

Reference: 16/00307/FUL	Site: Land to rear & north of Bannatynes Sports Centre Howard Road Chafford Hundred Grays
Ward: South Chafford	Proposal: Mixed use development to provide 203 no. residential units, landscaping, car/cycle parking, commercial units (370sq.m.) comprising Class A1 (shops) / Class A2 (financial and professional services) / Class A3 (food and drink) / Class A4 (drinking establishments) / Class A5 (hot food takeaways) / Class D1 (non-residential institutions) floorspace and a doctor's surgery (280sq.m.).

Plan Number(s):		
Reference	Name	Received
823-SLP.01	Site Location Plan	19.09.16
823-S.01 Rev. C	Proposed Ground Floor Building Footprint Plan	19.09.16
823-S.02 Rev. C	Proposed Roof Plan	19.09.16
823-S.03 Rev. E	Proposed Basement Plan	19.09.16
823-S.04 Rev D	Proposed Ground Floor Plan	19.09.16
823-S.05 Rev. C	Proposed First Floor Plan	19.09.16
823-S.06 Rev. B	Key Amendments	19.09.16
823-S.11 Rev. C	Illustrative Masterplan	19.09.16
823-S.12 Rev. C	Illustrative Masterplan in Context	19.09.16
823-SS.01 Rev. A	South Elevations	19.09.16
823-SS.02 Rev. A	West Elevations	19.09.16
823-SS.03 Rev. A	Mid and East Street Elevation	19.09.16
823-SS.04 Rev. A	North Elevation	19.09.16
823-SS.11 Rev. A	South Elevations	19.09.16
823-SS.12 Rev. A	South Elevations with Bannatyne Centre and West Elevation Showing Blocks E1 and D	19.09.16
823-SS.13 Rev. A	Mid and East Elevation	19.09.16
823-SS.14 Rev. B	North Elevations	19.09.16
823-A1.01 Rev. B	Block A1 Plans.01	19.09.16
823-A1.02 Rev. A	Block A1 Plans.02	19.09.16
823-A1.11 Rev. C	A1:Elevations	19.09.16
823-A2.01 Rev. B	Block A2 Plans.01	19.09.16
823-A2.02 Rev. A	Block A2 Plans.02	19.09.16
823-A2.03	Block A2 Plans.03	19.09.16

823-A2.11 Rev. C	A2: Elevations	19.09.16
823-B.01 Rev. C	B: Ground Floor Plan	19.09.16
823-B.02 Rev. B	B: First Floor Plan	19.09.16
823-B.06	B: Fifth Floor Plan	19.09.16
823-B.07 Rev. A	B: Sixth Floor Plan	19.09.16
823-B.09 Rev. A	B: Roof Plan	19.09.16
823-B.11 Rev. C	B: Elevations	19.09.16
823-C.01 Rev. C	C: Ground Floor Plan	19.09.16
823-C.02 Rev. B	C: First Floor Plan	19.09.16
823-C.03	C: Second Floor Plan	19.09.16
823-C.08 Rev. A	C: Roof Terrace Plan	19.09.16
823-C.09 Rev. A	C: Roof Plan	19.09.16
823-C.11 Rev. C	C: Elevations	19.09.16
823-D.01 Rev. C	Block D Plans.01	19.09.16
823-D.02 Rev. B	Block D Plans.02	19.09.16
823-D.11 Rev. B	D: Elevations	19.09.16
823-E1.01 Rev. B	Block E1 Plans.01	19.09.16
823-E1.02 Rev. A	Block E1 Plans.02	19.09.16
823-E1.11 Rev. C	E1: Elevations	19.09.16
823-E2.01 Rev. B	Block E2 Plans.01	19.09.16
823-E2.02 Rev. A	Block E2 Plans.02	19.09.16
823-E2.11 Rev. C	E2: Elevations	19.09.16
823-F.01 Rev. B	Block F Plans.01	19.09.16
823-F.02 Rev. A	Block F Plans.02	19.09.16
823-F.03 Rev. A	Block F Plans.03	19.09.16
823-F.11 Rev. C	F:Elevations	19.09.16

The application is also accompanied by:

- Air Quality Assessment;
- Design and Access Statement;
- Energy and Water Statement;
- Extended Phase 1 Habitat Survey;
- Flood Risk and Drainage Assessment;
- Noise Assessment;
- Planning Statement with Statement of Community Involvement;
- Services Appraisal;
- Sunlight and Daylight Assessment;
- Transport Assessment; and
- Travel Plan

Applicant: Sutherland House Limited	Validated: 11 March 2016 Date of expiry: 31 May 2017 (Extension of time requested)
Recommendation: Grant planning permission subject to completion of a s106 legal agreement and planning conditions.	

1.0 BACKGROUND

- 1.1 At the meeting of the Planning Committee held on 23rd February 2017 Members considered a report for the above proposal. The report recommended that planning permission be granted subject to the completion of a planning obligation and planning conditions.
- 1.2 A copy of the report presented to the 23rd February 2017 meeting is attached as Appendix 1.
- 1.3 At the February meeting determination of the application was deferred to enable further information and clarification to be provided on a number of issues under the following headings:
- amount and management of car parking on site;
 - scope for off-site parking provision at Sainsbury's;
 - timescale for decision on whether surgery is provided on-site or NHS contribution made;
 - arrangements for assessing any uplift in S106 contributions should the doctor's surgery / commercial units ultimately be used for additional residential units;
 - arrangements for drop-off of internet shopping purchases;
 - restrictions on potential number of Class A5 take-aways in the commercial units;
 - controls over allocation of units to Thurrock residents.
- 1.4 Following the deferral, the applicant has provided a written response to these points as follows:

"Amount and management of car parking on site:

The scheme will provide 170 parking spaces in total. Of these 170 spaces, 56 spaces will be allocated to the affordable units – 1 space per unit. This reflects the agreement in place with the RSL Family Mosaic.

Of the remainder, 47 spaces will be for private rental tenants. 12 spaces will be for visitors (to the residential units). The parking will be zoned by coloured markings and / or signage to provide clear demarcation of the various parking areas. The 56 spaces for the affordable units will be numbered to correspond to the various units – at one space per unit. Signage will communicate that these are private spaces. The 47 spaces for private rental tenants will be allocated to the private units at 1 space per three bed unit, and the remainder available for rental on a first come-first serve basis. They will be colour zoned and numbered. Again, signage will be used communicate that these spaces are for private use.

The 12 residential visitor spaces will again be zoned. Vehicles parking in these spaces will be required to display a visitor badge – provided by the resident they are visiting. Spaces will be booked on behalf of visitors by the tenant.

The 25 spaces for the car club will again be zoned. Signage will make clear that these spaces are for car club use only. A car club provider will be appointed to offer a car club scheme.

The 30 spaces which will be allocated to the Commercial units / GP surgery will be available on a 'pay at meter' basis subject of a 60 min parking time restriction. The above will be managed by a parking management company. On other scheme's the applicants have used UK Parking Control Limited who will provide the relevant signage and infrastructure to support the clear communication of conditions and restrictions of parking and means of payment. They will also be appointed to provide a Warden Patrol Service to enforce the terms and conditions of parking. Note that the allocation of any financial income resulting from operation of the car park management scheme will be a matter for the freehold owner and the parking company.

All proposed tenancies granted to the private rented tenants will highlight the parking control measures in place at the site and the availability of an on-site car club for use by residents. It will also highlight the CPZ operating in the area (to be secured via a financial contribution as part of the proposed s106). As such tenants, will understand in the absence of a parking space in the basement, they will have no scope to park a private vehicle in the area.

The above measures would be captured within a parking management plan which is a requirement of proposed Condition 21 of the Planning permission. 25 spaces will be for the car club and 30 spaces (at surface level) will be allocated to the Commercial units/ GP surgery.

Scope for off-site parking provision at Sainsburys:

As was highlighted in your officers' report, the development accords with Thurrock Standards in terms of parking provision and as such there can be no planning policy basis for rejection of the current planning application on alleged grounds of inadequate car parking. Nonetheless, in response to a request raised by members, an approach has been made to J Sainsbury regarding the possibility of a portion of their car park fronting the B186 being utilised as overspill parking by future residents. A formal response is awaited from J Sainsbury but it is anticipated that any tenants wishing to utilise these spaces will need to purchase a licence from J Sainsbury. It will not be a free service.

Timescale for decision on whether Surgery is provided on-site or NHS contribution made:

As was noted in your report on the application, there has been no response from the NHS regarding the requirement for a Doctor's Surgery on this site although they had originally indicated that a surgery in this location may not accord with future NHS Strategy and their preference was for a financial contribution in-lieu of a new surgery. This either / or option is reflected in the heads of terms of the proposed S106. In addition, members have not unreasonably suggested that a time period be included within which a decision is made. To this end we would suggest that a trigger of 6 months from the commencement of development be included as part of the S106.

Arrangements for assessing any uplift in S106 contributions should the doctor's surgery / commercial units ultimately be used for additional residential units:

Obviously, should the NHS conclude that a doctor's surgery is not required, any proposals for the alternative use of this part of the development would need to be the subject of an NMA at which time any additional viability / contribution issues could also be addressed. Equally, if after construction, there is no demand for the commercial units, any application for change of use would be the subject of a separate planning application.

Arrangements for drop-off of internet shopping purchases:

Members were concerned that given the likelihood of much of the accommodation being occupied by young single or two-person households, there would be a high degree of drop-offs from on-line purchases. In terms of the managed private rented accommodation, an on-site concierge office would ordinarily take such deliveries which are then collected by the tenants from the office. This arrangement could also be adopted here potentially utilising one of the commercial units as a delivery point utilised by both private and housing association tenants.

Restrictions on potential number of A5 takeaways in the commercial units:

Concern was expressed by members that the commercial units should not all become occupied by A5 units. This is acceptable to the applicant and we would suggest it is the subject of a planning condition to the effect that no more than 3 of the approved units shall be utilised at any one time for A5 use.

Controls over allocation of units to Thurrock residents:

Finally, a request was made at committee that a proportion of the units should be retained for Thurrock residents. As you will be aware, whilst such local occupancy conditions are operated in areas of severe housing restraint such as National Parks, there is no such policy restraint in Thurrock and an attempt to control occupancy in the way would be ultra-vires. Family Mosaic may have an operating policy which prioritises Thurrock residents as part of their obligations as an RSL. This however would be a control that sits outside of planning and is not a matter than can legitimately be controlled via the grant of planning permission.”

- 1.5 The information set out in the paragraphs above provides a response to the points of clarification requested by the Committee. The substantive planning considerations remain as per the report attached at the Appendix.
- 1.6 The recommendation to grant planning permission, subject to a s106 agreement and planning conditions remains substantially unchanged. The applicant's response makes reference to a timescale for a decision on whether a financial contribution is provided if the proposed surgery is not occupied and suggests a period of 6 months from the commencement of development. Whilst a definite timeframe will give some certainty to Members, it is considered that the proposed timeframe is relatively short. In order to allow for more time for negotiations between the applicant, NHS England and a potential surgery practice, it is recommended that the timeframe should be 6 months from the first occupation of Block D. This suggested timeframe is set out in the recommendation below. It is also recommended that the applicant's suggested restriction on the number of Class A5 units forms an additional planning condition.

2.0 RECOMMENDATION

- 2.1 That planning permission is granted subject to the s106 heads of terms and planning conditions set out within the appended report, as amended below:

- (i) Recommendation A (b) - delete and replace with “an appropriate tenure split for the affordable housing referred to by (a) to be approved in writing by the local planning authority;
- (ii) Recommendation (A) (i) – delete and replace with “in the event that the approved accommodation for the doctor’s surgery is not occupied for its intended purposes within 6 months from the first occupation of Block D, to pay a financial contribution of £41,000 (index linked) towards the enhancement of existing medical facilities locally;
- (iii) Recommendation B – new planning condition –

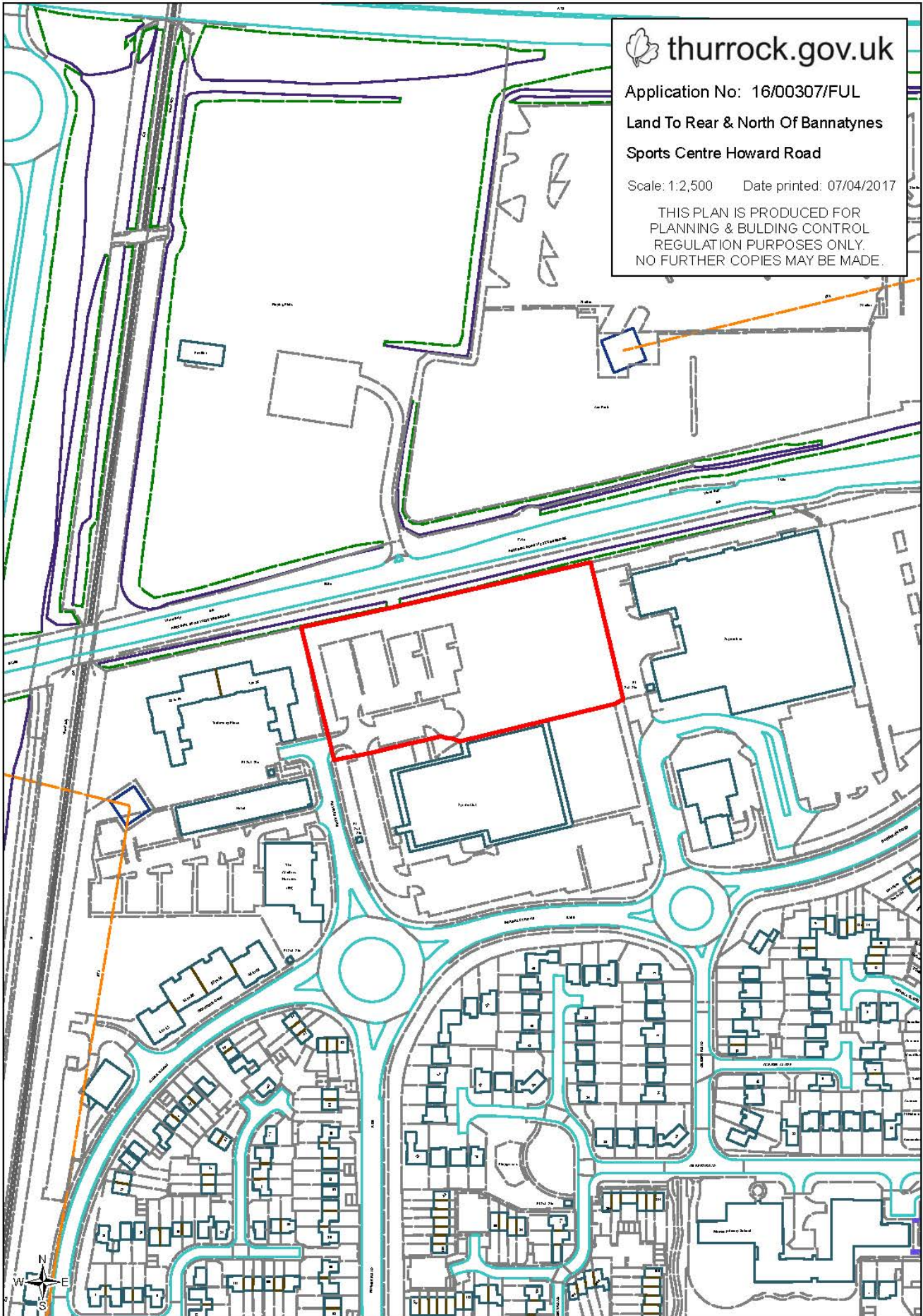
“No more than three of the ground floor commercial units hereby approved shall be operated for purposes within Use Class A5 at any one time, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended 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



 **thurrock.gov.uk**

Application No: 16/00307/FUL

Land To Rear & North Of Bannatynes

Sports Centre Howard Road

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