

<p>Reference: 15/01453/FUL</p>	<p>Site: Aveley Football Club Mill Road Aveley Essex RM15 4SR</p>
<p>Ward: Aveley And Uplands</p>	<p>Proposal: Change of use of a 0.042 hectare strip of land to the east of Aveley Football Club to form part of residential gardens of new homes within the Football Club site together with means of enclosure and hardstanding.</p>

Plan Number(s):		
Reference	Name	Received
PH_116_001	Location and Layout Plan	10 December 2015

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> • Design and Access Statement 	
<p>Applicant: Persimmon Homes (Essex) Ltd.</p>	<p>Validated: 14 December 2015 Date of expiry: 15 March 2016 [Article 34 EOT]</p>
<p>Recommendation: Grant planning permission, subject to conditions.</p>	

1. Description of Proposal

- 1.1 This application seeks planning permission for the change of use of a narrow strip of land located between the Aveley Football Club site (to the west) and 'The Village' residential development, currently being constructed by Persimmon to the east. The site comprises an open strip of land with tree and shrub planting. The application proposes a change in the use of the land such that it would be used as rear / side garden and car parking areas for a number of new residential properties to be built on the site of the football club site.
- 1.2 By way of background, outline planning permission (ref. 09/00091/TTGOUT) for the development of up to 340 dwellings on land

south of the Aveley bypass (B1335) was granted by the Thurrock Development Corporation in 2010. A subsequent application for the approval of reserved matters (ref. 12/01090/REM), submitted by Persimmon Homes, was approved by the Council in March 2013 and construction of the development commenced shortly afterwards. The Aveley Football club site lies to the west of the Persimmon site (known as 'The Village'). In 2015 the Council granted outline planning permission for the demolition of existing buildings and redevelopment comprising up to 114 residential dwellings on the football club site. This outline planning permission is linked to a full planning permission for the relocation of the football club from the Mill Road site to a site on Belhus Park, a short distance to the north-west of the current site (ref. 13/01022/FUL).

1.3 The football club site and the site of 'The Village' are separated by a narrow strip of land, measuring approximately 125m (measured north-south) x 3m (measured east-west). This strip did not form part of the site area for each of the outline applications and, at the time, was not in the ownership of the respective applicants. The strip therefore forms a narrow 'buffer' between the two residential sites.

1.4 The current planning application essentially seeks permission to incorporate the site into the garden areas of residential plot nos. 1-7, 10, 11 and 14-18 of the football club site. The following related planning applications are reported elsewhere on this agenda:

- 15/01438/REM – Application for the approval of reserved matters (appearance, landscaping, layout and scale) following outline approval ref. 13/01021/OUT (demolition of existing buildings and redevelopment comprising up to 114 residential dwellings).

This application seeks approval for reserved matters following the grant of outline planning permission in 2015.

- 15/01455/FUL – Formation of a means of vehicular and pedestrian access between Belhouse Avenue and the Aveley Football Club site.

Vehicular and pedestrian access to the Football Club site is taken from Mill Road in the approved scheme, essentially re-using the existing access point. The planning permissions for the Football Club site and the adjacent residential site to the east include planning conditions which enable a connection between the adjoining land parcels. As the narrow strip of land between the two sites does not have planning permission for the connection to link the two sites, this application

seeks consent for a vehicular and pedestrian link to join the two sites.

2. Site Description

2.1 Historic mapping suggests that the narrow strip of land comprising the application site was formed in the post-war years to separate the football club from open fields (partly used for mineral extraction and later infilling) to the east. The site is currently an open strip of land containing a number of small trees and shrubs. A concrete panel and post fence separates the site from the football club. Residential gardens within ‘The Village’ and Belhouse Avenue adjoin the site to the east.

3. Relevant History

Aveley F.C. Site:

Reference	Proposal	Decision
50/00230/FUL	Use of land for football ground	Approved
13/01021/FUL	Outline planning application (with all matters reserved except access) for the demolition of existing building and redevelopment comprising up to 114 residential dwellings	Approved
15/00519/CONDC	Application for the approval of details reserved by condition no. 14 (phasing of replacement facilities) of planning permission ref. 13/01021/OUT	Advice Given
15/01455/FUL	Formation of a means of vehicular and pedestrian access between Belhouse Avenue and the Aveley Football Club site	Under consideration – reported elsewhere on this agenda
15/01438/REM	Application for the approval of reserved matters (appearance, landscaping, layout and scale) following outline approval ref. 13/01021/OUT (demolition of existing buildings and redevelopment comprising up to 114 residential dwellings).	Under consideration – reported elsewhere on this agenda

'The Village' Site:

Reference	Proposal	Decision
09/00091/TTGOUT	Outline application for the redevelopment of the site for up to 340 residential dwellings with associated car parking, roads, landscaping , public open space and associated works	Approved
12/01090/REM	Submission of reserved matters pursuant to outline planning permission 09/00091/TTGOUT for the creation of 340 no. one, two, three and four bedroom houses and apartments, plus associated roads, paths, drives, car parking, ancillary structures and landscaping (amendment to reserved matters approved under reference 10/50216/TTGREM on 09 December 2010).	Approved

4. Consultations And Representations

- 4.1 Detailed below is a summary of the consultation responses received. Full text versions are available on the Council's website at:
www.thurrock.gov.uk/planning/15/01455/FUL

PUBLICITY:

- 4.2 The application has been publicised by consultation with relevant consultees and landowners. No replies have been received.
- 4.3 The following comments have been received from the following consultees:

4.4 HIGHWAYS:

No objections.

4.5 ENVIRONMENTAL HEALTH:

No comments.

5. Policy Context

National Planning Guidance

5.1 National Planning Policy Framework (NPPF)

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

5.2 The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- delivering a wide choice of high quality homes;
- requiring good design;

5.3 Planning Practice Guidance

In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- design;
- determining a planning application; and
- use of planning conditions.

Local Planning Policy

5.4 Thurrock Local Development Framework (2011)

The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The Adopted Interim Proposals Map shows the site as a ‘Housing Land Proposal’. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations); and
- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

Thematic Policies:

- CSTP22 (Thurrock Design).

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²; and
- PMD2 (Design and Layout)²

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

5.5 Focused Review of the LDF Core Strategy (2014)

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes.

5.6 Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. Site Allocation Policy SAP1 (Land for Housing Development) identifies the application site as a preferred housing site without permission (ref. AVE05) with an indicative capacity of 110 dwellings. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

5.7 Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan. It is anticipated that a new Local Plan for Thurrock could be adopted by 2020.

6. **ASSESSMENT**

- 6.1 The principle of residential development on the Aveley F.C. site was approved in 2015 and an application for the approval of reserved matters is currently under consideration and reported elsewhere on this agenda. Members of the Committee will be aware that construction of 'The Village' development is continuing with those dwellings located closest to the football club site already occupied.
- 6.2 In considering the outline planning application for redevelopment of the football club site, the report to the March 2015 Planning Committee noted the presence of a buffer strip to the east of the site. The current application has been submitted by Persimmon Homes, who now control the strip of land. The effect of the proposals, if approved, would be for the site to be incorporated into the residential curtilages of a number of plots to be developed by Persimmon at the football club site. The proposal would therefore address the somewhat peculiar current situation where a vacant strip of land separates residential plots recently developed and to be built by the same housebuilder. Subject to suitable planning conditions there are no reasons why the application should not be granted planning permission.

7. **Conclusions And Reasons For Recommendation**

- 7.1 The proposal would address the current anomaly of a vacant strip of land separating two housing development sites and is recommended for approval.

8. Recommendation

It is recommended that the planning application APPROVED subject to the following conditions:

TIME LIMIT

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

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

APPROVED PLANS

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

PH_116_001 Location and Layout Plan

REASON: For the avoidance of doubt and in the interest of proper planning.

BOUNDARY TREATMENT

3. No development shall take place until there has been submitted to and approved in writing by the local planning authority details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site. The boundary treatments shall be completed in strict accordance with the approved details before the buildings are first occupied.

REASON: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with Policy PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (2011).

LANDSCAPING

4. No part of the development hereby permitted shall be occupied until a scheme of hard and soft landscaping for the site has been submitted to, and approved in writing by, the local planning authority. The submitted scheme shall include details of all existing trees and shrubs on the site,

and details of any to be retained, together with measures for their protection in the course of development and details of the management and maintenance arrangements for new planting. All planting, seeding or turfing comprised within the landscaping scheme shall be carried out in the first planting season following completion of that stage or phase of development. Any trees or plants which within a period of 5 years from the time of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other specimens of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

Informative:

1. The applicant is reminded that under the Wildlife and Countryside Act 1981 [section 1] it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. Both the RSPB booklet "Wild Birds and the Law" and the Guidance Notes relating to Local Planning and Wildlife Law produced by Natural England are useful.

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/15/01455/FUL

Alternatively, hard copies are also available to view at Planning, Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL.



