

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

Planning Committee

The meeting will be held at **6.00 pm** on **17 September 2020**

Due to government guidance on social-distancing and COVID-19 virus the Planning Committee on 17 September 2020 will not be open for members of the public to attend. Arrangements have been made for the press and public to watch the meeting live via the Council's online webcast channel at <https://www.youtube.com/user/thurrockcouncil>

Membership:

Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair), Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice, Sue Sammons and Sue Shinnick

Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

Councillors Qaisar Abbas, Abbie Akinbohun, Chris Baker, Daniel Chukwu, Garry Hague, Victoria Holloway and Susan Little

Agenda

Open to Public and Press

	Page
1 Apologies for Absence	
2 Minutes	5 - 12
To approve as a correct record the minutes of the Planning Committee meeting held on 13 August 2020.	
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** **13 - 20**
- 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 20/00342/FUL Land Adjacent 43 and to rear of 45 to 47 River View, Chadwell St Mary, Essex** **21 - 34**
- 9 20/00743/TBC Star Furniture, 10 Defoe Parade, Chadwell St Mary, Essex, RM16 4QR** **35 - 40**
- 10 20/00849/TBC Gooderham House George Tilbury House and Poole House, Godman Road, Chadwell St Mary, Essex** **41 - 48**

Queries regarding this Agenda or notification of apologies:

Please contact Wendy Le, Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **9 September 2020**

Information for members of the public and councillors

Access to Information and Meetings

Due to current government guidance on social-distancing and the COVID-19 virus, council meetings will not be open for members of the public to physically attend. Arrangements have been made for the press and public to watch council meetings live via the Council's online webcast channel: www.youtube.com/user/thurrockcouncil

Members of the public have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Recording of meetings

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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.

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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
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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.

Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
 - High quality, consistent and accessible public services which are right first time
 - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
 - Communities are empowered to make choices and be safer and stronger together

2. **Place** – a heritage-rich borough which is ambitious for its future
 - Roads, houses and public spaces that connect people and places
 - Clean environments that everyone has reason to take pride in
 - Fewer public buildings with better services

3. **Prosperity** – a borough which enables everyone to achieve their aspirations
 - Attractive opportunities for businesses and investors to enhance the local economy
 - Vocational and academic education, skills and job opportunities for all
 - Commercial, entrepreneurial and connected public services

Minutes of the Meeting of the Planning Committee held on 13 August 2020 at 6.00 pm

Present: Councillors Tom Kelly (Chair), Mike Fletcher (Vice-Chair), Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice and Sue Shinnick

Steve Taylor, Campaign to Protect Rural England Representative

Apologies: Councillors Sue Sammons

In attendance:

Leigh Nicholson, Interim Assistant Director of Planning, Transport and Public Protection
Matthew Gallagher, Major Applications Manager
Matthew Ford, Chief Engineer
Lucy Mannion, Senior Planning Officer
Caroline Robins, Locum Solicitor
Wendy Le, Democratic Services Officer

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.

29. Minutes

The minutes of the Planning Committee meeting held on 16 July 2020 were approved as a true and correct record.

30. Item of Urgent Business

The Chair announced that planning application 19/01814/OUT Tremorgan, Sandown Road, had been withdrawn from the Agenda at the Applicant's request.

The Chair also mentioned the recent mandatory planning training that Planning Committee Members had received and reminded Members to bear in mind the lessons learned from the training when it came to decision making.

31. Declaration of Interests

There were no declarations of interest.

32. 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

In relation to 20/00251/FUL 32 Lancaster Road, Chafford Hundred:

- Members declared receiving a leaflet from Havering Building and Landscapes Ltd.
- The Chair declared that he had received an email from Andrew Ansell.
- Councillors Shinnick and Lawrence received a phone call and the Vice-Chair had received a few phone calls from Andrew Ansell.

33. Planning Appeals

The report was presented by Leigh Nicholson. The Committee was satisfied with the report.

RESOLVED:

That the Committee noted the report.

34. 19/01814/OUT Tremorgan, Sandown Road, Orsett, Essex, RM16 3DD (Deferred)

This item was withdrawn from the Agenda at the Applicant's request.

35. 20/00251/FUL 32 Lancaster Road, Chafford Hundred, RM16 6BB (Deferred)

The report which can be found on pages 45 – 58 of the Agenda was presented by Lucy Mannion. The Officer's recommendation was to refuse planning permission as outlined on page 56 of the Agenda.

The Vice-Chair questioned whether further discussions had taken place between developers and the Council's planning team. He went on to say that the proposal for the site had been amended to a smaller size and was still not acceptable. He queried what the acceptable size would be for that site and if anything could be built on that site. Officers could not confirm if further discussions had taken place between developers and the Council's planning team but there had been no further submissions from the Applicant so it could be inferred that no further discussions had taken place. As for the size, it could not be much smaller to be practicable and therefore it was unlikely that a development could be built on that site, although any alternative scheme would be judged on its individual merits.

The Committee questioned if there was a Tree Preservation Order around the site which only the trees to the rear of the site had. The Committee also discussed a recent planning application in Badgers Dene, Grays which the Committee noted that Officer's recommendation had been to approve as the

average amenity space had been acceptable but the Committee had refused on this basis.

The Chair proposed the Officer's recommendation and was seconded by Councillor Rice.

FOR: (4) Councillors Tom Kelly, Sue Shinnick, Gerard Rice and Dave Potter.

AGAINST: (4) Councillors Mike Fletcher, Colin Churchman, Angela Lawrence and Gary Byrne.

ABSTAINED: (0)

Following the Council's Constitution procedures as outlined on Chapter 5, Part 2, 5.2, the Chair used his casting vote to vote in favour of the Officer's recommendation.

20/00251/FUL was refused planning permission.

36. 18/01660/REM Land Adjacent Railway Line, The Manorway and West of Victoria Road, Stanford Le Hope

The report which can be found on pages 59 – 96 of the Agenda was presented by Matthew Gallagher. The Officer's recommendation was to approve the reserved matters as outlined on pages 91 – 96 of the Agenda.

Councillor Rice queried whether there were electrical charging points as part of the scheme. He went on to say that there were more electric vehicles used nowadays. Matthew Gallagher answered that there were no electric charging points on the scheme required as part of the planning conditions associated with the outline application which had been granted planning permission by Committee back in 2015. Although the use of electric vehicles had increased in recent years and there could be a potential discussion with the developers about voluntarily installing charging points, the outline application had been agreed already and could not be deviated from to any material degree by imposing a new planning condition.

Councillor Byrne mentioned that the GP surgery within the area of the site already had 13,000 patients and with the extra potential 600 patients from the scheme, there would be additional pressure on the surgery. He went on to say that the access road in and out of the site was narrow. In addition, with there being only one exit from the roundabout to the A13 and the increase in traffic during rush hours, he was concerned that emergency services would not be able to access the site easily when needed.

Referring to Councillor Byrne's concerns on impact of the scheme to the nearby GP surgery, Matthew Gallagher answered that the outline planning permission had a s106 agreement with a number of secured contributions that included a healthcare contribution of £43,600 which was to be spent towards health care provision in the area of the site. In regards to the road access,

Matthew Gallagher explained that the outline planning permission had secured that point of access onto Victoria Road which was fixed within that outline planning permission. He went on to say that the outline application had been considered by this Committee in 2014 and that point of access would have been discussed and agreed by Committee Members at the time. What was for consideration in the application before the Committee was the arrangement of pedestrian and cycle routes within the site.

Matthew Ford added that there had been discussions around the transport assessment in the area of the site which included the access parameters in terms of suitability. The Committee at the time of the outline application, had determined the conditions around the point of access to be considered acceptable following the recommendations of the Highways Team. This had also included accessibility for emergency services in the area, to the town centre and to the train station. The point of access had been looked at in extensive detail and a good resolution had come out of it.

Referring back to Councillor Rice's earlier point about electric charging points, Matthew Ford said that the outline application was first heard at Committee back in 2014. Electric vehicle charging facilities was not on the national agenda in 2014. Since then, the Highways Team had included electric charging points and a provision of these into their Parking Strategy which would be heard at a future overview and scrutiny committee. He went on to say that the site in the application before the Committee was unique in that there was not many on-street parking provision or parking courts and that parking provision was on an allocated plot. This would enable an easier provision of electric charging points in the properties of the development should there be a demand for these.

Councillor Byrne pointed out that at the time of the outline application, there had not been an A13 project going on or parking permits in place. Matthew Gallagher answered that the outline application had been subject to a condition that had parking provision for the site's residents in line with the parking management strategy. As the development was not far from the station, the parking management strategy was intended to prevent potential commuter parking as covered by in the conditions. There had been issues and local pressure in regards to the site at the time of the outline application which had been addressed and the Applicant had submitted sufficient parking provision details that would meet the needs of the development.

The Chair noted Councillor Byrne's concerns and questioned whether there was traffic modelling data that had been taken into consideration for the application at the time. Matthew Gallagher explained that a transport assessment would take into account what could be expected following completion of a development. It also took into account the impacts of known development applications that had been submitted or consented. Adding to this, Matthew Ford said that the transport data looked at future considerations in the area as well as current developments and other factors nearby. Identified junction assessments would also be considered to help determine the cumulative impact and when a transport assessment was received, that

data was inputted, assessed accordingly and mitigation would be provided as a result.

The Agent, James Bompas, statement of support was read out by Democratic Services.

Councillor Rice welcomed the scheme and felt it would help to improve the local area and provide new homes that was needed.

Councillor Shinnick proposed the Officer's recommendation and was seconded by Councillor Rice.

FOR: (8) Councillors Tom Kelly, Mike Fletcher, Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice and Sue Shinnick.

AGAINST: (0)

ABSTAINED: (0)

18/01660/REM was approved subject to conditions.

37. 20/00409/TBC Davall House, Greenwood House and Butler House, Argent Street, Grays, Essex

The report which can be found on pages 97 – 106 of the Agenda was presented by Matthew Gallagher. The Officer's recommendation was to approve the application as outlined on pages 102 – 104 of the Agenda.

The Chair noted paragraph 6.7 on page 101 and sought reassurance that Officers were confident that the materials to be used in the scheme would be up to standards. Matthew Gallagher explained that the materials to be used would give the buildings an improved appearance, improved thermal performance and improved insulation so the building would be more energy efficient and also extend the lifetime of the building. He went on to mention that the Grenfell incident in 2017 was due to start its inquiry again next month and with this mind, the Planning Team had sought advice on the cladding material for the buildings in the current application and the next three to follow (20/00410/TBC; 20/00616/TBC; and 20/00617/TBC) from the Council's Building Control Department. The advice given was that the cladding material would be to the latest specification and the Applicant would seek further advice during the construction program from the relevant experts at the fire service and from the Council's Building Control Department. This same standard was applied to the next three applications to follow.

The Vice-Chair mentioned that Grenfell had also used material that had been up to the standards at the time of the incident. He sought reassurance from Officers that the materials to be used and the fitting would be up to standard and that a similar incident to Grenfell would be highly unlikely to impossible. Matthew Gallagher said that separate to the planning application, there would be a process to go through with the Building Control Department which was a

separate regulatory regime to be negotiated with the Applicant. The Applicant was the Council who was the responsible body and would be managing the scheme to ensure they were up to date with standards particularly where there could be potential emerging recommendations arising out of the inquiry into the Grenfell incident.

The Chair questioned the timeframe of the scheme. He also asked how the scheme would be monitored and whether it would be through an overview and scrutiny committee. Officers answered that each block may be upgraded one after the other and there was a potentially process to go through before works could commence such as tendering for a contract which was a matter for the Housing Department of the Council. The scheme may well be monitored through another Committee which would be discussed with the Assistant Director of Housing.

Councillor Rice welcomed the improvement works to be done to the high rise buildings which would help to resolve mould issues and safeguard residents.

The Vice-Chair proposed the officer's recommendation and was seconded by Councillor Rice.

FOR: (8) Councillors Tom Kelly, Mike Fletcher, Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice and Sue Shinnick.

AGAINST: (0)

ABSTAINED: (0)

38. 20/00410/TBC Bevan House And Morrison House, Jesmond Road, Grays, Essex

The report which can be found on pages 107 – 114 of the Agenda was presented by Matthew Gallagher. The Officer's recommendation was to approve the application as outlined on pages 112 – 113 of the Agenda.

Councillor Shinnick proposed the officer's recommendation and was seconded by the Vice-Chair.

FOR: (8) Councillors Tom Kelly, Mike Fletcher, Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice and Sue Shinnick.

AGAINST: (0)

ABSTAINED: (0)

39. 20/00616/TBC Keir Hardie House, Milford Road, Grays, Essex

The report which can be found on pages 115 – 122 of the Agenda was presented by Matthew Gallagher. The Officer's recommendation was to approve the application as outlined on pages 119 – 120 of the Agenda.

Councillor Rice proposed the officer's recommendation and was seconded by the Chair.

FOR: (8) Councillors Tom Kelly, Mike Fletcher, Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice and Sue Shinnick.

AGAINST: (0)

ABSTAINED: (0)

40. 20/00617/TBC Arthur Toft House George Crooks House And Lionel Oxley House, New Road, Grays, Essex

The report which can be found on pages 123 – 132 of the Agenda was presented by Matthew Gallagher. The Officer's recommendation was to approve the application as outlined on pages 129 – 130 of the Agenda.

The Vice-Chair proposed the officer's recommendation and was seconded by Councillor Rice.

FOR: (8) Councillors Tom Kelly, Mike Fletcher, Gary Byrne, Colin Churchman, Angela Lawrence, David Potter, Gerard Rice and Sue Shinnick.

AGAINST: (0)

ABSTAINED: (0)

The meeting finished at 7.12 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

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17 September 2020	ITEM: 6
Planning Committee	
Planning Appeals	
Wards and communities affected: All	Key Decision: Not Applicable
Report of: Jonathan Keen, Interim Strategic Lead - Development Services	
Accountable Assistant Director: Leigh Nicholson, Interim Assistant Director – Planning, Transportation and Public Protection.	
Accountable Director: Andy Millard, Corporate Director – 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:** 18/00551/FUL

Location: Land Adjacent Curling Lane Helleborine And Meesons Lane, Grays

Proposal: Revised proposals seeking the development of 8 no. new two bedroom semi-detached low carbon dwellings with associated access, car parking and amenity areas.

3.2 Application No: 20/00144/HHA

Location: 84 Christchurch Road, Tilbury

Proposal: Single storey front extension

3.3 Application No: 19/01390/FUL

Location: The Bungalow Bells Hill Road, Vange

Proposal: New 2 bedroom dwellinghouse

4.0 Appeals Decisions:

The following appeal decisions have been received:

4.1 Application No: 19/00379/FUL

Location: Montrose, 168 Branksome Avenue, Stanford Le Hope

Proposal: Demolition of the existing bungalow and the construction of 5 new dwellings with associated access road, hardstanding, landscaping and two vehicular access points (resubmission of 18/00316/FUL Demolition of the existing bungalow and the construction of 7 new dwellings)

Appeal Decision: Appeal Dismissed

4.1.1 The main issue under consideration in this appeal was the effect of the proposal on the character and appearance of the area.

4.1.2 The Inspector considered the proposal would not harm the living conditions of the occupants of surrounding properties, would afford suitable living conditions for future occupants and would not prejudice highway safety. Nonetheless, the scheme would harm the character and appearance of the area. It would therefore fail to fulfil the environmental objective of sustainability within the Framework. This was a matter which attracted significant weight against the development.

4.1.3 The Inspector concluded that the adverse impacts of the scheme would significantly and demonstrably outweigh the benefits associated with the provision of four additional dwellings at the site.

4.1.4 Accordingly the appeal was dismissed for being contrary to policies PMD2, CSTP22 and CSTP23 of the Core Strategy and the NPPF.

4.1.5 The full appeal decision can be found online.

4.2 Application No: 19/01865/HHA

Location: 123 Southend Road, Grays

Proposal: Part first floor side extension and roof alterations

Appeal Decision: Appeal Dismissed

4.2.1 The Inspector considered the main issue to be the effect of the proposed development on the character and appearance of the area

4.2.2 The Inspector found the proposal would appear as a significantly sized side extension in comparison to the subservient nature of the existing single storey side extension at the site and those present within the immediate vicinity.

4.2.3 The proposal was found to be contrary to Policies PMD2, CSTP22 and CSTP23 of the Core Strategy.

4.2.4 The full appeal decision can be found online.

4.3 Application No: 19/01688/HHA

Location: 31 Edmund Road, Chafford Hundred

Proposal: Loft conversion including alterations to the main roofs ridge height and design and two side dormers and two side roof lights

Appeal Decision: Appeal Dismissed

4.3.1 The Inspector considered the main issue to be the effect of the proposed development on the character and appearance of the area.

4.3.2 The Inspector found the proposal would unbalance the consistency shared with No.29, to the detriment of the street scene and appear as a dominant and incongruous form of development when viewed in the street scene.

4.3.3 The proposal was found to be contrary to Policies PMD2 and CSTP22 of the Core Strategy.

4.3.4 The full appeal decision can be found online.

4.4 Application No: 19/01163/HHA

Location: Ladysons Farm House, Prince Charles Avenue, Orsett

Proposal: Demolition of existing conservatory and erection of two storey rear extension with rear canopy and first floor balcony

Appeal Decision: Appeal Dismissed

4.4.1 The Inspector considered the main issues to be whether the proposal would be inappropriate development in the Green Belt; the effect on the openness of the Green Belt and whether the harm by reason of inappropriateness would be clearly outweighed by other considerations, and whether these matters would amount to the very special circumstances required to justify the proposal.

4.4.2 The Inspector found the proposal would be disproportionate in size and would be inappropriate development within the Greenbelt and therefore harmful. The Inspector also found that the proposal would result in a loss of openness which would be moderately harmful. The Inspector concluded that the other considerations in the case did not clearly outweigh the harm and that the very special circumstances necessary to justify the development in the Green Belt did not exist.

4.4.3 The proposal was found to be contrary to Policy PMD6 of the Core Strategy and the Green Belt objectives of the NPPF.

4.4.4 The full appeal decision can be found online.

4.5 Application No: 19/01555/FUL

Location: Former Alcakila, Bells Hill Road, Vange

Proposal: Demolition of the existing outbuilding and erection of a new 4 bedroom dwelling and an annexe.

Appeal Decision: Appeal Dismissed

4.5.1 The Inspector considered the main issues to be whether the proposal would be inappropriate development in the Green Belt; the effect on the openness of the Green Belt and whether the harm by reason of inappropriateness would be clearly outweighed by other considerations, and would these amount to the very special circumstances required to justify the proposal; the effect of the development on the character and appearance of the area; and the effect of the proposed development on highway safety.

4.5.2 The Inspector found the proposal does not comply with any of the listed exceptions within paragraph 145 of the NPPF, and would be inappropriate development within the Greenbelt and therefore harmful. The Inspector

concluded that the other considerations in the case do not clearly outweigh the harm and that the very special circumstances necessary to justify the development in the Green Belt do not exist.

- 4.5.3 The Inspector concluded that the proposed development is compatible with its surroundings and would not result in harm to the character and appearance of the area.
- 4.5.4 The Inspector considered that the proposal would result in an adverse effect on highway safety.
- 4.5.5 The proposal was found to be contrary to Policy CSSP4, PMD6 and PMD9 of the Core Strategy and the Green Belt objectives of the NPPF.
- 4.5.6 The full appeal decision can be found online.

4.6 Application No: 19/01254/HHA

Location: Tall Trees, 106 Lodge Lane, Grays
 Proposal: Erection of a perimeter wall to front of property with electric sliding gates for pedestrian and vehicular access (Retrospective)
 Appeal Decision: Appeal Dismissed

- 4.6.1 The Inspector considered the main issues to be the effect of the development on the character and appearance of the area and the effect of the proposed development on highway safety.
- 4.6.2 The Inspector considered that the development would not be in keeping with boundary treatments of other properties in the surrounding area and would therefore be harmful to the character and appearance of the area. The development would also result in harm to pedestrian safety.
- 4.6.3 The proposal was found to be contrary to Policy CSTP22, PMD2 and PMD9 of the Core Strategy and the Green Belt objectives of the NPPF.
- 4.6.4 The full appeal decision can be found online.

5.0 APPEAL PERFORMANCE:

5.1 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	
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Total No of Appeals	5	4	5	4	6								24
No Allowed	1	0	2	2	0								5
% Allowed	20.00%	0.00%	40.00%	50.00%	0%								20.83%

6.0 Consultation (including overview and scrutiny, if applicable)

6.1 N/A

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

7.1 This report is for information only.

8.0 Implications

8.1 Financial

Implications verified by: **Laura Last**
Management Accountant

There are no direct financial implications to this report.

8.2 Legal

Implications verified by: **Tim Hallam**
Deputy Head of Law (Regeneration) and Deputy Monitoring Officer

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').

8.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Strategic Lead Community Development and Equalities

There are no direct diversity implications to this report.

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

None.

9.0. 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.

10. Appendices to the report

- None

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Agenda Item 8

Planning Committee: 17 September 2020	Application Reference: 20/00342/FUL
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Reference: 20/00342/FUL	Site: Land Adjacent 43 And To Rear Of 45 To 47 River View Chadwell St Mary Essex
Ward: Chadwell St Mary	Proposal: Proposed 4 no 2 bedroom flats with access and associated parking and amenity spaces

Plan Number(s):		
Reference	Name	Received
Bld-1416-LP	Location Plan	30 th July 2020
Bld-1416-1	Ground and First Floor Plans	30 th July 2020
Bld-1416-2	Roof Plan and Section	30 th July 2020
Bld-1416-3	Elevations	30 th July 2020
Bld-1416-4A	Block Plan	30 th July 2020

The application is also accompanied by: - Design and Access Statement	
Applicant: Mr Tony Bowers	Validated: 7 April 2020 Date of Expiry: 21 September 2020 (agreed extension of time)
Recommendation: Approve, subject to conditions	

This application is scheduled for determination by the Council’s Planning Committee because the application has been called in by Councillors Muldowney, Chukwu, Worrall, Fish, Rice and Fletcher (in accordance with Part 3 (b) 2.1 (c) of the Council’s constitution) to consider the application in relation to: overlooking to neighbouring occupiers, parking issues, impact on neighbours, loss of outlook for neighbours, impact on highways safety and impact on the character of the area.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 Planning permission is sought for the erection of a 2-storey building containing four 2-bedroom flats. 9 car spaces are shown on the proposed site plan; 4 of these would be allocated to the proposed flats, 1 would be for an existing flat in one of the frontage buildings, whilst the remaining 4 spaces would be for visitors. Bin storage for 3 communal bins is proposed adjacent to rear boundary of No 43 Riverview.
- 1.2 The proposed building would sit on a rectangular base with communal amenity space to the rear, within which there are cycle lockers adjacent to the eastern boundary.

2.0 SITE DESCRIPTION

- 2.1 The application site lies on the southern side of River View, to the rear of Nos 43 to 47 which currently consists of first floor flats over a row of shops and offices and a flat on the ground floor. The site itself consists of an area of hardstanding and an outbuilding.
- 2.2 The surrounding area is predominantly residential in character, with the site bounded to the east and south by the rear gardens of the semi-detached dwellings fronting Thames Drive and Stour Road respectively.

3.0 RELEVANT PLANNING HISTORY

Application Reference	Description of Proposal	Decision
18/01063/OUT	Outline planning application for the erection of a block of 7 flats to rear of 45 / 47 River View with associated hardstanding parking, and amenity space (all matters reserved)	Refused on grounds of: overdevelopment; lack of amenity space; amenity impact; unsatisfactory residential standards; and insufficient parking provision.
15/01379/FUL	Retention of rear ground floor flat	Approved
13/00706/FUL	Change of use from B1 (office) to A5 (hot food takeaway)	Refused
10/00519/ETL	Extension of time limit to permission 07/00619/FUL - 16 no one bedroom flats and 2 no two bedroom flats and 4 no shop units on the site of 43 - 53 Riverview.	Approved - Not implemented
07/00619/FUL	16 no one bedroom flats and 2 no two bedroom flats and 4 no shop units on the site of 43 - 53 Riverview.	Approved - Not implemented
04/00123/FUL	Ground floor rear infill extension. and change of use from class A2 office to class B1 office (revised scheme)	Approved - Not implemented
93/00111/FUL	Change of use to residential from	Approved

	office	
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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:

This application has been advertised by way of individual neighbour notification letters and a site notice. Ten (10) representations were received objecting to the proposal on the following grounds:

- Overlooking property;
- Possible additional noise;
- Access to site;
- Environmental pollution;
- Additional traffic;
- Out of character;
- Litter/smell; and
- The impact on the value of neighbouring properties

ENVIRONMENTAL HEALTH:

No objection subject to conditions.

HIGHWAYS:

No objection subject to conditions.

LANDSCAPE & ECOLOGY:

Raised no objections but expressed concerns at the lack of opportunities to provide adequate screening on the boundaries to mitigate the visual effects on neighbouring properties. Nonetheless, recommended the payment of tariff towards Essex Coast RAMS mitigation.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF) 2019

The NPPF was published on 27th March 2012 and most recently amended on 19th February 2019. Paragraph 10 of the Framework sets out a presumption in favour of sustainable development. Paragraph 2 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 11 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:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places

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. The PPG contains a number of subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application
- Use of planning conditions

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

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

Spatial Policies:

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

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP7 (Network of Centres)
- 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
- PMD8 (Parking Standards)³
- PMD9 (Road Network Hierarchy)

Thurrock Local Plan

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

Thurrock Design Strategy

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

6.0 ASSESSMENT

BACKGROUND

6.1 An outline planning application for 7 flats (Ref: 18/01063/OUT) with details of the design, layout, parking and access was previously considered and refused for the following reasons:

- 1) *The proposed development, would, by reason of its siting, scale, extent of built form on the site, layout and insufficient amenity space result in an incongruous and overly dominant form of development. It would also appear cramped and contrived resulting in the overdevelopment of the site adversely impacting upon the character of the area. The proposal would be contrary to the policies PMD2*

and CSTP22 of the Core Strategy 2015 and the National Planning Policy Framework 2019.

- 2) *The proposed development would, by reason of its siting, layout, limited light and outlook to habitable rooms and lack of amenity space result in and an unacceptable living environment adversely impacting upon the amenities of any future occupiers of the proposed flats. The proposal would be contrary to policies PMD1 of the Core Strategy 2015 and the National Planning Policy Framework 2019.*
- 3) *The proposed development, would, by reason of its siting, layout and scale result in an overbearing impact and overlooking of the private amenity space of the adjacent neighbouring properties on Stour Road and Thames Drive which would adversely impact upon the amenity of these neighbours. The proposal would be contrary to policies PMD1 of the Core Strategy 2015 and the National Planning Policy Framework 2019.*
- 4) *The proposed development, would, by reason of its siting and layout result in the loss of the existing amenity space for the flats on River View resulting in an unacceptable living environment and adverse impact upon the amenities of occupiers of the existing flats. The proposal would be contrary to the policies PMD1 of the Core Strategy 2015 and the National Planning Policy Framework 2019.*
- 5) *The proposed development would fail to provide adequate car parking spaces for both existing and proposed units on the site. The development would also result in the intensification of use of the existing site access which would cause unacceptable adverse impact on the highways safety. The proposal would be contrary to policies PMD8 and PMD9 of the Core Strategy 2015 and the National Planning Policy Framework 2019.*

6.2 This application represents a revised scheme which seeks to address the previous reasons for refusal.

6.3 The assessment of the current application covers the following areas:

- I. Principle of the Development
- II. Design and Layout
- III. Impact on neighbours
- IV. Living standards
- V. Traffic Impact, Access and Car Parking

I. PRINCIPLE OF THE DEVELOPMENT

6.4 The application site is previously developed land as defined in the NPPF. It lies in a predominantly residential area, although there are commercial and non-residential facilities close by. The site is in a relatively sustainable location and provides an opportunity for redevelopment to add to the housing stock in the area. There would

be no loss of any retail facility within the designated neighbourhood frontage if the proposal were to proceed. In the circumstances, the proposed development is acceptable in principle subject to compliance with the relevant Development Plan policies and taking into account any other material considerations.

II. DESIGN AND LAYOUT

- 6.5 Policy PMD2 of the Core Strategy requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.
- 6.6 Policy CSTP22 of the Core Strategy indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.
- 6.7 The layout, scale and design, particularly the fenestration and roof profile of the proposed building are similar in many respects to the dwellings and buildings at Thames Drive and River View. With respect to the previous proposals, there were concerns about the layout, scale and size of the building. These have now been addressed by reducing the size and reorientating the building by taking the site constraints into account. The footprint of the previously proposed building measured 20.8m by 12.2m, whilst now the proposed footprint would be 16.5m by 12.2m.
- 6.8 The design of the proposed building is unremarkable, however it is not considered to be unacceptable. High quality materials will need to be used in the construction of the building and the parking court. With the above considerations in mind and the imposition of materials and landscaping conditions to control the appearance of the building and the site, it is considered the design and layout of the proposal would be acceptable.

III. IMPACT ON AMENITY

- 6.9 The proposed two storey building would be located towards the rear of the site. The closest residential properties are the flats at first floor level, located above the commercial units along River View.
- 6.10 The distance between the proposed building and the existing dwellings on Stour Road would be at least 35m and those on Thames Drive would be approximately 22m from the proposed building. These separation distances from the boundaries and between the proposed building and existing buildings are sufficient to ensure that the proposed building does not have an overbearing impact on the neighbours nor result in the loss of light.
- 6.11 There would be 2 small bathroom windows on the eastern elevation of the proposed building and facing the rear gardens of the Thames Drive properties. To safeguard the amenity of the neighbours, it is recommended that a condition be imposed to ensure that the windows are obscure glazed and fixed shut in perpetuity. Although there are habitable windows on the south elevation of the proposed building, it is

considered that the separation distance from the dwellings on Stour Road is sufficient to prevent mutual overlooking.

- 6.12 The north elevation of the proposed building would face towards the rear of buildings on River View. Given the separation distance between these windows and the nearest properties on River View it is considered that there would not be a significant loss of privacy. It is concluded therefore that the proposed development is not in breach of policy PMD1 of the Core Strategy and the NPPF.
- 6.13 Some neighbours have expressed concerns about the potential for increased activity and vehicular movements in this area. However, the impact of these vehicular movements would be similar to the existing use of this site. Therefore, this does not constitute a substantive reason to refuse permission.

IV. LIVING STANDARDS

- 6.14 The internal layout of the 4 flats complies with both Thurrock and National Space Standards. The communal amenity space at the rear of the proposed building is approximately 80 square metres, which falls short of the minimum standard of 50 square metres per two bedroom flat - set out in the Annexe of the 1997 Local Plan. However, the site is not in an area of open space deficiency, the space provided would be a regular shape and usable for the occupiers of the new building. Space would also be provided for the existing occupiers of the flat which has a frontage onto River View.

V. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.15 There are 9 car spaces shown on the site plan; 4 of these would be allocated to the proposed flats, 1 would be for an existing flat in one of the frontage buildings, and the remaining 4 spaces would be for visitors. Cycle lockers would also be provided at the rear of the proposed building.
- 6.16 The Council's Highway Officer has advised that the parking provision is sufficient in compliance with Core Strategy policy PMD8. However the applicant has been advised of the need to ensure that the access is altered to 5m to ensure that two vehicles are able to pass at the access. Amended plan have since been received which shows a turning circle of 7.4m in-between the rows of car spaces. This sufficiently demonstrates that cars are able to pass side by side, enter and leave the site forward gear to ensure that highway safety is not undermined. Nonetheless, a condition has been recommended to ensure that the access is to standard for all vehicles that may need to get to the site.

7.0 CONCLUSIONS

- 7.1 On balance, the current proposal has adequately addressed and overcome the concerns raised by the previous scheme. The proposed development would be in keeping with the character of the area and would have no adverse impact on the living conditions of the adjoining occupiers. The internal layout of the dwellings is

satisfactory and the amenity space provision is acceptable given the circumstances. Parking provision meets the adopted standards and the imposition of conditions would ensure that highway safety is not undermined.

8.0 RECOMMENDATION

Approve, subject to the following conditions:

TIME LIMIT

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

Reason: In order to comply with Section 51 of the Planning and Compulsory 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
Bld-1416-LP	Location Plan	30 th July 2020
Bld-1416-1	Ground and First Floor Plans	30 th July 2020
Bld-1416-2	Roof Plan and Section	30 th July 2020
Bld-1416-3	Elevations	30 th July 2020
Bld-1416-4A	Block Plan	30 th July 2020

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

MATERIALS – DETAILS TO BE AGREED

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

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

4. **OBSCURE GLAZING**

Prior to the first occupation of the building hereby permitted, the first floor bathroom window on the eastern elevation shall be glazed with opaque glass and of a non-openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.

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

SOFT AND HARD LANDSCAPING SCHEME

5. No development shall take place until full details of both hard and soft landscape works to be carried out have been submitted to and approved in writing by the local planning authority. These details shall include the layout of the hard landscaped areas with the materials and finishes to be used and details of the soft landscape works including schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme. The hard landscape works shall be carried out as approved prior to first occupation of the development hereby approved unless otherwise first agreed in writing by the local planning authority. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation.

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

DETAILS OF BOUNDARY SCREENING

6. No occupation shall take place until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the local planning authority. The screening as approved shall be completed prior to the first occupation of the development and shall be retained and maintained as such thereafter.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of the visual amenity of the area as required by policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of

Development [2015].

HOURS OF CONSTRUCTION

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

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

No bonfires are permitted during construction and demolition activities.

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

DUST SUPPRESSION

8. No development shall commence [including any demolition work] until a scheme for the suppression of dust during the demolition of existing buildings and construction of the development shall be submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented throughout the period of demolition and construction unless otherwise agreed in writing by the local planning authority.

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].

DETAILS OF ACCESS

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

Reason: In the interests of highway safety and efficiency.

SURFACING OF ROAD, DRIVEWAY AND FOOTPATH

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

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

SURFACING OF PARKING AREA

11. Prior to the occupation of the building hereby approved, the proposed parking area, as indicated on Drawing No bld-1416-4a Block Plan, shall be suitably surfaced, laid out and drained in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority and constructed concurrently with the remainder of the development hereby approved.

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN [CEMP]

12. No demolition or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP should contain or address the following matters:
- (a) Hours and duration of any piling operations,
 - (b) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
 - (c) Details of construction any access or temporary access, and details of temporary parking requirements;
 - (d) Details of any temporary hardstandings;
 - (e) Details of any temporary hoarding;
 - (f) Details of the method for the control of noise with reference to BS5228 together with a monitoring regime;
 - (g) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime;
 - (h) Details of a procedure to deal with any unforeseen contamination, should it be encountered during development;
 - (i) A Site Waste Management Plan,
 - (j) Details of any security lighting layout and design

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].

Informative(s):

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

In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the National Planning Policy Framework.

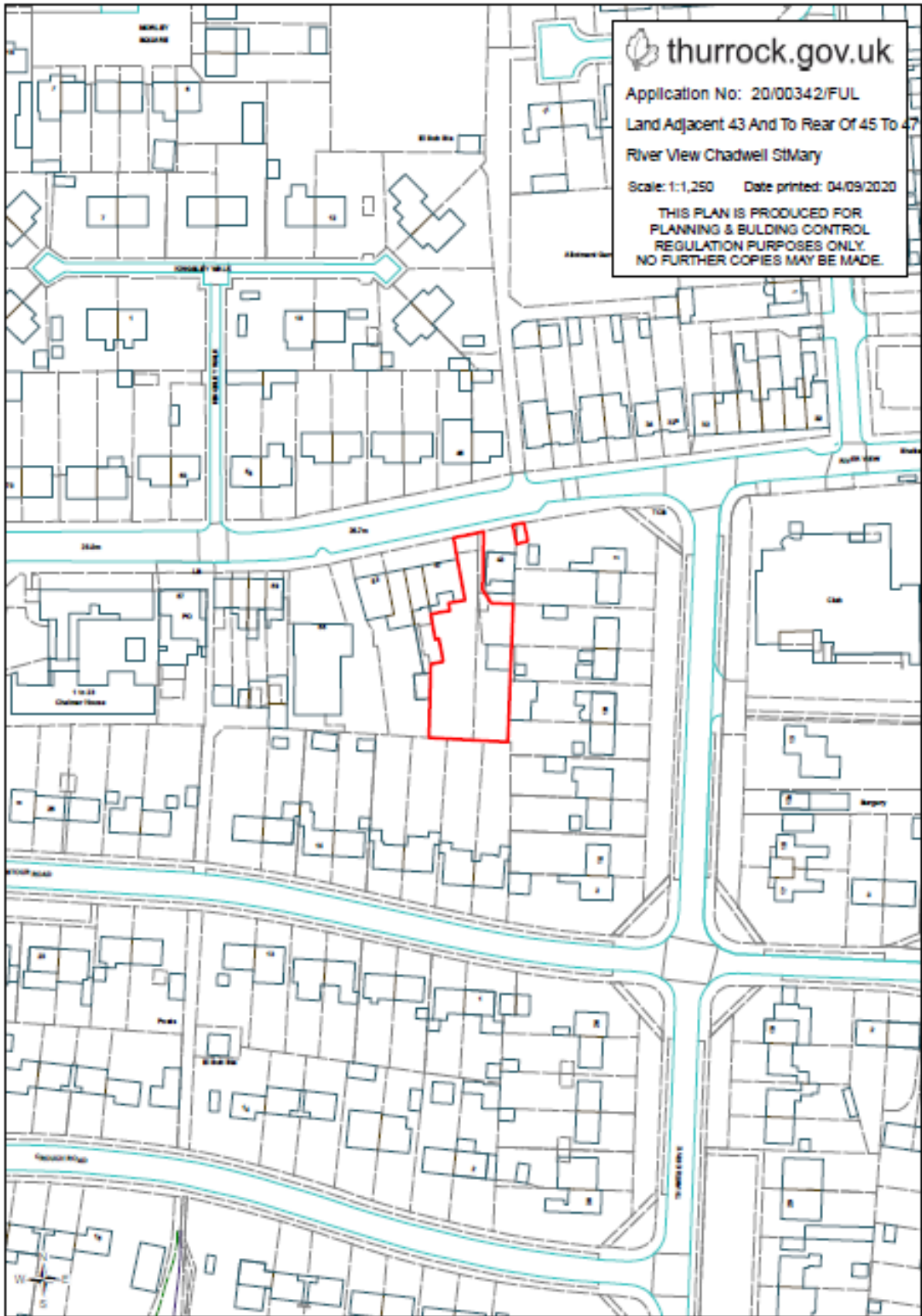
2. Any works, which are required within the limits of the highway reserve, require the permission of the Highway Authority and must be carried out under the supervision of that Authority's staff. The Applicant is therefore advised to contact the Authority at the address shown below before undertaking such works.

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

Documents:

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

<http://regs.thurrock.gov.uk/online-applications>



Reference: 20/00743/TBC	Site: Star Furniture 10 Defoe Parade Chadwell St Mary Essex RM16 4QR
Ward: Chadwell St Mary	Proposal: Replacement of shop front and electric roller shutter

Plan Number(s):		
Reference	Name	Received
20200422	Existing and Proposed Plans	18th June 2020
No Nos.	Site Layout	18th June 2020

The application is also accompanied by: N/A	
Applicant: Thurrock Council	Validated: 24 June 2020 Date of expiry: 25 September 2020 (Extension agreed with Applicant)
Recommendation: Approve subject to conditions	

This application is scheduled as a Committee item because the Council is the applicant and landowner (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 installation of a new shop front to the currently vacant unit. The new shop front would be constructed from toughened glass, set within black aluminium frames and the entrance would be relocated so that it is central within the shop front. A new sign board panel is also to be installed, to replace the existing, however no advertisements are proposed due to the unit being vacant.

- 1.2 Also proposed is the replacement of the existing shutter with a solid black electric roller shutter.

2.0 SITE DESCRIPTION

- 2.1 The application site is a currently vacant shop unit located within the parade of shops known as Defoe Parade, Chadwell-St-Mary. Prior to the unit being vacant, it was used as a furniture shop known as Star Furniture.
- 2.2 Defoe Parade features a combination of commercial units at ground floor and residential units above. The commercial properties have a variety of uses.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
64/00710/FUL	12 lock up shops and garages	Approved
67/00623/FUL	Shopfront	Approved
69/00179/FUL	Alterations and Roofing over Rear Yard	Approved
89/00041/FUL	Construct pitched roof and alter parapet finishes	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 The application has been advertised by way of neighbour letters and a site notice erected nearby to the site. No comments were received.

4.3 HIGHWAYS:

No objections.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework (NPPF)

The revised NPPF was published on 19th February 2019. The NPPF sets out the Government’s planning policies. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

2. Achieving sustainable development
4. Decision-making
8. Promoting healthy and safe communities
12. Achieving well-designed places

5.2 National Planning Practice Guidance (NPPG)

In March 2014 the former 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. NPPG contains a range of subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application include:

- Design;
- 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 Core Strategy policies in particular apply to the proposals:

Thematic Policies:

- CSTP7: Network of Centres
- CSTP8: Viability and Vitality of Existing Centres
- CSTP22: Thurrock Design

Policies for the Management of Development

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout

5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options [Stage 1] document and simultaneously undertook a ‘Call for Sites’ exercise. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23

October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

5.5 Thurrock Design Strategy

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

6.0 **ASSESSMENT**

6.1 The assessment below covers the following areas:

- i. Principle of development
- ii. Design of development and relationship with surroundings
- iii. Amenity Impacts
- iv. Highways

I. PRINCIPLE OF DEVELOPMENT

6.2 The proposed alterations are acceptable in principle given that they are required in association with the operation of the building and there are no changes to the proposed use of the site.

II. DESIGN OF DEVELOPMENT AND RELATIONSHIP WITH SURROUNDINGS

6.3 The unit is located within the parade of shops at Defoe Parade, where a variety of shops fronts exist on the commercial premises and a number of the premises feature roller shutters. The new shopfront would be between other similar units and would not therefore appear uncharacteristic within the immediate context. As a result the proposal would not appear out of character with the parade of shops or wider location. The proposals comply with Policies CSTP22 and PMD2 of the Core Strategy in this regard.

III. AMENITY IMPACTS

6.4 It is not considered that the proposals would have any significant adverse amenity impacts for surrounding residents and the proposals would comply with Policy PMD1 in this respect.

IV. HIGHWAYS

6.5 The Council's Highways officer was consulted and raised no objections to the proposal. It is therefore considered the proposal would result in no impact upon the

highway.

7.0 CONCLUSIONS

7.1 The proposal would be compliant with the relevant Core Strategy policies, as well as relevant chapters of the NPPF and would be acceptable.

8.0 RECOMMENDATION

8.1 Approve, subject to conditions.

TIME LIMIT

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

Reason: In order to comply with Section 51 of the Planning and Compulsory 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
20200422	Existing and Proposed Plans	18th June 2020
(No Nos.)	Site Layout	18th June 2020

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

MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION

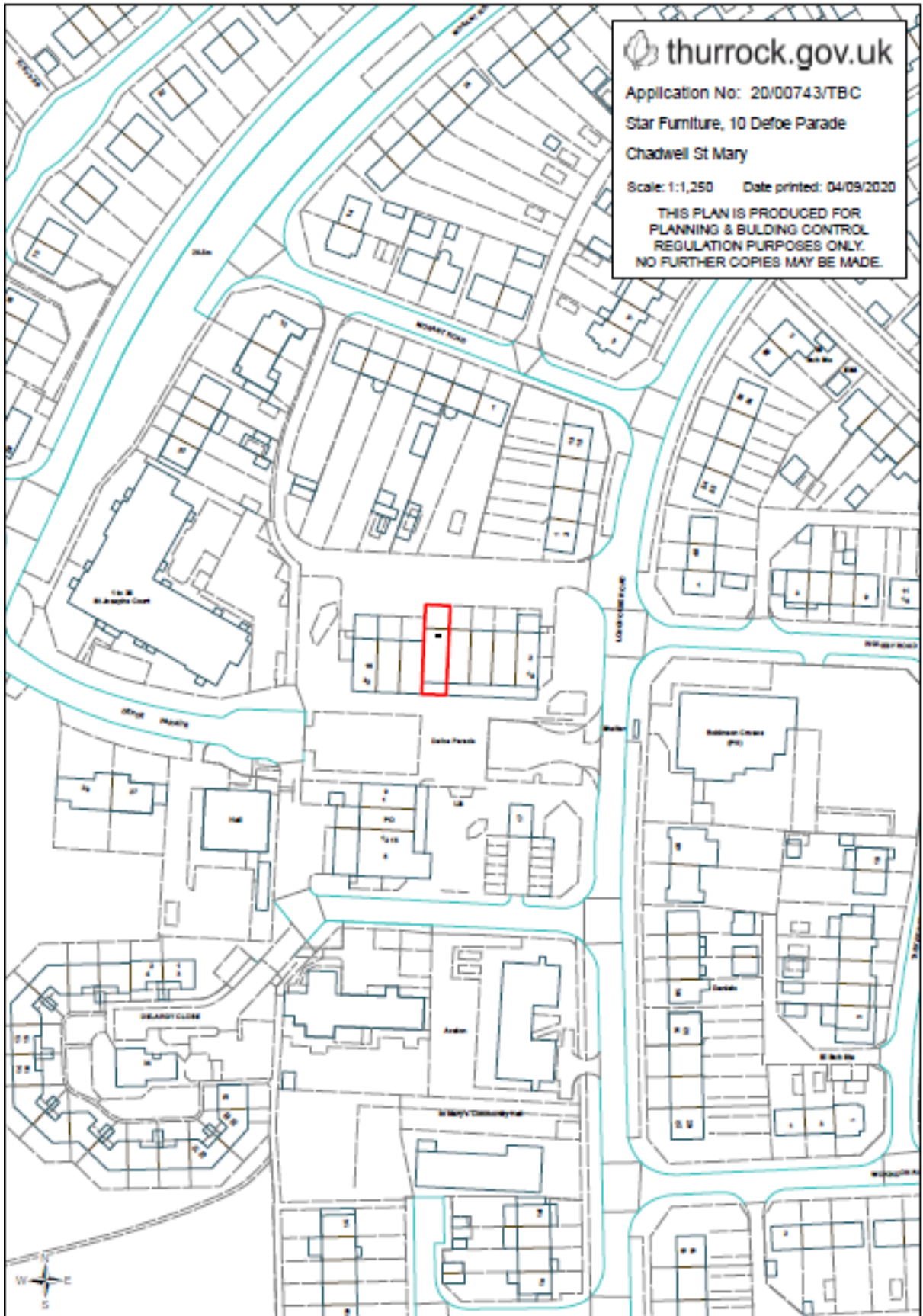
3 The materials to be used on the external surfaces and roller shutter of the development hereby permitted shall be implemented as detailed within the application.

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

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



Agenda Item 10

Planning Committee 17 September 2020	Application Reference: 20/00849/TBC
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Reference: 20/00849/TBC	Site: Gooderham House George Tilbury House And Poole House Godman Road Chadwell St Mary Essex
Ward: Chadwell St Mary	Proposal: Replacement of all communal windows and installation of Automatic Opening Vents (AOV) within the three tower blocks.

Plan Number(s):		
Reference	Name	Received
P001	Location Plan	13th July 2020
P002	Gooderham House Existing South Elevation	13th July 2020
P003	Gooderham House Existing North Elevation	13th July 2020
P004	Gooderham House Existing West Elevation	13th July 2020
P005	Gooderham House Existing East Elevation	13th July 2020
P006	Gooderham House Proposed South Elevation	13th July 2020
P007	Gooderham House Proposed North Elevation	13th July 2020
P008	Gooderham House Proposed West Elevation	13th July 2020
P009	Gooderham House Proposed East Elevation	13th July 2020
P010	Gooderham House Existing Window Schedule	13th July 2020
P011	Gooderham House Proposed Window Schedule	13th July 2020
P012	George Tilbury House Existing South Elevation	13th July 2020
P013	George Tilbury House Existing North Elevation	13th July 2020
P014	George Tilbury House Existing West Elevation	13th July 2020
P015	George Tilbury House Existing East Elevation	13th July 2020
P016	George Tilbury House Proposed South Elevation	13th July 2020
P017	George Tilbury House Proposed North Elevation	13th July 2020
P018	George Tilbury House Proposed West Elevation	13th July 2020
P019	George Tilbury House Proposed East Elevation	13th July 2020
P020	George Tilbury House Existing Window Schedule	13th July 2020
P021	George Tilbury House Proposed Window Schedule	13th July 2020
P022	Poole House Existing South Elevation	13th July 2020
P023	Poole House Existing North Elevation	13th July 2020
P024	Poole House Existing West Elevation	13th July 2020
P025	Poole House Existing East Elevation	13th July 2020

P026	Poole House Proposed South Elevation	13th July 2020
P027	Poole House Proposed North Elevation	13th July 2020
P028	Poole House Proposed West Elevation	13th July 2020
P028	Poole House Proposed East Elevation	13th July 2020
P030	Poole House Existing Window Schedule	13th July 2020
P031	Poole House Proposed Window Schedule	13th July 2020

The application is also accompanied by:	
- Design and Access Statement	
Applicant: Alastair Wood	Validated: 22 July 2020 Date of expiry: 21 September 2020
Recommendation: Approval	

This application is scheduled as a Committee item because the Council is the applicant and landowner (in accordance with Part 3 (b) Section 2 2.1 (b) of the Council's constitution).

1.0 DESCRIPTION OF PROPOSAL

1.1 The application seeks planning permission for the replacement of all communal windows and the installation of Automatic Opening Vents (AOV) at Gooderham House George Tilbury House and Poole House, all located on Godman Road, Chadwell.

2.0 SITE DESCRIPTION

2.1 The application site is situated within a largely triangular shaped area of land on the northern side of Godman Road, within the Council's ownership. The surrounding area features residential properties directly to the east and south, wooded Green Belt land to the west and open fields to the immediate north.

2.2 The site comprises three, broadly identical, 12-storey tower blocks, namely Gooderham House George Tilbury House and Poole House.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
03/01420/TBC	Concierge facility comprising front extension to George Tilbury House and glazed walkways to Poole House and Gooderham House.	Approved

	Demolition of a number of garages and new entrance to car park.	
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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 notice which has been displayed nearby. No responses have been received.

4.3 ENVIRONMENTAL HEALTH

No objections.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

5.1 The NPPF was published on 27 March 2012 and amended on 19 February 2019. Paragraph 10 of the Framework sets out a presumption in favour of sustainable development. Paragraph 2 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 11 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:

12. Achieving well-designed places

Planning Practice Guidance

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

- Design

- Determining a planning application

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

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

Thematic Policies:

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

Policies for the Management of Development:

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

Thurrock Local Plan

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

Thurrock Design Strategy

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

6.0 ASSESSMENT

- 6.1 The planning issues to be considered in this application are:

I. Principle of the Development

II. Design and Layout

III. Impact on Amenity

I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The application site is currently used for residential purposes and there are no land use objections to the proposed development, subject to compliance with relevant development management policies.

II. DESIGN AND LAYOUT

- 6.3 The proposed development would replace the existing steel windows within the communal areas with new aluminium window units, incorporating AOV in a number of key areas. There would be no change to the site layout or increase in built footprint.
- 6.4 The current window units are in poor condition. The proposed amendments intend to prolong the lifespan of the blocks, and would provide uniformity of materials and frame size, thus improving the aesthetics of the wider site.
- 6.5 The replacement windows would not increase overlooking but would modernise the external appearance of the buildings, in a complementary fashion. If approved, it is the Council's intention to carry out the development as soon as is practicably possible.
- 6.6 The proposal would improve the appearance and character of the existing properties, resulting in a more modern, uniform style and the design would be of a high quality. The appearance of the blocks would be improved and the proposal would comply with proposals in relation to the character or appearance with the wider area. The proposals therefore comply with Policies CSTP22, CSTP23 and PMD2, associated design guidance and the NPPF.

III. IMPACT ON AMENITY

- 6.7 The proposed upgrades to the existing windows to incorporate AOV would improve safety for the residents of the three tower blocks by introducing additional smoke egress provisions.
- 6.8 The proposals would result in no adverse impact upon neighbour amenity and would comply with Policy PMD1.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

- 7.1 The principle of the development is acceptable. The proposed changes to the appearance modernise the external appearance of the buildings and create uniformity. The works would also improve resident safety and prolonging the lifespan of the buildings.

- 7.2 In relation to design, appearance, and amenity impacts the proposal would be acceptable.
- 7.3 Accordingly, the proposals are considered to comply with Policies CSTP22, CSTP23 PMD1 and PMD2 of the Core Strategy 2015.

8.0 RECOMMENDATION

- 8.1 Approve, subject to the following conditions:

TIME LIMIT

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

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

PLANS

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

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

MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION

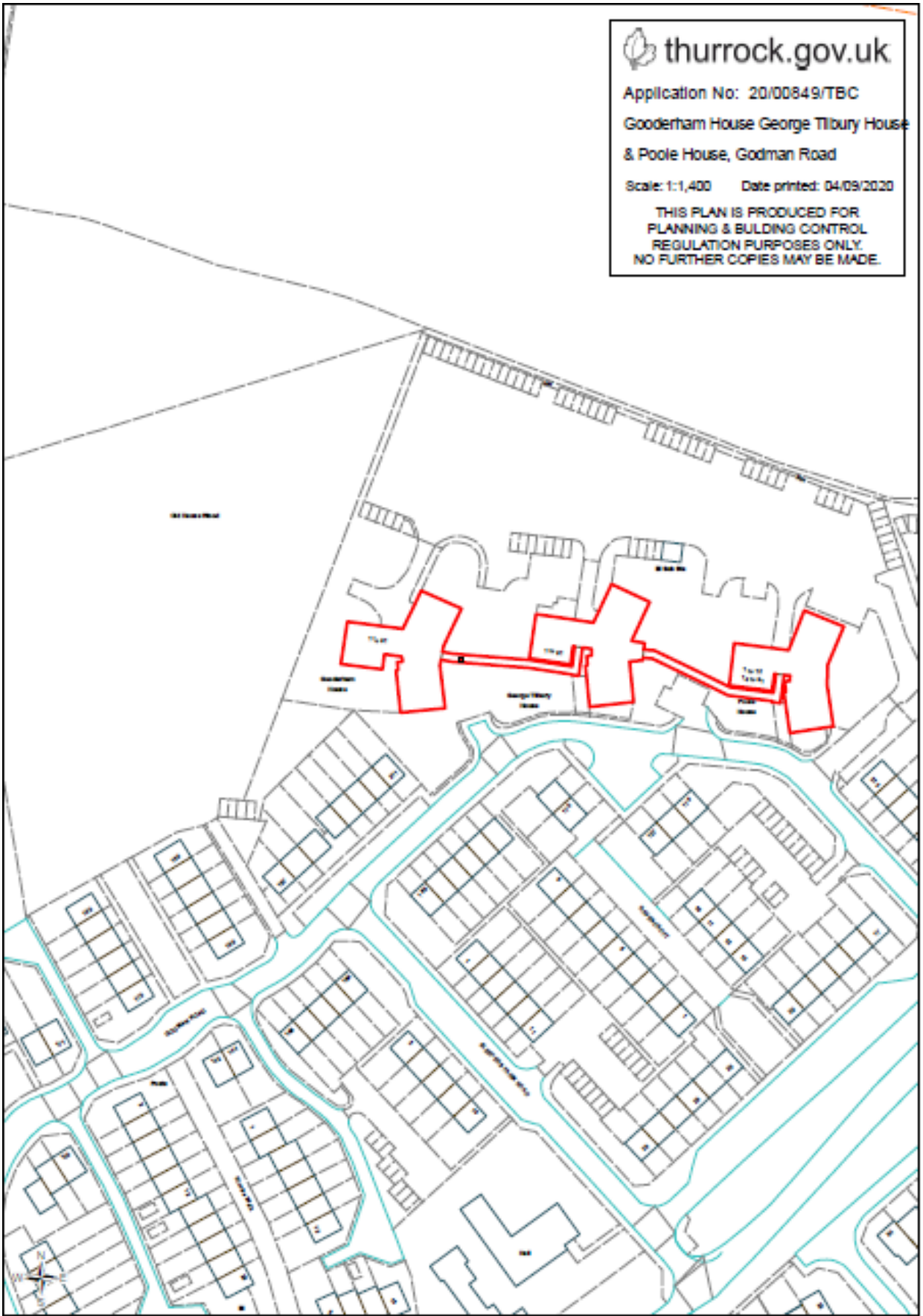
- 3 The materials to be used on the external surfaces of the development hereby permitted shall be implemented as detailed within the application.

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

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



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