

Thurrock: A place of opportunity, enterprise and excellence, where individuals, communities and businesses flourish

Planning Committee

The meeting will be held at **7.00 pm** on **22 June 2017**

Council Chamber, Civic Offices, New Road, Grays, Essex, RM17 6SL.

Membership:

Councillors Tom Kelly (Chair), Steve Liddiard (Vice-Chair), Colin Churchman, Graham Hamilton, Roy Jones, Tunde Ojetola, Terry Piccolo, Gerard Rice and Graham Snell

Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

Councillors Martin Kerin, Brian Little, David Potter, Joycelyn Redsell and Kevin Wheeler

Agenda

Open to Public and Press

	Page
1 Apologies for Absence	
2 Minutes	5 - 10
To approve as a correct record the minutes of the Planning Committee meeting held on 18 May 2017.	
3 Item of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4 Declaration of Interests	
5 Declarations of receipt of correspondence and/or any	

meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting

6 Planning Appeals 11 - 16

7 Public Address to Planning Committee

The Planning Committee may allow objectors and applicants/planning agents, and also owners of premises subject to enforcement action, or their agents to address the Committee. The rules for the conduct for addressing the Committee can be found on Thurrock Council's website at <https://www.thurrock.gov.uk/democracy/constitution> Chapter 5, Part 3 (c).

8 16/01726/REM: Former Ford Motor Company, Arisdale Avenue, South Ockendon, Essex, RM15 5JT 17 - 42

9 15/01354/OUT: Land Part of Little Thurrock Marshes, Thurrock Park Way, Tilbury 43 - 112

10 17/00470/FUL: 3 Longley Mews, Grays, Essex, RM16 3AG 113 - 120

11 17/00443/TBC: Car Park, Calcutta Road, Tilbury, Essex, RM18 7QA 121 - 144

Queries regarding this Agenda or notification of apologies:

Please contact Lottie Raper, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **14 June 2017**

Information for members of the public and councillors

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The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

If you wish to film or photograph the proceedings of a meeting and have any special requirements or are intending to bring in large equipment please contact the Communications Team at CommunicationsTeam@thurrock.gov.uk before the meeting. The Chair of the meeting will then be consulted and their agreement sought to any specific request made.

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- You should connect to TBC-CIVIC
- Enter the password **Thurrock** to connect to/join the Wi-Fi network.
- A Terms & Conditions page should appear and you have to accept these before you can begin using Wi-Fi. Some devices require you to access your browser to bring up the Terms & Conditions page, which you must accept.

The ICT department can offer support for council owned devices only.

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In the case of an emergency, you should evacuate the building using the nearest available exit and congregate at the assembly point at Kings Walk.

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Members of the Council should ensure that their device is sufficiently charged, although a limited number of charging points will be available in Members Services.

To view any “exempt” information that may be included on the agenda for this meeting, Councillors should:

- Access the modern.gov app
- Enter your username and password

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Vision: Thurrock: A place of **opportunity**, **enterprise** and **excellence**, where **individuals**, **communities** and **businesses** flourish.

To achieve our vision, we have identified five strategic priorities:

1. Create a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspiration and attainment so that residents can take advantage of local job opportunities
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Promote Thurrock and encourage inward investment to enable and sustain growth
- Support business and develop the local skilled workforce they require
- Work with partners to secure improved infrastructure and built environment

3. Build pride, responsibility and respect

- Create welcoming, safe, and resilient communities which value fairness
- Work in partnership with communities to help them take responsibility for shaping their quality of life
- Empower residents through choice and independence to improve their health and well-being

4. Improve health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being and safeguard the most vulnerable people with timely intervention and care accessed closer to home
- Enhance quality of life through improved housing, employment and opportunity

5. Promote and protect our clean and green environment

- Enhance access to Thurrock's river frontage, cultural assets and leisure opportunities
- Promote Thurrock's natural environment and biodiversity
- Inspire high quality design and standards in our buildings and public space

Minutes of the Meeting of the Planning Committee held on 18 May 2017 at 6.00 pm

Present: Councillors Tom Kelly (Chair), Chris Baker, Colin Churchman, Tunde Ojetola, Terry Piccolo, David Potter and Gerard Rice

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Kevin Wheeler (Vice-Chair) and Steve Liddiard

In attendance: Andrew Millard, Head of Planning & Growth
Leigh Nicholson, Development Management Team Leader
Nadia Houghton, Principal planner
Jonathan Keen, Principal Planner
Vivien Williams, Planning Lawyer

Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

112. Minutes

The minutes of the Planning Committee meeting held on 20 April 2017 were approved as a correct record.

113. Item of Urgent Business

There were no items of urgent business.

114. Declaration of Interests

There were no declarations of interests.

115. Declarations of receipt of correspondence and/or any meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting

There were no declarations of any correspondence relevant to any of the applications to be resolved at the meeting.

116. Planning Appeals

The report provided information regarding planning appeals performance.

RESOLVED:

The Committee noted the report.

117. 2016/17 Performance Report

The Development Management Team Leader presented the report which outlined the performance of the planning service. The service maintained its position within the top 2% of services nationally, with over 81% of applications having been approved. Over £113million had been put into Thurrock's economy, with 638 new homes and over 2500 new jobs created as a result of applications approved by the service, and the Committee.

Councillor Ojetola appreciated the work of the Committee and expressed that the report showed that Members could work together in the best interests of Thurrock despite political differences. He asked if the Council was fulfilling its quota on new houses. The Committee was advised that while the number fell slightly below the Government's expectation it was the highest figure for 10 years. Thurrock had always been appealing to commercial development but housing applications were more of an issue. The Head of Planning & Growth added that there was an upward trend over recent years, which was a positive sign. Councillor Ojetola wished for information to come back to Members in the near future to see how many of the approved houses had actually been built.

Councillor Rice noted the achievement of 638 new homes for the borough and the increased commercial floor space. He asked whether there was sufficient capacity within the planning department to allow for the 1000 homes/year target and what the consequences would be of failing to meet the target. There were only sanctions for the speed of approving applications and Members were reminded that the planning service was within the top 2% nationally, 7th in 339 Authorities. The Head of Planning & Growth noted comments about delayed responses but added that on the whole the service had a reputation as being responsive. Ultimately the service, and the Committee, could grant permission but the market would dictate how and when homes would be delivered. There were plans to increase delivery through a revision of the Local Plan but the importance of quality was stressed, development for development's sake was not the solution. Councillor Rice stressed the importance of ensuring the target of 35% affordable housing was met to reduce the waiting list for Council housing and to support local people.

The Chair expressed his view that it had been an enjoyable year on the Committee. He thanked Officers for their hard work and hoped the continuation of work on the Local Plan would help Thurrock meet the quota for new homes.

RESOLVED:

The Committee noted the report.

118. 17/00301/NMA: 8 Crowstone Road, Grays, Essex, RM16 2SR

The Non-Material Amendment application sought approval for changes to the window pattern and overall height of the roof as approved under a previous planning application granted permission in 2016. The changes were considered to be non-material and the alterations to the approved plans would not be detrimental to neighbour amenity.

Councillor Piccolo queried whether there was any instruction or requirement for the windows to be obscured. The Officer advised that there was no planning condition requiring the obscure glazing of the previously approved window, however, the current Non Material Amendment application stated that the applicant intended all three new windows to be obscure glazed.

The meeting was adjourned at 18.28 and commenced again at 18:33.

A resident, Andy Reddington was invited to the Committee to present his statement of objection.

A Ward Councillor, Councillor Redsell, was invited to the Committee to present her statement of objection.

Councillor Rice asked for clarification on points raised in the resident's statement of objection, particularly claims that the height constituted overdevelopment. It was confirmed that the development complied with policy.

Members queried what power the Committee had in terms of the objections raised. The objections raised were almost entirely civil matters or matters associated with building control and, as such, were not directly relevant to the powers of the Committee. The change to the window pattern had actually reduced their size, two were obscured and all three faced a 2m high wall. Similarly there had previously been a window and doorway in place. The 20cm change in roof height was also not considered to be a material impact.

Councillor Ojetola asked whether the unobscured window was positioned in such a way that it looked directly into a window on the neighbouring property, and in relation to the approved plan. The neighbouring property's window was obscured, but also there was a 2m high wall between the two. The window in question was in broadly the same place as the window on the approved application.

Councillor Rice asked whether the Committee could impose a condition that the top of the window be obscured. The applicant had stated in the Non

Material Amendment application that all 3 windows would be obscured and as such it could be insisted upon.

Members expressed empathy for the resident. They stressed that the majority of the objections raised were civil matters and building control matters and therefore beyond the remit of the Committee. Section 8.1 of the report included obscurity of all three windows and as such this could be imposed.

It was proposed by the Chair and seconded by Piccolo that the application be approved, subject to conditions, as per the Officer's recommendation.

For: Councillors Tom Kelly (Chair), Chris Baker, Colin Churchman, Tunde Ojetola, Terry Piccolo, David Potter and Gerard Rice.

Against: (0)

Abstain: (0)

RESOLVED:

That the application be approved, subject to conditions.

119. 16/01512/FUL: Land Adjacent Astons Villa And Appletons, Brentwood Road, Bulphan, Essex

The application sought permission for the change of use of the land to residential use to allow occupation of the site by a Gypsy Traveller family, with permission for one caravan and one campervan on site. As the site was within the Green Belt, the development would be considered inappropriate. The applicant had put forward what they considered to be "very special circumstances" however these were not deemed by officers to outweigh the harm identified to the Green Belt.

A Ward Councillor, Councillor Brian Little, was invited to the Committee to present his statement of objection.

The agent, Joseph Jones, was invited to the Committee to present his statement of support.

Councillor Ojetola asked for clarification around the weighting of the very special circumstances put forward by the applicant. The Principal Planner referred to pages 42-44 of the report which analysed the very special circumstances put forward by the applicants.

Councillor Rice asked whether the Council was looking to authorise some of the existing "tolerated" sites in the emerging Local Plan, to address the unmet need for Traveller sites in the borough. The Presenting officer advised that a Gypsy and Traveller Need Assessment was taking place. The figures were not currently public but the assessment would review sites in the Borough.

The site proposed in this application was a new site and there were no residents on site. The Head of Planning and Growth advised that figures for the Borough's requirements would be likely to be available by September 2018.

The Chair queried whether the unmet need within Thurrock might be a relevant factor were the applicant to appeal a refusal. The Committee was advised that the Planning Inspectorate would look at both the existing and future provision and would weigh up with the Very Special Circumstances. The unmet need alone would not be enough to allow permission. The Head of Planning and Growth advised the Council was currently reviewing its Local Plan, including provision for Gypsy and Traveller need, and that if the applicants wished to propose new sites that would be the best way to approach the site. National Planning Guidance stipulated that applications for traveller sites should be assessed in the same way as conventional housing.

Councillor Rice stated he would support the Officer's recommendation; however it was becoming apparent that there was a need to look at transit camps within Thurrock and the possibility of authorising "tolerated" sites to safeguard against unmet need.

Councillor Ojetola sought clarity as to the definition of temporary. Members heard that there was no set timeframe for "temporary" permission, which was defined on a case by case basis. The application had been assessed and the recommendation was for refusal, rather than temporary permission. Councillor Ojetola agreed there was a need to ensure there was enough provision for gypsy and traveller sites within the borough but supported the Officer's recommendation on this application.

Councillor Piccolo felt that, while there may be a lack of sites in Thurrock, granting permission for 2 pitches would have no real impact in the wider provision and the harm to the Green Belt would have more weighting. He expressed support for the Officer's recommendation.

It was proposed by Councillor Rice and seconded by Councillor Churchman that the application be refused as per the Officer's recommendation.

For: Councillors Tom Kelly (Chair), Chris Baker, Colin Churchman, Tunde Ojetola, Terry Piccolo, David Potter and Gerard Rice.

Against: (0)

Abstain: (0)

RESOLVED:

That the application be refused.

The meeting finished at 7.21 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**

22nd June 2017	ITEM: 6
Planning Committee	
Planning Appeals	
Wards and communities affected: All	Key Decision: Not Applicable
Report of: Leigh Nicholson, Development Management Team Leader	
Accountable Head of Service: Andy Millard, Head of Planning and Growth	
Accountable Director: Steve Cox, Director of Environment and Place	

Executive Summary

This report provides Members with information with regard to planning appeal performance.

1.0 Recommendation(s)

1.1 To note the report

2.0 Introduction and Background

2.1 This report advises the Committee of the number of appeals that have been lodged and the number of decisions that have been received in respect of planning appeals, together with dates of forthcoming inquiries and hearings.

3.0 Appeals Lodged:

3.1 **Application No:** 16/01653/HHA

Location: 6 Marram Court Grays Essex RM17 6UA

Proposal: Single/double storey side extension.

- 3.2 **Application No: 17/00042/HHA**
Location: 15 Bromley Grays Essex RM17 6LE
Proposal: 2.2m piers with 2m wall dropping down to 1m wall.
- 3.3 **Application No: 16/00941/CONDC**
Location: 76 High Street, Grays Essex RM17 6HU
Proposal: Application to discharge conditions 2 [Materials]; 3 [Landscaping]; 5 [Construction Management Plan and Waste Management Plan]; 6 [Highways Management Plan]; 7 [Ground Levels]; 10 [Surface Water Management Strategy]; 11 [Delivery & Servicing Strategy]; 15 [Waste Access & Management Strategy]; 16 [Archaeological Trial Trenching]; 17 [Archaeological Deposits]; 18 [Post Excavation Assessment]; 20 [Travel Plan] and 21 [Foundations Construction Methods and Tree Protection] from approved application 13/00480/FUL
- 3.4 **Application No: 16/01731/HHA**
Location: 1 Anne Heart Close, Chafford Hundred Essex RM16 6EB
Proposal: Proposed loft conversion with a pitched roof rear dormer and roof windows to the front and rear elevations.
- 3.5 **Application No: 16/01731/HHA**
Location: 1 Scratton Road Stanford Le Hope Essex SS17 0NZ
Proposal: Two storey side and two storey rear extension, loft conversion including two front and two rear dormers with the replacement and remodelling of the fenestration throughout
- 3.6 **Application No: 16/01151/LBC**
Location: 12 Bata Avenue East Tilbury Essex RM18 8SD
Proposal: Replace wooden windows with UPVC double glazed units

3.7 Application No: 16/01154/LBC

Location: 18 Bata Avenue East Tilbury Essex RM18 8SD

Proposal: Replace wooden windows with UPVC double glazed units

3.8 Application No: 16/01645/LBC

Location: 28 Bata Avenue East Tilbury Essex RM18 8SD

Proposal: Retrospective application for installation of uPVC windows in listed building.

3.9 Application No: 16/00391/REM

Location: Thatched Cottage Baker Street Orsett Essex RM16 3LJ

Proposal: Reserved matters (all) for erection of 8 No. 4 bedroom detached properties with attached garages and 1 No. 4 bedroom property with attached car port and detached single garage (refer to 14/00912/OUT)

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 15/00093/CWKS

Location: Woodside, Kirkham Road, Horndon On The Hill

Proposal:

Decision: Appeal Allowed

Summary of decision:

4.1.1 The Inspector considered the main issue to be the effect of the dog grooming business on highway safety.

4.1.2 In considering the impact of the development, the Inspector gave limited weight to the Council's draft parking standards and did not consider there to be any demonstrable evidence of on-street parking pressure arising from the development. The Inspector acknowledged that visitors would be limited to

daytime hours only and would be staggered throughout the day. The Inspector found no grounds to support the Council's rejection of the application and consequently allowed the appeal subject to conditions.

4.2 Application No: 16/01469/HHA

Location: 23 Manor Road Stanford Le Hope Essex SS17 0NY

Proposal: First floor extension to side elevation, new timber frame. construction to existing front and rear dormers. Lantern installed to existing kitchen flat roof

Decision: Appeal Allowed

Summary of decision:

4.1.1 The Inspector considered the main issue to be the effect of the dog grooming business on highway safety.

4.1.2 In considering the impact of the development, the Inspector gave limited weight to the Council's draft parking standards and did not consider there to be any demonstrable evidence of on-street parking pressure arising from the development. The Inspector acknowledged that visitors would be limited to daytime hours only and would be staggered throughout the day. The Inspector found no grounds to support the Council's rejection of the application and consequently allowed the appeal subject to conditions.

5.0 Forthcoming public inquiry and hearing dates:

5.1 The following inquiry and hearing dates have been arranged:

5.2 None.

6.0 APPEAL PERFORMANCE:

6.1 The following table shows appeal performance in relation to decisions on planning applications and enforcement appeals.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	5	2	4	0	0	4	1	3	1	4	0	0	24
No Allowed	2	0	0	0	0	4	1	1	1	1	0	0	10
% Allowed													41.6%

7.0 Consultation (including overview and scrutiny, if applicable)

7.1 N/A

8.0 Impact on corporate policies, priorities, performance and community impact

8.1 This report is for information only.

9.0 Implications

9.1 Financial

Implications verified by: **Sean Clark**
Head of Corporate Finance

There are no direct financial implications to this report.

9.2 Legal

Implications verified by: **Vivien Williams**
Principal Regeneration Solicitor

The Appeals lodged will either have to be dealt with by written representation procedure or (an informal) hearing or a local inquiry.

Most often, particularly following an inquiry, the parties involved will seek to recover from the other side their costs incurred in pursuing the appeal (known as 'an order as to costs' or 'award of costs').

9.3 Diversity and Equality

Implications verified by: **Rebecca Price**
Community Development Officer

There are no direct diversity implications to this report.

9.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

10. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- All background documents including application forms, drawings and other supporting documentation can be viewed online: www.thurrock.gov.uk/planning. The planning enforcement files are not public documents and should not be disclosed to the public.

11. Appendices to the report

- None

Report Author:

Leigh Nicholson

Development Management Team Leader

Reference: 16/01726/REM	Site: Former Ford Motor Company Arisdale Avenue South Ockendon Essex RM15 5JT
Ward: Ockendon	Proposal: Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 3 of the outline planning permission 09/50035/TTGOUT comprising of the construction of 113 residential dwellings new public open space, car parking and associated infrastructure.

Plan Number(s):		
Reference	Name	Received
1305-D-1101	Site Layout	17th May 2017
1305-D-1200B	Drawing	13th June 2017
1305-D-1201B	Roof Plans	13th June 2017
1305-D-1202C	Drawing	13th June 2017
1305-D-1203B	Drawing	13th June 2017
1305-D-1204C	Drawing	13th June 2017
1305-D-1205C	Drawing	13th June 2017
1305-D-1206C	Drawing	13th June 2017
1305-D-1207B	Drawing	13th June 2017
1305-D-1208D	Drawing	13th June 2017
1305-D-1209A	Drawing	13th June 2017
1305-D-1210B	Drawing	13th June 2017
1305-D-1211C	Drawing	13th June 2017
1305-D-1300C	Site Layout	13th June 2017
1305-D-1301A	Sections	13th June 2017
1305-D-1400B	Proposed Floor Plans	7th June 2017
1305-D-1401B	Proposed Floor Plans	7th June 2017
1305-D-1402B	Proposed Floor Plans	7th June 2017
1305-D-1403B	Roof Plans	7th June 2017
1305-D-1404	Proposed Floor Plans	17th May 2017
1305-D-1405	Proposed Floor Plans	17th May 2017
1305-D-1406	Proposed Floor Plans	17th May 2017
1305-D-1407	Proposed Floor Plans	17th May 2017

1305-D-1408	Roof Plans	17th May 2017
1305-D-1409A	Proposed Floor Plans	17th May 2017
1305-D-1410A	Proposed Floor Plans	17th May 2017
1305-D-1411A	Proposed Floor Plans	17th May 2017
1305-D-1412A	Roof Plans	17th May 2017
1305-D-1413B	Proposed Floor Plans	17th May 2017
1305-D-1414B	Proposed Floor Plans	17th May 2017
1305-D-1415B	Proposed Floor Plans	17th May 2017
1305-D-1416B	Roof Plans	17th May 2017
1305-D-1417	Proposed Floor Plans	17th May 2017
1305-D-1418	Proposed Floor Plans	17th May 2017
1305-D-1419	Proposed Floor Plans	17th May 2017
1305-D-1420	Roof Plans	17th May 2017
1305-D-1500	Proposed Floor Plans	17th May 2017
1305-D-1501A	Proposed Floor Plans	17th May 2017
1305-D-1502B	Proposed Floor Plans	17th May 2017
1305-D-1503A	Proposed Floor Plans	17th May 2017
1305-D-1504B	Proposed Floor Plans	17th May 2017
1305-D-1505A	Proposed Floor Plans	17th May 2017
1305-D-1506B	Proposed Floor Plans	17th May 2017
1305-D-1507A	Proposed Floor Plans	17th May 2017
1305-D-1508A	Proposed Floor Plans	17th May 2017
1305-D-1509	Proposed Floor Plans	17th May 2017
1305-D-1510A	Proposed Floor Plans	17th May 2017
1305-D-1511A	Proposed Floor Plans	17th May 2017
1305-D-1512A	Proposed Floor Plans	17th May 2017
1070_P2	Drawing	7th June 2017
1071_P2	Drawing	7th June 2017
1072_P2	Drawing	7th June 2017
1073_P2	Drawing	7th June 2017
4010_P2	Drawing	7th June 2017
4011_P2	Drawing	7th June 2017
1305-D-1514B	Proposed Floor Plans	17th May 2017
1305-D-1515A	Proposed Floor Plans	17th May 2017
1305-D-1516A	Proposed Floor Plans	17th May 2017
1305-D-1517	Proposed Floor Plans	17th May 2017
1305-D-1513	Proposed Floor Plans	17th May 2017
1305-D-1518	Proposed Floor Plans	17th May 2017
1305-D-1519	Proposed Floor Plans	17th May 2017

1305-D-1520	Proposed Floor Plans	17th May 2017
1305-D-1521A	Proposed Floor Plans	17th May 2017
1305-D-1522A	Proposed Floor Plans	17th May 2017
1305-D-1523	Proposed Floor Plans	17th May 2017
1305-D-1524	Proposed Floor Plans	17th May 2017
1305-D-1525A	Proposed Floor Plans	17th May 2017
1305-D-1526	Proposed Floor Plans	17th May 2017
1305-D-1527A	Proposed Floor Plans	17th May 2017
1305-D-1528	Proposed Floor Plans	17th May 2017
1305-D-1529A	Proposed Floor Plans	13th June 2017
1305-D-1530A	Proposed Floor Plans	17th May 2017
1305-D-1531A	Proposed Floor Plans	17th May 2017
1305-D-1532	Proposed Floor Plans	17th May 2017
1305-D-1533A	Proposed Floor Plans	17th May 2017
1305-D-1534	Proposed Floor Plans	17th May 2017
1305-D-1535B	Proposed Floor Plans	17th May 2017
1305-D-1536A	Proposed Floor Plans	17th May 2017
1305-D-1537A	Proposed Floor Plans	17th May 2017
1305-D-1538	Proposed Floor Plans	17th May 2017
1305-D-1539A	Proposed Floor Plans	17th May 2017
1305-D-1540B	Proposed Floor Plans	17th May 2017
1305-D-1541	Proposed Floor Plans	17th May 2017
1305-D-1542	Proposed Floor Plans	17th May 2017
1305-D-1543A	Proposed Floor Plans	17th May 2017
1305-D-1544	Proposed Floor Plans	17th May 2017
1305-D-1800A	Proposed Elevations	17th May 2017
1305-D-1801A	Proposed Elevations	17th May 2017
1305-D-1802	Proposed Elevations	17th May 2017
1305-D-1803	Proposed Elevations	17th May 2017
1305-D-1804	Proposed Elevations	17th May 2017
1305-D-1805	Proposed Elevations	17th May 2017
1305-D-1806B	Proposed Elevations	17th May 2017
1305-D-1807B	Proposed Elevations	17th May 2017
1305-D-1808A	Proposed Elevations	17th May 2017
1305-D-1809A	Proposed Elevations	17th May 2017
1305-D-1810B	Proposed Elevations	17th May 2017
1305-D-1811A	Proposed Elevations	17th May 2017
1305-D-1812A	Proposed Elevations	17th May 2017
1305-D-1813A	Proposed Elevations	17th May 2017

1305-D-1814	Proposed Elevations	17th May 2017
1305-D-1815	Proposed Elevations	17th May 2017
1305-D-1816	Proposed Elevations	17th May 2017
1305-D-1817	Proposed Elevations	17th May 2017
1305-D-1818A	Proposed Elevations	17th May 2017
1305-D-1819	Proposed Elevations	17th May 2017
1305-D-1820A	Proposed Elevations	17th May 2017
4012_P2	Drawing	7th June 2017
4013_P2	Drawing	7th June 2017
2100_P5	Drawing	13th June 2017
2060_P1	Drawing	7th June 2017
2061_P1	Drawing	7th June 2017
2062_P1	Drawing	7th June 2017
2063_P1	Drawing	7th June 2017
3312_P2	Drawing	7th June 2017
3313_P2	Drawing	7th June 2017
MMA13849001 R2	Drawing	7th June 2017
1305-D-1821A	Proposed Elevations	17th May 2017
1305-D-1822	Proposed Elevations	17th May 2017
1305-D-1823	Proposed Elevations	17th May 2017
1305-D-1824B	Proposed Elevations	13th June 2017
1305-D-1825A	Proposed Elevations	17th May 2017
1305-D-1826A	Proposed Elevations	17th May 2017
1305-D-1827A	Proposed Elevations	17th May 2017
1305-D-1828A	Proposed Elevations	17th May 2017
1305-D-1829	Proposed Elevations	17th May 2017
1305-D-1830A	Proposed Elevations	5th June 2017
1305-D-1831	Proposed Elevations	17th May 2017
1305-D-1832	Proposed Elevations	17th May 2017
1305-D-1833	Proposed Elevations	17th May 2017
1305-D-1834	Proposed Elevations	17th May 2017
1305-D-1850	Proposed Elevations	17th May 2017
1305-D-1851A	Proposed Elevations	5th June 2017
1305-D-1852B	Proposed Elevations	13th June 2017
1305-D-1853A	Proposed Elevations	5th June 2017
1305-D-1890	Drawing	17th May 2017
PR089-01F	Drawing	7th June 2017
PR089-02D	Drawing	17th May 2017
PR089-03A	Drawing	17th May 2017

1305-D-1545	Proposed Floor Plans	13th June 2017
1305-D-1835	Proposed Elevations	13th June 2017

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> • Accommodation schedule • Design and Access Statement • Landscape Compliance Report • Noise and Vibration Assessment • Planning Statement • Transport Statement 	
<p>Applicant: Bellway Homes Ltd (Essex)</p>	<p>Validated: 23 December 2016</p> <p>Date of expiry: 30 June 2017 [Extension of time agreed with applicant]</p>
<p>Recommendation: Approve, subject to conditions.</p>	

This application is scheduled for determination by the Council's Planning Committee because of the scale of the development proposed.

1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1.1 In April 2011 Thurrock Thames Gateway Development Corporation (TTGDC) granted outline planning permission for the 'Demolition of existing buildings and redevelopment of the site for up to 650 residential dwellings, associated car parking, roads, landscaping and public open space. Outline application with all matters reserved except for the points of access to the site', ref: 09/50035/TTGOUT. The outline permission was subject to a number of planning conditions and a s106 legal agreement.
- 1.2 The reserved matters for Phase 1 [92 residential units] and Phase 2 [185 residential units] have both been constructed with all of Phase 1 occupied and most of Phase 2 occupied.
- 1.3 This application relates to Phase 3 and comprises the submission of the following reserved matters; Access [within the site], Layout, Scale, Appearance and Landscaping. The reserved matters seeks approval for the erection of 113 dwellings [houses and flats], plus associated roads, paths, drives, car parking, ancillary structures, public open space and landscaping. The breakdown of the residential units is as follows:

- 9 x four bedroom houses
- 38 x three-bedroom houses
- 13 x two-bedroom houses
- 1 x three-bedroom flat
- 34 x two-bedroom flats
- 18 x one-bedroom flats

1.4 Below is a description of the proposal as it relates to the reserved matters:

1.5 Access – Vehicular access to the whole of the former Ford site was approved with the outline permission and agreed four points of access along Arisdale Avenue and one of these provides the vehicle access into the Phase 3 site. Access within the site is a reserved matter and is considered as part of this Phase of development. The layout plan shows the proposed road and pedestrian layout within the site and linking to Phase 2 to the south and the future Phase 4 to the north.

1.6 Layout – The layout broadly follows the illustrative Masterplan from the outline permission and features street blocks comprising of houses and flats, areas of public open space, roads and footways. Each house would have off street car parking. The flats would have car parking arrangements in parking courts behind the flats. Each house would have a private garden and the flats would have communal garden arrangements and balconies.

1.7 Scale – The development would have mainly 2 storey houses with a maximum two 2.5 storey height houses for dwellings fronting Arisdale Avenue. The flatted development would range from blocks 2 to 4 storeys high. Block B located in the south west corner of the site would be the 4 storey highest block on site.

1.8 Appearance – Modern contemporary design to reflect continuation of the earlier Phases at this site but with a colour palette different to the previous phases but in accordance with the colour palette options contained within the Design Code.

1.9 Landscaping - The public open space would incorporate a local area of play [LAP] referred to as a pocket park and feature landscaping. Trees are proposed to be planted at locations within the site.

1.10 A summary of the development is as follows:

Height	Flats: mix of 2/3/4-storey, Dwellings 2/2.5 storeys
Site Area (Gross)	2.6ha

Units (All)	Type (ALL)	1- bed	2- bed	3- bed	4 bed	TOTAL		
	Houses	0	13	38	9	60		
	Flats	18	34	1	0	53		
	TOTAL	18	47	41	7	113		
Affordable Units	The outline permission establishes a mechanism for setting the percentage of affordable housing based upon a minimum of 10% with any increase being assessed through a viability appraisal. The level for this Phase has been assessed pursuant to the s106 agreement and will deliver 10%.							
	Type (ALL)	1- bed	2- bed	3- bed	TOTAL			
	Houses	0	0	0	0			
	Flats	0	11	0	11			
	TOTAL	0	11	0	11			
Car parking	<p>Flats: 1 allocated space per unit Houses: All three-four bedroom houses have 2 allocated spaces per unit. 13 two-bedroom houses have 1 allocated space Total allocated: 162 (Average of 1.4 per unit) Total Visitor: 14 spaces (Average 0.12 per unit) Total: 176 (1.62 per unit)</p>							
Amenity Space	Type	2-bed house		3/4bed house				
	Average	72sq.m		80sq.m				
	Min	60sq.m		60sq.m				
	Max	88sq.m		122sq.m				
Public Open Space	0.5ha							
Density	44 units per ha							

2.0 SITE DESCRIPTION

2.1 The site is approximately 2.6 hectares of the 12.69 hectare Former Ford Factory site situated to the northern edge of South Ockendon. The Former Ford Factory was demolished following the granting of outline planning permission in 2011. The site area for Phase 3 roughly measures 137m long by 200m wide and is a vacant area of land with secure fenced boundaries. There is vegetation in the form of small trees and shrubs along the eastern boundary.

2.2 Phase 2 of the development is located directly to the south of the site. To the north are commercial uses and a warehouse building, to the east is the branch railway line linking Upminster to Grays, and to the west is Arisdale Avenue and beyond is an area of former quarry land that has since been restored to a more natural state.

2.3 South Ockendon railway station is located to the north-east of the site. A pedestrian scissor bridge across the railway line is located 650m to the south of the rail station and connects Ardmore Road to the west with Tamarisk Road to the east. The site is within walking distance of the shops and services within South Ockendon centre at Derwent Parade to the south west and to Ockendon Village centre to the north east.

3.0 RELEVANT HISTORY

Reference	Description	Decision
09/50035/TTGOUT Outline Planning Permission	Demolition of existing buildings and redevelopment of the site for up to 650 residential dwellings, associated car parking, roads, landscaping and public open space. Outline application with all matters reserved except for the points of access to the site'. S106 secured; (A) Affordable housing. (B) Public Open Space and play equipment (C) SUD's Management / Maintenance (D) To pay Phased Financial contributions (E) Highway Scheme - The scheme means works of improvement to Arisdale Avenue. (F) Parking management strategy	Approved 28.04.2011
11/50443/TTGREM Phase 1	Submission of Reserved Matters pursuant to Outline Planning Permission ref: 09/50035/TTGOUT with regard to the creation of 92 no. two, three and four bedroom houses and apartments, plus associated roads, paths, drives, car parking, ancillary structures and landscaping	Approved 29.06.2012
14/00950/REM Phase 2	Submission of Reserved Matters pursuant to outline planning permission 09/50035/TTGOUT for the creation of 185 no. two and three bedroom houses and apartments, plus associated roads, paths,	Approved 17.11.2014

	drives, car parking, ancillary structures and landscaping.	
16/00864/DVOB	Application for a Deed of Modification to the s106 legal agreement in respect of affordable housing obligations for planning permission ref. 09/50035/TTGOUT (as amended by 14/01120/DVOB).	Pending Consideration
16/01617/CONDC	Discharge of condition 4 from approved planning application 09/50035/TTGOUT – Phase 3 dwelling numbers increased to 113 from 99 as Phase 1 was built with less dwellings than originally Phased	Approved 13.01.2017
16/01729/DVOB	Application for identifying the level of affordable housing for compliance with the requirements of the s106 agreement to application 09/50035/OUT (Outline planning permission is sought for demolition of existing buildings and redevelopment of the site for up to 650 residential dwellings, associated car parking, roads, landscaping and public open space. All matters to be reserved except access points into the site)	Pending Consideration
17/00029/NMA	Application for a proposed non-material amendment to remove the requirement for compliance with the Code for Sustainable Homes for Phase 3 of the proposed development (16/01726/REM) as required by condition 8 of planning permission 09/50035/TTGOUT	Pending Consideration

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2 ENVIRONMENT AGENCY:

No objection.

4.3 ENVIRONMENTAL HEALTH:

No objection subject to condition

4.4 ESSEX FIRE SERVICE:

No objection.

4.5 HIGHWAYS:

No objection subject to condition

4.6 LANDSCAPE AND ECOLOGY ADVISOR:

No objection.

4.7 WASTE TEAM

No objection.

4.8 PUBLICITY:

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

One neighbour letter on response have been received objecting on the following grounds:

- Additional traffic;
- Fibre broadband should be provided before properties are built, all existing properties in Arisdale Place struggle with ADSL.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 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:

- Building a strong, competitive economy
- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 8. Promoting healthy communities
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Conserving and enhancing the natural environment.

Planning Practice Guidance

5.3 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 48 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Climate change
- Design
- Determining a planning application
- Environmental Impact Assessment
- Flood risk and coastal change
- Health and wellbeing
- Housing – optional technical standards
- Land affected by contamination
- 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.

Local Planning Policy

Thurrock Local Development Framework (2011)

5.4 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations)
- CSSP3 (Sustainable Infrastructure)
- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP15 (Transport in Greater Thurrock)³
- CSTP18 (Green Infrastructure)
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP25 (Addressing Climate Change)²
- CSTP26 (Renewable or Low-Carbon Energy Generation)²
- CSTP27 (Management and Reduction of Flood Risk)²

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)³
- PMD7 (Biodiversity, Geological Conservation and Development)²
- PMD8 (Parking Standards)³
- PMD9 (Road Network Hierarchy)
- PMD12 (Sustainable Buildings)²
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD15 (Flood Risk Assessment)²
- PMD16 (Developer Contributions)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].

Focused Review of the LDF Core Strategy (2014)

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

Draft Site Specific Allocations and Policies DPD

- 5.6 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. 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.

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

- 5.7 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

Thurrock Local Plan

- 5.8 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 withan Issues and Options (Stage 1) document and simultaneously undertook a ‘Call for Sites’ exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the Autumn of 2017.

6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Principle of the Development
- II. Access, Parking and Highway Safety
- III. Layout, Site Coverage and Density
- IV. Scale and Design
- V. Open Space, Landscaping and Amenity Space
- VI. Housing Mix and Affordable Housing
- VII. Noise and Vibration
- VIII. Effect on Neighbouring Properties
- IX. Refuse/Recycling Facilities
- X. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The principle of the residential development on the Former Ford Factory site for up to 650 residential units to which this land parcel forms part of was established through an outline planning permission granted in 2011. The outline permission was subject to a number of planning conditions which require information to be provided for the reserved matters including the Design Code [condition 3], which are assessed below.

6.3 Members are advised that the outline consent was also subject to a planning obligation which secured financial contributions towards education facilities, community facilities, healthcare improvements, highway works, station accessibility improvements and sport and recreation, in addition to affordable housing. It is not possible to revisit the terms of the s.106 through the assessment of this application; this application seeks approval only for the matters that were reserved at the outline stage.

II. ACCESS, PARKING AND HIGHWAY SAFETY

6.4 The main vehicular access was approved as one of the four accesses from the outline permission. For Phase 3 this access would be formed leading to a road referred to on the plans as 'Main Street' and all other vehicle access points within the site would link to. There would also be vehicular access via Phase 2 to the south and in the future from Phase 4 to the north.

6.5 Two of the key design parameter requirements of condition 2 of the outline permission are to ensure vehicle movements in a hierarchical approach, and to

create pedestrian and cycle network routes through the site. This allows for connections to the existing footbridge across the railway line to the east, which falls within the Phase 2 area.

- 6.6 Condition 13 of the outline permission and the approved Design Code requires highway details for consideration with the reserved matters. The road to the western side of the public open space is referred to as 'Park Street' on the plans and this road would link to 'Main Street' and would form the main vehicular route running in a north-south direction. There is another through road following a north-south direction known as 'Mews Court' on the plans but this is likely to be a road with lower usage road in the hierarchical road approach and this road would be finished with a shared surface finish to allow pedestrian and vehicle movements. A choice of pedestrian routes throughout Phase 3 is shown on the plans with one of the routes passes through the public open space. Cyclists would have the choice of using the road network or pedestrian routes through the development. The road typologies generally accord with the Design Code requirements and the layout plan shows acceptable access arrangements for pedestrians and other road users to comply with the requirements of the conditions of the outline planning permission and policy PMD9.
- 6.7 In terms of surface finishes, all roads within the site would have a red coloured block paving apart from the bellmouth junction with Arisdale Avenue. The parking courts and private driveways would also have a grey coloured block paved surface finish. The details of the external street lighting, street furniture, signage, estate road construction and geometry, and drainage are acceptable. At the time of writing this report the applicant had provided additional technical information in relation to visibility splays which was being considered by the Council's Highway Officer. In the event that this information has any significant impact upon the layout of scheme Members will be updated.
- 6.8 Turning to parking, condition 13, 17 and a clause in the s103 agreement of the outline permission requires parking details and a parking strategy to be provided with the reserved matters. Design Code 'pr6' [parking arrangements] requires a minimum of 1.3 car off street parking spaces per dwelling, which is different to the Council's draft Parking Standards. The proposed parking provision for this development would be at least 1 parking space per dwelling. All flats would have 1 parking space and all houses would have either 1 or 2 spaces, depending on the house size i.e. 3 and 4 bedroom units have 2 off street parking spaces. The proposal includes 14 visitor parking spaces and in total there are 176 parking spaces with 162 parking spaces for 113 dwellings which complies with the Design Code requirement. Details of the proposed parking management strategy are required through condition 17 to the outline permission and the 'Planning Statement' details that a management company would operate and enforce a

permit system for parking on any parking courts or estate roads, and would ensure visitor parking spaces are not used by residents.

- 6.9 For cycle parking, condition 16 of the outline permission requires details to be provided with the reserved matters and Design Code 'pr4' [cycle parking/storage] requires on plot cycle parking facilities and cycle parking facilities within the public realm. The proposal would provide for 1 cycle space per dwelling and 15 cycle parking spaces for visitors. A dedicated parking storage area would be provided in each block of flats and each dwelling would have room for cycle parking to be provided, for example within a garden shed. Cycle parking racks would be provided adjacent to the 'pocket park' local area of play [LAP] within the main area of public open space. All of these arrangements are considered acceptable.

III. LAYOUT, SITE COVERAGE AND DENSITY

- 6.10 The layout and site coverage of this phase of development is required to meet a number of requirements as set out in the conditions of the outline permission and the Design Code. For this phase of development the plans show that the proposal would follow the street block structure as required through the Design Code 'bf1' [block typologies], would provide a range of frontage types as required through Design Code 'bf4' [frontage typologies] and a gateway typology, in terms of the two blocks of flats at the 'T' junction with Arisdale Avenue, as required through Design Code 'bf5' [gateway typologies]. The layout plan shows that dwellings have been carefully considered with regard to their corner treatment to meet Design Code 'bf8' [corner treatment]. The layout shows consideration of wayfinding and legibility through the site. The overall layout of the development is considered acceptable with regard to policies CSTP22 and PMD2.
- 6.11 Design Code 'bf1' [block typologies] also refers to density with the western side of the site required to have the higher density levels. The 'Planning Statement' demonstrates that the density range varies from 40-55 dwellings per hectare (dph) to the eastern side of the site to 55 – 70 dph to the western side of the site. The proposed development for this phase meets the density requirements of the Design Code and the site would have a density of 44 dph which is also acceptable with regard to policy PMD2.

IV. SCALE AND DESIGN

- 6.12 The scale for this phase of development this needs to be assessed with regard to the conditions from the outline permission and the Design Code. The Design and Access Statement from the outline permission, which is subject of the requirements of condition 2 sets out the maximum building heights and for this phase of development the proposed layout shows the building heights would accord with

these requirements which allow for a height range up to 4 storeys. The only exception is the flatted development of Block A located towards the eastern side of the site, which is up to 3 storeys in height instead of 2.5 storeys. However, within the wording of condition 2 there is an allowance for any such revisions and the 0.5 storey height increase is considered acceptable in this location, and this would help create a focal point to help identify the park area within this phase of development and within the entire development once built out.

- 6.13 The design and appearance of this phase of development seeks to continue the form and massing levels of the earlier phases of development. The overall design follows a simple contemporary form. Some of the design features include gable ends with a projecting parapet roof feature, bay windows, feature brickwork detailing and the use of vertical weatherboarding, generous sized fenestration openings recessed within the brickwork with soliders coursing above windows, uniformity and rhythm would be created through the repetition of the matching front entrance doors and porch roof canopies.
- 6.14 Design Code 'tp1' [colour and materials palettes] requires each phase of development to adopt a specific colour palette. The range of colour palettes are based on inspiration of the sites former use as a car factory and the colour schemes follow the colours offered for the production of the original Ford Escort. Phase 1 adopted the blue colour palette and Phase 2 the orange colour palette with both being evident in the built form. The colour palette for this phase seeks to follow the green colour palette with green and grey weatherboarding to be used as part of the design feature detailing on some of buildings and green coloured front entrance doors to each building. The proposed green palette provides a subtle but distinct finish to the appearance of the buildings.
- 6.15 In terms of the various Design Codes referenced in the above section the elevations show a range of frontage types 'bf4', building heights 'bf3', gateway typologies 'bf5', building lines and projections 'bf7', corner treatments 'bf8', elevational composition 'bf9', as well as consideration of the placement of entrances 'bf10', which are acceptable.
- 6.16 Condition 8 of the outline permission requires sustainable design and construction for each phase of development. For this phase a rainwater harvesting plan [to also comply with condition 28] would be provided for each dwelling. Each block of flats would have photovoltaic panels installed within the roof for electricity and hot water provision. Internally low energy lighting, efficient heating systems and fibre broadband would be installed. Sustainable construction methods would be used to minimise waste, reduce transport costs, and manage surface water. These details would accord with the requirements of policies PMD12 and PMD13 for sustainable

development and the use of renewable energy sources. To accord with policy CSTP1 all dwellings would be built to meet 'Lifetime Home' standards including 3 dwellings with full wheelchair access.

- 6.17 One of the requirements of condition 11 of the outline permission is for boundary treatment details to be provided with the reserved matters. Design Code 'pr3' [edges, boundaries and thresholds] provide criteria for types of boundary treatment and heights of boundary treatment. A mix of boundary treatment is proposed including 1.8m high close boarded fencings between gardens for rear and side boundaries, and for areas within the public realm 1.1m high railings, and dwarf walls with railings and brick piers are proposed to the front of some dwellings/flats with additional landscaped treatment including grass/hedge/shrub planting planted behind the boundary in the front garden area. Side boundaries onto the highway would have 1.8m high brick walls with brick piers. The proposed boundary treatment generally accords with the Design Code 'pr3' [edges, boundaries and thresholds] and matches the boundary treatment used on the earlier phases.
- 6.18 For scale and design proposal accords with the requirements of the outline permission and the Design Code with certain exceptions justified to accord with policies CSTP22 and PMD2.

V. OPEN SPACE, LANDSCAPING AND AMENITY SPACE

- 6.19 Conditions 2 [f] and 5 of the outline permission requires a series of public open spaces throughout the overall development and the land use plan contained within the Design and Access Statement to the outline permission shows the largest area of public open space would fall within this Phase 3 development. In accordance with this requirement, a clause within the s106 agreement to the outline permission, and the requirement of Design Codes 'pr7' [parks and green spaces] 'pr8' [park design briefs] and 'pr9' [play spaces] the layout plan for Phase 3 would provide 0.5 hectares of public open space and would contain a Local Area of Play [LAP] comprising of play equipment including a swing and a multi play unit incorporating a slide and climbing equipment. The public open space would incorporate raised mounds on three sides where tree planting is proposed. An area of levelled green open space would be provided centrally and a path would run along the western side of this area in a north to south direction linking to the LAP.
- 6.20 Condition 11 of the outline permission requires specific landscaping details to be provided with the reserved matters for each phase of development. The public open space would contain the majority of trees for this Phase 3 development but there are street trees proposed along the 'main street' into the site and within each of the parking court areas for the flats within the site. The provision of trees is

necessary for meeting the requirement of Design Code 'pr10' [street trees]. In addition to trees the development would incorporate soft landscaping in the form of grass, long mown amenity grass within the public open space to encourage and enhance biodiversity/ecology and a series of different height hedges with 0.5m high hedges sitting behind railings to the front boundaries for the majority of houses and flats. The hard landscaping arrangement proposes buff coloured paving slabs for the paths to the front entrances, a series of different block paving arrangements and colours for roads and parking areas, and railings and low brick wall front boundary treatment, all of these features would match those used within the earlier phases of development to the south.

- 6.21 Design Code 'bf13' [garden sizes and private amenity] stipulates the requirements for the development. A 'garden sizes plan' has been provided which demonstrates that each house would have at least 60m² and some houses would have more than 80m². Additional amenity space through balcony provision is proposed for two properties that front the area of public open space and this continues an approach used in the earlier phases of the development and is identified as a requirement of Design Code 'bf13'. Each flat would have a balcony and/or an area which can be used for communal amenity space. Whilst some of the balconies marginally fall below the advisory size requirements stipulated in Design Code 'bf13' but for this phase all dwellings would be within close proximity of the public open space, which would provide an additional alternative to private amenity space communal gardens and balconies.
- 6.22 In addition to the compliance requirements of the outline permission and the Design Codes the open space, landscaping and amenity space provision are considered acceptable with regard policies CSTP18, CSTP20 and PMD2.

VI. HOUSING MIX AND AFFORDABLE HOUSING

- 6.23 Condition 7 of the outline permission specifies the housing mix for the totality of the development to create a balanced community and housing supply but does allow for some variation through the phased reserved matters. The latest [May 2016] Strategic Housing Marketing Assessment [SHMA] is a material consideration and sets out the housing need and mix requirements for the Borough but also the wider context of South Essex. The SHMA identifies the need for 3 bedroom semi-detached and terraced houses and 1 and 2 bedroom flats. This phase of development would provide both family dwellings and flatted development as needed in the SHMA and to comply with policy CSTP1. For this phase of development it is important to continue the identified housing mix with more houses [53%] than flats [47%] to meet the requirements of condition 7 and the approved Phasing Plan as more flats would be provided in the future final Phase 5 to ensure a balanced community is provided.

- 6.24 The level of affordable housing will be agreed in accordance with the s106 agreement requirements to the outline permission and is therefore a separate matter not for consideration with this reserved matters application. However for Members information, the level of affordable housing is likely to be around 10% for this phase of development which would meet with the minimum requirements of the s106. The 'Tenure Strategy Plan' identifies the location of the affordable housing and shows that there would be 11 flatted units with 8 units in Block B and 5 units in Block D. These would be a mix of social rented and shared ownership units.

VII. NOISE AND VIBRATION

- 6.25 Condition 10 of the outline permission requires a scheme for noise insulation of the proposed dwellings including mitigation measures. A 'Noise and Vibration Assessment' has been provided and in terms of the 'noise environment' Arisdale Avenue, the railway line to the eastern site boundary and nearby industrial uses to the north provide differing noise sources. The layout of this phase of development continues the alignment of dwellings along Arisdale Avenue from Phases 1 and 2 and with regard to the railway proposes a buffer zone within the site between the railway boundary and boundaries of residential properties. The nearest dwelling would be plot 89 which has a side elevation with no openings approximately 10m from the nearest railway tracks. There are five plots which have rear gardens backing onto the buffer zone but again these are approximately 10m from the nearest railway tracks. These arrangements are similar to those approved for Phase 2 to the south. The noise report outlines mitigation measures for noise, vibration and ventilation. The Council's Environmental Health Officer (EHO) has raised no objection to the application but has requested the developer confirms the mitigation measures to be provided as a condition because the 'Noise and Vibration Assessment' does not provide glazing and ventilation specifications for all the properties that would be affected by noise sources. Such details are required to ensure the amenities of future residents are not subject to noise disturbance, in accordance with policy PMD1.

VIII. EFFECT ON NEIGHBOURING PROPERTIES

- 6.26 Design Code 'bf12' [privacy and back to back distances] requires a 22m distance back to back distance from habitable rooms to avoid unnecessary privacy intrusion. The majority of this phase of development would meet this requirement as the layout of the development has been considered to avoid any loss of privacy for future occupiers. The only exception is where this distance is marginally below this requirement at approximately 18-19m in between plots 76 and 77 to plots 71 and 72. The internal layout of these properties has been carefully considered to avoid having multiple habitable rooms to the rear at first floor level but each dwelling would have their third bedroom on the rear. However, the orientation of these dwellings would be slightly angled to ensure they are sited in a direct parallel back

to back setting. Because of this and the distance between each of these dwellings it is considered that an exception can be made to the Design Code requirement in this instance.

- 6.27 The layout shows there would be no side windows to habitable rooms overlooking neighbouring sites and only those dwellings which have a side elevation facing into the public realm would have side windows as secondary window arrangements to habitable rooms.
- 6.28 The layout of the development with houses and flats fronting onto the internal road network around the public open space would provide a level of natural surveillance to comply with Design Code 'pr2' [overlooking of public spaces] and would provide an attractive outlook for future residents of these properties.
- 6.29 The nearest existing neighbouring properties are those located in Phase 2 to the south of the site and where buildings front onto a streetscene. The proposal would be acceptable with regard neighbouring impact and policies PMD1 and PMD2.

IX. REFUSE/RECYCLING FACILITIES

- 6.30 Condition 25 of the outline permission requires refuse details to be provided with the reserved matters along with Design Code 'pr5' [bin storage/recycling] which identifies that access needs to be provided for refuse/recycling purposes. A 'Refuse Strategy Plan' shows that each dwelling would have room for refuse/recycling provision and for the flatted development such facilities would either be provided within the ground floor arrangements of the flats or in an individual outbuilding [for Block A]. The Council's Waste Officer has confirmed that the refuse plan is acceptable with all refuse/recycling facilities being within 20m distance for the collection vehicles to comply with policy PMD2.

X. OTHER MATTERS

- 6.31 Details of road junction construction, the construction environmental management plan, surface and foul water for this phase of development will be subject to a separate application process to discharge the relevant planning conditions from the outline permission.
- 6.32 Unless removed by way of planning condition, the proposed dwellings would benefit from permitted development rights which include the ability to build limited extensions and outbuildings, and undertake alterations in certain circumstances. Whilst the exercise of permitted development rights for extensions and outbuildings would reduce the amount of garden area, it is considered that this is a matter of choice for the individual householder and, therefore, it is not recommended that

these rights be removed in this instance, which in terms of consistency follows the same approach taken with phases 1 and 2.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

7.1 This proposal would bring forward the third phase of development at this site and would provide a range of housing needed for this area. The development on previously developed land would contribute 113 units to the Council's 5 year housing land supply in terms of paragraph 47 of the NPPF and towards the housing requirements identified in Core Strategy policies CSSP1 and CSTP1. The proposal has been subject to negotiation with officers to ensure that a high quality design to the development is brought forward to ensure compliance with the Design Code for the site and policies CSTP22, PMD2, and continuing the evolution of this wider development in light of the earlier phases in creating character and distinctiveness in this location to reflect the requirements of policy CSTP23. The proposal would also provide an area of public open space and a local area of playspace for the benefit of occupiers and local people.

7.2 The application has been subject to a consultation and publicity process and all material considerations relevant to this reserved matters application have been assessed and are considered acceptable with regard to compliance with the conditions of the outline permission and the Design Code, as well as the requirements of the NPPF and Core Strategy policies.

8.0 RECOMMENDATION

8.1 That the Reserved Matters be Approved, subject to the following conditions:

In accordance with the plans

1. The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice as well as the submitted detailed specifications.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved.

Visibility Splays

2. Prior to occupation of this phase of development the visibility splays shown on the approved plans shall be implemented with no obstruction to visibility above ground level when measured from the level of the adjoining kerb. The visibility splays shall be retained and maintained clear of obstruction at all times thereafter.

Reason: In the interests of highway and pedestrian safety in accordance with policies PMD2 and PMD9 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

Parking Provision – as shown on the approved plans

3. Each dwelling hereby permitted for this phase of development shall not be first occupied/provided with connection to utility services until such time as the vehicle and cycle parking areas shown on the approved plans, including any parking spaces for the mobility impaired, has been constructed, hard surfaced, sealed and marked out as shown on the approved plans. The vehicle and cycle parking area(s) shall be retained in this form at all times thereafter. With the exception of the visitor vehicle and cycle parking areas shown on the plans the vehicle and cycle parking area(s) shall not be used for any purpose other than the parking of vehicles and cycles for the approved development.

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

Parking Management Strategy

4. Upon first occupation of this phase of development the Parking Management Strategy shall be implemented in accordance with the details specified in paragraph 6.54 of the 'Planning Statement' dated December 2016 and the 'Parking Strategy Plan' drawing reference 1305-D-1204, unless otherwise agreed in writing with the local planning authority.

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

Implementation of the 'Landscape Scheme'

5. The 'Landscape Scheme', as defined in condition 11 of the outline planning permission [reference 09/500035/TTGOUT], shall be implemented prior to first occupation of this phase of development.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings, enables high quality design, incorporates measures to promote biodiversity in accordance with the

Extended Phase 1 Habitat Survey and that adequate provision is made for open space and play equipment in the interests of the amenity of future occupiers. To accord with policies CSTP18, CSTP19, CSTP20, PMD2, PMD5 and PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

Noise mitigation

6. Prior to the commencement of this phase of development details of the measures to mitigate the impact of noise upon private amenity spaces and habitable rooms shall be submitted to and agreed in writing with the Local Planning Authority. The details shall include the specification of the glazing for the windows and ventilation serving habitable rooms, and noise mitigating boundary treatment for private gardens, for all dwellings facing Arisdale Avenue and the Railway to achieve BS8233:2014. The noise mitigation measures shall be implemented as approved.

Reason: To ensure a 'good' internal noise standard in accordance with BS8233:2014 is achieved for the amenities of the future occupiers of dwellings facing Arisdale Avenue and the Railway in accordance with policies PMD1 and PMD2 of the Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

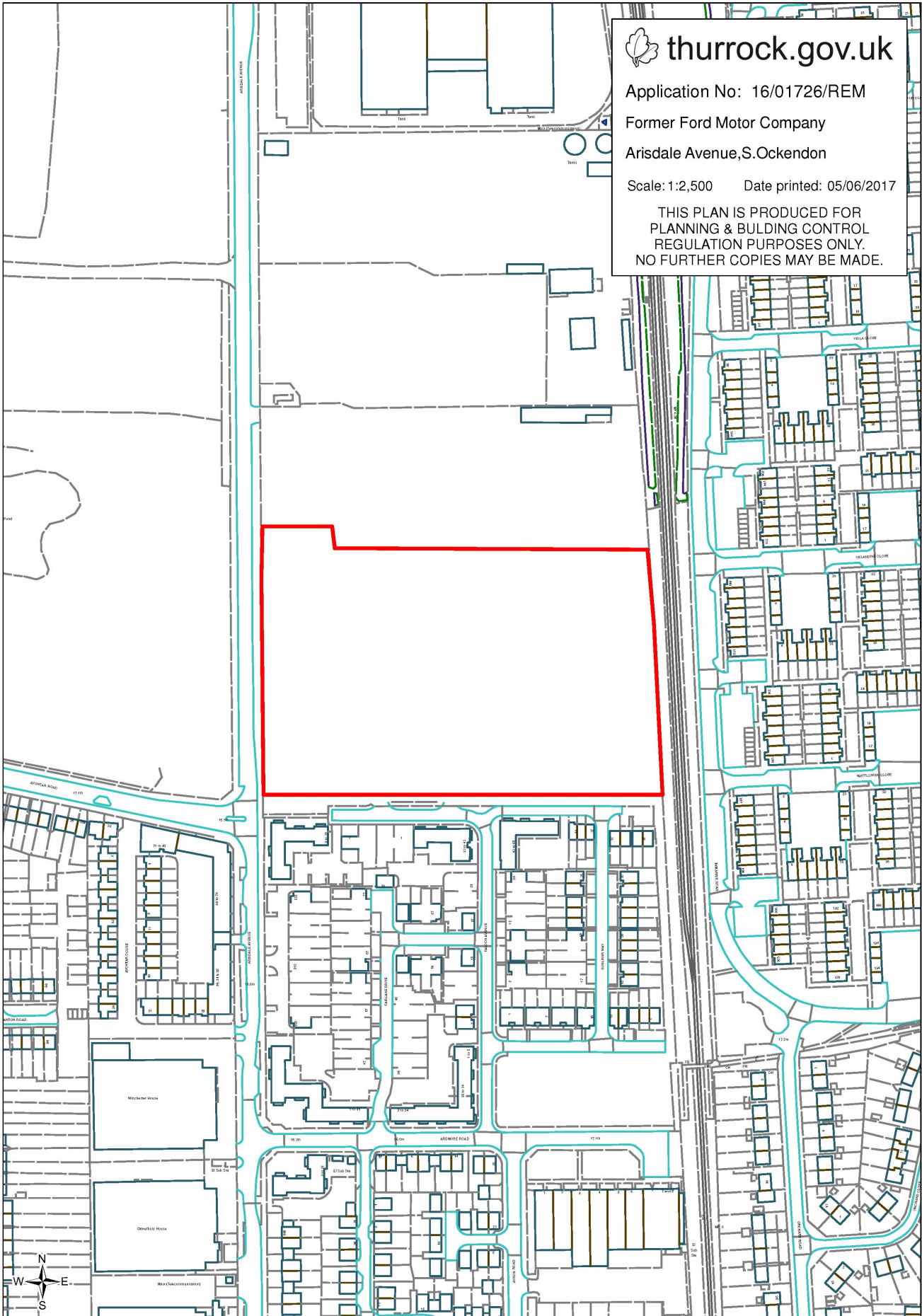
Positive and proactive statement

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

Documents:

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

www.thurrock.gov.uk/planning



 **thurrock.gov.uk**

Application No: 16/01726/REM

Former Ford Motor Company

Arisdale Avenue, S. Ockendon

Scale: 1:2,500 Date printed: 05/06/2017

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Reference: 15/01354/OUT	Site: Land Part of Little Thurrock Marshes Thurrock Park Way Tilbury
Ward: Tilbury Riverside and Thurrock Park	Proposal: Application for outline planning permission (with details of landscaping, scale and appearance reserved) for the development of 13.11 ha of land to provide up to 280 residential units, a 250 sq.m. community facility (Use Class D1) and 1,810 sq.m. of commercial floorspace (Use Class B2/B8) with associated landscape, flood improvement and access works.

Plan Number(s):		
Reference	Name	Received
001C	Site Location Plan	09.02.2017
101B	Land Ownership Plan	16.02.2017
131G	Masterplan	16.02.2017
133F	Masterplan Building Parameters	17.05.2017
134F	Masterplan: Housing Zones	16.02.2017
140E	Ecology Enhancement Plan	16.02.2017
143	Masterplan	28.04.2017
144	Masterplan	28.04.2017
145	Masterplan	28.04.2017
146	Masterplan	28.04.2017
970.01 Rev.C	Landscape and Ecology Strategy, Whole Site	16.02.2017
970.02 Rev. A	Landscape & Planting Strategy (1 of 4)	16.02.2017
970.03 Rev. A	Landscape & Planting Strategy (2 of 4)	16.02.2017
970.04 Rev. A	Landscape & Planting Strategy (3 of 4)	16.02.2017
970.05 Rev. A	Landscape & Planting Strategy (4 of 4)	16.02.2017
970.06 Rev. A	Landscape Sections	16.02.2017
CC1442-SK002 Rev. A	6m Maintenance Provision	11.07.2016
CC1442-103 Rev. A	Proposed Drainage Layout (Sheet 1 of 3)	11.07.2016
CC1442-104 Rev. A	Proposed Drainage Layout (Sheet 2 of 3)	11.07.2016
CC1442-105 Rev. A	Proposed Drainage Layout (Sheet 3 of 3)	11.07.2016
CC1442-109 Rev. D	Highways General Arrangement (Overall Site Layout)	16.02.2017
CC1442-110 Rev. E	Highways GA & Proposed Levels (Sheet 1 of 6)	16.02.2017
CC1442-111 Rev. E	Highways GA & Proposed Levels (Sheet 2 of 6)	16.02.2017
CC1442-112 Rev. E	Highways GA & Proposed Levels (Sheet 3 of 6)	16.02.2017
CC1442-113 Rev. D	Highways GA & Proposed Levels (Sheet 4 of 6)	16.02.2017

CC1442-114 Rev. E	Highways GA & Proposed Levels (Sheet 5 of 6)	16.02.2017
CC1442-115 Rev. E	Highways GA & Proposed Levels (Sheet 6 of 6)	16.02.2017
CC1442-116 Rev. B	Refuse Collection Vehicle Swept Path Analysis (Sheet 1 of 4)	16.02.2017
CC1442-117 Rev. B	Refuse Collection Vehicle Swept Path Analysis (Sheet 2 of 4)	16.02.2017
CC1442-118 Rev. B	Refuse Collection Vehicle Swept Path Analysis (Sheet 3 of 4)	16.02.2017
CC1442-119 Rev. B	Refuse Collection Vehicle Swept Path Analysis (Sheet 4 of 4)	16.02.2017
CC1442-120 Rev. A	Highways Longitudinal Sections (Sheet 1 of 4)	11.07.2016
CC1442-121 Rev. A	Highways Longitudinal Sections (Sheet 2 of 4)	11.07.2016
CC1442-122 Rev. A	Highways Longitudinal Sections (Sheet 3 of 4)	11.07.2016
CC1442-123 Rev. A	Highways Longitudinal Sections (Sheet 4 of 4)	11.07.2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> • Anglian Water Pre-Planning Assessment Report • Botanical Report • Breeding Birds Report • Design and Access Statement • Ecology Data Survey • Flood Risk Assessment , with Addendum • Great Crested Newt Survey • Invertebrates Survey • Lowes Metals Air Quality Statement • Lowes Metals Noise Statement • Planning Statement • Preliminary Ecological Appraisal • Reptile Survey • Sustainability and Energy Statement • Transport Assessment • Travel Plan • Water Framework Directive Assessment; and • Water Vole Report 	
<p>Applicant: Nordor Holdings Ltd</p>	<p>Validated: 19 November 2015 Date of expiry: 30 June 2017 (Extension of time agreed)</p>
<p>Recommendation: Grant planning permission, subject to: (i) referral to the Secretary of State; (ii) the completion of a s106 legal agreement and (iii) conditions.</p>	

This application is scheduled for determination by the Council’s Planning Committee because of the scale of the development proposed.

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks outline planning permission for a residential-led, mixed use development of up to 280 dwellings, Class B2 (general industrial) / B8 (storage and distribution) floorspace (1,810 sq.m.) and a community facility (Class D1) of 250 sq.m. floorspace. The appearance, landscaping and scale of the development are reserved for future approval (as reserved matters) should outline planning permission be granted. The matters of access and the layout of the development are for detailed consideration through the current submission.

1.2 The principal elements of the submission are set out in the table below:

Site Area	13.1 hectares
Residential Development	101 no. two-bed houses 119 no. three-bed houses 6 no. four-bed houses 48 no. two-bed flats 6 no. three-bed flats TOTAL 280 no. dwellings
Commercial Development (Class B2 / B8)	1,810 sq.m. – indicatively arranged within 8 no. units
Community facility (Class D1)	250 sq.m.

1.3 Residential development – the proposals promote a range of two, three and four-bedroom houses and two and three-bedroom flats. Houses would comprise 81% of the total dwellings proposed, with flats making up the remaining 19%. Three broad housing typologies are proposed comprising a house with garage (Type A), a house without garage (Type B) and flatted development (Type C). Height parameters suggest two-storey (maximum) for houses and three-storey (maximum) for flats. Gross internal floorspace for houses would range between 83 sq.m. and 100 sq.m. and between 70 sq.m. and 86 sq.m. for flats.

1.4 Non-residential floorspace – the proposals include Class B2 (general industrial) / B8 (storage and distribution) uses totalling 1,810 sq.m. floorspace. This floorspace is indicatively arranged with 8no. units located at the southern boundary of the site, immediately adjacent to existing commercial units at Thurrock Park Way. The proposals also include a ‘community facility’ totalling 250 sq.m. and located immediately adjacent to the existing turning-head at the southern-end of Churchill Road.

- 1.5 Layout – the layout of the development is a matter for detailed consideration at this stage and is not reserved for future approval. For the purposes of this application, layout means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. An illustrative masterplan layout drawing has been submitted which shows that the area of the site immediately north of the Churchill Road estate would remain as open land. In addition, land on the northern and western sides of the Chadwell New Cross Sewer would remain open. The residential development, comprising a series of connected streets would be arranged across the majority of the remaining site area, wrapping around the southern and eastern edges of the Churchill Road estate. The Class B2 / B8 commercial development would be located at the southern extremity of the site.
- 1.6 Access – access is also a matter for detailed consideration at this stage and is not reserved for future approval. For the purposes of this application, access means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network. The application proposes that the sole access to the residential and health centre uses on-site would be from Churchill Road, via the existing turning-head at its southern end. Masterplan drawings show how Churchill Road could be extended to both the west and south-east via two ‘spine’ roads which could access all of the dwellings and the proposed health centre. Vehicular access for the Class B2 / B8 floorspace located on the southernmost part of the site would be from the Clipper Park development on Thurrock Park Way. Thus separate means of access are proposed to serve the residential / health centre and Class B2 / B8 development and the applicant emphasises that no vehicular route would be provided to link Churchill Road with Thurrock Park Way. Footpath and cycleway routes through the site are proposed as follows:
- a potential western path linking to Manor Road;
 - a potential link around the northern edge of the site to link the Dock Approach Road with Churchill Road;
 - a potential southern footpath / cycle link to Thurrock Park Way.
- 1.7 Groundworks – although landscaping is a matter reserved for future approval if outline planning permission is granted, flood mitigation works are proposed which would include re-profiling of ground levels. Ground levels across the site would be raised, existing watercourses enlarged and pond areas created in order to address flood risk issues on-site.

2.0 SITE DESCRIPTION

- 2.1 The site comprises an irregularly shaped parcel of land, extending to approximately 13.1 hectares in area and generally located to the west of the Dock Approach Road (A1089) and north of the Thurrock Park Way commercial area. The site ‘wraps around’ the existing Churchill Road residential estate, developed in the late 1980’s and principally comprising two-storey dwellinghouses on Churchill Road, Medlar Road, Salix Road and adjoining streets. This estate essentially comprises a cul-de-sac of c.250 dwellings access onto Dock Road to the north.

- 2.2 The northern part of the site consists of an open strip of land separating the Churchill Road estate and dwellinghouses to the north at Silverlocke Road, Lawns Crescent and the Willows. The drainage ditch, known as the Chadwell New Cross Sewer, passes east-west across the northern part of the site before changing alignment to run parallel to the sites western boundary. This watercourse is defined as a ‘Main River’. Much of the eastern part of the site also comprises a strip of open land separating the Churchill Road estate from the A1089 Dock Approach Road. The southern part of the site comprises a broader expanse of open land separating the Churchill Road estate from the Asda supermarket and commercial uses at Thurrock Park Way to the south. The western part of the site adjoins and area of open land located at the western-end of Thurrock Park Way.

- 2.3 The site is open and has been partly colonised by scrub vegetation. The majority of the application site, apart from a thin strip along the northern and western edges of the site, is within the Green Belt as defined by the Policies Map accompanying the adopted Core Strategy (as amended) (2015). The south-western part of the site, as well as being designated as Green Belt, is allocated as ‘Additional Open Space’. The site is generally flat and low-lying and is within the high risk flood zone (Zone 3), although it benefits from existing flood defences. The site does not form part of the Tilbury flood storage area, which is generally located to the east of the A1089(T). None of the site forms part of any designated site of nature conservation importance.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
52/00279/FUL	Erection of electric overhead lines at Dock Road, Little Thurrock.	Approved
57/00570/FUL	Residential development	Refused
58/00087/FUL	Erection of overhead electric power lines	Deemed Approval
64/00617/FUL	Housing estate providing for the erection of	Approved

	250 Houses	
66/00907/FUL	Operational land for the purposes of the authorities undertaking	Withdrawn
68/00783/FUL	Overhead power lines	Approved
69/00621/FUL	Vehicle park and access road on land west of Dock Road, Tilbury	Approved
69/00621A/FUL	Depot and access road west of Dock Road, Tilbury subject to conditions within planning application THU/621/69	Approved
74/00161/OUT	Development of land at Tilbury North for 30 acres of housing, 45 acres of warehousing and 53 acres of open space.	Approved
78/00292/FUL	Development of land at Tilbury North for 30 acres of housing, 45 acres of warehousing and 53 acres of open space subject to condition 1 - 30 on permission THU/161/74	Approved
78/00601/OUT	Development including housing, warehousing, superstore and open landscaped areas. Appeal Lodged. Appeal Allowed	Approved
78/00601A/FUL	Superstore and car parking, warehousing and car parking. Overall development access roads and sewers	Approved
81/01145A/FUL	Revised application for residential development of 252 houses	Approved
82/00141/OUT	Use of land as industrial and or warehousing and ancillary purposes	Approved
89/00283/OUT	Housing community facility, link road, access roads and public open spaces. N.B. This decision was subject to a Section 52 Agreement which was not finalised.	Refused
08/01042/TTGSCR	Request for EIA screening opinion: Proposed redevelopment of land at Little Thurrock for employment use and creation of public open space and wildlife habitat.	EIA not required
09/50024/TTGOUT	Land to the South of Churchill Road residential estate and to the north of the Thurrock Park employment area. Redevelopment of land at Thurrock Park to include development of 3.8 hectares of employment land as an extension to the existing employment uses at Thurrock park (use class B2/B1 (c) and B8) with a total	Approved

	maximum internal floor area of 20,000sq.m. Improvements to 9.6 hectares of existing open space, including better access.	
11/50307/TTGOUT	Redevelopment of land at Thurrock Park to include: 1. Development of 3.8 hectares of employment land as an extension to the existing employment uses at Thurrock Park (uses B2, B1(c), B8) and open storage and other non-class B employment uses with a total maximum internal floor area of 20,000 sq.m. The open storage and non-class B employment uses shall be limited to not more than 2 hectares. 2. Improvements to 9.6 hectares of existing open space, including improved access.	Approved
13/00396/CV	variation of conditions relating to 11/50307/TTGOUT	Invalid
13/00685/CV	Variation of conditions 2, 7, 12, 14, 15, 16, 20, 21, 22, 24, 25, 28, 29, 31, 32, 33, 36, 39, 40 and 41 of approved planning application 11/50307/TTGOUT to allow re-development of site without submitting details of all phases prior to the implementation of any part of the development	Finally disposed of
15/00116/OUT	Application for outline planning permission (with all matters reserved) for the development of 4ha of land to provide 122 residential units, and a 125 sq.m. community centre (Use Class D1) with associated landscape improvements and access works.	Withdrawn
15/00171/SCR	Request for a screening opinion pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011: Proposed development of 4ha of land to provide 122 residential units, and a 125 sq.m. community centre (Use Class D1) with associated landscape improvements and access works.	EIA not required
15/00299/CV	Variation of conditions 2, 3, 4, 7, 12, 14, 15, 16, 18, 20, 21, 22, 24, 25, 28, 29, 31, 32, 33, 35, 36, 39, 40 and 41 of approved planning application 11/50307/TTGOUT to allow re-development of site without submitting details	Lapsed

	of all phases prior to the implementation of any part of the development.	
15/00476/NMA	Variation of Conditions 3 (Outline Element) and Condition 4 (Time Limit) against approved planning application 11/50307/TTGOUT	Invalid

3.1 The application site has a complex planning history of planning applications. Historically the site formed part of the more extensive Little Thurrock Marshes, generally located to the south-east of Little Thurrock (St. Mary’s Church and the former Little Thurrock Hall). The site remained as open, low-lying land intersected by drainage ditches throughout the 19th century. Residential development to the north of the site (and south of Dock Road) progressed through the early and mid-20th century. Commercial development to the south at Thurrock Park Way commenced during the early 1980’s and the Churchill Road residential estate was built in the late 1980’s.

3.2 Planning applications of relevance to the current case comprise:

(i) 69/00621/FUL

In November 1969 full planning permission was granted for:

“Construction of groupage depot and road access. To be used for groupage operations, involving the loading and unloading of containers”.

The site area of this permission involved approximately 7 hectares of land located to the north-west of the ‘Asda’ roundabout, on land currently partly occupied by Asda, adjacent land to the north and the south-eastern corner of the current application site. At the time of this 1969 permission an extensive area of land west of the Dock Approach Road, east of Manor Way and south of Silverlocke Road / Lawns Crescent formed Port of London Authority (PLA) land. The 1969 permission was granted to the PLA and comprised a warehouse, lorry parking and storage areas associated with a container depot.

(ii) 74/00161/OUT

In June 1976 outline planning permission was granted for:

“30 acres of housing, 45 acres of warehousing and 53 acres of open space”.

This permission comprised 128 acres (51.8 hectares) of PLA land located west of the Dock Approach Road, east of Manor Way and south of Silverlocke Road /

Lawns Crescent. Illustrative plans accompanying the outline permission suggested a layout involving warehousing development on the southern part of the site (now occupied by Asda and Thurrock Park Way), residential development to the north with open space for recreation and flood relief in-between. Permission was granted for c.500 dwellings.

(iii) 78/00601/OUT

In December 1980 the Secretary allowed an appeal against the refusal of planning permission by the Council for development of:

“Housing, warehousing, a superstore with ancillary offices and car parking and open landscaped areas”.

This application for outline planning permission (with all matters reserved) was submitted in May 1978 by the PLA in association with ASDA. Planning permission was refused by the Council in November 1978 for the following reasons:

- 1. the proposal would involve retail development outside existing town centres contrary to adopted shopping policy;*
- 2. the site forms part of an area within the extended Green Belt which has, by permission, been released for development because of special circumstances associated with the operation of Tilbury Docks. The proposed superstore does not have a sufficiently special relationship to the Docks to override Green Belt Policy;*
- 3. the proposal provides insufficient information to fully assess the proposed access roads.*

Following a public inquiry to hear the appeal against the refusal of planning permission, the Secretary of State allowed the appeal and granted outline planning permission in December 1980. The Inspector's report to the Secretary of State summarised the relevant development plan policies and noted that the site lies within the extended Green Belt, as defined by the Essex Review Development Plan. However, this Plan acknowledges the national importance of Tilbury Docks and accepts that consideration may need to be given for port and/or associated developments even on land in the Metropolitan Green Belt or the extended Green Belt. The decision letter from the Secretary of State focussed solely on matters of retail policy and the need for a superstore to be located either at the site or in Grays town centre. Crucially, the Secretary of State concluded that the appeal proposal represented an opportunity to develop and abnormally expensive site in the national and regional interest. Furthermore, the proposals would provide much needed warehousing essential to the future of Tilbury Docks.

(iv) 81/01145A/FUL

In April 1984 full planning permission was granted for a development of 252 dwellings. This development comprises the current Churchill Road estate.

(v) 09/50024/TTGOUT

In February 2011 outline planning permission (with all matters reserved) was granted for use of 3.8 hectares of land for employment uses (Use Classes B1(c) / B2 and B8) and improvements to existing open space. An indicative site plan suggested that the employment uses would be located on Green Belt land to the north and north-west of the Asda store. Following referral to the Secretary of State (as a departure from development plan policies for the Green Belts) and the completion of a s106 agreement, planning permission was granted. This permission has not been implemented.

(vi) 11/50307/TTGOUT

In March 2012 planning permission was granted for a hybrid application (part outline permission and part full permission) comprising employment uses (Class B1(c), B2 and B8, open storage and non-Class B employment uses) and improvements to existing open space. This permission involved a parcel of land similar to planning permission ref. 09/50024/TTGOUT. This permission has not been implemented.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2 PUBLICITY:

The application, as first submitted in November 2015, was publicised by the display of site notices, a newspaper advertisement and consultation with neighbouring properties. Following the receipt of revised plans, the application was subject to re-consultation with neighbours in July 2016. The proposals have been advertised as a major development and as a departure from the development plan.

4.3 In November 2015 neighbour consultation letters were sent to 117 surrounding properties. In response, 88 letters of objection were received from 63 addresses. These letters include responses from Councillors Aker, Gledhill and. A petition against the proposals containing 327 names was also received in response to the

November 2015 consultation. This petition is supported by Councillors Aker, Jan Baker, Smith and Spillman 4 Councillors.

4.4 In July 2016 re-consultation letters were sent to those addresses who had responded to the original consultation. A further 6 letters of objection were received. The objections received raise the following points:

- contrary to planning policies;
- increased traffic on local roads;
- strain on existing infrastructure (roads / sewerage / schools / surgeries);
- prejudicial to safety;
- loss of habitat;
- loss of Green Belt;
- increased rat-running on roads;
- risk of flooding;
- inadequate access;
- increased pollution;
- out of character;
- overlooking;
- increased noise and disturbance;
- loss of views;
- increased crime;
- impact on ecology;
- impact on residential amenity.

4.5 The following consultation replies have been received:

4.6 ANGLIAN WATER:

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

4.7 BUGLIFE (response dated 23.11.16):

Object to the planning application on the grounds of:

- (i) potential impact on priority invertebrate species and regionally important invertebrate assemblages;
- (ii) inadequate invertebrate surveys;
- (iii) inadequate assessment of habitat value, loss of a site identified as a potential Local Wildlife Site and insufficient mitigation for losses.

4.8 BUTTERFLY CONSERVATION:

Recommend that a full invertebrate survey is undertaken.

4.9 ENVIRONMENT AGENCY:

No objection on flood risk or Water Framework Directive grounds, subject to planning condition. However, object to the application on biodiversity grounds.

4.10 ESSEX COUNTY COUNCIL (ARCHAEOLOGY):

No objection subject to a planning condition requiring archaeological investigation.

4.11 ESSEX FIELD CLUB:

Object to the loss of a potential Local Wildlife Site and biodiversity interest. Contrary to elements of the NPPF concerning biodiversity.

4.14 HIGHWAYS ENGLAND:

No objections.

4.15 NHS ENGLAND:

The proposed health centre building does not align with the NHS England and CCG Estates Strategies for the area, at the current time NHS England and the CCG have no plans for a new facility in this location. The CCG instead are looking to reconfigure existing capacity in the surrounding vicinity to create greater efficiency. Assuming this matter is considered in conjunction with the current application process, NHS England would not wish to raise an objection to the proposed development.

4.16 SPORT ENGLAND:

No comments offered.

4.17 THURROCK EDUCATION:

A financial contribution from the development would be required to mitigate impacts on nursery, primary and secondary school education.

4.18 THURROCK ENVIRONMENTAL HEALTH:

Noise – no objections subject to condition.

Air quality – no issues raised.
Contaminated land – no objections, subject to condition.
Construction – no objections, subject to condition.

4.22 THURROCK FLOOD RISK MANAGER:

No objection, subject to planning condition addressing surface water drainage.

4.23 THURROCK HIGHWAYS:

No objections (following the receipt of a revised Transport Assessment), subject to s106 Agreement and planning conditions.

4.24 THURROCK HOUSING:

35% of the dwellings on site should be provided as affordable housing with at least 70% of the total affordable residential units provided as affordable rented accommodation to meet priority housing needs.

4.25 THURROCK LANDSCAPE & ECOLOGY:

No objection subject to suggested amendments to the submitted Ecological Mitigation Strategy and planning conditions.

4.26 THURROCK TRAVEL PLAN CO-ORDINATOR:

No objections to submitted Framework Travel Plan.

5.0 POLICY CONTEXT

5.1 National Planning Guidance

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.

The following headings and content of the NPPF are relevant to the consideration

of the current proposals:

- promoting sustainable transport;
- delivering a wide choice of high quality homes;
- requiring good design;
- promoting healthy communities;
- protecting Green Belt land;
- meeting the challenge of climate change, flooding and coastal change;
- conserving and enhancing the natural environment.

Planning Practice Guidance (PPG)

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 48 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- air quality;
- climate change;
- design;
- determining a planning application;
- flood risk and coastal change;
- natural environment;
- open space, sports and recreation facilities, public rights of way and local green space;
- planning obligations;
- renewable and low carbon energy;
- travel Plans, transport Assessments and Statements;
- use of planning conditions
- viability.

5.2 Local Planning Policy

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

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. 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.

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 2014 meeting 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.

Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended) (2015)

The following Core Strategy policies apply to the proposals:

- Spatial Policies:
- CSSP1 (Sustainable Housing and Locations);
- CSSP2 (Sustainable Employment Growth);
- CSSP3 (Sustainable Infrastructure);
- CSSP4: (Sustainable Green Belt);
- CSSP5 (Sustainable Greengrid);

- OSDP1 (Promoting Sustainable Growth and Regeneration in Thurrock.

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision of Affordable Housing)
- CSTP6: Strategic Employment Provision
- CSTP9 (Well-being: Leisure and Sports)
- CSTP10 (Community Facilities)
- CSTP11 (Health Provision)
- CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)
- CSTP18: Green Infrastructure
- CSTP19 (Biodiversity)
- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSTP24 (Heritage Assets and the Historic Environment)
- CSTP25 (Addressing Climate Change)
- CSTP26 (Renewable or Low-Carbon Energy Generation)
- CSTP27 (Management and Reduction of Flood Risk)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity);
- PMD2 (Design and Layout);
- 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);
- PMD16 (Developer Contributions)

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. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the

Autumn of 2017.

6.0 ASSESSMENT

6.1 Process

With reference to procedure, this application has been advertised as a departure from the Development Plan and as a major development. Any resolution to grant planning permission would need to be referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009 with reference to the 'other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt'. The Direction allows the Secretary of State a period of 21 days (unless extended by direction) within which to 'call-in' the application for determination via a public inquiry. In reaching a decision as to whether to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies. The Secretary of State will, in general, only consider the use of his call-in powers if planning issues of more than local importance are involved. Such cases may include, for example, those which in his opinion:

- may conflict with national policies on important matters;
- may have significant long-term impact on economic growth and meeting housing needs across a wider area than a single local authority;
- could have significant effects beyond their immediate locality;
- give rise to substantial cross-boundary or national controversy;
- raise significant architectural and urban design issues; or
- may involve the interests of national security or of foreign Governments.

6.2 The main issue for consideration in this case is the consideration of Green Belt matters, in particular:

- whether the proposals constitute inappropriate development with reference to the NPPF and development plan policy;
- impact on the open nature and character of the Green Belt;
- if the development is inappropriate, whether the harm to the Green Belt is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

6.3 The assessment below also covers the following areas:

- ii. Traffic impact, access and car parking;
- iii. Impact upon ecology and biodiversity;

- iv. Design and layout;
- v. Noise and air quality;
- vi. Flood risk and site drainage;
- vii. Viability and planning obligations;

I. PRINCIPLE OF DEVELOPMENT AND IMPACT ON THE GREEN BELT

6.4 Under this heading, it is necessary to refer to the following key questions:

- i. whether the proposals constitute inappropriate development in the Green Belt;
- ii. the effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and
- iii. whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development.

i. Whether the proposals constitute inappropriate development in the Green Belt

6.5 As noted in paragraph 2.3 above, the majority of the site is located within the Green Belt. Chapter 9 of the NPPF refers to the Green Belt and this chapter is titled "Protecting Green Belt land". Paragraph 79 within Chapter 9 states that the Government attaches great importance to Green Belts and that the "*fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.*" Paragraph 89 states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. The NPPF sets out a limited number of exceptions to this, namely:

- buildings for agriculture and forestry;
- appropriate facilities for outdoor sport, recreation and cemeteries;
- proportionate extensions or alterations to a building;
- the replacement of a building;
- limited infilling in villages; and
- the partial or complete redevelopment of previously developed sites.

6.6 Clearly the proposals to construct up to 280 dwellings, a community centre building of 250sq.m. floorspace and 1,810sq.m. of Class B2 / B8 floorspace do not fall into any of the exceptions listed above. Consequently, the proposals comprise inappropriate development with reference to the NPPF.

6.7 Paragraph 87 of the NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in "very special circumstances". Paragraph 88 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 Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*”.

6.8 Development plan policy, as expressed in the Core Strategy and Policies for the Management of Development (as amended 2015) is consistent with national policy on Green Belt matters. Core Strategy policy CSSP4 sets out the objective of maintaining the purpose, function and open character of the Green Belt. In order to implement this policy, the Council will:

- maintain the permanence of the boundaries of the Green Belt;
- resist development where there would be any danger of coalescence; and
- maximise opportunities for increased public access, leisure and biodiversity.

6.9 In addition, Core Strategy policy PMD6 states that, inter-alia, planning permission will only be granted for new development in the Green Belt provided it meets as appropriate the requirements of the NPPF.

6.10 Consequently, it is a straightforward matter to conclude that the proposals constitute inappropriate development in the Green Belt.

ii. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it

6.11 Having established that the proposals are inappropriate development, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether there is any other harm to the Green Belt and the purposes of including land therein.

6.12 As noted above paragraph 79 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being described as their openness and their permanence. Although this is an application for outline planning permission, it is clear from the submitted drawings that built development and accompanying curtilages etc. would occupy a large part of the site. The proposals would comprise a substantial amount of new built development in an area which is open. Therefore, it is considered that the amount and scale of development proposed would significantly reduce the openness of the site. As a consequence the loss of openness, which is contrary to the NPPF, should be accorded substantial weight in the consideration of this application.

6.13 Paragraph 80 of the NPPF sets out the five purposes which the Green Belt serves as follows:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns from 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.

6.14 In response to each of these five purposes:

6.15 *a. to check the unrestricted sprawl of large built-up areas*

The NPPF does not provide a definition of the term “large built-up areas”. However, as the site is located immediately adjacent to existing development within the settlements of Grays, Little Thurrock and Tilbury, the site can be considered as occupying a position on the edge of a large built-up area. In geographical terms, the site forms part of a narrow corridor of Green Belt land located in-between the A1089(T) and the edge of the built-up area of Little Thurrock to the west. In particular, the application is largely bounded to the north, west and south by existing residential and commercial development. The eastern boundary of the site is defined by the A1089(T) and in these circumstances the site may be considered as a relatively self-contained area, with strong definition to the majority of its boundaries. In these circumstances, it is considered that the development proposed would not spread the existing extent of built development further into this part of the Green Belt so as to amount to unrestricted sprawl on the edge of the settlement. On balance, it is considered that the proposals would have only limited impact upon the purpose of the Green Belt in checking the unrestricted sprawl of large built-up areas.

6.16 *b. to prevent neighbouring towns from merging into one another*

At a wider geographical level, the site forms part of the western-edge of the Green Belt which separates Grays / Tilbury in the south from Chadwell St.Mary to the north. As the built-up area of Grays is functionally linked to the built-up area of Tilbury through the Tilbury Dock complex, it is considered that the application site serves only a very limited purpose in separating Grays from Tilbury. As noted in the paragraph above, the site is enclosed on most of its boundaries by existing built development. The area is a narrow corridor of land which, although physically connected to the wider Green Belt to the east, is isolated and is physically and visually dominated by existing built development. The site’s isolation from the wider

extent of Green Belt to the east has arguably been increased by the recent removal of land from the Green Belt in order to accommodate Port-related expansion, now occupied by the Travis Perkins and Amazon warehouse developments. As a matter of judgement, it is considered that the proposals would have only limited impact on the function of the Green Belt in this location in preventing neighbouring towns from merging into one another.

6.17 *c. to assist in safeguarding the countryside from encroachment*

With regard to the third Green Belt purpose, the proposal would involve built development on what is currently open land. The term “countryside” can conceivably include different landscape characteristics (e.g. farmland, woodland, marshland etc.) and there can be no dispute that the site comprises “countryside” for the purposes of applying the NPPF policy test. It is considered that the proposals would constitute an encroachment of built development into the countryside at this location, causing some harm to the third purpose for including land in the Green Belt.

6.18 *d. to preserve the setting and special character of historic towns*

As there are no historic town in the immediate vicinity of the site, the proposals do not conflict with this defined purpose of the Green Belt.

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

In general terms, the development of dwellings and commercial floorspace could occur in the urban area and in principle, there is no spatial imperative why Green Belt land is required to accommodate the proposals. Therefore, on first impression, the development of this Green Belt site as proposed might discourage, rather than encourage urban renewal. Members will be aware that a new Local Plan for the Borough is being prepared and it is recognised that the release of some Green Belt land may be required in order to meet future growth. Indeed, the existing adopted Core Strategy (policy CSSP1) recognises the scenario of some Green Belt release. Although the new Local Plan may well identify locations for the release of Green Belt land, the document is at a very early stage and cannot be afforded weight in the decision-making process. Therefore, as noted above, the development of the site as proposed would impact upon the purpose of the Green Belt to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.20 In light of the above analysis, it is considered that the proposals would, to a degree, be contrary to some of the purposes of including land in the Green Belt. As noted above, there would be in-principle harm by reason of inappropriate development

and harm by reason of loss of openness. Substantial weight should be afforded to these factors.

iii. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development

6.21 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. However, some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision-taker.

6.22 The Planning Statement submitted by the applicant to accompany the application sets out the applicant's case for very special circumstances under the following headings:

1. the principle of development at the site has been accepted in previous planning permissions granted at the site;
2. there is a clear need and demand for new housing in Thurrock;
3. the proposals help to meet wider growth objectives within the Borough and Thames Gateway corridor;
4. the proposed development would respect all of the five purposes of including land within Green Belt;
5. the site is not contiguous with the rest of the Green Belt;
6. flood prevention measures will significantly reduce flood risk;
7. the proposed development provides a high level of site connectivity to local facilities and services, for pedestrians and cyclists;
8. significant landscape and public realm enhancements are proposed including more accessible and attractive recreational areas and open space;

9. the proposals will allow for new habitat creation and greater biodiversity across the site;
10. the proposed development will achieve a high standard of sustainable design and construction and fully comply with targets to reduce CO2 emissions;
11. the proposals demonstrate a high quality of design, layout and place-making;
12. the proposals include a variety of housing types and sizes to create a mixed community and respond to different needs;
13. the proposals include affordable housing;
14. the proposals include new health facilities;
15. there is an existing and expanded Primary School in close proximity to the proposed new housing;
16. the proposals support and enhance the Thurrock Park Employment Area;
17. Planning obligations will support the application.

The detail of the applicant's case under these headings and consideration of the matters raised are provided in the paragraphs below.

6.23 **The applicant's case for very special circumstances:**

1. the principle of development at the site has been accepted in previous planning permissions granted at the site

The applicant's case under this heading refers to planning permissions granted in 2011 (ref. 09/50024/TTGOUT) and 2012 (ref. 11/50307/TTGOUT) for development on the site. In addition, the applicant refers to a partly implemented planning permission (ref. 81/01145/FUL) affecting the site.

6.24 Consideration

The site has an extensive planning history which is summarised in the table at paragraph 3.0 above. With regard to recent planning history, planning application reference 09/50024/TTGOUT was submitted to the former Thurrock Development Corporation in April 2009. This application proposed:

“Redevelopment of land at Thurrock Park to include development of 3.8 hectares of employment land as an extension to the existing employment uses at Thurrock Park (Use Class: B2/B1(c) and B8) with a total maximum internal floor area of 20,000 sq.m. Improvements to 9.6 hectares of existing open space, including better access.”

- 6.25 The site area for this 2009 application corresponds closely with the current submission and as such predominantly comprises land within the Green Belt. Outline planning permission (with all matters reserved) was granted, following the

completion of a legal agreement and referral to the Secretary of State, in February 2011. A site plan for this approval indicatively shows a development of commercial units located on the south and south-eastern part of the site occupying an area of 3.8 hectares. The remainder of the site, extending to approximately 9.6 hectares in area was shown indicatively as open space with associated landscape and access improvements. This permission was not implemented and consequently has 'timed-out'. This application was determined by the former Thurrock Development Corporation. The report presented to the Council's Planning Committee in May 2009 setting out a recommended consultation response suggested no objection subject to the demonstration of very special circumstances and a s106 obligation to secure open space. However, Members of the then Planning Committee resolved to object to the application for reasons related to Green Belt, ecology and highways. When this application was submitted for consideration the applicant promoted four factors as comprising the very special circumstances required to justify a departure from development plans policy namely:

- i. need and demand for an employment site;
- ii. contribution towards the wider regeneration of the Thames Gateway;
- iii. the physical change in the site's character and appearance since it was designated as Green Belt; and
- iv. the proposed re-alignment of the Green Belt boundary within the South East Thurrock Masterplan.

6.26 These factors were considered by the local planning authority to clearly outweigh the harm to the Green Belt. In particular, an assessment of the site's function as Green Belt within the report presented to the Planning Committee of the Development Corporation noted that:

"The site currently forms a narrow inlet from the rest of the Green Belt to the east. In reality, it is not contiguous with rest of the Green Belt as it is severed by the A1089 road. The 1980 proposals suggest that the land was not intended to perform a function as Green Belt but more as a setting / buffer for the development that has taken place. The proposed development will narrow the gap between the commercial development and the housing to the north. However, given the current circumstances and the potential benefits considered below it is not considered that the Green Belt as a whole will be compromised by the proposal taking account of the functions set out above."

6.27 09/50024/TTGOUT was referred to the Secretary of State as a departure from Green Belt policy but was not called-in for determination, the Secretary concluding that the "issues raised do not relate to matters of more than local importance". This planning application has now 'timed-out' and also involved a smaller area of built development than the current proposal, with the remaining land on-site (9.6

hectares) retained as open space. Nevertheless, this permission involved development on what is currently open Green Belt land north of the Asda store and thus is relevant, to a degree, to the current proposals.

6.28 The applicant also refers to a partly implemented planning permission (ref. 81/01145A/FUL) affecting the site. As noted in the Planning History section above, this permission related to the Churchill Road residential estate (c.250 dwellings), although it is perhaps more relevant to refer to the preceding outline planning permission (78/00601/OUT). This permission comprised the 52 hectares of land formerly within the control of the PLA and granted outline consent for:

Residential	12.2 hectares
Open space	21.5 hectares
Warehousing	14.2. hectares
Retail superstore	4.1 hectares

Although the retail and warehousing elements of this permission were implemented on the southern part of the site, only some 9 hectares of the 12.2 hectares of consented residential development were completed. In addition, the large area of open space (21.5 hectares) although remaining open is not accessible to the public. The main factors cited by the Secretary of State in granting permission for 78/00601/OUT were the accepted need for a retail superstore in Grays and the provision of much needed warehousing essential to the future of Tilbury Docks. The Secretary of State’s decision did not refer to conditions or obligations for the residential element of the proposals.

6.29 In conclusion under this heading, the planning history for this site and the wider area which was formerly PLA operational land is lengthy and complex. Although the site was part of the “extended” Green Belt, permission was granted for comprehensive development of the PLA land in the 1970’s and 1980’s. The commercial elements of these permissions have been fully implemented. However, the consented residential development has only been partially implemented and the original proposals for open space have not been progressed. The more recent planning permission for commercial floorspace (09/50024/TTGOUT) introduced development north of the ‘original’ warehousing / retail development. This permission was not recovered by the Secretary of State for determination although it has now timed-out. On balance, it is considered that the planning history of the site should be afforded moderate weight in the assessment of Green Belt impact.

6.30 2. *There is a clear need and demand for new housing in Thurrock*

Under this heading the applicant refers to Core Strategy requirements for the provision of new housing up until 2021. Reference is also made to the lack of a five

year housing supply (as stated in the Council’s Annual Monitoring Report) and the shortfall in housing delivery. The applicant also refers to Core Strategy policy CSSP1 which cites to the potential release of suitable Green Belt land and contends that the accessible, urban location of the site is a very special circumstance.

6.31 Consideration

The adopted Core Strategy (as amended) (2015) sets out the Council’s targets for the delivery of new dwellings. Policy CSTP1 states that between April 2009 and March 2021, 13,550 dwellings are required to meet the overall minimum target of 18,500 dwellings (2001 -2021). In addition, provision is made for a further 4,750 dwellings between 2021 -2026. This is a total of 18,300 for the period 2009-2026, equating to an average of 1,076 dwellings per annum.

6.32 Paragraph 47 of the NPPF (2012) sets out the objective of significantly boosting the supply of housing. In order to achieve this objective, it includes a number of provisions including the need for local authorities to identify and update a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing, as measured against the objectively assessed housing requirement. In addition to identifying this requirement, paragraph 47 of the Framework also requires that the 5 year supply should be increased by either a 5% or a 20% buffer. The purpose is to ensure choice and competition in the market for land, but the additional purpose of the latter figure is to provide a realistic prospect of achieving the planned supply.

6.33 The most up-to-date analysis of the Borough’s housing land supply is provided in the Thurrock Local Plan Five Year Housing Land Supply Position Statement (July 2016). This statement notes that *“the dwelling requirement set out in the Core Strategy is now considered to be out of date”*. Instead, the South Essex Strategic Housing Market Assessment identifies a range of objectively assessed need for Thurrock of between 919 and 973 dwellings per annum (2014 base date). Using this range the requirement for new dwellings is:

		Lower	Upper
A	Thurrock Objectively Assessed Need	919	973
B	Thurrock annual housing requirement 2016 – 2021 (A x 5 years)	4,595	4,865
C	Thurrock annual housing requirement 2016 – 2021 including 20% buffer (B plus 20%)	5,514	5,838
D	2 year residual housing requirement 2014 to 2016	895	1,003
E	Total Thurrock Council annual housing requirement 2016 – 2021 (C + D)	6,409	6,841
F	Annual Thurrock Council annual housing	1,282	1,369

requirement 2016 – 2021 (E ÷ 5)		
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- 6.34 The Statement also assesses the supply of deliverable housing in the next 5 years (2016/17 to 2020/21) and concludes that there is a supply of between 2.5 and 2.7 years in relation to the identified objectively assessed need. In the context of paragraph 47 of the NPPF, this supply is less than 50% (when taking into account the 20% buffer) of that required and as such comprises a substantial shortfall in the supply of specific deliverable sites. For reference, the NPPF states that to be considered 'deliverable', sites should be (i) available now, (ii) offer a suitable location for development now, (iii) be achievable with a realistic prospect that housing will be delivered on the site within five years and (iv) in particular that development of the site is viable.
- 6.35 Paragraph 49 of the NPPF states:
- “Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.*
- Accordingly, parts of Core Strategy Policies CSSP1 (Sustainable Housing and Locations) and CSTP1 (Strategic Housing Provision) cannot be considered to be up-to-date, a fact which is recognised by the Thurrock Local Plan Five Year Housing Land Supply Position Statement (July 2016).
- 6.36 In assessing the issue of housing land supply as a factor in forming very special circumstances, consideration should be paid to the scale of the shortfall, the planning context and the prospect of addressing the shortfall. It can be argued that some degree of shortfall in housing land supply can be attributed to market conditions over proceeding years which have built up a large number of unimplemented permissions. The Council previously commissioned the consultants GVA to undertake research into identifying the reasons behind the decline in housing completions in Thurrock. In their report “Five Year Housing Supply Study” the consultants put forward evidence which suggests that the failure to deliver additional housing growth relates to a combination of wider economic and housing market weaknesses which have impacted upon the scale and rate of housebuilding activity not only within Thurrock, but also across the wider Thames Gateway and South Essex sub-region. Nevertheless, the Council has accepted, through the need to prepare a new Local Plan, the need to bolster housing land supply by the allocation of additional sites in the Green Belt.
- 6.37 In March 2012 the Inspectors report for the planning appeal at Butts Lane (ref. 10/50235/TTGOUT) concluded that that the under-achievement of housing land

supply against the planned housing supply trajectory was a situation where management action was urgently required to meet current requirements and ensure the later years of the plan period are not overloaded by the projected shortfalls. In allowing the Butts Lane appeal in March 2012, the Secretary of State agreed with the Inspector's conclusions on housing land supply and that ... *"this matter contributes significantly towards very special circumstances in relation to development of the Green Belt and considers that the scheme's contribution to meeting the shortfall in the 5-year supply of housing is a substantial benefit"*.

- 6.38 Nevertheless, Local Government Minister Brandon Lewis stated in July 2013 that that the "single issue" of unmet demand for housing or traveller sites would be unlikely to justify otherwise inappropriate development in the Green Belt. Furthermore, as noted above, a revision to PPG dated 6th October 2014 (under reference ID: 3-034-20141006) states that *"unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt."*
- 6.39 More recently, the Secretary of State called-in the planning application for residential redevelopment of the Green Belt site at the Aveley Sports and Social Club site. In refusing the application, the Secretary of State concluded that the contribution the proposals (501 dwellings) would make towards the supply of housing land should be afforded "substantial weight". However, the Secretary of State re-affirmed that the single issue of unmet housing demand is unlikely to outweigh harm to the Green Belt and other harm to constitute the very special circumstances justifying inappropriate development.
- 6.40 The current proposals would provide a benefit in contributing towards addressing the shortfall in the supply of new housing as set out in Core Strategy policy delivery targets and as required by the NPPF. The matter of housing delivery contributes towards very special circumstances and should therefore be accorded significant weight in the consideration of this application. However, as noted above, this single issue on its own cannot comprise the very special circumstances to justify inappropriate development, and as such, for such circumstances to exist this factor must combine with other considerations.
- 6.41 3. *The proposals help to meet wider growth objectives within the Borough and Thames Gateway corridor*

Under this heading the applicant refers to the scheme's overall compliance with Core Strategy policy OSDP1, the identification with the Core Strategy of Grays as a growth hub (including new residential development) and the reference to housing

growth allied to economic growth in the Thurrock Economic Growth Strategy (Draft – 2016).

6.42 Consideration

The review of the Core Strategy which was undertaken following the introduction of the NPPF in 2012 introduced a new, top-tier level planning policy (OSDP1) which was incorporated in the 2015 (as amended) Core Strategy. OSDP1 is the Council's overarching sustainable development policy, which informs the lower-tier strategic spatial policies, strategic thematic policies and strategic policies for the management of development.

6.43 Policy OSDP1 sets out the Council's commitment to promoting sustainable growth to deliver high quality sustainable development schemes across all types of land uses and facilities and states that, when considering development proposals, the Council will take a positive approach reflecting the presumption in favour of sustainable development set out in the NPPF. However, the presumption in favour of sustainable development which is set out in the NPPF does not override the presumption against inappropriate development within Green Belts. Consequently the perceived compliance with OSDP1 does not contribute towards the case for very special circumstances.

6.44 Under this heading the applicant also refers to the identification of Grays as a growth hub by the Core Strategy and to the "allocation" of approximately 2,600 additional dwellings and 1,600 jobs to this area over the plan period. The applicant also refers to the Strategic Spatial Objectives of the Core Strategy which include housing and employment growth within the Borough's regeneration areas. As above, the applicant's case under this heading refers to high-level strategic objectives which broadly define the key growth hubs / regeneration areas within the Borough. Although Grays, along with Tilbury, Purfleet etc. is allocated an indicative target for new growth target the purpose of the Core Strategy is not to allocate specific sites. Despite the fact that the Core Strategy recognises the potential need for the release of Green Belt sites, the presumption against inappropriate development continues to apply until such time as boundaries are reviewed. Therefore the broad identification of the site as within a growth area does not contribute towards the case for very special circumstances. Nevertheless, the 2013 Draft Site Specific Allocations and Policies Local Plan - Further Issues and Options consultation identified part of the site (for which permission was granted for commercial development in 2011 and 2012) as land for primary industrial and commercial employment. In line with similar cases where land was identified in the draft Site Specific Allocations and Policies Local Plan, some weight should be attached to this factor.

6.45 The Thurrock Economic Growth Strategy (draft) was considered by Cabinet in February 2016 where, inter-alia, it was resolved to approve the strategy and to acknowledge the role that the strategy will play in supporting the development of the Borough's Local Plan. The strategy continues to recognise the importance of the growth hubs in economic development and also notes that housing shortages and an attractive housing offer are factors influencing inward investment. Nevertheless, there is nothing in the content of the Thurrock Economic Growth Strategy which advocates the use of Green Belt land and the document does not override the policy presumption against inappropriate development. However, as part of the site was identified for development in the 2013 Site Specific Allocations and Policies Local Plan, some weight should be given to this matter in the overall balance of considerations.

6.46 4. The proposed development would respect all of the five purposes of including land within Green Belt

Under this heading the applicant provides the following analysis of the function of the site with reference to the five purposes which the Green Belt serves (NPPF para. 80):

- i. to check the unrestricted sprawl of large built-up areas – the site is tightly contained and would not engender sprawl;
- ii. to prevent neighbouring towns merging into one another – the development will be physically connected to existing development in Grays. The settlement of Grays is separated from Tilbury by the A1089 and the railway line. These physical boundaries would not be altered and there would be no merging of towns;
- iii. to assist in safeguarding the countryside from encroachment – the site is separated from open countryside by the A1089 and encroachment onto countryside would be negligible. The boundaries of the site would prevent future encroachment;
- iv. to preserve the setting and special character of historic towns – the site is not adjacent to any designated historic towns;
- v. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land – the proposals would not prevent the development of brownfield sites and would support the regeneration of Grays. Adopted Core Strategy policy accepts that some new residential development will occur outside of previously developed land.

6.47 Consideration

An analysis of the 'contribution' which the site makes to the five purposes of including land in Green Belts is provided at paragraphs 6.13 to 6.18 above. The analysis concludes that the proposals would, to a limited degree, be contrary to

some of the purposes of including land in the Green Belt. The principal Green Belt consideration to be made in this case is whether the identified harm to the Green Belt (including the purposes of including land therein) is clearly outweighed by other considerations. Although there is “in principle” harm to the Green Belt and harm to openness, the analysis above considers that other harm to the Green Belt (i.e. the contribution the site makes to the five purposes) is more limited. Therefore, in the planning balance between harm and the considerations which could amount to very special circumstances, the extent of harm is reduced with reference to the five purposes. This factor should therefore be afforded some weight in the balance of considerations.

6.48 5. *The site is not contiguous with the rest of the Green Belt*

Under this heading the applicant refers to the designation of the site as Green Belt when it formed part of a larger swathe of land and the implemented planning permissions which have reduced the extent of the open area. The applicant refers to the analysis of the site considered as part of planning permission ref. 09/50024/TTGOUT and the report presented to Planning Committee which considered that the site was “*not contiguous with the rest of the Green Belt*”. The applicant considers that the context of the site remains the same.

6.49 Consideration

The planning history of the site (summarised above) is long and complex. The application site was part of the former PLA landholding (51.8 hectares) located west of the A1089 and north of the railway line. The Inspector’s report (78/00601/OUT) noted that in 1968 the Minister of Transport had determined that the PLA landholding was “operational land” (port). Although this operational land was allocated as “extended Green Belt” within Essex Structure Plans in the 1970’s, these plans “*acknowledge the national importance of Tilbury Docks and the river and accept that consideration may need to be given for port and / or associated development even on land in the MGB or the extended Green Belt*”. Clearly, and despite this historic Green Belt allocation, planning permission for commercial, retail and residential development has been granted on the site.

6.50 A detailed analysis of the Green Belt ‘function’ of the site is provided elsewhere in this report. It is considered that the site is largely contained on its northern, southern and western boundaries by existing residential and commercial development. In spatial terms the site comprises a narrow corridor of Green Belt land, separated from the ‘wider’ Green Belt to the east by the A1089. As a matter of judgement it is considered that harm is, to a degree, limited by this factor. Accordingly, this physical characteristic of the site should be afforded some weight in the balance of considerations.

6.51 6. Flood prevention measures will significantly reduce flood risk

Under this heading the applicant refers to the proposals to raise ground levels and incorporate mitigation measures in order to “remove” flood risk from the development. In addition, the applicant notes that surface water attenuation storage will be provided for the 1 in 200 year event (plus allowance for climate change) which is more than the standard requirement (1 in 100 year event + climate change). The applicant suggests that this additional capacity will reduce *“peak run-off from the site as well as providing alleviation to potential flood risk downstream, providing in-direct benefits to the wider area”*.

6.52 Consideration

The issues of flood risk and site drainage are considered separately elsewhere in this report. In summary, the application site and surrounding developed land to the north, south and west is within the high risk flood zone (Zone 3a). This zone is described as having a 1 in 100 or greater annual probability of river flooding. Land to the east of the A1089 (excluding the Travis Perkins / Amazon sites) is within the functional floodplain (Zone 3b). The area surrounding the site is also bisected by three ‘main rivers’ (Chadwell Main Sewer, East Tilbury Dock Sewer and Chadwell New Cross Sewer).

6.53 Advice within National PPG refers to the term ‘design flood’ which is defined as a flood event of a given annual flood probability, which is generally taken as:

- fluvial (river) flooding likely to occur with a 1% annual probability (a 1 in 100 chance each year), or;
- tidal flooding with a 0.5% annual probability (1 in 200 chance each year), against which the suitability of a proposed development is assessed and mitigation measures, if any, are designed (Reference ID: 7-055-20140306).

6.54 Assessed against the ‘standard’ for fluvial flooding the proposals exceed the minimum referred to by NPPG which implies that there could be indirect benefits in terms of additional storage capacity. Elsewhere in the Borough the issue of flood attenuation measures to address existing flood risk has been promoted as a factor contributing towards a case for very special circumstances (application ref. 15/00205/OUT – Williamson’s Farm, Corringham). However, this case remains under consideration and the weight which can be attributed to this factor has not been previously resolved in Thurrock. However, the Secretary of State’s recent decision for a Green Belt residential development in Castle Point (ref. APP/M1520/A/14/2216062) noted that (on the issue of flood risk) *“the proposal could lead to an improvement in the existing situation, and that issues around*

flooding do not weigh against the proposal". From this wording it could be implied that this factor has either a neutral or positive weighting in the balance of considerations. Accordingly, this factor should be afforded some limited weight in favour of the proposals.

6.55 7. *The proposed development provides a high level of site connectivity and accessibility to local facilities and services, using sustainable transport modes*

Under this heading the applicant refers to the potential for new pedestrian and cycle links from the site to adjoining land uses at the east, south and west of the site. Reference is also made to cycle parking provision on-site and sustainable transport measures within the Travel Plan. The applicant considers that the development is compatible with elements of the NPPF related to "Promoting healthy communities" such as the promotion of safe and accessible development (para. 69) and the enhancement of public rights of way and access.

6.56 Consideration

Core Strategy policy CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury) states that, in order to reduce car traffic, the Council will (inter alia) phase the delivery of a network of walking and cycling routes and ensure that new developments promote high levels of accessibility by sustainable transport modes. Policy PMD2 (Design and Layout) goes on to state that all development proposals must satisfy a number of criteria including:

- v. *Accessibility - Development proposals must allow easy and safe access for all members of the community. Development must also integrate land uses and all modes of transport but pedestrians and cyclists must be given priority over traffic in scheme design;*
- vi. *Permeability and Legibility - Development should promote connections between places that people wish to use, including public transport links, community facilities and the Greengrid. Development should be designed to help people find their way and must be legible for all members of the community, providing recognisable routes using landmarks and signage where appropriate.*

6.57 As the applicant points out, the NPPF generally requires new development to be accessible to sustainable transport modes. The illustrative masterplan drawing accompanying the application suggests new cycle / pedestrian links from the site to Manor Road (to the west), Thurrock Parkway (to the south) and the A1089 (to the east). These routes could potentially link to public footpath no. 186 (to the west) and an existing cycle / footpath link on the western side of the A1089. These routes are welcomed and will enhance the accessibility of the development. However, as both local and national policy requires new development to be easily

accessible to sustainable transport modes then only limited weight should be attached to this factor in assessing whether very special circumstances exist.

6.58 8. Significant landscape and public realm enhancements are proposed including more accessible and attractive recreational areas and open space

Under this heading the applicant considers that the site is of low landscape quality and does not offer recreational opportunities. Proposed new planting, water features and play areas would enhance the recreational use of the site, in accordance with planning policy.

6.59 Consideration

Although the consideration of landscaping is reserved for future assessment, the layout of the site is not a reserved matter. The illustrative masterplan layout drawing accompanying the application shows areas of new planting and 7 no. play areas across the site. The proposed links referred to above could make these recreational facilities available to both potential residents on the development and surrounding users. Nevertheless, adopted Core Strategy policy PMD5 (Open Spaces, Outdoor Sports and Recreation Facilities) requires new development to ensure the provision of “*new open spaces, outdoor sports and recreational facilities*”. As the proposed facilities would principally mitigate the impact of the development provide for the needs of future residents in compliance with policy, only limited weight should be attached should be attached to this factor in assessing whether very special circumstances exist.

6.60 9. The proposals will allow for new habitat creation and greater biodiversity across the site

Under this heading the applicant highlights the proposed habitat enhancement measures (creation of wetland, grassland, tree and shrub planting) which would enhance the biodiversity interest of the site, in line with Core Strategy policy PMD7.

6.61 Consideration

Ecological matters are considered separately elsewhere in this report. Both the NPPF and Core Strategy Policy PMD7 require, when determining planning applications, that local planning authorities aim to conserve and enhance biodiversity by applying a number of principles including the encouragement of opportunities to incorporate biodiversity in and around developments. A judgement has to be made as to whether the proposals go beyond mitigating the impact of the development. In any case, as national and local policies encourage biodiversity

enhancement this factor should only attract limited weight in assessing whether very special circumstances exist.

6.62 *10. The proposed development will achieve a high standard of sustainable design and construction and fully comply with targets to reduce CO2 emissions*

Under this heading the applicant states that the development is expected to achieve 19% lower CO2 emissions than Building Regulations requirements and that the use of on-site renewable energy technology will provide 15% of the development energy requirements.

6.63 Consideration

Policies PMD12 (Sustainable Buildings) and PMD13 (Decentralised, Renewable and Low-Carbon Energy Generation) are relevant to the proposals. Policy PMD12 requires new residential development to achieve a level 4 rating under the Code for Sustainable Homes (CSH) and major non-residential development to achieve appropriate BREEAM standards. However, following a technical housing standards review the Government withdrew the CSH in April 2015 and compliance with the Code can no longer be required through a planning permission. Part L (conservation of fuel and power) of the Building Regulations is still applicable and the applicant states that the development will exceed the values required by the Regulations.

6.64 With reference to Policy PMD13 the applicant states that the proposed deployment of photo-voltaic panels across the development will meet 15% of the energy demand for the development. This figure is compliant with PMD13.

6.65 The applicant's intention to exceed Building Regulation requirement is welcomed. However, this factor is not particularly site-specific and could be cited as a considerations amounting to very special circumstances elsewhere. Accordingly, this factor attracts only very limited weight in the balance of Green Belt considerations.

6.66 *11. The proposals demonstrate a high quality of design, layout and place-making*

Under this heading the applicant refers to the achievement of a high quality design through the implementation of a number urban design objectives comprising:

- ease of movement and legibility across the site and beyond site boundaries;
- a development that has character, quality and continuity in the design of its built form and external spaces, whilst also introducing diversity and variety and safe / overlooked spaces;

- a highly sustainable scheme which facilitates pedestrian and cycle trips to surrounding areas, makes use of alternative / renewable energy where possible, and uses sustainable drainage systems;
- promotes quality detailed design, spatial variation, variety of detail and materials and flexible and adaptable buildings.

6.67 Consideration

A key element of the NPPF is the requirement for good design and paragraph 56 of the Framework states that the Government attaches great importance to the design of the built environment. In addition paragraph 57 of the NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Similarly Adopted Core Strategy policies CSTP22 (Thurrock Design) and PMD2 (Design and Layout) seek high design standards. Given this policy context, high quality buildings and the spaces in-between buildings should therefore be seen as a standard to be achieved, rather than an optional extra.

6.68 At paragraph 63, the NPPF notes that when determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. In response to this part of the NPPF it should be noted that the application seeks outline permission, with the matters of appearance, landscaping and scale reserved for future approval. Although the submitted Design and Access Statement provides a degree of information regarding design principles and the design concept, the fine grain details of the development are reserved for future approval, if outline permission were to be granted. This factor and the promotion of high quality design through both national and local planning policies mean that only limited weight can be attributed to design quality in the planning balance.

6.69 12. The proposals include a variety of housing types and sizes to create a mixed community and respond to different needs

Under this heading the applicant considers that the development would provide a range of dwelling types and sizes in accordance with Core Strategy policies and the Thurrock Economic Growth Strategy.

6.70 Consideration

The proposals would provide for a mix of two, three and four-bedroom houses and two and three-bedroom flats. Policy CSTP1 (Strategic Housing Provision) of the adopted Core Strategy refers to housing mix and states that the Council “ ... will

require new residential developments to provide a range of dwelling types and sizes to reflect the Borough's housing need, in accordance with the findings of the Strategic Housing Market Assessment ...". The proposals would provide a mix of dwelling types and sizes in accordance with the Policy.

6.71 The 'Thames Gateway South Essex Fundamental Review of the Strategic Housing Market Assessment Review' (2013) specifically notes that a greater proportion of two-bedroom houses would have significant benefits in sustaining communities. The applicant's Planning Statement suggests that some 149 (53%) of the development would comprise two-bedroom accommodation. The proposed mix of dwelling types and sizes is also considered to be consistent with NPPF guidance (paragraph 50) which state that local planning authorities should (inter-alia) plan for a mix of housing. On this basis, the proposals are consistent with national and local planning policies. However, as the provision of a mix of housing sizes and types is a factor is capable of repetition, it is not a site-specific consideration which attracts significant weight in the balance of Green Belt considerations. Consequently only very limited weight is afforded to this argument.

6.72 13. The proposals include affordable housing

The applicant has confirmed that the development would include total of 98 affordable housing units to be provided as follows:

- 69 no. social rented units comprising 48 no. x two-bed apartments, 6 no. x three-bed apartments and 15 no. x three-bed houses; and
- 29 no. affordable rented / intermediate units comprising 29 no. x three-bed houses.

The proposed provision equates to 35% of the total number of units.

6.73 Consideration

Core Strategy policy CSTP2 (The Provision of Affordable Housing) states that in order to address the current and future need for affordable housing in Thurrock, the Council will seek the minimum provision of 35% of the total number of residential units built to be provided as affordable housing. The proposals may therefore be seen as policy compliant in this respect.

6.74 Paragraph 6.31 (above) notes that the South Essex Strategic Housing Market Assessment identifies a range of objectively assessed housing need for Thurrock of between 919 and 973 dwellings per annum (using a 2014 base date). If the minimum 35% affordable housing figure is applied to objectively assessed housing

need (919-973 dwellings) an annual range of 322-341 affordable housing units is obtained. A summary of affordable housing completions in Thurrock for the last five years of available data is provided in the table below:

<u>Period</u>	<u>A/H completions</u>	<u>Total completions on sites liable to A/H provision</u>	<u>% A/H</u>
2011/12	28	332	8.4%
2012/13	138	363	38.0%
2013/14	76	266	28.6%
2014/15	105	296	35.5%
2015/16	99	611	16.2%
Five Year Total	446	1,868	23.9%

6.75 The data in the above table shows that there have been two recent years within which the percentage of affordable housing completions on sites liable to provide affordable has met the minimum 35% policy target. However, the five-year trend between 2011/12 and 2015/16 is that the proportion of affordable housing completions on sites liable to deliver affordable housing is, at 24%, well below the minimum 35% policy target.

6.76 Within the context of the average under-delivery of affordable housing on eligible sites over the past five years, and the wider context of an historic under supply of housing (compared to Core Strategy policy targets and more recent objectively assessed need) it is considered that the proposals would make a sizeable contribution towards the delivery of affordable housing. This factor weighs in favour of the proposals and should be afforded moderate weight in the balance of considerations.

6.77 14. The proposals include new health facilities

As first submitted for consideration, the description of development included reference to the provision of a “250 sq.m. health centre (Use Class D1)”. The consultation response from NHS England referred to this proposed facility and noted that “a building of this size does not align with the NHS England and CCG Estates Strategies for the area, at the current time NHS England and the CCG have no plans for a new facility in this location. The CCG instead are looking to reconfigure existing capacity in the surrounding vicinity to create greater efficiency”. In light of these comments the applicant revised the description of development to refer to the provision of a “250 sq.m. community facility (Use Class D1)”.

6.78 In light of the change in the description of the development, no weight should be attached to this factor in the consideration of very special circumstances.

6.79 *15. There is an existing and expanded Primary School in close proximity to the proposed new housing*

The applicant considers that the proposed new housing would be located within easy walking distance of Thameside Primary School which adds to the sustainable credentials of the development.

6.80 Consideration

Thameside Primary School is located a short distance to the west of the site and theoretically is within comfortable walking distance of potential occupiers of the development. However, the site is currently separated from Manor Road by a watercourse and associated ditch. Nevertheless, the applicant has offered a financial contribution towards the provision of footpath / cycle links to the north and / or west of the site. Notwithstanding the potential for future transport links to the west, the applicant's argument seems to be based purely on the physical proximity of the site to the school. In any case Education officers have confirmed that a financial contribution is required to mitigate the impact from the development on demand for school places. Consequently, no weight should be attached to this factor in the balance of considerations

6.81 *16. The proposals support and enhance the Thurrock Park Employment Area*

The applicant considers that the proposed commercial development (Use Class B2 / B8) is supported by Core Strategy and would create new employment.

6.82 Consideration

That part of the application site which would be occupied by the proposed commercial development is not allocated as employment land on the policies map accompanying the Core Strategy. It follows that Policies CSSP2 (Sustainable Employment Growth) and CSTP6 (Strategic Employment Provision) do not, de-facto, support this element of the proposals. The proposed commercial development could create new employment opportunities in a location which is immediately adjacent to the existing Thurrock Park employment area. This employment provision would be generally consistent with the economic dimension of sustainable development, as defined in the NPPF. On balance, only limited weight should be attributed to this factor.

6.83 *17. Planning obligations will support the application*

The applicant considers that obligations will be secured to deliver the infrastructure required for the development, in line with Core Strategy policy PMD16 (Developer Contributions).

6.84 Consideration

Planning obligations upon the developer, secured pursuant to s106 of the Town and Country Planning Act are a ‘mechanism’ for ensuring proper mitigation of the impacts of development and / or complying with policy requirements. In this context, the fact that planning obligations are required is, at a prima facie level, not a factor which could contribute to very special circumstances. Therefore, no weight should be attached to this argument.

6.85 Conclusions

Under the heading of Green Belt considerations, it is concluded that the proposals comprise inappropriate development. Consequently, the development would be harmful in principle and would reduce the openness of the Green Belt. Substantial weight should be attached to this harm. However, with regard to the role which the site plays in fulfilling the purposes for including land in the Green Belt, it is considered that there is only limited harm. Consequently, the vast majority of Green Belt ‘harm’ can attributed to conflict with policy in principle and loss of openness.

6.86 With reference to the applicant’s case for very special circumstances, an assessment of the factors promoted is provided in the analysis above. However, for convenience, a summary of the weight which should be placed on the various Green Belt considerations is provided in the table below:

Summary of Green Belt Harm and Very Special Circumstances			
<u>Harm</u>	<u>Weight</u>	<u>Factors Promoted as Very Special Circumstances</u>	<u>Weight</u>
Inappropriate development	Substantial	The principle of development at the site has been accepted in previous planning permissions granted at the site	Moderate weight
Reduction in the openness of the Green Belt			
Conflict (to varying degrees) with a number of the purposes of including land in the Green Belt		Contribution towards the delivery of housing and the lack of a five year housing land supply	Significant weight
		The proposals help to meet	Some weight

		wider growth objectives within the Borough and Thames Gateway corridor	
		The proposed development would respect all of the five purposes of including land within Green Belt	Some weight
		The site is not contiguous with the rest of the Green Belt	Some weight
		Flood prevention measures will significantly reduce flood risk	Limited weight
		The proposed development provides a high level of site connectivity and accessibility to local facilities and services, using sustainable transport modes	Limited weight
		Significant landscape and public realm enhancements are proposed including more accessible and attractive recreational areas and open space	Limited weight
		The proposals will allow for new habitat creation and greater biodiversity across the site	Limited weight
		The proposed development will achieve a high standard of sustainable design and construction and fully comply with targets to reduce CO2 emissions	Very limited weight
		The proposals demonstrate a high quality of design, layout and place-making	Limited weight
		The proposals include a variety of housing types and sizes to create a mixed community and respond to different needs	Very limited weight

		The proposals include affordable housing	Moderate weight
		The proposals include new health facilities	No weight
		There is an existing and expanded Primary School in close proximity to the proposed new housing	No weight
		The proposals support and enhance the Thurrock Park Employment Area	Limited weight
		Planning obligations will support the application	No weight

6.87 Within the table above, many of the factors promoted by the applicant can be assessed as attracting varying degrees of ‘positive’ weight in the balance of considerations. In particular, the contribution of the development towards housing supply, the provision of affordable housing and the planning history of the site attract moderate or significant weight in the Green Belt balancing exercise.

6.88 As ever, in reaching a conclusion on Green Belt issues, a judgement as to the balance between harm and whether the harm is clearly outweighed must be reached. In this case there is harm to the Green Belt with reference to inappropriate development and loss of openness. However, this is considered to be the full extent of the harm as there would be only limited conflict with the purposes of including land in Green Belts and, given the assessment elsewhere in this report, there is no significant harm, to landscape and visual receptors, ecology etc. A number of factors have been promoted by the applicant as ‘very special circumstances’ and it is for the Committee to judge:

- 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 ‘very special circumstances’.

6.89 Taking into account all Green Belt considerations, Officers are of the opinion that the identified harm to the Green Belt is clearly outweighed by the accumulation of factors described above, so as to amount to the very special circumstances justifying inappropriate development.

II. TRAFFIC IMPACT, ACCESS & CAR PARKING

- 6.90 The planning application is accompanied by a Transport Assessment (TA), a TA Addendum and a Travel Plan. Although this is an application for outline planning permission, details of access (i.e. accessibility to and within the site in terms of the positioning and treatment of access circulation routes) are for consideration as part of this submission.
- 6.91 Two points of access for vehicles are proposed to serve the development. Firstly, to serve the proposed residential development and Class D1 community facility, Churchill Road would be extended on its current alignment (north-east to south-west) and at its current dimensions (7.3m wide carriageway with two 2m wide footpaths). A series of lower category roads (6m and 4.8m wide carriageways with or without 2m footpaths) would penetrate through the site to serve the proposed dwellings. The second point of access for vehicles would be located from Thurrock Parkway to the south of the site, to serve the proposed Class B2 / B8 commercial uses. The site connects to the public highway at Thurrock Parkway via a right of way for vehicles and pedestrians across land in private ownership within the 'Clipper Park' commercial estate. The applicant has confirmed that this right of way has the benefit of being held in perpetuity. This commercial access would provide a short section of link road, parking and turning areas serving the proposed commercial uses only.
- 6.92 The proposed access arrangements would therefore separate the residential / community facility access (via Churchill road) from the commercial access (via Thurrock Parkway). Nevertheless, the submitted plans indicate that an "emergency access and cycle path" would link the residential / community facility to Thurrock Parkway. The submitted masterplan drawing also indicates the position of a "potential cyclepath access to Manor Way" on the western boundary of the site and a "potential cyclepath access to Dock Road" in the site's eastern boundary.
- 6.93 As the site is located adjacent to the strategic road network (A1089) and because traffic associated with the development could impact upon that network, Highways England (HE) have been consulted on the proposals. In responding to the original TA (October 2015) HE considered that further assessment of the A1089 Dock Road / Old Dock Approach Road / Marshfoot Road junction was required. A subsequent TA Addendum modelled potential impact on this junction and an updated response from HE confirmed no objection to the proposals on the grounds of impact on the strategic road network.
- 6.94 The Council's Highways Officer has also considered the content of the TA and TA Addendum and has concluded that there are no objections to the proposals, subject to planning conditions and s106 obligations. The Council Highways Officer notes that the TA Addendum models future traffic generation and the impact on surrounding junctions including the Dock Road / Churchill Road roundabout and the

Marshfoot Road / Old Dock Approach Road roundabout junction. The consultation response from Highways notes that the TA Addendum provides a robust assessment of potential traffic movements and the distribution of movements. However, although the TA considers that the development would not materially impact on the A1089 / Marshfoot Road junction, it is considered that in light of the accident record for this junction mitigation measures are required. The applicant has offered a financial contribution of £200,000 towards the costs of improving this junction and this contribution is considered appropriate. Capacity and safety improvements at the A1089 / A126 Marshfoot Road priority junction are identified as an infrastructure project on the Infrastructure Requirement List.

6.95 As noted above, the submitted drawings and the TA refer to the potential for pedestrian / cycle links connecting the site to Manor Way to the west and Dock road to the east. The Infrastructure Requirement List includes a project for improved walking links between Thurrock Parkway and Grays, via Manor Road and Churchill Road. The applicant has offered a financial contribution of £40,000 towards the provision of this infrastructure.

6.96 With reference to parking provision for the non-residential elements of the proposals, the Council’s Draft Parking Standards and Good Practice (2012) suggest the following parking provision:

<u>Use</u>	<u>Vehicle (maximum)</u>	<u>Cycle (minimum)</u>	<u>Powered two-wheeler (PTW) (minimum)</u>	<u>Disabled (minimum)</u>
B2 (general industrial)	1 space per 50sq.m.	(staff) 1 space per 250sq.m. (visitors) 1 space per 500sq.m.	1 space per 20 vehicle spaces	2 bays or 5% of total
B8 (storage & distribution)	1 space per 150sq.m.	(staff) 1 space per 500sq.m. (visitors) 1 space per 1,000sq.m.	1 space per 20 vehicle spaces	2 bays or 5% of total
D1 (public hall)	1 space per 25sq.m.	1 space per 4 staff plus visitor provision	1 space + 1 per 20 vehicle spaces	1 bay or 5% of total

6.97 The submitted Masterplan drawing show the provision of 36 parking spaces for the class B2 / B8 units access from Thurrock Parkway. This level of provision would

meet the 'worst case' provision of 1 space per 50sq.m. for Class B2 floorspace. Details of cycle, PTW and disabled vehicle parking are not provided. However, it would be reasonable for a planning condition to address these details. Highways layout drawings suggest the provision of 14no. parking spaces to serve the proposed community facility. Although the potential occupier(s) of this facility is not known and the potential operation of the facility within the Class D1 range is also unknown, on the assumption that the floorspace is used as a public hall (rather than a medical use for example) then the suggested vehicle parking provision would meet the suggested standard.

- 6.98 With regard to residential uses, the draft 2012 parking standards are expressed as a range to suit local circumstances. Vehicle parking standards for both flats and houses are dependent upon the accessibility of the site (or part thereof) to a designated town centre and / or public transport links. As the site is not located within 1km walking distance of Grays town centre and is also not within 400m of a bus stop subject to a minimum service of 20 minutes, the location of the site is classed as 'low accessibility'. Under these circumstances, the draft standards suggest a minimum car parking provision of 1.25 spaces per flat (regardless of the number of bedrooms) and a minimum two spaces per house. Visitor parking provision of 1 space per 4 dwellings is suggested and the draft standards also state that an additional parking space "will be permitted" for 4-bedroom houses. To summarise, draft standards would suggest the provision of a minimum of 590 parking spaces to serve the residential element of the development. Although the matter of layout is not reserved for future consideration the masterplan drawings are not sufficiently detailed to show all of the proposed car parking provision. However, banks of in-curtilage front-garden parking are indicated and one of the housing typologies is a house with garage space. Consequently, there is confidence that the detailed arrangement of the residential development, to be submitted if outline permission is granted, will meet the suggested minimum parking standards. The Council's Highways Officer has suggested that a planning condition can be attached to any grant of outline planning permission to secure the provision of satisfactory parking.
- 6.99 As noted in the 'Flood Risk' section of this report, in order to mitigate flood risk ground levels are proposed to be raised across the site. A similar land raising exercise was recently undertaken on the Amazon site to the east of the A1089. The TA estimates that some 113,000 cu.m. of fill material would need to be imported to achieve the required finished ground levels. Over an assumed 18 month period the TA estimates 30 HGV loads (60 HGV movements) per day. It is further suggested in the TA that these HGV movements would be routed via Thurrock Park Way in order to avoid residential roads. A planning condition could be used to require details of construction routing details, if planning permission were to be granted.

6.100 In summary, subject to obligations to be secured via a s106 agreement and planning conditions, there are no objections to the proposals on highways grounds.

III. IMPACT ON ECOLOGY & BIODIVERSITY

6.101 The site does not form part of any statutory site of designated ecological interest. The nearest such statutory designation to the site being the Globe Pit SSSI, designated for its geological interest and located some 650m to the north-west of the site. The north-eastern corner of the application site is located a short distance to the west of the Little Thurrock Reedbeds Local Wildlife Site (LWS), designated on a non-statutory basis for its reedbed habitat. However, land within the site close to the LWS would be retained in its existing open state and would not be developed. Consequently, there would be no immediate impact on the LWS. The site also forms part of the larger Little Thurrock Marshes 'Potential LWS', included as an appendix to the Thurrock Greengrid Strategy. This potential LWS designation was based on the status of the site as remnant grazing marsh. However, this potential non-statutory designation has not been confirmed.

6.102 The application is accompanied by a number of ecological reports and studies comprising:

- Preliminary Ecological Appraisal;
- Botanical Report;
- Breeding Birds Report;
- Ecology Data Survey;
- Ecology Mitigation Strategy;
- Great Crested Newt Survey;
- Invertebrates Survey;
- Reptile Survey; and
- Water Vole Report.

6.103 A Phase 1 habitat survey confirms that the site principally comprises semi-improved grassland interspersed with smaller areas of ruderal vegetation, scrub, semi-natural woodland, short perennial vegetation, amenity grassland and standing water within the ditches. The submitted Preliminary Ecological Appraisal notes that there are four habitats within and close to the site which are of importance, namely:

- Coastal Grazing Marsh – the Appraisal notes that this habitat has become nutrient-enriched which has decreased its biodiversity interest. Nevertheless mitigation measures could include the formation of seasonally wet habitats;

- Open Mosaic Habitat – this patchwork habitat of bare ground and short perennial vegetation has formed where suitable substrates exist. As above, mitigation for the loss of this habitat should include replacement habitat;
- Semi-Natural Woodland – area of this habitat outside of the ditch network would be retained. However, a small area of woodland on the southern part of the site would be removed. The Appraisal does not consider this loss to be significant;
- Reedbed – this habitat is found close to the north-eastern corner of the site. The development should ensure that water pollution levels are not increased in this area.

6.104 A summary of the results for the individual species surveys is provided below:

- Botanical Survey: the coastal grazing marsh and open mosaic habitat within the site meet the criteria for priority habitat in the UK Biodiversity Action Plan and are therefore listed as Habitats of Principal Importance for the conservation of biodiversity in England under Section 41 of the Natural Environment and Rural Communities Act 2006. This places a duty on the planning authority to seek to safeguard these habitats when exercising its functions. The NPPF states that local planning authorities should aim to conserve and enhance biodiversity, and that if significant harm cannot be avoided, mitigated or compensated, then permission should be refused. Areas for ecological mitigation are retained within the site and the Botanical Survey recommends that grazing marsh and open mosaic habitat should be re-instated within the site and managed in the future.
- Breeding Birds Report: the majority of bird activity was recorded within the dense scrub on-site. The proposals would involve the loss of some scrub habitat, however this habitat is widespread and common so the impact of scrub removal would be local. Any removal of scrub should avoid the bird nesting season. The wet ditches within the site support a bird population and this habitat would be retained and expanded to provide new habitat. The open areas, which comprise the majority of the site, are of negligible value to breeding birds.
- Great Crested Newt Survey: surveys of waterbodies both on-site and within 500m of the site have not revealed the presence of this species. The likelihood of Great Crested Newts being impacted by the proposals is very low and no further surveys or mitigation are recommended.
- Invertebrates Survey: surveys undertaken in 2016 recorded 36 invertebrate species of conservation concern. The south-eastern part of the site displayed a high Species Quality Index (SQI) score and a Broad Assemblage Type (BAT) rarity score, so is considered to be of a high value to invertebrates. Management and enhancement of the ecological enhancement areas on the

site should be targeted to maintain and increase the importance of the invertebrate assemblages found.

- v. Reptile Survey: surveys recorded low populations of both common lizard and slow worms, linked to the presence of suitable reptile habitat on parts of the site. Mitigation in the form of retention of suitable on-site habitat or translocation of both species to a receptor site is recommended.
- vi. Water Vole Report: evidence of water vole activity was recorded in sections of the ditches within the site. The Wildlife and Countryside Act 1981 requires the avoidance of harm or disturbance to this species or the destruction of their burrows. Subject to the retention the existing network of ditches and the adjacent banks the impact on water voles may be negligible. The proposals include the creation of new habitats which will be suitable for water voles.

6.105 Objections to the application have been received from Buglife, Essex Field Club and the Environment Agency on the grounds of impact on biodiversity. However, the Council's Ecology and Landscape Advisor considers that the general principles set out within the Ecological Mitigation Strategy are appropriate for the site. Proposals for habitat mitigation and enhancement are also considered to be broadly acceptable. Although proposed areas of grazing marsh and wildflower habitat mitigation are narrow and could be dominated by tree planting. Further amendment to the submitted Strategy is therefore required. Areas of compensatory 'living roof' are also proposed and would need to form part of the final mitigation strategy.

6.106 Under this heading it is concluded that, subject to further amendment of the mitigation proposals (which can be secured through planning condition) there are no objections to the proposals on ecological grounds.

IV. DESIGN & LAYOUT

6.107 Consideration of layout is not a reserved matter and therefore can be considered as part of the current submission. As mentioned above, access arrangements for the residential and Class B2 / B8 commercial elements of the proposals are separate. Therefore, the commercial floorspace would be located on the southern part of the site, immediately adjacent to existing employment uses at Thurrock Park Way. An open area of landscaping / habitat creation / ditch expansion would physically separate new commercial and residential uses, with a minimum separation of approximately 65m between respective buildings. This area would provide a clear visual buffer between the different land uses.

6.108 The existing drainage ditches running parallel to the northern and eastern site boundaries provide a limitation on the extent of the developable area due to the associated 'stand-off' distances from the top of banks. In particular, there would be

no built development on either side of the Chadwell New Cross Sewer along the majority of its length within the site. This area of the site is reserved for landscaping and ecological mitigation. For those remaining areas of the site proposed for residential development, the layout of streets and arrangement of building blocks appears logical, with new dwellings facing onto streets and back-to-back distances largely maintained to existing dwellings. On the eastern part of the site proposed dwellings would occupy a back-to-back or back-to-flank relationship with existing dwellings at Medick Court, Mace Court, Samphire Court and Salix Road, with distances of between 19 and 25m between existing and proposed properties. To the rear (south) of Speedwell Court, Sedge Court, Syringa Court and Scilla Court the proposed dwellings would also display a back-to-back or flank-to-back relationship with existing dwellings. Dwellings would be separated by between 20 and 38m. It is considered that these relationship are acceptable and would ensure reasonable amenity for both existing and future residents.

- 6.109 The matters of appearance and scale are reserved for subsequent approval. Nevertheless, a submitted 'Building Parameters Plan' suggests two main house types comprising a two-storey detached / linked-detached or semi-detached house with garage and a two-storey semi-detached / terraced house without garage. Two and three-bedroom flats are proposed (54 no.) provided within 6 no. two / three-storey blocks. These blocks would be located at the south-eastern corner of the site and would be well-separated from existing dwellings. Residential development to the north of the site within the Churchill Road estate comprises exclusively two-storey development arranged as pairs of semi-detached or detached dwellings. The proposed scale and arrangement of dwellings would not appear at odds with the character of development to the north.
- 6.110 Nevertheless, the proposals would represent a more intensive use of land with a higher density than the adjoining Churchill Road estate. For the purposes of comparison, the Churchill Road estate (developed in the 1980's) has a relatively low density of c.29 dwellings per hectare (dph). Policy CSTP1 (Strategic Housing Provision) of the adopted Core Strategy sets out a preferred density range of between 30-70 dph. Based on the gross site area of 13.1 hectares, the proposals represent a residential density of some 21 dph. However, if the commercial floorspace, strategic landscaping and flood mitigation elements are removed from the gross site area, a residential density of 49 dph results, within the range mentioned by CSTP1. Although representing a more intensive use of land, as typified by the more widespread use of semi-detached and terraced house types compared to the Churchill Road estate, the proposed quantum of development is still comfortably within the range described by CSTP1. Core Strategy policy PMD2 (Design and Layout) requires all development to respond to the sensitivity of the site and its surroundings and to optimise the potential of the site to accommodate development. A balance must therefore be struck between making the best use of

land and responding to context. In this case with regard to both storey heights and the density of development, the proposals would meet the policy test.

V. NOISE & AIR QUALITY

- 6.111 There are no air quality issues arising from the proposed development, the closest Air Quality Management Areas being located to the west within Grays and east at Tilbury.
- 6.112 At the request of the Council's Environmental Health Officer (EHO) the applicant undertook a noise survey and assessment to consider the proposals in the context of noise from the A1089 and existing commercial activities at Thurrock Parkway. The assessment also considers the impacts of construction noise from the development on existing receptors.
- 6.113 Comments received from the EHO confirms that the noise survey collected sufficient data at suitable locations on the site with respect to road traffic and industrial / commercial sources in order to make an adequate assessment of the prevailing noise climate. The predicted noise levels from groundworks associated with construction activities has the potential to cause some unavoidable short term disturbance to existing residential receptors on the eastern edge of the Churchill Road estate. Measures to mitigate this short term impact include restrictions on construction hours, use of 'Best Practicable Means' and construction traffic routing. The noise environment on-site is strongly influenced by road traffic noise from the A1089 and industrial noise from Thurrock Parkway. Noise mitigation measures will be required for some of the proposed residential units to meet relevant BS8233:2014 criteria. This would consist of an enhanced glazing specification and acoustic ventilation for habitable rooms facing the noise sources. As this is an application for outline planning permission, the exact requirements would be determined at the detailed design stage. External amenity areas are reasonably well screened by buildings on the eastern part of the site, but further to the south the proposed apartment blocks do not fully screen the gardens beyond. The external amenity areas for the apartments are not yet defined and noise will need to be considered in the detailed design. Planning conditions are therefore required to ensure a satisfactory noise environment for future residents and to mitigate the impact of short term construction activities.

VI. FLOOD RISK & SITE DRAINAGE

- 6.114 The site, along with surrounding areas in all directions, is located in the high probability flood risk area (Zone 3a). The Tilbury Flood Storage Area (FSA), which is designated as a functional floodplain with the highest flood risk (Zone 3b), is to the east of the site on the opposite side of the A1089. The Tilbury FSA is

separated from surrounding areas within Zone 3a by flood defences. Furthermore, 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 1,000 year flood event standard. There are also 'main rivers', as defined by the Environment Agency (EA) close to the application site comprising the Chadwell New Cross Sewer which passes through the northern part of the site, the East Tilbury Dock sewer to the south and Chadwell Cross Sewer to the east.

6.115 Table 2 of PPG is a 'Flood Risk Vulnerability Classification' for different types of development which, in combination with the flood zone classification, determines whether development is appropriate, should not be permitted or should be subject to the Exception Test. The proposed Class D1 community facility and residential development comprise 'more vulnerable' development with reference to Table 2, whilst the proposed commercial floorspace is defined as 'less vulnerable'. Table 3 of PPG comprises a 'Flood Risk Vulnerability and Flood Zone Compatibility' table which defines the proposed 'less vulnerable' commercial development as appropriate in Flood Zone 3a. However, the 'more vulnerable' residential development should be subject to an Exception Test. In addition to the Exception Test, the development proposals are also subject to the requirements of the Sequential Test which aims to steer new development to areas with the lowest risk of flooding.

6.116 In light of the high flood risk classification of the site the application is accompanied by a Flood Risk Assessment (FRA) and a Water Framework Directive Assessment. Both the EA and the Council's flood risk manager have been consulted on the proposals.

6.117 Detailed Flood Risk Mitigation Proposals:

The existing topography of the site and surrounding areas is generally flat and low-lying with levels ranging between +1.1m AOD on the north-western part of the site reducing to -0.5m AOD adjacent to the A1089. Levels at the bottom of the Chadwell New Cross Sewer at the site's north-west corner are -1.8m AOD. In order to address potential flood risk issues by placing the proposed development above the modelled 1 in 200 year flood event (+ climate change allowance and freeboard) the proposals include a general raising of ground levels across the site to +2.03m AOD. The proposed raising of levels would involve the net importation of fill material to the site. In addition, surface water attenuation storage would be provided on-site to a 1 in 200 year event + climate change standard. This storage would reduce peak run-off and provide alleviation to potential flood risk downstream. The attenuation storage would be formed by the deepening and widening of existing drainage ditches to the site's eastern and south-eastern boundaries and the creation of a small ditch near the north-western corner. The

attenuation areas could provide a total water storage volume of approximately 27,000 cu.m.

6.118 Consultation Responses:

The initial consultation from the EA (December 2015) raised a holding objection to the proposals on the ground of:

- a review of the applicant's fluvial modelling of the Chadwell New Cross Sewer was required to ensure it was fit for purpose;
- the site is at risk from fluvial (river) flooding and the risk from fluvial inundation would be unacceptable. In particular the FRA fails to demonstrate that there would be not net loss of floodplain storage; and
- a Water Framework Directive (WFD) compliance assessment should be submitted.

6.119 In response to the EA's comments the applicant submitted a Supplementary FRA Addendum (May 2016) and a WFD Assessment Screening Report (June 2016).

6.120 An updated consultation response from the EA (July 2016) refers to the submitted FRA Addendum and Supplementary FRA Addendum and removes the EA objection on flood risk grounds. In particular, the EA confirm that:

"We are satisfied that the Addendum produced by Mott MacDonald, titled Supplementary Flood Risk Assessment Addendum and dated May 2016, provides you with the information necessary to make an informed decision."

6.121 In commenting on flood risk from tidal sources the EA note that the site benefits from the presence of flood defences, which defend Purfleet, Grays and Tilbury to a 1 in 1000 year standard of protection. With regard to residual tidal flood risk, the EA refer to the confirmation in the Supplementary FRA Addendum that no additional flooding will occur off-site as a result of the proposed land raising.

6.122 A further consultation response from the EA (August 2016) removed the outstanding objection on WFD ground, subject to a planning condition.

6.123 The initial consultation response from the Council's flood risk manager (January 2016) supported the principle of the applicant's proposed surface water drainage strategy. However, further clarification and explanation of the strategy was requested. An updated consultation response (June 2016) confirmed that previous issues had been addressed and that a viable drainage strategy to attenuate surface water run-off from the development had been presented. Consequently, there are no objections from the flood risk manager, subject to a planning condition.

6.124 Finally a consultation response from Anglian Water (January 2016) confirms:

- foul drainage from the development is in the catchment of Tilbury Water Recycling Centre which has available capacity;
- the foul sewerage network has available capacity for flows from the development;
- a planning condition is required to address the issue of surface water drainage.

6.125 Sequential / Exception Test

The Thurrock Strategic Flood Risk Assessment (SFRA) has applied the Sequential and Exception tests to the Borough's broad regeneration and growth areas, including the Grays and Tilbury urban areas. However, this is a 'windfall' site and PPG advises for individual planning applications that 'the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed'. For individual applications like this a pragmatic approach needs to be taken to Sequential Testing as all of the Tilbury broad regeneration area (to the south) and land surrounding the site to the north, east and west, as the catchment area, is also located within in the high risk flood zone. It is considered that there are no alternative available sites identified in the Development Plan within this catchment area that could accommodate the proposed development in a lower flood zone. For these reasons the proposal is considered to pass the Sequential Test.

6.126 For the 'Exception Test' to be passed, the proposed development needs to provide 'wider sustainability benefits to the community that outweigh flood risk', and demonstrate that the development will be 'safe for its lifetime'. In addition to reasons stated in the 'Sequential Test' assessment (which also apply here) and based on the site's location, the development is considered to provide 'wider sustainability benefits to the community that outweigh flood risk'. Paragraph 7 of the NPPF sets out three dimensions to sustainable development, namely economic, social and environmental. The NPPF definition of the economic role includes reference to "building a strong, responsive and competitive economy ... ensuring sufficient land is available to support growth". The definition of the social role of sustainable development includes reference to "providing the supply of housing required to meet the needs of present and future generations". Judged against these definitions of sustainable development, the proposals are considered to pass the first limb of the Exception Test (i.e. there are wider sustainability benefit which outweigh flood risk).

6.127 The FRA demonstrates that the development will be 'safe for its lifetime'. In particular, the residual risk of flooding during a 1 in 200 year tidal breach event is low and can be managed by changes to levels. Furthermore, there is modelled to be no significant change to fluvial or tidal flood levels and fluvial or tidal flood hazard to third parties as a result of the development. In addition a Flood Warning and Evacuation Plan (FWEP) can be secured through a planning condition to address residual risk.

VII. VIABILITY & PLANNING OBLIGATIONS

6.128 The application is accompanied by a financial viability appraisal and, in accordance with usual practice, this appraisal has been independently assessed. The independent assessment concluded that the applicant's appraisal was reasonably detailed and informative. However, there were queries regarding development costs and the value of the scheme. In response, the applicant submitted revised appraisal incorporating increased sales values and a reduction in development costs. Based on the revised appraisal the appraisal the applicant has confirmed that the development can sustain policy-compliant affordable housing (35%), as well as the following obligations which can be secured through a s106 agreement:

- £273,316.39 nursery school-age education contribution;
- £1,363,958.96 primary school-age education contribution;
- £1,091,050.63 secondary school-age education contribution;
- £40,000 cycle /footpath links contribution;
- £200,000 capacity and safety improvements at the A1089 / A126 junction.

7.0 CONCLUSIONS, THE BALANCING EXERCISE AND REASONS FOR RECOMMENDATION

7.1 The principle issue for consideration in this case is the assessment of the proposals against planning policies for the Green Belt and whether there are very special circumstances which clearly outweigh harm such that a departure from normal policy can be justified. The proposals are 'inappropriate development' in the Green Belt and would lead to the loss of openness. Substantial weight should be attached to this harm in the balance of considerations. Nevertheless, it is considered that only limited harm should be attached to the impact that the proposals would have on the role of the site in fulfilling the defined purposes for including land in the Green Belt.

7.2 The applicant has cited a number of factors which are promoted as comprising very special circumstances which could outweigh the harm to the Green Belt. The weight which can be attached to these factors is considered in detail in the

paragraphs above. Although a number of considerations promoted by the applicant attract no weight or only limited weight, there are factors which should be afforded more weight in the Green Belt balance. In particular, the planning history of the site, the contribution towards housing supply (including affordable housing) and the limited harm to the Green Belt all weigh in favour of the proposals. On balance, and as a matter of judgement, it is concluded on this point that the case for very special circumstances clearly outweighs the identified harm to the Green Belt described above.

- 7.3 Subject to planning obligations and conditions there are no objections to the proposals with regard to highways issues, impact on ecology, noise and air quality. Similarly, subject to conditions there are no objections on flood risk grounds.
- 7.4 This planning application requires close scrutiny with particular regard to Green Belt considerations and the Committee should take a balanced view, taking into account all of the relevant material considerations described above. As a matter of judgement, it is considered that the proposals should be supported.

8.0 RECOMMENDATION

Grant planning permission subject to:

A: Referral to the Secretary of State (Planning Casework Unit) under the terms of the Town and Country Planning (Consultation) (England) Direction 2009, and subject to the application not being 'called-in' for determination;

B: the applicant and those with an interest in the land entering into an obligation under section 106 of the Town and Country Planning Act 1990 with the following heads of terms –

(i) the provision of 98 no. dwellings as affordable housing, comprising:

69 no. social rented units (48 no. two-bed apartments and 15 no. three-bed houses); and

29 no. rented / intermediate units (29 no. 3-bed houses);

(ii) financial contribution of £273,316.39 (subject to indexation) payable prior to the first residential occupation (or payable on a phased basis commensurate with the phased residential occupation of the site, to be agreed with the local planning authority) towards the costs of additional nursery school places within the Tilbury primary school pupil planning area;

- (iii) financial contribution of £1,363,958.96 (subject to indexation) payable prior to the first residential occupation (or payable on a phased basis commensurate with the phased residential occupation of the site, to be agreed with the local planning authority) towards the costs of additional primary school places within the Tilbury primary school pupil planning area;
- (iv) financial contribution of £1,091,050.63 (subject to indexation) payable prior to the first residential occupation (or payable on a phased basis commensurate with the phased residential occupation of the site, to be agreed with the local planning authority) towards the costs of additional secondary school places within the central secondary school pupil planning area;
- (v) financial contribution of £40,000 (subject to indexation) payable prior to the first residential and / or commercial occupation towards the costs of cycle and footpath links between the site and Manor Road and the A1089 in accordance with the Council's IRL;
- (vi) agreement that the local highways authority may obtain unrestricted access across the watercourse in the developers landholding at any location and for at least 2 crossing points for a cycle / footpath bridge to the north and / or west of the site; and
- (vii) financial contribution of £200,000 (subject to indexation) payable prior to the first residential and / or commercial occupation towards the costs of capacity and safety improvements at the junction of the A1089 and A126 – Marshfoot Road Priority Junction in accordance with the Council's IRL.

C: the following planning conditions:

Condition(s):

Reserved Matters

1. No development shall commence on any phase, stage or zone within the development site until full details of the following reserved matters, in respect of that phase, stage or zone, have been submitted to and approved in writing by the local planning authority:
 - appearance;
 - landscaping; and

- scale.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Time Limit

2. All applications for approval of reserved matters shall be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Phasing

3. Prior to the commencement of development a programme for the phasing of the development (a Phasing Strategy) shall be submitted to and approved in writing by the local planning authority. The Phasing Strategy shall include:
 - a) a plan defining the extent of works, including groundworks, site infilling / levelling, flood risk mitigation measures and ecological mitigation works, within each phase;
 - b) details of the number of residential units and non-residential floorspace to be accommodated within each phase;
 - c) details of affordable housing provision for each phase;
 - d) a timetable for the implementation of works within each phase;
 - e) details of the open space and landscaping within each phase, including a timetable for its provision.

The development shall be implemented in accordance with the approved Phasing Strategy, unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure the satisfactory phased development of the site.

Plans

4. Insofar as the matters of access and layout are concerned, the development

hereby permitted shall be carried out in accordance with the following approved plans:

<u>Ref.</u>	<u>Title</u>	<u>Received</u>
001C	Site Location Plan	09.02.2017
101B	Land Ownership Plan	16.02.2017
131G	Masterplan	16.02.2017
133F	Masterplan Building Parameters	17.05.2017
134F	Masterplan: Housing Zones	16.02.2017
140E	Ecology Enhancement Plan	16.02.2017
143	Masterplan	28.04.2017
144	Masterplan	28.04.2017
145	Masterplan	28.04.2017
146	Masterplan	28.04.2017

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

Development Parameters

5. The development shall not exceed a maximum of 280 dwellings. Unless otherwise agreed in writing by the local planning authority, the mix of dwellings to be delivered by the totality of the development shall not exceed 19% flats.

Reason: To ensure that the scheme implemented is in accordance with the principles established by this permission.

6. The development shall not exceed a maximum of 250 sq.m. floorspace within Use Class D1 (non-residential institution) use and 1,810 sq.m. within Use Class B2 / B8 (general industrial / storage & distribution) use.

Reason: To ensure that the scheme implemented is in accordance with the principles established by this permission.

7. Maximum building heights across the site shall accord with the 'Buildings Parameters Plan (ref. 133F) received by the local planning authority on 17th May 2017.

Reason: In order to protect the appearance of the development and the visual amenities of the surrounding area in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (as amended) (2015).

8. Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) (England) (Order) 2015 (as amended) the community building hereby permitted shall only be used for purposes within Class D1 of the Town and Country Planning (Use Classes Order) 1987 (as amended).

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

External Storage

9. Unless otherwise agreed in writing by the local planning authority there shall be no external storage of goods, machinery, plant or other materials associated with the Class B2 / B8 uses on the site, as identified on drawing number 131G.

Reason: In the interests of visual amenity and to ensure that the proposed development is integrated within its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

External Working

10. Unless otherwise agreed in writing by the local planning authority no manufacturing, fabrication or other industrial processes shall take place outside the Class B2 / B8 buildings on the site, as identified on drawing number 131G.

Reason: In the interests of visual amenity and to ensure that the proposed development is integrated within its surroundings as required by policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Construction Traffic Management Plan

11. No development shall commence on any phase of the development hereby permitted, including any works of site clearance / preparation, until a Construction Traffic Management Plan (CTMP) for that phase has been submitted to and approved in writing by the local planning authority. The approved CTMP shall be adhered to throughout the construction period of each phase.

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 DPD (as amended) (2015).

Construction Environment Management Plan

12. No development shall commence on any phase of the development hereby permitted, including any works of site clearance / preparation, until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the local planning. The CEMP should contain or address the following matters:
- i. vehicle haul routing in connection with construction, remediation and engineering operations;
 - ii. wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site;
 - iii. method(s) for the control of noise together with a monitoring regime;
 - iv. measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime;
 - vi. dust and air quality mitigation and monitoring;
 - vii. ecology and environmental protection and mitigation;
 - viii. a procedure to deal with any unforeseen contamination, should it be encountered during development.

The approved CEMP shall be adhered to throughout the construction period of each phase.

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 DPD (as amended) (2015).

Construction Hours:

13. No construction works, including any works of site clearance / preparation, within any phase of 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.

If impact piling is required, these operations shall only take place within hours

which have been previously agreed in writing by the local planning authority.

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 DPD (as amended) (2015).

Site Levels

14. No development shall commence on any phase of the development hereby permitted, including any works of site clearance / preparation, until details of existing and finished site levels and finished external surface levels have been submitted to and approved in writing by the local planning authority. The development of each phase shall be implemented in accordance with the approved details.

Reason: In order to protect the amenities of surrounding occupiers and to ensure the satisfactory development of the site in accordance with policies PMD1 and PMD2 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Drainage

15. Surface water drainage works shall not commence on any phase of the development hereby permitted until a surface water management strategy for that phase has been submitted to and approved in writing by the local planning authority. The submitted surface water management strategy shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;
 - ii. include a period for its implementation; and
 - iii. provide a management and maintenance plan of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development of each phase shall be implemented in accordance with the approved details which shall be retained thereafter.

Reason: To ensure that adequate measures for the management of surface water are incorporated into the development in accordance with policy PMD15 of the Adopted Thurrock LDF Core Strategy and Policies for the Management

of Development DPD (as amended) (2015).

Water Framework Directive

16. The development hereby permitted or any phase thereof shall be carried out in accordance with the approved Water Framework Directive (WFD) Assessment Screening Report by WSP Parsons Brinckerhoff, referenced 70020806 and dated June 2016, and the mitigation measures detailed within this document, including:
- improvements to the river and riparian zone to provide better ecological habitat, clearance and management of invasive species and re-grading of the banks;
 - a 6m wide strip along the banks of the river free of development to allow future maintenance or improvements works;
 - treatment of surface water run off through the provision of Sustainable Drainage Systems before discharge into any watercourse.

The mitigation measures shall be fully implemented prior to occupation or 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 no deterioration, and where possible enhancements, to the ecological quality of the main river and ditches on-site and to ensure the development does not prevent the achievement of WFD objectives.

Flood Warning & Evacuation Plan

17. Prior to the first operational use or occupation of any building within a phase of the development a Flood Warning and Evacuation Plan (FWEP) for that phase of the development shall be submitted to and approved in writing by the local planning authority. The approved measures within the Plan shall be operational upon first use occupation of that phase of the development and shall be permanently maintained thereafter.

Reason: In order 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 DPD (as amended) (2015).

Noise

18. Prior to the commencement of development for any residential phase of

development, details of measures to mitigate the impact of noise on occupiers of that phase of development, in accordance with the recommendations set out at Chapter 8 of the 'Little Thurrock Marshes Noise Assessment (report no. 70017943 – June 2016) shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented prior to the first occupation of that phase of development.

Reason: To protect the amenities of future residential occupiers 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 DPD (as amended) (2015).

19. Prior to the commencement of any phase of the development which includes non-residential floorspace, details of measures to mitigate the impact of noise from fixed plant such that the noise levels shown in table 6-1 of the 'Little Thurrock Marshes Noise Assessment (report no. 70017943 – June 2016) are not exceeded at the nearest residential receptor shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented prior to the first occupation of that phase of development.

Reason: To protect the amenities of future residential occupiers 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 DPD (as amended) (2015).

Boundary Treatments

20. Prior to the commencement of any phase of the development details of the locations, heights, designs, materials and types of all boundary treatments to be erected within that phase shall be submitted to and approved in writing by the local planning authority. The boundary treatments shall be completed in accordance with the approved details before the first occupation of the buildings within that phase.

Reason: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by policies CSTP22 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Finishing Materials

21. Prior to the commencement of any phase of the development details of the materials to be used in the construction of the external surfaces of the buildings within that phase shall be submitted to and approved in writing by the local planning authority. Development within that phase shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its surroundings in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

External Lighting

22. Prior to commencement of any phase of the development, details of any external lighting (other than for private gardens) within that phase shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of future residential occupiers 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 DPD (as amended) (2015).

Highways & Parking

23. Prior to the commencement of development within any phase details of the road and footpath / cyclepath layout and the associated construction details shall be submitted to and approved in writing with the local planning authority. The approved roads and footpaths / cyclepaths shall be constructed in accordance with the agreed details prior to the first occupation of development within that phase.

Reason: In the interests of highway safety and amenity in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

24. Unless otherwise agreed in writing by the local planning authority the details submitted pursuant to condition no. 1 shall show adequate land reserved for the parking and / or garaging of private cars, motorcycles and bicycles in

accordance with the Council's Draft Parking Standards and Good Practice document (March 2012) or any successor to that document. No building within any phase of the development shall be occupied until the related car parking, garaging, motor cycle parking and cycle parking has been provided in accordance with the submitted details. Once provided, the vehicle parking facilities shall be retained thereafter and shall be used for no other purpose.

Reason: To ensure that adequate provision is made for the parking of vehicles in the interests of highways safety in accordance with Policy PMD8 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

25. No building within any phase of the development shall be occupied until a detailed Travel Plan for that phase and a timetable for its implementation, has been submitted to and approved in writing by the local planning authority. The Travel Plan shall be developed in accordance with the principles set out in the Travel Plan (October 2015) and shall be implemented as approved.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policy PMD10 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

26. Prior to the commencement of development details of the proposed emergency access and footpath / cyclepath access linking the site to Thurrock Park Way (as shown on drawing number 131G) shall be submitted to and approved in writing by the local planning authority. The submitted details shall specifically show measures to prevent motorised traffic (apart from emergency services) from using this route and a timetable for implementation. The details shall be implemented as approved and retained thereafter.

Reason: In the interests of highway safety and amenity in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Invasive Species

27. Prior to the commencement of development in any relevant phase a detailed method statement for removing or for the long-term management / control of invasive species (as identified in the Ecological Report) shall be submitted to and approved in writing by the local planning authority. The method statement shall include measures that will be used to prevent the spread of invasive species during any operations on-site. The method statement shall also

contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant listed under the Wildlife and Countryside Act 1981 (as amended). Development within the relevant phase shall proceed in accordance with the approved method statement.

Reason: In order to prevent the spread of invasive species

Landscaping / Biodiversity

28. No development shall begin on any phase of the development hereby permitted, including any works of site clearance / preparation, until a Biodiversity Mitigation and Enhancement Plan (BMEP), to include details for the provision of living roofs, for that phase has been submitted to and approved in writing by the local planning authority. The BMEP shall include a timetable for implementation of the mitigation and enhancement measures. Development of each phase shall be carried out in accordance with the approved BMEP for that phase.

Reason: To ensure that the effects of the development on the natural environment are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

29. No development shall begin on any phase of the development hereby permitted, including any works of site clearance / preparation, until a Habitat Management Plan (HMP) for that phase has been submitted to and approved in writing by the local planning authority. The HMP shall include details of the long term management and maintenance arrangements for retained and new ecological habitats. Development of each phase shall be carried out in accordance with the approved HMP for that phase.

Reason: To ensure that the effects of the development on the natural environment are adequately mitigated in accordance with Policy PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

30. The hard and soft landscaping details to be submitted pursuant to condition 1, including provision of the areas of public open space, shall include hard surfacing materials; details shall include a planting plan; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities where appropriate; an implementation timetable; and ongoing management and maintenance arrangements. Development shall be

carried out in accordance with the approved details.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

31. All hard and soft landscape works within any phase of the development shall be carried out in accordance with a Landscape and Open Space Strategy which shall previously have been submitted to and approved in writing by the local planning authority. Development within any phase shall be carried out in accordance with the approved Strategy. The Strategy shall include:
- a) a programme for implementation;
 - b) long term design objectives;
 - c) long term management responsibilities; and
 - d) maintenance schedules for all hard and soft landscape areas and open spaces (other than private gardens) and any associated features.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Sustainable Design

32. Applications for the approval of reserved matters for any phase shall be accompanied by a Sustainable Design and Construction Code, the parameters for which shall previously have been agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details 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 Policies PMD12 and PMD13 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015)].

33. Unless otherwise agreed in writing by the local planning authority, the dwellings on the site shall meet Lifetime Homes requirements. The reserved matters submission(s) for any phase of the development shall be accompanied by a statement outlining the specification for Lifetime Home measures and detailing the proposed phase's compliance with that

specification. Development shall be undertaken in accordance with the approved details.

Reason: To accord with the details submitted with the application in order to produce flexible, accessible and adaptable homes appropriate to diverse and changing needs in accordance with Policy CSTP1 of the Adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

INFORMATIVES

1. Any works affecting flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority, Thurrock Council, under section 23 of the Land Drainage Act 1991, regardless of any planning permission. This includes both temporary and permanent works such as culverts, dams, weirs and piles.
2. Under the terms of the Water Resources Act 1991, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 9 metres of the top of the bank/foreshore of the Chadwell New Cross Sewer, designated a 'main river'. The flood defence consent will control works in, over, under or adjacent to main rivers (including any culverting). Your consent application to the Environment Agency (EA) must demonstrate that:
 - there is no increase in flood risk either upstream or downstream
 - access to the main river network and sea/tidal defences for maintenance and improvement is not prejudiced.
 - works are carried out in such a way as to avoid unnecessary environmental damage.

Mitigation is likely to be required to control:

- off-site flood risk.

The EA will not be able to issue our consent until this has been demonstrated. Please note that applications for Flood Defence Consent can take up to 8 weeks to process. Application forms and guidance can be at:

<https://www.gov.uk/government/publications/flood-defence-consent-england-andwales>

3. Any works, which are required within the limits of the highway reserve, require the permission of the Highway Authority and must be carried out under the

supervision of that Authority's staff. The Applicant is therefore advised to contact the Authority at the address shown below before undertaking such works.

Chief Highways Engineer,
Highways Department,
Thurrock Council,
Civic Offices,
New Road,
Grays Thurrock,
Essex. RM17 6SL

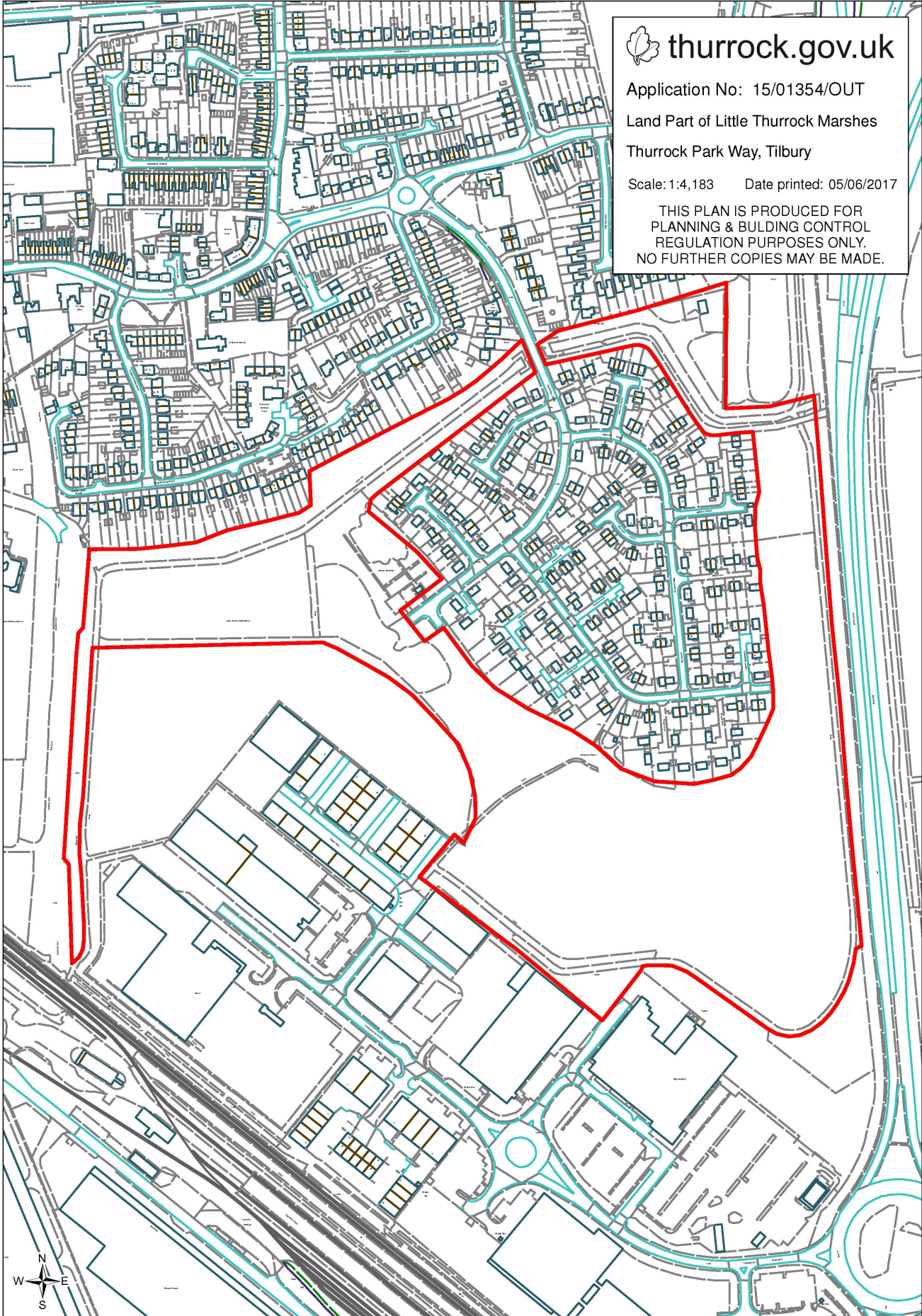
4. Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

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

Documents:

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

www.thurrock.gov.uk/planning



Reference: 17/00470/FUL	Site: 3 Longley Mews Grays Essex RM16 3AG
Ward: Chadwell St Mary	Proposal: Front extension and dormer to garage and conversion to self-contained annexe.

Plan Number(s):		
Reference	Name	Received
16.274.01	Existing Plans	7th April 2017
16.274.02	Existing and Proposed Plans	7th April 2017
003	Location Plan	7th April 2017

The application is also accompanied by: N/A	
Applicant: Miss Lee	Validated: 18 April 2017 Date of expiry: 30 June 2017 (Extension of time agreed with applicant)
Recommendation: To Refuse	

This application is scheduled for determination by the Planning Committee because it has been Called-In by Councillors G Rice, B Rice, Liddiard, Holloway and C Kent to consider the impact of the development upon the Green Belt and the immediate residential area.

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for the conversion and extension of the existing garage to a self-contained annexe.

2.0 SITE DESCRIPTION

2.1 The property comprises of a two storey, garage-linked, dwelling sat in a relatively substantial plot at the north western end of the cul-de-sac of Longley Mews.

The site is located within the Metropolitan Green Belt.

3.0 RELEVANT HISTORY

Application Reference	Description of Development	Decision
13/00451/HHA	Conversion of existing garage to habitable accommodation; new detached garage with store room and additional dormer to front elevation	Refused
13/00720/HHA	Conversion of existing garage to habitable accommodation; new detached garage with store room and additional dormer to front elevation	Permitted
16/00992/FUL	Proposed front extension and dormer to garage and subsequent conversion to self-contained annexe.	Refused & Appeal Dismissed
16/01643/FUL	Proposed change of use of detached garage to self-contained annexe.	Permitted

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

4.2 This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby.

No written responses have been received.

4.3 HIGHWAYS:

No objections.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

5.1 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:

7. Requiring good design
9. Protecting Green Belt land

Planning Practice Guidance

5.3 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

Local Planning Policy

Thurrock Local Development Framework (as amended 2015)

5.4 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The following Core Strategy policies apply to the proposals:

Thematic Policies:

- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD6 (Development in the Green Belt)²

- PMD8 (Parking Standards)³

[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].

Focused Review of the LDF Core Strategy (2014)

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

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

- 5.6 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.

6.0 ASSESSMENT

BACKGROUND

- 6.1 This application is almost identical to one which was previously refused and dismissed at appeal [reference 16/00992/FUL]. The only difference between this application and application 16/00992/FUL is that the single storey front extension is now proposed to have a flat roof with a lantern and not a pitched roof as was sought previously. The Planning Inspector who dismissed the previous application at appeal stated in his report, 'the proposal is contrary to the development plan

taken as a whole and would not be sustainable development for which the Framework (NPPF) carries a presumption in favour’.

6.2 The assessment below covers the following areas:

- I. Principle of the Development within the Green Belt
- II. Impact on Neighbour Amenity
- III. Design

I. PRINCIPLE OF THE DEVELOPMENT WITHIN THE GREEN BELT

6.3 Policy PMD6 sets out that the Council will maintain, protect and enhance the open character of the Green Belt in Thurrock, and that in the Green Belt extensions to dwellings must not represent disproportionate additions to the original property. The Council expects extensions in such locations to be limited to a fixed maximum size, this being the floor area represented by ‘two reasonably sized rooms’ (calculated from the dwelling as originally constructed).

6.4 The original house was approved under planning reference 02/1230/FUL and the two reasonably-sized room allowance of the original property has been calculated as being 21.2 sqm. Since originally constructed, a garage has been added to the property which added 21.9 sqm, essentially taking up the allowance. The extension and dormer window now proposed would take the dwelling in its extended form beyond the two room allowance. The proposed development seeks to convert and extend the garage, resulting in some 16.5m sqm of newly created floorspace. This would be in excess of the policy allowance and it is a straight forward matter to conclude that the development is to Policy PMD6 and the NPPF. The extension therefore constitutes inappropriate development which is by definition, harmful to the Green Belt.

6.5 Having established that the proposal is inappropriate development it is necessary to consider the matter of other harm. In this case, the increase in bulk and scale would cause additional harm to the openness of the Green Belt contrary to PMD6 and the guidance within the NPPF.

6.6 The National Planning Policy Framework (NPPF) states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF also states:

"When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason

of inappropriateness, and any other harm, is clearly outweighed by other considerations”

- 6.7 No ‘Very Special Circumstances’ have been provided by the applicant to justify the development within the Green Belt.
- 6.8 In conclusion under this heading, the proposed development constitutes inappropriate development within the Green Belt and there are no very special circumstances that would clearly outweigh the harm that would be caused.

II. IMPACT ON NEIGHBOUR AMENITY

- 6.9 Policies PMD1 and PMD2 of the Adopted Core Strategy require that all proposals should contribute positively to the amenity and character of the area in which they are located.
- 6.10 By reason of its location, the proposed annexe would have minimal impact on the adjacent properties. If the application was being considered favourably, it would be appropriate to include a condition to ensure use of the annexe would be incidental to the host property minimising risk of future amenity impacts. However, this would not overcome the fundamental objections raised above.

III. DESIGN

- 6.11 No objection is raised in relation to the design and appearance of the proposed front dormer window however concern is raised to the proposed flat roof design which would appear as an incongruous addition to the property, out of character with both the host dwelling and street scene generally. The design would therefore be contrary to Policies PMD2 and CSTP22.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 Notwithstanding the amendments to the scheme following the refusal of 16/00992/FUL, the proposed development constitutes inappropriate development which is by definition harmful to the Green Belt. There are no very special circumstances that would clearly outweigh the harm that would be caused. The design of the proposed extension is also considered out of character with the locality and thereby contrary to PMD2 and the NPPF.

8.0 RECOMMENDATION

- 8.1 To Refuse for the following reasons:

Reason(s):

- 1 The site is located within the Metropolitan Green Belt as defined in the Thurrock

Local Development Framework Core Strategy and Policies for Management of Development (as amended 2015).

Policy PMD6 of the Core Strategy states that in the Green Belt extensions to dwellings must not represent disproportionate additions to the original property. Extensions to existing dwellings in the Green Belt will be strictly controlled and extensions should be limited to a fixed maximum size, this being the floor area represented by two reasonably sized rooms (calculated from the dwelling as originally constructed), including what is permitted by the Town and Country Planning General Permitted Orders. An extension must be of a scale, size, siting, and design and of materials of construction, that the appearance of the original dwelling, the immediate locality and the countryside in general, is not adversely affected.

The National Planning Policy Framework Indicates that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

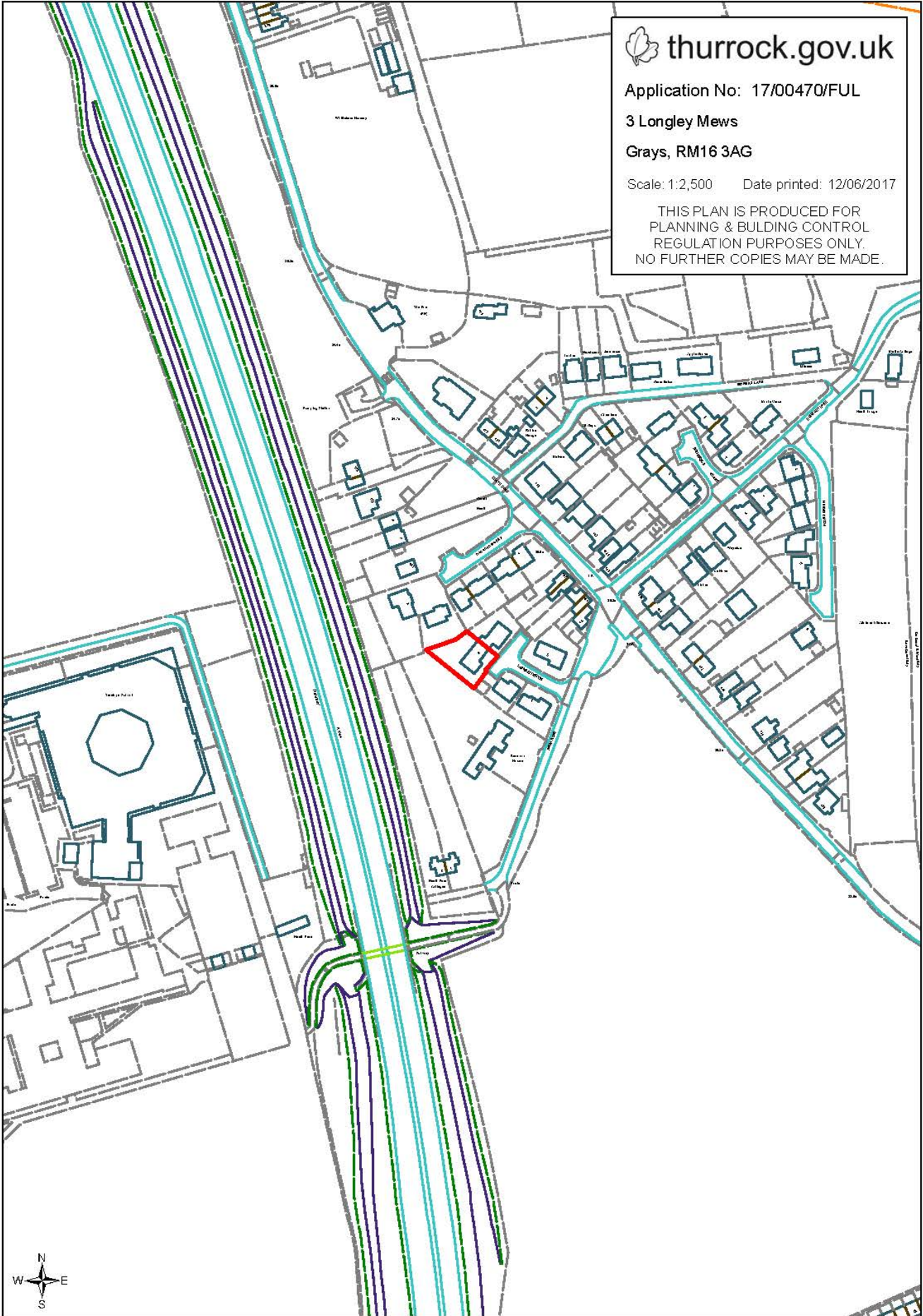
The proposed development exceeds the policy allowance summarised above and therefore constitutes inappropriate development in the Green Belt which is by definition harmful. Furthermore, the development, by reason of increasing the bulk and scale of built development at the property, would cause additional harm to the openness of the Green Belt contrary to PMD6 and the guidance within the NPPF. No very special circumstances have been advanced that would clearly outweigh the harm caused to the Metropolitan Green Belt as a result of the development.

2. Policy PMD2 of the Adopted Core Strategy (as amended in 2015) requires that all proposals should contribute positively to the amenity and character of the area in which they are located.

The proposed single storey front extension would, due to the design of the roof, appear as an incongruous feature to both the host dwelling and the streetscene generally, contrary to Policy PMD2 of the Core Strategy and the specific advice contained in the National Planning Policy Framework.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: www.thurrock.gov.uk/planning



Reference: 17/00443/TBC	Site: Car Park Calcutta Road Tilbury Essex RM18 7QA
Ward: Tilbury Riverside And Thurrock Park	Proposal: Erection of 35no. unit age restricted housing scheme in a mixture of three and four storey buildings, including provision of car parking and communal facilities, together with refuse and cycle stores, associated landscape proposals and formation of new public square.

Plan Number(s):		
Reference	Name	Received
065_PL_103	Floor Layout	
065_PL_104	Roof Plans	11th April 2017
065_PL_001	Location Plan	11th April 2017
065_PL_002	Existing Site Layout	11th April 2017
065_PL_003	Proposed Site Layout	11th April 2017
065_PL_101	Proposed Floor Plans	11th April 2017
065_PL_102	Proposed Floor Plans	11th April 2017
065_PL_200	Roof Plans	11th April 2017
065_PL_201	Elevations	11th April 2017
065_PL_300	Elevations	11th April 2017
065_PL_301	Elevations	11th April 2017
065_PL_400	Other	11th April 2017
160641-X-00-DR-C-1000_P1	Drawing	4th April 2017
160641-X-XX-M2-C-1001_P1	Drawing	4th April 2017
CR125_L_1.01	Landscaping	4th April 2017
CR125_L_2.01	Sections	4th April 2017
CR125_L_3.00	Drawing	4th April 2017
CR125_L_4.00	Drawing	4th April 2017
CR125_L_6.00	Drawing	4th April 2017
CR125_L_7.00	Drawing	4th April 2017
CR125_L_7.01	Drawing	4th April 2017

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> - Flood Risk Assessment - Air Quality Assessment - Bomb Search Report - Design and Access Statement - Desktop Study – Geoenvironmental - Noise Assessment - Transport Statement - Energy Statement 	
<p>Applicant: Thurrock Council</p>	<p>Validated: 3 April 2017</p> <p>Date of expiry: 3 July 2017</p>
<p>Recommendation: Approve, subject to conditions.</p>	

This application is scheduled for determination by the Council’s Planning Committee because the application has been submitted by the Council (in accordance with Part 3 (b) Section 2 2.1 (b) of the Council’s constitution).

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for the redevelopment of the car park site to provide a 3/4 storey development accommodating 35 dwellings [100% affordable] in the form of 31 x 1 bedroom flats and 4 x 2 bedroom duplexes as detailed in the summary table below. The development would also provide communal facilities for the residents. As part of the development, a new public square would be provided to the front of the site.

1.2 The proposed design reflects a modern contemporary approach with a flat roof design to both the 3 and 4 storey elements. The building would have open balconies with railings and recessed balconies.

1.3 A summary of the proposal is provided in the table below:

Site Area:	0.37hectares
No. of Dwellings:	31 x 1 bedroom flats 4 x 2 bedroom duplexes Total 35 dwellings

Amenity Space:	Balconies for all flats Decked amenity area – 567sq.m. Rear amenity area – 829 sq.m.
Building Height:	Part 4 storey / part 3 storey
Car Parking:	36 car parking spaces (including 5 wheelchair spaces)

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the corner of Calcutta Road and Toronto Road, extending west from the junction.
- 2.2 Residential uses adjoin the site to the north and west. To the east, on the opposite side of Toronto Road lies the Calcutta Club, to the north two storey dwellings on Toronto Road and a 4 storey block of flats on Lansdowne Road. To the west a two storey building and subsequently a two/three storey care home and to the south on the opposite side of Calcutta Road a three storey building.
- 2.3 Ground levels are approximately level across the site and the entire application site is located within the high risk flood zone (Zone 3).

3.0 RELEVANT HISTORY

Application Reference	Description	Decision
98/00091/TBC	Use of market place for 54 stall open air market operating on Friday (permission previously granted for limited time)	Approved

4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

- 4.2 This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which have been displayed nearby.

Four objections have been received on the basis of:

- Scale of building
- Proximity to boundaries
- Potential for overlooking

One letter of support has been received on the basis of:

- The proposal tidying the area and improve the area

One letter has been received neither objecting nor supporting the application, but making the following comments:

- Principle of scheme is supported and comments it will enhance the area
- Concern raised about height of building near existing care home and impact on that building

4.3 ANGLIAN WATER:

No objections subject to condition.

4.4 ENVIRONMENT AGENCY:

No objection subject to the Local Planning Authority applying the Sequential Test and Exception Test.

4.5 ENVIRONMENTAL HEALTH:

No objections subject to conditions.

4.6 FLOOD RISK MANAGER:

No objections subject to conditions.

4.7 HIGHWAYS:

No objections subject to conditions.

4.8 LANDSCAPE & ECOLOGY:

No objections subject to conditions.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

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

- Core Planning Principles
- Building a strong, competitive economy
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities
- Meeting the challenge of climate change, flooding and coastal change

5.2 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:

- Air Quality
- Climate Change
- Design
- Flood risk and coastal change
- Health and wellbeing
- Light pollution
- Natural environment
- Noise
- Planning obligations
- Renewable and low carbon energy
- The use of planning conditions

5.3 Local Planning Policy Thurrock Local Development Framework (2015)

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

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1 Promotion of Sustainable Growth and Regeneration in Thurrock¹

SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations

THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP2: The Provision of Affordable Housing
- CSTP7: Network of Centres
- CSTP8: Vitality and Viability of Existing Centres
- CSTP11: Health Provision
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness²
- CSTP25: Addressing Climate Change²
- CSTP26: Renewable or Low-Carbon Energy Generation²
- CSTP27 Management and Reduction of Flood Risk²
- CSTP29: Waste Strategy

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 Minimising Pollution and Impacts on Amenity²
- PMD2 Design and Layout²
- PMD5: Open Spaces, Outdoor Sports and Recreational Facilities
- PMD7: Biodiversity, Geological Conservation and Development²
- PMD8: Parking Standards³
- PMD10: Transport Assessments and Travel Plans²
- PMD16: Developer Contributions²
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD15: Flood Risk Assessment²
- PMD12: Sustainable Buildings²

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

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

5.5 Draft Site Specific Allocations and Policies DPD

The 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. 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.

5.6 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 2014 meeting of the Cabinet. 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.

6.0 **ASSESSMENT**

6.1 The issues to be considered in this case are the following:

- I. Principle of the Development
- II. Housing Land Supply, Need, Mix and Affordable Housing
- III. Design and Layout
- IV. Landscaping, communal space and public open space
- V. Effect on Neighbouring Properties
- VI. Highway matters
- VII. Flood Risk and Drainage
- VII. Sustainable Buildings and Energy Consumption
- IX. Infrastructure
- X. Other considerations

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The application site is located in Tilbury Town Centre. It has no formal plan

allocation but was identified in the January 2013 Site Specific Allocations policy document (ref: TRV32) as a potential housing site (without permission) with an indicated capacity of 30 units.

- 6.3 Policy CSSP1 (Sustainable Housing and Locations) refers to the target for the delivery of new housing in the Borough over the period of the Development Plan. This policy notes that new residential development will be directed to previously developed land in the Thurrock urban area, as well as other specified locations. The policy aims to ensure that up to 92% of new residential development will be located on previously developed land. The application site is within the urban area and comprises a 'brownfield' site.
- 6.4 As set out in the history section above, the site formally accommodated an open air market however the market ceased operation in 2014 following declining trade and since then the site has not been used.

In light of the above, the principle of the development is considered to be sound; the proposal would make the best use of urban land by providing new homes in a sustainable location.

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

- 6.5 The proposed development would contribute to the Borough's five year housing land supply through the provision of 35 new dwellings. The latest (May 2016) Strategic Housing Market Assessment (SHMA) sets out the Borough's housing need and mix requirements with 1 and 2 bedroom flats being a housing type specifically needed over the period of 2014-2037. The proposal comprises a high number of 1 bedroom units and the contribution of 2 bedroom flats would cumulatively contribute to the SHMA requirements.
- 6.6 In order to address the current and future need for affordable housing in Thurrock, the Council will seek the minimum provision of 35% of the total number of residential units built to be provided as affordable housing.
- 6.7 The development has been put forward as an age restricted housing scheme, providing specialist accommodation for an identified need in the Borough. By adopting HAPPI (Housing our Ageing Population: Panel for Innovation) principles, the development would allow tenants to remain in these homes for a longer period. The provision of shared communal areas and gardens would provide older residents with a community and support network to allow them to remain independent and benefit from the supported living the scheme would provide. The "Thurrock Council 2015-2020 Housing Strategy" specifically makes reference to developments of HAPPI schemes of this type, identifying an increasing population projection for older people in the Borough. This report was approved by Cabinet on 11 March 2015.
- 6.8 The South Essex Strategic Housing Market Assessment identifies a range of objectively assessed housing need for Thurrock of between 919 and 973 dwellings

per annum (using a 2014 base date). If the minimum 35% affordable housing figure is applied to objectively assessed housing need (919-973 dwellings) an annual range of 322-341 affordable housing units is obtained. A summary of affordable housing completions in Thurrock for the last five years of available data is provided in the table below:

<u>Period</u>	<u>A/H completions</u>	<u>Total completions on sites liable to A/H provision</u>	<u>% A/H</u>
2011/12	28	332	8.4%
2012/13	138	363	38.0%
2013/14	76	266	28.6%
2014/15	105	296	35.5%
2015/16	99	611	16.2%
Five Year Total	446	1,868	23.9%

- 6.9 The data in the above table shows that there have been two recent years within which the percentage of affordable housing completions on sites liable to provide affordable has met the minimum 35% policy target. However, the five-year trend between 2011/12 and 2015/16 is that the proportion of affordable housing completions on sites liable to deliver affordable housing is, at 24%, well below the minimum 35% policy target.
- 6.10 Within the context of the average under-delivery of affordable housing on eligible sites over the past five years, and the wider context of an historic under supply of housing (compared to Core Strategy policy targets and more recent objectively assessed need) it is considered that the delivery of 100% affordable housing on this site would make a valuable contribution towards the delivery of affordable housing.

III DESIGN AND LAYOUT

- 6.11 Policy PMD2 seeks to achieve the requirements of Chapter 7 of the NPPF on 'Requiring Good Design'. The proposed layout of the development would make efficient use of the site in terms of site coverage and would be set off the north eastern boundary with the nearest neighbouring property on that boundary and the western boundary with a two storey building which has been converted from an office to residential units. The layout would introduce development in close proximity to the back of Calcutta Road creating a strong street frontage on this part of the road. Internally each unit would provide good levels of internal accommodation and circulation space to meet the standards stated in Annex 1 of the Borough Local Plan. Each unit would have access to its own balcony, recessed within the façade and all units would benefit from the access to the communal areas.
- 6.12 As set out above, the scheme has been designed to meet HAPPI principles,

which means that the units have been designed to achieve high levels of natural light, can be adaptable to suit the occupier as their needs change, are supported by high quality communal multi-purpose spaces, are energy efficient and provide a sustainable living environment with regards to access to local amenities. The proposed development complies with the HAPPI principles and the scheme represents an exciting prospect for Tilbury.

- 6.13 In terms of scale, it is recognised that the development would be a significant change to the existing site which has no built form upon it. However, in this area there are 3 and 4 storey buildings in close proximity to the site and this site is one of the few undeveloped urban sites in the town centre. Given the surrounding townscape, it is considered that the scale and height of the scheme would be acceptable. To assist integration, the building has been designed to 'step down' where it would be closer to the traditional two storey properties on Toronto Road.
- 6.14 The proposed design reflects a contemporary approach to architecture with a flat roof design to both the 3 and 4 storey elements. The ground floor where it fronts onto Calcutta Road by necessity has to provide access to the car park. Access to the communal lobby and the communal room itself are at the front on the most public corner. These glass fronted areas will provide an active frontage to Calcutta Road.
- 6.15 The design of the development has evolved through pre-application discussions with officers and influenced by a workshop session held with Design Council CABE. This has resulted in an architecturally bespoke scheme which is well conceived and purposely designed to meet the specific requirements of the local residents.
- 6.16 In conclusion under this heading, it is considered that the proposed development is acceptable in terms of the layout, scale, design and density considerations in terms of policies PMD2 and CSTP22.

IV. LANDSCAPING, COMMUNAL SPACE AND PUBLIC OPEN SPACE

- 6.17 A key feature of the development is the open space for both the users of the development and the general public. The site lies within Flood Risk Zone 3, so to enable car parking to be provided in compliance with the Council's standards this has necessitated a 'decked' area be provided. This has resulted in a large area between the buildings which will be used by residents as a communal outdoor space. This area will be hard landscaped with raised planting beds.
- 6.18 To the rear of the site the land will remain at natural ground level and will comprise a mix of areas: a planted area with pergolas, an area with cherry tree/meadows and hedgerow, an area with allotments/meadow and hedgerow and an area with apple orchard/meadow. Access to this area will be via terraced steps.
- 6.19 The Council's Landscape Advisor is content with the proposals and is satisfied

that details of proposed planting arrangements for the development could be agreed through a landscaping condition for the whole site to ensure compliance with policies PMD2 and CSTP22.

- 6.20 The application also makes provision to open up the corner of the site on the junction of Calcutta Road and Toronto Road to provide an open 'public square'. The development will be secured at night with a retractable gate to provide a secure environment for residents during night time hours. Street trees will be planted to provide a definition to the back of the highway and alongside Calcutta Road.

V. EFFECT ON NEIGHBOURING PROPERTIES

- 6.21 The surrounding area on Calcutta Road presents a mix of uses, however the site adjoins predominantly residential properties to the north, west and north east. The nearest properties that would be affected by the proposal are 1-3 Toronto Road to the north east and 80 Calcutta Road to the west.
- 6.22 The development where it is closest to 1 Toronto Road would be three storeys. Whilst this is taller than the property at No 1 itself, there is a separation distance provided by the vehicle access to the rear of the properties on Toronto Road which would allow visual separation from this property and other properties on Toronto Road to create a gap and prevent the development being overbearing. Some of the residents from Toronto Road have raised concerns about overlooking of their gardens and properties. Three units at first and second floor are parallel with the plots of these properties. However these new units also face south and have their primary elevations away from Toronto Road. A communal access way to the properties would be served by openings towards Toronto Road however these could be screened to prevent any overlooking of the Toronto Road properties. It is not therefore considered any material harm would come arise as a result of overlooking of the occupiers of these properties. There are a further 2 units in relative proximity to Toronto Road; however their rear facing windows are behind the furthest extent of the plots and would overlook the communal garden area of the site. It is not considered any material harm would arise from overlooking from these properties.
- 6.23 To the west of the site lies No 80 Calcutta Road, which is a two storey building which is in residential use. The building was previously an office but has relatively recently been converted to residential use. As has been accepted elsewhere in the report, the 4 storey building is a change from the existing vacant site. The proposed building would be set in from the boundary with No 80 with an outdoor accessway at first floor level. Given the separation distance it is not considered harm as a result of the mass and bulk of the building would arise. None of the units would have habitable windows facing directly toward No 80, but similar to the above relationship with Toronto Road a communal accessway serving the units would face towards No 80. Appropriate screening would prevent any harmful overlooking. Notwithstanding this assessment, the plot of No 80 contains parking and an open area to the front, to the rear a thin strip of approximately 2.5m existing between the back of the building and the rear of the plot. It is not

therefore considered that this building has any viable outdoor amenity space that could be overlooked or harmed by the presence of the development.

- 6.24 To the rear of the site, on Lansdowne Road is Lansdowne Court a 4 storey flatted block. There is a minimum back to back distance between the buildings of 19m, which is considered to be acceptable.
- 6.25 In light of the above assessment, in terms of neighbour amenity the proposal is therefore considered to be acceptable in accordance with Policies PMD1 and PMD2 of the Core Strategy.

VI. HIGHWAY MATTERS

- 6.26 The development would be with the town centre and in close proximity to Tilbury Railway station, 36 parking spaces would be provided to support the 35 dwellings. The Council's Highways Officer raises no objection to the level of parking or the layout. Cycle stores are also provided on the plans in an accessible location. Accordingly the proposal complies with Policies PMD2 and PMD8 in relation to parking provision and layout.

VII. FLOOD Risk AND DRAINAGE

- 6.27 The site is located within the highest risk flood zone (flood zone 3) as identified on the Environment Agency flood maps and as set out in the PPG's 'Table 1 - Flood Zones'. This means that the site is subject to a high probability of flooding and the PPG provides guidance on flood risk and vulnerability. The proposal would fall within the 'more vulnerable' use based on the PPG's 'Table 2 - Flood Risk Vulnerability Classification' where development requires application of the 'Exception Test' as identified in the PPG's 'Table 3 – Flood Risk Vulnerability and Flood Zone Compatibility' table.
- 6.28 Before applying the 'Exception Test' consideration needs to be given to the 'Sequential Test', which aims to steer new development to areas with the lowest probability of flooding. The site is not allocated in the LDF for any specific land use but the LDF identifies Tilbury as an area for regeneration and growth.
- 6.29 The Thurrock Strategic Flood Risk Assessment (SFRA) has applied the 'Sequential' and 'Exception' tests to these regeneration and growth areas. However, this is a windfall site and the PPG advises for individual planning applications that *'the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed'*. For individual applications like this a pragmatic approach needs to be taken to 'Sequential' testing as all of Tilbury town, as the catchment area, is located within a high risk flood zone.
- 6.30 The site is within the town centre and would lead to re-development of existing previously developed land. This site is preferable to new development upon nearby Green Belt land and the development would provide new homes in the

urban area. There are no alternative available sites identified in the LDP within this catchment area [Tilbury] that could provide this amount of development in a lower flood zone. For these reasons the proposal is considered to pass the 'Sequential Test'.

- 6.31 For the 'Exception Test' to be passed the proposed development needs to provide 'wider sustainability benefits to the community that outweigh flood risk', and demonstrate that the development will be 'safe for its lifetime'. In addition to reasons stated in the 'Sequential Test' assessment, which also apply here and based on the site's location, the development provides 'wider sustainability benefits to the community that outweigh flood risk'. The Flood Risk Assessment (FRA) demonstrates that the development will be 'safe for its lifetime' In addition a Flood Warning and Evacuation Plan (FWEP) is conditioned to be submitted for the safety of future occupiers.

VIII. SUSTAINABLE BUILDINGS AND ENERGY CONSUMPTION

- 6.32 An Energy Statement accompanies the planning application and explains that the building has a low energy building design. The building would incorporate suitable technologies to meet the 15% energy target required through policy PMD12 for an 'excellent' standard.

IX. INFRASTRUCTURE

- 6.33 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.34 The proposed development would provide 100% purposely designed affordable dwellings for a variety of users which would be in excess of the required 35% stipulated in Policy CSTP2 of the Core Strategy. This is an opportunity for Thurrock Council to build, manage and retain its own affordable housing stock using its own assets in Tilbury.
- 6.35 There have been no contributions requested by consultees under the IRL. The scheme is 100% affordable with no market units being provided and is therefore reliant solely on public subsidy. The proposal would result in a public open space being provided, where there was not previously any such facility, improving the character and quality of local space in the immediate area for all residents. In addition the units are to be age restricted meaning the scheme would not result in any pressure being place on the education system. Finally, the scheme would provide units for existing residents moving within the Borough therefore placing no additional burden on infrastructure provision. Accordingly, based on the set of circumstances put forward it is not considered to be appropriate to require financial contributions at this time

X. OTHER CONSIDERATIONS

6.36 Although raising no objection to the scheme the Environmental Health Officer notes that the front façade of the building lies within the Air Quality Management Area. The units to the front of the site would need to therefore be provided with mechanical ventilation. This matter is not unusual within the Borough and could be covered by an appropriate condition.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

7.1 The development would provide much needed affordable housing in a highly sustainable location. Designed to HAPPI principles to meet the specific needs of an aging population, the development represents a high quality, architecturally led bespoke housing development. All material considerations such as the impact of the development upon neighbouring amenity, flood risk and highways impact are acceptable subject to planning conditions. For these reasons the recommendation is to approve the application.

8.0 RECOMMENDATION

8.1 It is recommended that permission is granted, subject to compliance with the following planning conditions:

Time

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

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

Plans

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

Plan Number(s):		
Reference	Name	Received
065_PL_103	Floor Layout	11 th April 2017
065_PL_104	Roof Plans	11th April 2017
065_PL_001	Location Plan	11th April 2017
065_PL_002	Existing Site Layout	11th April 2017
065_PL_003	Proposed Site Layout	11th April 2017

065_PL_101	Proposed Floor Plans	11th April 2017
065_PL_102	Proposed Floor Plans	11th April 2017
065_PL_200	Roof Plans	11th April 2017
065_PL_201	Elevations	11th April 2017
065_PL_300	Elevations	11th April 2017
065_PL_301	Elevations	11th April 2017
065_PL_400	Other	11th April 2017
065_PL_100	Proposed Floor Plans	4th April 2017
160641-X-00-DR-C-1000_P1	Drawing	4th April 2017
160641-X-XX-M2-C-1001_P1	Drawing	4th April 2017
CR125_L_1.01	Landscaping	4th April 2017
CR125_L_2.01	Sections	4th April 2017
CR125_L_3.00	Drawing	4th April 2017
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CR125_L_6.00	Drawing	4th April 2017
CR125_L_7.00	Drawing	4th April 2017
CR125_L_7.01	Drawing	4th April 2017

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

Materials

- 3 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the local planning authority.

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

Boundary treatment

- 4 No development above ground level shall take place until details of the locations, heights, designs, materials and types of all boundary treatments to be erected on site have been submitted to and approved by the Local Planning Authority. The boundary treatments shall be erected/installed in accordance with the approved details and retained as such thereafter.

Reason: In the interests of visual amenity, privacy and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as required by policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Landscaping Scheme

- 5 No development above ground level shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a detailed scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any trees and hedgerows to be retained, together with measures for their protection in the course of development, and a programme of maintenance. The landscaping details shall be substantially in accordance with the details stated in Appendix B of the Design and Access Statement and shall include details of type and species of replacement trees for the trees to be lost as a result of the development. All planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding season following commencement of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. (This scheme shall include details of the allotment beds)

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings and provides for landscaping as required by policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Details of screening to northern and western elevations

- 6 No development above ground level shall take place until details of the locations, heights, designs, materials and types of all screens to the public walkway access areas above ground level on the northern elevation (facing towards Toronto Road) and the western elevation) facing toward No 80 Calcutta Road have been submitted to and approved by the Local Planning Authority. The screens shall be erected/installed in accordance with the approved details and retained as such thereafter.

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.

Site access

- 7 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 before occupation of the development hereby permitted

Reason: In the interests of highways safety and efficiency in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Waste and Refuse Management Strategy

- 8 Prior to the first occupation of the development hereby permitted, the applicant shall submit to the Local Planning Authority a Waste and Refuse Management Strategy for the development. Thereafter, development shall be carried out strictly in accordance with the details approved and retained thereafter.

Reason: In the interests of highways safety and efficiency in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Cycle Provision

- 9 Prior to first occupation of the development the 'Bike Store' as shown on drawing number 1200 'proposed GA Ground Floor Plan' shall be implemented in accordance with the details as shown this approved plan and shall be retained as such thereafter.

Reason: To ensure appropriate parking facilities for bicycles are provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Motorcycle Parking

- 10 Prior to first occupation of the development hereby approved details of the number, size, location, design and materials of secure and weather protected cycle/powered two wheel parking facilities to serve development shall be submitted to and agreed in writing with the local planning authority. The agreed facilities shall be installed prior to the first occupation of the dwellings and shall thereafter be permanently retained for cycle/powered two wheel parking for the users and visitors of the development.

Reason: To ensure appropriate parking facilities for powered two wheelers are provided in accordance with policy PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Open access

- 11 No gates or other form of enclosure shall be erected or placed across the access.

Reason: In the interests of highways safety and efficiency in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Levels

- 12 No development shall commence until details showing the proposed finished ground and finished floor levels of the development in relation to the levels of the surrounding area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the scheme as approved.

Reason: In order to protect the visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Surface Water Drainage

- 13 No development shall commence until a scheme for the provision and implementation of surface water drainage incorporating sustainable urban drainage schemes (SuDS) and details of who will be responsible for the detailed maintenance and management of the SuDS has been submitted to and approved in writing by the local planning authority. The scheme shall be constructed and completed in accordance with the approved plans and prior to the occupancy of the development.

Reason: To ensure that appropriate drainage is installed to prevent the site from flooding and environmental harm in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Flood Warning and Evacuation Plan

- 14 Prior to first occupation/usage of the site a Flood Warning and Evacuation Plan shall be submitted and approved by the Local Planning Authority. The Flood Warning and Evacuation Plan as approved shall be implemented and 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 maximum flood protection for future users of the development hereby permitted in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Development in accordance with FRA

- 15 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Conisbee, referenced 160640/JC and dated 24th March 2017 and the following mitigation measures detailed within the FRA:

1. Finished first floor levels are set no lower than 3.80 metres above Ordnance

Datum (AOD).

The mitigation measures 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 appropriate drainage is installed to prevent the site from flooding and environmental harm in accordance with Policy PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Air Quality

- 16 Prior to any development above ground level on plots at ground level with habitable rooms that face towards Calcutta Road, details shall be submitted to and approved in writing by the Local Planning Authority dealing with methods to deal with the air quality issues identified in the Air Quality Assessment with the application. For the avoidance of doubt the Council would expect the system to utilise clean air being drawn into the properties to ensure that future residential occupiers experience air quality levels in accordance with air quality objective levels in operation at the time of the updated assessment.

REASON: To protect the amenities of future residential occupiers in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Noise

- 17 The development hereby permitted shall be carried out in accordance with the recommendations contained in the submitted noise assessment "QF9009/PF5923/R1JA carried out by Hoare LEA acoustics. The recommended measures, including specifications for windows, shall be incorporated into the residential units in the manner detailed prior to their residential occupation and shall thereafter be permanently retained as approved unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of future residential occupiers 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.

Renewable energy installation

- 18 No development shall commence until details of proposed photovoltaic panels and any other proposed renewable energy measures to demonstrate that the development will achieve the generation of at least 15% of its energy needs through the use of decentralised, renewable or low carbon technologies have been 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 DPD 2015

External lighting

19. No development shall commence until details of the external lighting for the site including the luminance and spread of light and the design and specification of the light fittings have been submitted to and approved in writing by the Local Planning Authority, excluding one individual security lighting per dwelling. All illumination shall be implemented and retained as such in accordance with the details as approved.

Reason: To minimise light pollution upon nearby property including residential properties in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015

Communal TV/Satellite

- 20 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] the flats and maisonettes hereby permitted shall be equipped with a communal satellite dish(es). 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. Notwithstanding the provisions of the Town and Country Planning [General Permitted Development] Order 2015 [or any Order revoking or re-enacting that Order with or without modification] other than those agreed by way of the above scheme, no additional satellite dish(es) or aerials shall be fixed to the building without the prior written approval of the local planning authority.

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

Piling

- 21 No piling shall take place until a scheme detailing the proposed method of impact piling, the proposed days / hours of impact piling and the proposed duration of piling has been submitted to, and approved in writing by the local planning authority. Impact piling operations shall only take place in accordance with the

agreed scheme.

REASON: To ensure that the development does not have a detrimental effect on the amenities and enjoyment of residential properties or other commercial operators in the vicinity of the site in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Contamination (Watching Brief)

- 22 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not have a detrimental effect on the amenities and enjoyment of residential properties or other commercial operators in the vicinity of the site in accordance with Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development 2015.

Construction Environmental Management Plan (CEMP)

- 23 No construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the Local Planning Authority in writing. The CEMP should contain or address the following matters:
- (a) Hours of use for the construction of the development
 - (b) Hours and duration of any piling operations,
 - (c) Vehicle haul routing in connection with construction, remediation and engineering operations,
 - (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
 - (e) Details of construction access and details of temporary parking requirements;
 - (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) 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) Dust and air quality mitigation and monitoring,
 - (l) Water management including waste water and surface water discharge,

- (m) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
- (n) A Site Waste Management Plan,
- (o) Ecology and environmental protection and mitigation,
- (p) Community liaison including a method for handling and monitoring complaints, contact details for site managers.
- (q) details of security lighting layout and design;
- (r) a procedure to deal with any unforeseen contamination, should it be encountered during development.

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.

Occupation of Units

- 24 The unites hereby permitted shall not be occupied other than for purposes within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order. Furthermore, the said accommodation shall not be occupied other than by persons who have attained the age of 55 years or the spouse or partner of such persons including a widow or widower.

Reason: To ensure the development is used for the purposes identified in the submitted planning application and to ensure the specialised accommodation provided is retained to serve the identified need to ensure a variety of homes in the Borough.

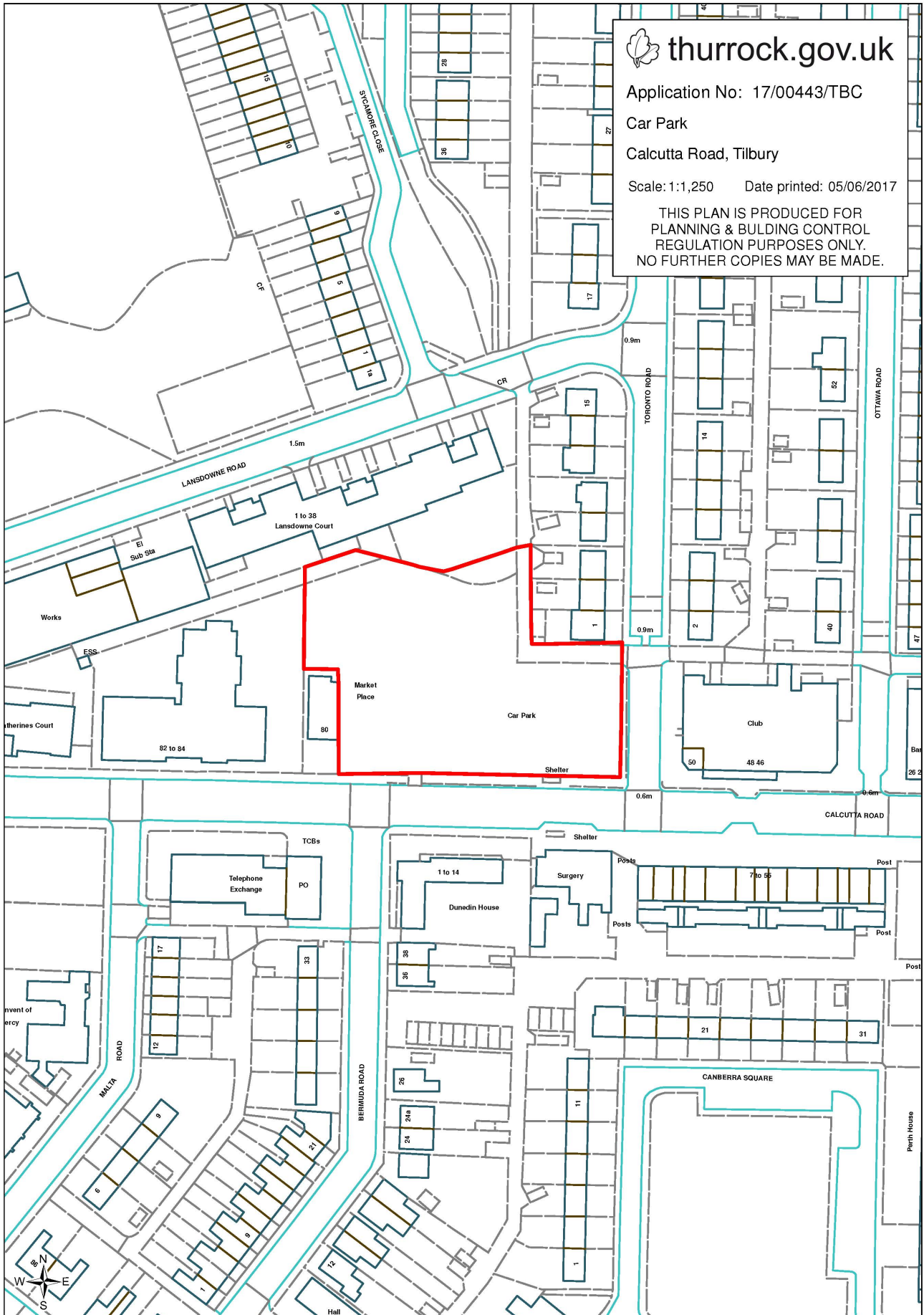
Informative(s)

- 1 Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Informative

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

www.thurrock.gov.uk/planning



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