should be attached to this harm in the balance of considerations. Although positive weight can be given to some of the benefits of the proposals, the identified harm must be clearly outweighed for VSC to exist. NPPF para. 153 sets the stringent policy test that harm must be clearly outweighed by other considerations for VSC to exist. In this case it is concluded that the identified Green Belt harm and any other harm (summarised below) are not clearly outweighed by other considerations and therefore a case for VSC does not exist.

Brief Summary of GB Harm and Case for VSC			
<u>Green Belt Harm</u>	<u>Weight</u>	<u>Factors Promoted as in favour of the development</u>	<u>Weight</u>
Inappropriate development	Substantial	Provision of new market housing and affordable housing	Significant
Reduction in the openness of the GB		Provision of connectivity improvements	No weight
Conflict with GB purposes (c) and (e)		Provision of new, public open space	No weight
		Provision of new employment units and employment during construction	Very limited weight
		Provision of medical centre and shops	No material weight
		Early delivery of development	No material weight

Summary of other harms	
Harm	Weight

Unsustainable location for housing/employment uses would result in a significant increase in private vehicle use to access local services constitute unsustainable development	Significant
The development would result in the loss of openness of fen landscape and harm to existing identified fen character	Significant
Insufficient information submitted to fully assess the proposal's traffic impact upon the local and strategic road network	Significant
Potential harm to town centre by providing out of town retail floorspace within the development and no Retail Impact Assessment undertaken	Significant
Insufficient information provided regarding employment land offer and location within the Green Belt, outside of identified employment land location	Significant
Lack of undertaking to secure affordable housing and appropriate contributions toward education, healthcare, the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and highway provision to mitigate the development's impact upon local infrastructure	Significant
Lack of onsite recreational provision to be satisfied, as the competent authority, that the proposal will not have an adverse impact upon the Thames Estuary Special Protection Area/Ramsar with regard to recreational disturbance	Significant
Potential noise impact from the A128 upon the development in the absence of any mitigation measures	Significant
Impact upon climate change in the absence of information to demonstrate commitment to renewable and sustainable technologies in the development	Significant

7.2 The factors in favour of the development taken together do not clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and the other harm identified. Consequently it is recommended that planning permission is refused for the reasons set out below.

8.0 RECOMMENDATION

8.1 To Refuse planning permission for the following reasons:

1. The application site is located within the Green Belt, as identified on the Policies Map accompanying the adopted Core Strategy and Policies for the Management of Development (2015). National and local planning policies for the Green Belt set out within the NPPF and Thurrock Local Development Framework set out a presumption against inappropriate development in the Green Belt. The proposals are considered to constitute inappropriate development with reference to policy and would, by definition, be harmful to the Green Belt. The proposals would also be contrary to purposes c) and e) of the five Green Belt purposes, as set out by Paragraph 143 of the NPPF. The identified harm to the Green Belt and other harm identified is not clearly outweighed by other considerations to amount to the very special circumstances required to justify inappropriate development. The proposals are therefore contrary to the NPPF and Policies CSSP4 and PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).
2. The site is located in a remote and unsustainable location distant from easy access to essential goods, facilities, services and sustainable transport modes for all future occupiers of the site. Furthermore, the level of retail/commercial/employment land would not be conducive to promoting sustainable forms of transport in this countryside location. As a result, the proposal is contrary to policies CSSP1, CSSP2, CSTP15 and CSTP16 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015) and the sustainable requirements that are fundamental to the NPPF.
3. Insufficient information has been submitted to assess the proposal in terms of traffic impact and whether the proposal would adversely impact on the local and strategic road network. The proposal also lacks facilities for cyclists and pedestrians both in the vicinity of the site, along the A128 and in terms of linking the site to the nearby villages of Bulphan and Orsett. As such the proposal would lead to unsustainable development with a heavy reliance on private motor vehicle usage and along with the lack of adequate information has failed to demonstrate that the development would be acceptable in highway terms. The proposal is therefore contrary to policies CSTP15, CSTP16 and PMD9 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015), and Chapter 9 of the NPPF.
4. The proposals would, by reason of the combination of the high number of dwellings and the extent/spread of proposed dwellings and other built form across the majority of the site, result in harm to openness and permanence which are the essential characteristics of the Green Belt, and would have a

harmful impact upon the existing/established visual and landscape characteristics of the fen land countryside, contrary to the NPPF and policies CSTP18, CSTP22, CSTP23, PMD2 and PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015). Furthermore, the plans do not show how up to 750 dwellings can be accommodated on the site or the minimum and maximum parameters for land use, landscaping provision, scale and building heights.

5. Insufficient information has been submitted to assess the proposal's impact upon town centre uses as the supporting documentation refers to differing levels of retail floorspace with the application forms stating the provision of 1,000 sqm and the Transport Assessment Addendum from April 2022 indicating that there would be 4,200 sqm of retail/commercial floorspace which would trigger the need for an 'impact assessment' as required through the NPPF. In absence of clarity and information the wider retail impacts are unknown and could be contrary to the NPPF and the guidance contained within the PPG.
6. Insufficient information has been submitted with regard to the employment land offer and what uses would be provided in this location. The applicant's supporting information refers to 1,000 sqm of other floorspace and refers to provision of new jobs however this has not been explained in any detail. In the absence of this information and taking account of the site's Green Belt location the principle of employment land in this location is unacceptable and contrary the sustainability objectives of the NPPF and is not identified in an employment land location as stated in policy CSTP6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015)
7. The submission does not include a formal undertaking to secure appropriate contributions through a s106 legal agreement to secure affordable housing provision, education provision, healthcare provision, the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and highway provision to mitigate the wider impacts of the development upon local infrastructure. The application is therefore unacceptable and contrary to the NPPF and policies CSTP2, CSTP11, CSTP12, CSTP19, PMD7, PMD10 and PMD16 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015) and the NPPF.
8. The proposal does not provide adequate onsite recreational provision to demonstrate that the Local Planning Authority can be satisfied, as the competent authority having regard to the Habitats Regulations, that the

submission will not have an adverse impact on the Thames Estuary Special Protection Area/Ramsar with regard to recreational disturbance. The application is therefore unacceptable and contrary to the NPPF and policies CSTP18 and CSTP19 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).

9. Insufficient information has been provided to assess the impact from noise associated with the development's location adjacent to A128, a Level 1 route, and with regard to future commercial uses on site, which could have a significant impact upon the residential amenity and in the absence of a noise assessment could lead to unacceptable future living conditions without any identified mitigation to address this. As such this would be unacceptable with regard to policies PMD1 and PMD2 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).
10. Insufficient information has been provided to assess the impact upon climate change as no information has been provided to comply with the requirements of policies PMD12 and PMD13 with specific regard to BREEAM for commercial uses and renewable and sustainable energy provision for all uses/buildings. The lack of information means the development may not achieve the policy requirements of policies PMD12 and PMD13 and is therefore contrary to these policies of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015) and the climate change requirements of the NPPF and relevant PPGs.

Positive and Proactive Statement

The local planning authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing with the Applicant/Agent. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible. 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

