

## **Planning Committee Report**

<b>ITEM NUMBER:</b>	<b>7</b>
<b>PLANNING COMMITTEE DATE:</b>	<b>19 December 2024</b>
<b>REFERENCE NUMBER:</b>	<b>21/02109/FUL</b>
<b>LOCATION:</b>	Land At 52 Broadway And Adjacent Manor Road Grays Essex

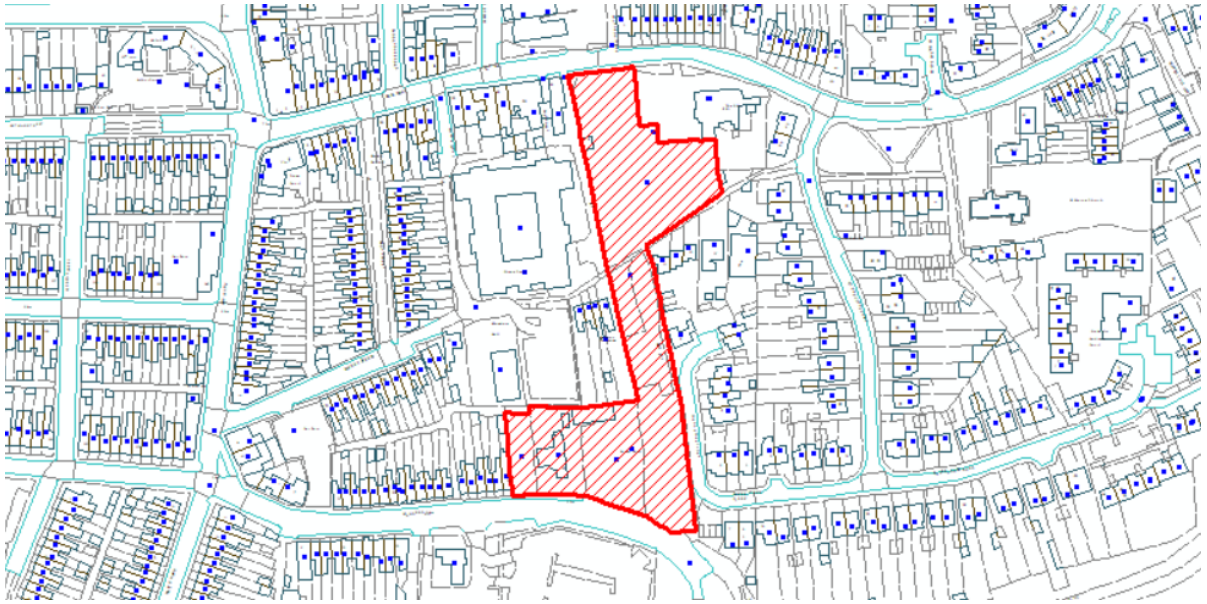
### **Executive Summary:**

This application seeks full planning permission for the residential development of the site for 24 flats (in 2 blocks) and 21 houses. Part of the site was most recently used sporadically for commercial purposes (the area fronting Broadway) and for a scrapyard (the area fronting Manor Road).

The proposed scheme would provide for a mixture of dwelling sizes with shared parking & amenity space for the flats and private parking & amenity areas for the dwellings.

The scheme would make best use of a highly sustainable site which is in close proximity to local schools and a local parade and would reuse in a positive way land which is presently underused and derelict. Approval is therefore recommended subject to conditions and s106 Agreement.

### **SITE LOCATION PLAN (1:2500):**



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Organisation: Thurrock Council      Date: 09.12.2024

<b>PROPOSAL:</b>	Residential development of 24 flats and 21 houses with parking and amenity areas, including open space, with access from Manor Road following the removal of the existing scrapyards site including scrapyards sheds, stores and associated bungalow on Manor Road and removal of existing commercial yard area on northern part of site, adjacent to Dock Road
<b>APPLICANT:</b>	Mr Philip Barton-Wright
<b>AGENT:</b>	WSP
<b>EXPIRY DATE:</b>	31.01.2025
<b>EOT EXPIRY DATE:</b>	31.01.2025
<b>CASE OFFICER:</b>	David Stewart
<b>NOTATION:</b>	
<b>REASON THIS APPLICATION IS ON THE AGENDA:</b>	

## 1. **APPLICATION OVERVIEW**

1.1 The application seeks permission for the redevelopment of an underused urban site in Little Thurrock. The site has been sporadically used for low scale commercial uses (to the northern end) and for a scrapyards on part of the southern end.

1.2 The proposed scheme would deliver the following number of units:

Two bed three person Flat (55m <sup>2</sup> )	6
Two bed three person Flat (60.5m <sup>2</sup> )	2
Two bed Four person Flat (66.6m <sup>2</sup> )	16
Three Bed Five person House (103m <sup>2</sup> )	21

This scheme provides 47% houses and the remaining accommodation would be flats.

1.3 The scheme would be compliant in principle and with regards to matters of detail including design, layout, appearance, landscaping, flood and drainage and is recommended for approval.

- 1.4 The development would make a welcome addition to housing numbers in a highly sustainable location.

2. **RECOMMENDATION**

That the Chief Planning Officer be authorised to **GRANT** permission for the development subject to those items set out in section 16 of this report -

- A) Completion of a s106 Obligation Agreement and
- B) Conditions

3. **PROPOSAL**

- 3.1 The proposal involves the erection of a residential development accessed from Manor Road. This provides an access to 7 houses situated in the southern part of the site and (with access across the PROW) also serving the blocks of accommodation in the northern part of the site. A second, minor access to a rear parking area off Manor Road serves the remaining houses. A third, unadopted access off Broadway serves a small number of parking spaces next to the flats. A footpath off Broadway runs alongside that access and links with Manor Road. The line of an existing PROW is interrupted where it crosses the internal roadway.
- 3.2 All of the flats are located in the northern section with one, three storey flat block fronting Broadway/Dock Road with a modest landscaped area backing on to the public highway. Parking serving this block is located to its rear and beyond is the second flat block with its own parking provision surrounding it. An amenity space to the rear of this block is laid predominantly to grass before reaching the internal roadway serving the development. Five houses are also located on the northern section of the site whose rear elevations face the flank wall of The Ship Inn.
- 3.3 The central part of the site, between 8 Railway Cottages and 9 & 11 Cherry Tree Close provides part of the route of the internal roadway and an amenity area within the overall development. To the south of the amenity area are a pair of semi-detached houses.
- 3.4 The southern part of the site facing Manor Road is fronted by 3 terraced housing blocks, themselves fronted in part by landscaping and in part by parking to serve the houses.
- 3.5 In terms of massing, all of the housing is three storey in height with the top storey set in a mansard roof above a parapet with the main front and rear elevations in brick/render up to parapet level. A rooftop terrace is created on the front elevations of the houses set behind the parapet whilst to the rear is a slated/tiled roof slope. Overall, the appearance is of a traditional 2 storey house with high eaves and with an overall height to

ridge of around 7m. The openings are mostly on the front and rear elevations with only narrow window openings onto the hall and circulation spaces set in the flank walls where the units are either semi-detached or end terraced.

- 3.6** The flat blocks are 3 storey in height set under a pitched roof which is itself set behind a parapet. The front elevation of each is of a brick construction with a central, projecting rendered section which has a higher parapet. As first submitted, projecting balconies serving each of the flats on the upper floors were located on the side elevations with one of the balconies wrapping around to the rear elevation on each of the floors. Additional detailing in the form of rendered window surrounds is provided for most openings on each of the elevations. A change has been made to the block fronting Broadway with the balconies on the west side removed and the lower part of the window openings opaque glazed to reduce the possibility of overlooking.

**4. SITE LOCATION AND DESCRIPTION:**

- 4.1** The site is located to the east of Grays town centre, within the urban area and on the south side of a principal route to Tilbury from Grays. The northern part of the site was previously used as a storage yard, extending south to footpath 176 which links Church Street with Clarkebourne Drive.

- 4.2** The application site embraces the route of the footpath and extends further south taking in a strip of land to the west of Cherry Tree Close (the former scrap yard) and extending as far as Manor Road where the site widens and embraces the site of 49-53 Manor Road. Numbers 49 – 51 have been demolished and no53 is a vacant bungalow.

**5. ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1** N/A

**6. RELEVANT SITE HISTORY**

- 6.1**

Application Reference	Description of Proposal	Decision
18/01728/FUL	Retrospective application for gate/ barrier	Withdrawn
18/01591/FUL	Redevelopment to provide 7 houses and 25 flats	Withdrawn
12/00020/FUL	Change of use to car wash and siting of 2 storage containers	Approved
11/00565/FUL	Change of use to car wash and siting of 2 storage containers	Refused
08/00194/OUT	30 two bed flats in 5 blocks	Withdrawn
01/00965/FUL	Change of use from a1 to café	Withdrawn

94/00280/FUL	Change of use to storage of caravans	Approved
92/00011/LDC	Certificate of lawfulness for use as scrap yard	Approved
89/00842/FUL	Construction of 2 dwellings at the end of Manor Road	Approved
89/00238/OUT	Link road, housing and community facilities	S52 agreement not signed
73/00348/FUL	Storage for containers	approved
72/00812/FUL	Office and store for pallet manufacturer	Approved

**7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

7.1 None.

**8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

**8.1 Highway Authority**

8.1.1 No objections subject to conditions.

**8.2 Local Flood Authority**

8.2.1 No objection subject to conditions.

**8.3 Environment Agency**

8.3.1 Accept details of Flood Risk Assessment dated September 2024, no objections subject to condition(s) relating to finished floor levels and flood resilience techniques.

**9. CONSULTEE RESPONSES**

**9.1 Thurrock Housing Team**

9.1.1 No objection, advice offered on Housing provision required.

**9.2 Cadent Gas**

9.2.1 There are Cadent Gas assets in the vicinity of the site.

**9.3 Thurrock Landscape Officer/Arborist**

9.3.1 No objections, the site presently makes a negative contribution towards local townscape and has no significant ecological value, the proposed layout enables the best trees to be retained. A contribution will be required towards the Essex RAMS.

**9.4 Thurrock Council Education Team**

9.4.1 No objection, advice offered on Education provision required.

**9.5 Mid & South Essex NHS Partnership**

9.5.1 No objection, a contribution towards local healthcare is required.

**9.6 Thurrock Council (Emergency Planning)**

9.6.1 A Flood Warning and Evacuation Plan (FWEP) is required)

**9.7 Crime Prevention Officer**

9.7.1 Applicant should apply for Secured by Design Accreditation if development is approved.

**9.8 Public Rights of Way Officer**

The Definitive route of Public Footpath 175 is situated (in part) adjacent to the southern boundary of the former Broadway Timber Yard.

The impact of this proposed development on Public Footpath 175 must not allow for its obstruction therefore it would be appropriate for conditions to be included for the protection of this route for their users to be provided with safe temporary alternative access.

**10. REPRESENTATIONS**

10.1 Four site notices were displayed around the site, press notices were placed and notification letters were sent to nearby properties. Five responses were received, 3 objected, 1 supported and 1 neither objected to nor supported the proposals.

**10.2 Support**

10.2.1 Much needed development of land, presently an eyesore and often subject to ASB.

Tidying of land will be beneficial.

A wall should be built back up on the boundary with Cherry Tree Close

**10.3 Object**

10.3.1 Flats would dominate nearby properties

Flats and houses would impact on privacy

Site would be too dense

Noise impact of development on dwellings in Cherry Tree Close

Little Thurrock cannot cope with more properties

Impact on local road network around school time

#### **10.4 Comments**

**10.4.1** The comments are all considered in the main sections of the report below.

### **11. MATERIAL CONSIDERATIONS**

**11.1** In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

**11.2** Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- a) The provisions of the development plan, so far as material to the application:
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

#### **11.4 The Development Plan**

**11.4.1** Thurrock Core Strategy and Policies for Management of Development (Reviewed 2015)

Any “saved” Policies of the Thurrock Borough Local Plan (1997)

### **12. POLICY**

#### **12.1 National Policies**

**12.1.1** National Planning Policy Framework (2023)

- 12.1.2**
- 2. Achieving sustainable development
  - 4. Decision-making
  - 5. Delivering a sufficient supply of homes
  - 6. Building a strong competitive economy
  - 11. Making effective use of land
  - 12. Achieving well-designed and beautiful places



- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

#### National Planning Policy Guidance

- Climate change
- Design: Process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Flood risk and coastal change
- Housing and economic land availability
- Housing: optional technical standards
- Housing supply and delivery
- Natural environment
- Planning obligations
- Renewable and low carbon energy
- Use of planning conditions
- Viability

### 12.2 Local Policies

Thurrock Core Strategy (as amended) Adopted January 2015  
[Development Plan]

#### 12.2.1

CSSP1	Sustainable Housing and Locations
CSSP2	Sustainable Employment Growth
CSTP1	Strategic Housing Provision
CSTP2	The Provision Of Affordable Housing
CSTP6	Strategic Employment Provision
CSTP19	Biodiversity
CSTP22	Thurrock Design
CSTP23	Thurrock Character and Distinctiveness
CSTP27	Management and Reduction of Flood Risk
PMD1	Minimising Pollution and Impacts on Amenity
PMD2	Design and Layout
PMD7	Biodiversity, Geological Conservation and Development
PMD8	Parking Standards
PMD9	Road Network Hierarchy
PMD10	Transport Assessments and Travel Plans
PMD13	Decentralised, Renewable and Low Carbon Energy Generation
PMD15	Flood Risk Assessment
PMD16	Developer Contributions

### 12.3 Supplementary Planning Document or Guidance

Thurrock Design Guide: Design Strategy SPD (Adopted March 2017)

**13. ASSESSMENT**

**13.1** The issues to consider in the determination of this application are:

- 13.2**
- A) Principle of development**
  - B) Access and parking**
  - C) Design and amenity**
  - D) Impact on neighbouring land uses**
  - E) Provision of affordable housing and viability**
  - F) Flood and drainage**
  - G) Climate change**
  - H) Biodiversity**

**13.3 A) Principle of development**

**13.3.1** The three key matters of principle that require consideration is an assessment of its sustainability, the loss of employment land and the provision of housing

**13.3.2** Sustainability

Situated about 1km to the east of the main shopping area of Grays, the site is located on one of the main throughfares in the urban area leading from Grays towards Tilbury. The site is previously developed, but now cleared of some buildings and structures. Its northern section fronts Broadway, part of an identified local shopping area offering a range of day-to-day shopping needs. It is on a main bus route with regular services. The site is in a sustainable location served by a variety of transport modes

**13.3.3** The proposal will meet the economic objectives as set out in the NPPF. It will provide land for the supply of housing. It is located in an area identified as a major growth point in the Borough. The construction activity will bring economic benefits to the construction sector and provide jobs for local people. In social terms, the scheme will support the local neighbourhood centre. It will provide a number and range of homes to meet local needs and, subject to being well-designed, has the capacity to support health, social and cultural well-being. The development also makes an effective use of land, has the potential to improve biodiversity and the scheme responds to the need to move towards a low carbon economy.

**13.3.4** Officers are therefore satisfied that the proposal is sustainable, meets the requirements of paragraph 8 of the NPPF and the sustainability objectives and policies of the Thurrock Core Strategy.

**13.3.5** Loss of Employment Land

Policy CSTP6 states that the Council will safeguard existing Primary and

Secondary Industrial and Commercial land and premises in, or last used for employment purposes, where it is required to maintain a sufficient supply of employment land in the Plan period. The lawful use of the site is as a scrap yard, and in part, for the storage of caravans, and it does have the potential for redevelopment to provide employment floorspace for a range of users, particularly office or research spaces. However the site has no formal allocation for commercial uses in the Core Strategy.

**13.3.6** The policy also states that the Council will accept the redevelopment of genuinely redundant or underused employment land and buildings to non-employment uses provided that it can be demonstrated, to the satisfaction of the Council that:

- (i) Employment uses are no longer feasible on site;
- (ii) There are sufficient alternative sites/provision to meet existing and future employment needs as identified in this Plan and any future review.
- (iii) The new uses are compatible with neighbouring uses and will not harm the viability of the surrounding employment area;
- (iv) The proposals are compliant with other development plan policies

**13.3.7** Officers are satisfied that the location of the site and access to it for larger vehicles is not ideal and that redevelopment for residential purposes provides a more feasible solution. A residential use of the site also establishes a use that conforms to other surrounding land uses. Criterion i) is therefore satisfied

**13.3.8** The adopted plan identifies the major growth areas for employment within the Borough and this site does not fall within the primary growth points. The redevelopment of this site for employment purposes does not therefore accord with the Local Planning Authority's strategy. The proposal is therefore considered to be compliant with Criterion ii).

**13.3.9** The new use is compatible with surrounding uses and thus also compliant with Criterion iii) and a consideration of the proposal against other development plan policies is given below.

**13.3.10** Provision of Housing

The third matter of principle that needs to be considered is the provision of housing. The provision of housing is encouraged by a number of adopted Core Strategy planning policies (CSSP1 and CSTP1) and it is noted that Grays is identified as an area that should accommodate new housing.

**13.3.11** The NPPF also gives support to the objective for significantly boosting the supply of housing. At paragraph 11 the NPPF introduces the tilted balance. It states that there is a presumption in favour of sustainable development and introduces in paragraph 11(d) "where there are no

relevant development plan policies, or the policies which are most important for determining the application are out-of-date, 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 proposed; 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.”*

**13.3.12** Thurrock’s current 5-year land supply is less than 1 year (see the Housing Land Supply Statement as at 1st April 2023). There is no recent data on housing delivery published by the Local Planning Authority, but the last available figures for 2014 and 2015 indicates a combined under delivery of 1,667 dwellings for those years.

**13.3.13** The tilted balance introduced in the NPPF in favour of the development therefore applies and the starting point for a determination of this application is one of approval unless other harms arise that outweigh this presumption in favour. Also relevant to a consideration of the application is the status of the emerging plan which is unlikely to be issued under regulation 22 for examination in public before 2026. Therefore, any remedy to the housing land shortage that could be resolved by further land allocations is some way off.

**13.3.14** The Nature of the Housing Need

The proposed scheme would deliver the following accommodation:

Two bed three person Flat (55m <sup>2</sup> )	6
Two bed three person Flat (60.5m <sup>2</sup> )	2
Two bed Four person Flat (66.6m <sup>2</sup> )	16
Three Bed Five person House (103m <sup>2</sup> )	21

**13.3.15** This scheme provides 47% houses and the remaining accommodation, flats. This scheme does provide much needed housing and a mix of dwelling sizes

**13.3.16** In conclusion, officers consider that the principle of the housing proposed is acceptable and in accordance with national and local planning policies CSSP1 and CSTP1.

**13.3.17** Housing Standards

This development provides some accommodation of a size that does not fully conform to the NSS. The smallest 2b3p flats are 6m<sup>2</sup> below the national standard, the mid-range 2b3p flats are 1m<sup>2</sup> below. The 2b4p flats are 3.4m<sup>2</sup> below the NSS

However, Thurrock Council has no adopted policy that seeks to ensure the provision of housing to minimum space standards. In normal circumstances officers would expect all development to meet the nationally described space standards (NSS) but given the severity of the housing shortage, the urgent need for more dwellings and the need to regenerate this area officers consider that the floorspace differences with national standards is not significant. They are also satisfied the accommodation proposed provides acceptable living conditions for its future occupiers.

## **13.4 B) Access and parking**

**13.4.1** In terms of access to the site, there are three shown. The first gives access on to a private parking area serving plots 11 through to 18. The second provides the main vehicular access to the site, also off Manor Road. Both are formed off a private road whose surface condition is of a poor quality. The third access is off Broadway which provides access to 5 car parking spaces. Detailed modelling of the nearby junctions indicates that all can satisfactorily accommodate the predicted traffic flows without mitigation and earlier concerns expressed by the Highway Authority have been addressed. Each of the access points has been shown with visibility splays of an acceptable size.

**13.4.2** Manor Road, as it borders the southern end of the site is unadopted. The application does not make it clear whether the proposal involves upgrading the roadway and seeking adoption. Officers consider that this is a matter for the developer to consider. The roadway can remain private provided that the road make-up and surface is constructed to an adoptable standard. This can be satisfactorily controlled by condition with an informative added requiring the developer to seek a S278 Highway agreement to cover any works adjacent to the public highway.

**13.4.3** The adopted Thurrock Parking Design and Development Standards 2022 provides details of parking requirements that are generated by different land uses. For residential uses it identifies the requirement for between 1 and 1.5 spaces per apartment for flats with medium accessibility. This is defined as a unit that is either:

- within 1km walking distance of a railway station
- within 1km walking distance of a designated Town Centre with existing or new safe walking provision
- within 300 metres of a bus stop that provides 1 or more services to a rail station or designated Town Centre and is subject to a minimum service of 30 minutes or less during defined peak periods, and services on Saturday and Sunday

**13.4.4** The development is served by frequent bus services which are within 300m and link with Grays Railway Station, just over 1m away. For houses the parking requirement is for between 1.5 – 2 spaces per dwelling. The scheme therefore generates a demand for between 56 and 78 car parking

spaces. The development shows a scheme of 80 spaces of which 13 are identified for visitors. Five of the spaces are shown to be accessed from the private access off Broadway. There is a sufficient number to satisfy policy requirements.

**13.4.5** EV charging points are not shown but are required by policy. A condition requiring further details is considered sufficient secure the required number

**13.4.6** Cycle parking is required for each of the dwellings, and which can be provided in a secure shed in the rear gardens and the details can be controlled by condition. An area for cycles is shown to serve the flats but no details of its make up are given. The spaces need to be of a sufficient number to provide 24 spaces (1 for each flat) and need to be secure. A condition requiring further information is therefore required and can be secured by condition

**13.4.7** Public Rights of Way

Footpath 175 crosses the site and in the Transport Statement Addendum it states that the route of the footway is retained. However, the site layout plan (5587 01 Rev E) and the highway plan (175691-006 in the Transport Statement Addendum) show an interruption to the PROW with it requiring a right angled crossing of the internal highway before continuing beyond the site. Officers consider that the layout, as currently shown would require a formal diversion, a situation that the developer may wish to avoid. Further details of the layout and surfacing of footway are required and which should show no deviation from its course or interruption to the surface. This can be controlled by condition and will allow further input from the PROW authority into the details.

**13.4.8** Account has also been taken of the comments from the PROW section relating to a link between PROW 175 and PROW 186 to the south of the site. Officers consider that a satisfactory route is provided by the footway along the internal roadway which exits onto Manor Road and links to PROW 186

**13.5** **C) Design and amenity**

**13.5.1** The proposed layout seeks to maximise development on the site whilst acknowledging the surrounding land uses and buildings and provides a development of approximately 58 dwellings/ha. This is a density that reflects the site's position within the built-up area close to the centre of the town. It also meets the requirements of paragraph 123 of the NPPF which promotes an effective use of land in meeting the need for homes providing that the environment and living conditions in the locality are not adversely affected

**13.5.2** The layout and disposition of buildings on the site does not compromise,

to an unacceptable degree, the amenities and privacy enjoyed by surrounding buildings. In this respect it should be noted that the properties bordering the site, Railway Cottages and those in Cherry Tree Close are not directly overlooked by any part of the new development and, where there are views from upper storeys, the properties are generally sufficiently separated by distance.

- 13.5.3** The only slight exception to this is the potential for overlooking of the rear garden of 13 and 15 Cherry Tree Close where a side privacy screen will be required to avoid direct overlooking. The flat block located to the close to the PROW does have one elevation facing Grays Court which is located about 10m away (at its closest point). It is located towards the northernmost part of the side elevation of Grays Court, a part of which is largely blank but another part which has bedroom windows facing the proposed block. The separation distance is approximately 16m away and given the tight knit urban form in the locality this is considered an acceptable degree of separation. Officers deal with the potential for overlooking of 44 Broadway separately
- 13.5.4** The development is also considered to be acceptable in terms of massing. The block facing the Broadway is taller than surrounding buildings which are generally 2 storeys in height. However, it is separated from buildings to the west by a roadway and pavement. To the east, The Ship PH, is set away from the site boundary, separated by parking serving the pub. Overall this provides sufficient space between the existing and proposed development to avoid the new building having an undue overbearing impact on the streetscene. It should be noted that there are several newer 3 storey buildings in the vicinity that front the road
- 13.5.5** The provision of a central amenity space ensures that new buildings are set away from the properties in Railway Cottages and Cherry Tree Close. There is a pair of semi-detached units located about 25m away and to the south from the rear of 8 Railway Cottages. This is considered an acceptable separation distance to avoid an unacceptable degree of overlooking provided that the height of fencing separating the two, screens ground floor views. This is a matter that can be controlled by condition.
- 13.5.6** Plot 19 of the proposed development is set about 1.2m from the flank wall of 47 Manor Road. The dwelling is set back from the road and would border a single storey section of building that has a projecting flue and 2 high level windows. This is an addition to the original building which appears to be built on the boundary line and where the owner of 47 has inserted windows at their own risk. If they are to remain, then the area that is illuminated would suffer a reduction in light levels. However, as the owner has no rights to insert windows on the boundary line, or protected rights that prevent development on the adjoining land, it is within the rights of the developer to build in this location. It should be noted that an expired permission to rebuild 2 dwellings adjacent to no 47 was granted in 1989.

**13.5.7** The car parking needs of the development, when combined with the restricted site area, does lead to the cars occupying large parts of the development, especially around the 2 flat blocks. Efforts have been made to break up the line of car parking spaces with intervening landscape strips and areas and officers consider that, overall, the development is acceptable in terms of appearance

**13.5.8** Each house benefits from private amenity space within the rear gardens and, overall there is sufficient amenity areas provided to also serve the flats.

**13.5.9** As a consequence of the above, the development is considered to meet the requirements of CSTP23 and PMD2 and provides a development that also meets the requirements of paragraph 135 of the NPPF. The proposed development will tidy up a derelict site and add to the overall quality of the area. It provides a good standard of architecture and is sympathetic to local character, including the surrounding built environment and landscape setting

## **13.6 D) Impact on neighbouring land uses**

**13.6.1** The section above does analyse the impact of the majority of the development on the surrounding properties and reference should be made to it. However, a consideration of the impact of the potential for views from balconies serving the flats is made here. Those serving the block fronting the Broadway have the potential to either overlook the car park to the adjoining pub or the side elevation of no 44 Broadway which is a commercial property at ground floor level but with residential accommodation towards the rear of the property and at first floor level.

**13.6.2** It is understood that there are 2 one bed flats in the building. Several windows are located on the side elevation which give light to some habitable rooms. Whilst the bulk and massing of the block fronting Broadway would result in some loss of light, officers judge there is sufficient separation to ensure that the loss is not sufficiently detrimental as to warrant a refusal of the application. However, the balconies shown on the scheme as originally submitted do provide the potential for a loss of privacy. These have now been removed and the lower portion of the glazing of the window openings on that elevation are opaque. This reduces the potential for loss of privacy to an acceptable degree.

## **13.7 E) Provision of affordable housing and viability**

**13.7.1** Policy CSSP2 establishes the Council's policy towards the provision of affordable housing, and this offers a flexible approach. For green field sites, the expectation is that major developments should provide 35% affordable housing. However, paragraph 5.24 does indicate that "*where appropriate the Council will assess deliverability issues when considering particular residential development proposals in the light of all relevant economic and market factors operative at the time. This approach will*



*apply in relation to particular brownfield sites which have substantive constraints and barriers to development.”*

- 13.7.2** In this particular case, the applicant indicates that the redevelopment is not viable and has supported this by the submission of a viability assessment which has been independently assessed. It should be noted that the assessment was dated 2021 and it concluded that no affordable housing or other S106 payments could be made as they would make the scheme unviable. A review of the original report was carried out by the Council’s independent consultants who concluded, in 2021, that the scheme was viable and could support the provision of up to 26% affordable housing
- 13.7.3** Following further reviews in the Council’s independent consultants reviewed the viability assessment using further updated figures and advised that the scheme remained unviable and the Council was therefore advised, that if it was minded to approve planning permission, it should consider the implementation of a viability review mechanism based on achieved cost evidence
- 13.7.4** Officers accept that there are be some abnormal costs associated with the redevelopment of this site in the form of demolitions and hard surfaces removal. It is also noted that the northern part of the site is located on made ground requiring piled foundations and that parts of the southern site will also require piled foundations
- 13.7.5** In addition a phase 1 contamination report indicates that the previous uses of the site provide potential sources of contamination (and geotechnical hazards including an infilled cutting) and a phase 2 intrusive ground investigation should be undertaken prior to development works commencing. This gives rise to further abnormal costs.
- 13.7.6** These abnormal costs, together with further materials cost increases and current market conditions, indicate that this is a site where policy flexibility needs to be considered. Officers are satisfied that, on the basis of advice from the Council’s independent consultant, that no affordable housing could be adequately provided by this development and that a viability review on completion of the development is undertaken to establish whether the profitability of the scheme could enable a contribution could be made to the provision of affordable housing elsewhere and other required contributions including potentially education and NHS.
- 13.7.7** The applicant has agreed to a Viability Review being incorporated in a s106 Agreement.

## **13.8 F) Flood and drainage**

- 13.8.1** The southern part of the site is located in flood zone 3 and the northern section in flood zone 1. The designation within FZ3 requires the development to be the subject of both a sequential and exceptions test,

especially as the proposal is for a more vulnerable use. In sequential terms, the layout seeks to maximize the use of FZ1 land. However, use is also made of land which is more vulnerable to flooding. A restriction which either left this part of the site undeveloped or developed for a less vulnerable use is, in planning terms, less than desirable. As regards the former it would leave the southern part of the site undeveloped and in a poor state. As regards the latter, the site is not suited to many other land uses given the residential nature of the locality.

**13.8.2** The exceptions test requires *“It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared”*; and *“A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall”*

**13.8.3** As regards the first element it is clear to officers that the proposal will result in urban regeneration. For the second element a site specific flood risk assessment has been submitted which the Environment Agency (EA) has reviewed.

**13.8.4** In order to manage the residual risk of a breach in the defences, a range of mitigation measures are recommended by the FRA. These are principally:

- Ensuring the minimum finished floor level is 2.66 AOD as compared to a flooding level of 2.36 AOD
- Enrolment of all residents in the EA Floodline warning system.
- Preparation of a detailed Flood Warning and Evacuation Plan
- Flood Resilience Measures

**13.8.5** In the light of these measures the EA have no objection to the development subject to a condition relating to finished floor levels being attached to the decision.

**13.8.6** Drainage

The FRA included a surface water drainage assessment. The LLFA has raised no objection to this information. In relation to flood and drainage matters the proposal is therefore acceptable subject to conditions.

## **13.9 G) Climate change**

**13.9.1** The Core Strategy seeks to ensure that new developments make a positive contribution towards climate change carbon emissions. Therefore, the application would need to demonstrate that the proposal would comply with the requirements of CSTP25, CSTP26 and PMD12 and 13 which seeks to encourage technology from the outset of

development to reduce carbon emissions, renewable and low carbon technologies, passive design and recycling and minimise waste. No details of this are provided and in order to comply with policy further details are required. However, this could be controlled by condition prior to the commencement of development

## **13.10 H) Biodiversity**

**13.10.1** CSTP19 and PMD7 require development to demonstrate that any significant biodiversity habitat or geological interest of recognised local value is retained and enhanced on-site. Since the adoption of this policy the Environment Act 2021 requires development to demonstrate biodiversity enhancement. This application was submitted before the Act was introduced. However, policy CSTP19 and PMD7 require biodiversity habitats to be retained and enhanced on-site.

**13.10.2** This site has a limited biodiversity interest, and the existing structures do not offer potential for protected species roosts (bats). The proposals do not provide any detail on potential enhancements to biodiversity and at a minimum, to satisfy adopted local policy, it is expected that bird and bat boxes should be provided across the site. This detail can be satisfactorily addressed by condition.

**13.10.3** The application site falls within the Zone of Influence (Zol) within the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (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. It is therefore considered that a proportionate financial contribution in line with Essex Coast RAMS should be made to contribute towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy

**13.10.4** The mitigation strategy involves a tariff for each residential unit which is £163.86 per unit to mitigate the in-combination effects of recreational disturbance on the Special Protection Area. Having considered the proposed avoidance and mitigation measures above, the Council takes the view that with adopted mitigation the project will not have an adverse effect on the integrity of the European sites included within the Essex Coast RAMS.

**13.10.5** The cost of the RAMS tariff would be £7,373.70. The applicant has agreed to pay this tariff payment and this could be secured via the S106 that also includes the Viability Review.

**13.10.6** Subject to conditions and the provision of contributions towards the Essex RAMS the proposal would be acceptable in terms of biodiversity.

## **14. ADDITIONAL DUTIES**

### **14.1 Public Sector Equalities Duties**

- 14.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 14.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 14.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

## **14.2 Human Rights**

- 14.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

## **15. CONCLUSION**

- 15.1** The proposal is acceptable in terms of principal and matters of detail.

- 15.2** Approval is therefore recommended.

## **16. RECOMMENDATION**

Approve planning permission subject to:

- A S106 Agreement to secure a Viability Review Mechanism
- Contribution towards the Essex Coast RAMS and
- Conditions

### **16.1 Conditions**

#### **1 Time**

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

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

## 2 Plan Numbers

The development hereby approved shall be carried out in strict accordance with the following drawings:

<b>Plan Number(s):</b>		
Reference	Name	Received
HBF BPS 01	Tree Constraints Plan	10.12.2021
HBF MRBW 01	Soft Landscaping Plan	10.12.2021
175691-001	Layout Review	10.12.2021
5587 03 Rev A	Housing Plans and Elevations	10.12.2021
5587 02 Rev B	Flats Plans and Elevations	28.11.2024
5587 01 Rev F	Proposed Site Layout	28.11.2024
5587 10	Topographical Survey	10.12.2021
5587 11	Site Location Plan	10.12.2021
5587 12	Elevations and Plans	28.11.2024

**Reason:** To protect the character and appearance of the locality in accordance with policy PDM2 of the Thurrock Core Strategy

## 3 Construction Environmental Management Plan [CEMP]

No demolition or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP should contain or address the following matters:

- (a) Hours and duration of any piling operations,
- (b) Vehicle haul routing in connection with construction, remediation and engineering operations,
- (c) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
- (d) Details of construction any access or temporary access, and details of temporary parking requirements;
- (e) Road condition surveys before demolition and after construction is completed; with assurances that any degradation of existing surfaces will be remediated as part of the development proposals. Extents of road condition surveys to be agreed as part of this CEMP
- (f) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems];
- (g) Details of any temporary hardstandings;
- (h) Details of temporary hoarding;

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

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

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

#### **4 Public Right of Way (PROW)**

No development shall be carried out which obstructs any part of the public right of way Footpath number 175 shown on the Definitive map which shall be kept open for use at all times.

Details shall be submitted showing the road layout and crossing for PROW 175 prior to any works above ground level.

**Reason:** Unless an Order under Section 257 has been made and confirmed or the right of way otherwise extinguished under an order of the Magistrates' Court it is a criminal offence to obstruct a public right of way. Planning permission alone does not authorise obstruction.

#### **5 Details of access to the highway**

Details shall be submitted showing the layout, dimensions and construction specification of the proposed access to the highway, such details shall be approved and implemented on site to the satisfaction of the Local Planning Authority before occupation of the development hereby permitted.

**Reason:** In the interests of highway safety and efficiency

## **6 Parking provided prior to occupation**

Prior to the occupation of the buildings hereby approved, the proposed parking area, as indicated on Drawings referenced 175691-006 and 5587/01 shall be suitably surfaced, laid out and drained in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority and constructed concurrently with the remainder of the development hereby approved.

**Reason:** To ensure that satisfactory off-street car parking provision is made in accordance with the Local Planning Authority's standards and in the interests of highway safety

## **7 Sight Splays**

Sight splays as set out in Drawing 175691-006 shall be provided at the proposed accesses and thereafter maintained at all times so that no obstruction is present within such area above the level of the adjoining highway carriageway.

**Reason:** In the interests of highway safety and efficiency

## **8 Highways consolidated prior to occupation**

Prior to the occupation of any dwelling, the proposed estate road(s), footways and footpaths, turning spaces and driveways (where applicable) between the dwelling(s) and the existing highway, shall be properly consolidated and surfaced to the satisfaction of the Local Planning Authority. The footways and footpaths between any dwelling and the existing highway shall be complete within six months from the date of occupation of the dwelling.

**Reason:** In the interests of highway safety and amenities of the occupiers of the proposed residential development

## **9 Refuse and recycling storage**

Prior to the first occupation of any residential unit hereby permitted, detailed plans detailing the number, size, location, design and materials of bin and recycling stores to serve the development together with details of the means of access to bin and recycling stores shall be submitted to and agreed in writing with the local planning authority. The approved bin and recycling stores shall be provided prior to the first occupation of any of the dwelling[s] and permanently retained in the form agreed.

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

## 10 Finished floor level and flood resilience measures

Finished ground floor levels shall be set no lower than 2.76 metres above Ordnance Datum (AOD) for two-storey dwellings and 6.05 metres above Ordnance Datum for dwellings with sleeping accommodation on the ground floor.

The mitigation measures set out in the approved Flood Risk Assessment (FRA) prepared by prepared by Ardent Consulting Engineers, referenced 175691-01A and dated September 2024 shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**Reason:** To ensure that adequate flood protection measures are installed for the safety of the building and for the safety of all users of the development in accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## 11 Materials and samples

No development shall commence above ground level until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.

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

## 12 Surface water drainage strategy (SuDS)

No development shall commence until a scheme for the provision and implementation of surface water drainage incorporating sustainable urban drainage schemes (SuDS) and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be constructed and completed in accordance with the details as approved prior to the first occupation of the development hereby permitted.

**Reason:** To ensure the incorporation of an appropriate drainage scheme and to avoid pollution of the water environment and to minimise flood risk in accordance with policies PMD1 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development



[2015].

### **13 Foul Drainage**

No development shall commence until details of the foul drainage scheme to serve the development have been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.

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

### **14 Flues and downpipes**

Prior to their installation details of flues, downpipes and SVPs and their positions shall be first approved by the Local Planning Authority and thereafter installed in accordance with the approved details.

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

### **15 Door and window details**

Prior to their installation details of doors and windows shall be first approved by the Local Planning Authority and thereafter installed in accordance with the approved details.

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

### **16 Details of balcony screens**

Prior to the first occupation of the dwellings, details of balcony balustrading and privacy screens (where necessary) shall be first approved by the Local Planning Authority and thereafter installed in accordance with the approved details.

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

**17 External lighting scheme**

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

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

**18 Electric vehicle (EV) charging points**

Prior to the occupation of the development hereby permitted, details of EV charging points shall be submitted to the LPA for approval. Thereafter the development shall be carried out in accordance with the approved details.

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

**19 Renewable energy**

Prior to the construction above ground level of any of the buildings, details of measures to demonstrate that the development will achieve the generation of at least 20% of its energy needs through the use of decentralised, renewable or low carbon technologies shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented and operational upon the first use or occupation of the buildings hereby permitted and shall thereafter be retained in the agreed form unless otherwise agreed in writing by the local planning authority.

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

**20 Flood Warning & Evacuation Plan [FWEP] – Details to be provided**

Prior to the first occupation of any residential unit a Flood Warning and

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

**Reason:** To ensure that adequate flood warning and evacuation measures are available for all users of the development in accordance with policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## **21 Details of boundary treatment**

Details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the local planning authority. The screening as approved shall be completed prior to the first occupation of the development and shall be retained and maintained as such thereafter.

These details shall include, specifically details of a wall on the south eastern boundary of the site with Cherry Tree Close.

**Reason:** In order to safeguard the amenities of neighbouring occupiers and in the interests of the visual amenity of the area [and to ensure that the proposed development, in the Green Belt, does not have a detrimental effect on the environment] as required by policies PMD1 and PMD2 [and policy PMD6] of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## **22 Soft and Hard landscaping scheme**

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

1 Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.

2 Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support

3 Details of the aftercare and maintenance programme

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date

of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation

#### Hard Landscape works

4 Details of walls with brick types, construction design and dimensions

5 Details of paved surfacing, with materials finishing and edgings

6 Details of street furniture, with designs materials and dimensions

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

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

### **23 Removal of Permitted Development (Classes A & E)**

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

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

### **24 Satellite Dishes**

Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking or re-enacting that Order with or without modification] no flat shall be occupied until details of the number, size, external appearance and the positions of the satellite dish[[es]] shall be submitted to and agreed in writing by the local planning authority prior to the installation of such systems. The agreed communal satellite dish systems shall be installed prior to the residential

occupation of the flats and thereafter retained.

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

## **25 Underground services**

Unless otherwise agreed in writing by the local planning authority all electrical and telephone services to the development shall be run underground.

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

## **26 Meter Cupboards**

Prior to construction above ground level, details of the size, location and design of all meter cupboards shall be submitted to and agreed in writing with the local planning authority. Development shall be undertaken in accordance with the agreed scheme unless otherwise agreed in writing by the local planning authority.

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

## **27 Soundproofing for flats**

Prior to the commencement of development above ground level a scheme of soundproofing to include soundproofing of walls and floors between the flats shall be submitted to and agreed in writing with the local planning authority. The development shall be undertaken and completed in accordance with the agreed details prior to first residential occupation of the development hereby permitted.

**Reason:** To ensure that adjoining residential amenity is protected in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## **28 Biodiversity Management Plan – Bats and Bird Boxes**

Prior to development above ground level, details of provision for bird and bat boxes around site shall be submitted to the Local Planning Authority for approval.

Thereafter, development shall be carried out in accordance with the details approved.

**Reason:** To ensure effects of the development upon the natural environmental are adequately mitigated in accordance with policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## 29 Hours of work

No[demolition or construction works in connection with the development shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday	0800 – 1800 hours
Saturdays	0800 – 1300 hours

Unless in association with an emergency or the prior written approval of the local planning authority has been obtained. If impact piling is required, these operations shall only take place between the hours of 0900 - 1800 hours on weekdays.

**Reason:** In the interest of protecting surrounding residential amenity and in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## 30 Refuse and Recycling Storage

Prior to development above ground level, detailed plans detailing the number, size, location, design and materials of bin and recycling stores to serve the development together with details of the means of access to bin and recycling stores shall be submitted to and agreed in writing with the local planning authority. The approved bin and recycling stores shall be provided prior to the first occupation of any of the dwelling[s] and permanently retained in the form agreed.

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

## 31 Cycle Parking – details to be provided

Prior to any development above ground level, details of the number, size, location, design and materials of secure and weather protected cycle parking/powerd two wheelers facilities to serve the dwellings shall be submitted to and agreed in writing with the local planning authority.

The agreed facilities shall be installed on site prior to the first occupation and shall thereafter be permanently retained for sole use as cycle

parking/powered two wheelers facilities for the users and visitors of the development.

**Reason:** To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policies PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

## 32 Unforeseen Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

### INFORMATIVE

#### 1 CADENT GAS

Cadent Gas has apparatus in the vicinity of the application site.

The developer is advised to contract Cadent Gas to discuss this scheme:

Job Reference: 24244087  
Site Location: 562471 177745

#### 2 ANGLIAN WATER

The developer is advised to contact Anglian Water to discuss this scheme.

Scheme reference: 183690/1/0137543  
Contact email: [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk)

