

<p>Reference: 19/01140/OUT</p>	<p>Site: Intu Lakeside West Thurrock Way West Thurrock Essex RM20 2ZP</p>
<p>Ward: West Thurrock And South Stifford</p>	<p>Proposal: Part demolition of existing Debenhams store and demolition of existing bus station. Alteration and extension of the northern end of the shopping centre including erection of new buildings for uses within Use Classes A1-A5 and a new multi-storey car park. Erection of a new bus station and the alteration and extension of the shopping centre on its eastern side including the erection of new buildings for uses within Use Classes A1-A5. Provision of new public realm and landscaping area. Alterations of existing and construction of new vehicular, pedestrian and cycle access and egress arrangements and car parking and other ancillary works and operations.</p>

Plan Number(s):		
Reference	Name	Received
080141 D-301-H	Location Plan	26th July 2019
080141 D-302-F	Existing Site Layout	25th February 2020
080141 D-303-F	Proposed Plans	25th February 2020
080141 D-304-G	Proposed Plans	25th February 2020
080141 D-305-F	Proposed Plans	25th February 2020
080141 D-306-G	Proposed Plans	25th February 2020
080141-D-307-F	Proposed Plans	25th February 2020
080141-D-308-A	Sections	25th February 2020
080141-D-309-B	Sections	25th February 2020
8525-SK-013 C	Proposed Plans	26th July 2019
8525-SK-014 F	Proposed Plans	25th February 2020
8525-SK-015 G	Proposed Plans	25th February 2020
8525-SK-068 D	Proposed Plans	1st April 2020

The application is also accompanied by:

- Planning Summary
- Planning and Retail Statement and Addendum
- Design and Access Statement (DAS) and Addendum (DASA)

- Environmental Statement Volumes 1 (Non-Technical Summary), II (Technical Studies); III (Technical Appendices) and Supplementary Environmental Statement
- Air Quality Assessment
- Ecological Appraisal
- Energy Statement and BREEAM Pre-Assessment Report
- Flood Risk Assessment
- Health Impact Assessment
- Phase 1 Contaminated Land Assessment
- Statement of Community Involvement
- Sustainability Statement
- Transport Assessment and Addendum
- Tree Survey Report

Applicant:

c/o agent

Validated:

24 July 2019

Date of expiry:

30 June 2020 (Time Extended)

Recommendation: Approve subject to conditions and s.106.

This application is scheduled for determination by the Council’s Planning Committee because the application is considered to have significant policy or strategic implications (in accordance with Part 3 (b) Section 2 2.1 (a) of the Council’s constitution).

1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

1.1 This application seeks outline planning permission (with all matters reserved) for the expansion of the Lakeside Shopping Centre (LSC). The development comprises the following elements:

1. Part demolition of the existing Debenhams store and demolition of the existing bus station;
2. Alteration and extension of the northern end of the shopping centre including erection of new buildings for uses within Use Classes A1-A5 and a new multi-storey car park;
3. The alteration and extension of the shopping centre on its eastern side including the erection of new buildings for uses within Use Classes A1- A5;
4. Construction of a new bus station;
5. Provision of new public realm and landscaping areas;
6. Alterations of the existing and construction of new vehicular, pedestrian and cycle access and egress arrangements, car parking and other ancillary works and operations.

1.2 The application is substantially the same as two previous applications (references 11/50433/TTGOUT and 16/01120/OUT) which were approved on 11 March 2013 and 15 March 2017 respectively. In comparison to the most recent application (reference 16/01120/OUT), this application proposes the following changes:

- The proposed bus station would be larger than previously proposed ;
- No temporary bus station as the new bus station would be constructed and brought into operation before the current bus station is demolished;
- The red line site area has been reduced in size and does not include the improvement works to the Lakeside Path to the east of Lake Alexandra, as those upgrades have been delivered as part of the leisure extension (13/00880/OUT) to the western side of the shopping mall, known as ‘ The Quay’;
- Revisions to the s106 planning obligations as follows:
 - By no longer offering the proposed bridge across Lake Alexandra but instead to safeguard landing areas for future provision of a bridge of the lake and instead improvements to the footpath connections around the northern end of the lake; and
 - No longer offering provision of the Variable Messaging System (VMS) as this has instead been secured through the leisure development (13/00880/OUT).

1.3 The following describes the development and provides references for the various elements of the proposal that will be used within this report;

“Northern extensions” - Part demolition and alteration of existing two-storey Debenhams store which comprises the northern part of the existing LSC mall. Extension of the northern end of the LSC mall including erection of new buildings to the north and east for uses falling within A1 (Shop), A2 (Financial and Professional Services), A3 (Restaurant & Cafe) & A5 (Hot Food Take-away) of the Uses Classes Order. Erection of a multi storey car park. These extensions are referenced and described below:

“LSC1” – To provide an extended shopping mall in the location of the existing Debenhams store: indicative plans show 21 units (12 on level 1 and 9 on levels 2 and 3 with mezzanine floors) over three floors and a new department store at the northern end of the extension all fronting onto the mall. To the east of the LSC, adjacent to the pedestrian entrance currently from car parks no.’s 5 and 6, this extension would provide 2 units over 2 internal levels. The height parameter of the building is between +21.07m to +23.44m Above Ordinance Datum (AOD).

“LSC2” – A two storey extension to the east of LSC1 within existing car park no.6 to provide standalone units accessed separately from the existing mall. The front

elevation of these units would face south fronting onto an outdoor street forming part of an area of public realm. The height parameter of the building is between +21.25m to +23.25m AOD. An enclosed service yard area would be located to the north of these units and accessed via the eastern internal road around the LSC.

“LSC3a” – A two storey detached building located within the proposed area of public realm stated above to provide standalone retail units accessed separately from the existing mall. Indicatively the DAS shows 3 units in this location. The height parameter of the building is between +13.45m to +19.45m AOD.

“LSC3b” – A two storey extension to the east of the existing mall fronting onto the new area of public realm. The height parameter of the building is between +13.45m to +19.45m AOD.

“LSC5” - Construction of a new multi-storey car park to the north east of the Mall in the location of the existing car park no.6. Access would be provided via the northern section of the internal road around the LSC. The car park would have 9 internal levels. The height parameter of the building is between +17.50m to +21.25m AOD.

“Public Realm” – As referred to above an area of public realm would be created at the south eastern part of the northern extension area where units within LSC2, LSC3a and LSC3b would front onto including an outside pedestrianized street and square linking the LSC eastern entrance, the existing eastern internal road and reduced sized car park no.5.

“South-Eastern extensions” - Alteration and extension of the shopping centre on its south-eastern side including the erection of new buildings for uses within use classes A1-A5. These extensions are referenced and described below.

“New Bus Station” – Located within existing car park no.3 the new bus station would link to the adjacent existing enclosed pedestrian bridge link to Chafford Hundred Railway Station. The indicative plans detail 13 bus stands (11 pick-up bays and 2 drop off bays) plus 8 layover bays. Undercover bus waiting areas would be created for passengers including a real time passenger information system. The height parameter of the building is between +14.14m to +15.64m AOD.

“LSC4a” – Single storey extension to the existing mall built over the existing service road to the east of the mall. This unit together with LSC4b, described below, are proposed to be located within and accessed from LSC4c, which proposes a new extension that would provide a covered entrance to the mall and

bus passenger waiting facility. The height parameter of the building is between +14.14m to +15.64m AOD.

“LSC4b” – A one or two storey extension to the north of multi-storey car park no.2 and south-east of the mall entrance. This unit is illustrated as a convenience store. The height parameter of the building is between +18.64m to +20.64m AOD.

“LSC4c” – Single storey extension which would provide a covered entrance to the mall. It would be fronted by LSC4a and LSC4b described above. This foyer would provide an enclosed waiting place for bus passengers and incorporate seating and bus telematics. The height parameter of the building is between +14.14m to +15.64m AOD.

“Changes to highway infrastructure” - Alterations of existing and construction of new vehicular, pedestrian and cycle access and egress arrangements, car parking and other ancillary works and operations. This includes the following;

“Works 1” - A new 2.5m wide pedestrian and cycle path is proposed to the north of the mall running east-west the north side of the northern part of the internal road around the LSC linking to two existing roundabout junctions and crossing points. To the south of the road an indicative plan shows a footpath running alongside the eastern elevation of the LSC5 and LSC2 extensions.

“Works 2” – To the south east of the LSC the internal road around the LSC would be revised as a result of the new bus station location. At present the access provides four traffic lanes with two in each direction. The proposed new bus station would result in changes to the access and egress onto this section of internal road changing the road layout into two lanes, one for each direction, and this will allow a formal right turn lane to be provided for access into the bus station. A dedicated dual use footway and cycleway would be created alongside the reconfigured road in this location providing access between the new bus stop location and around the southern side of the multi storey car parks and linking to the existing and recently upgraded dual use footway and cycle path adjacent to the lake and the western side of the LSC.

1.4 The tables below summarises some of the main points of detail contained within the development proposal.

Table 1: Summary

Land Use Allocation:	Core Strategy Inset Map (West): Shopping Centre
Site Area:	9.35ha

Number of Units	30-40 new shops
Parking	Car parking provision to match existing capacity (c.12,500 spaces) with surface car parking lost as part of the development being replaced in a new Multi-storey car park.
Employment	Up to 1,553 temporary construction jobs Once completed, up to 2,930 net additional jobs at LSC. Up to 900 jobs indirectly supported elsewhere in the region through wage and supplier spending (D&A, p20)
Total Capital Investment	£168m over three years
Current Lakeside Shopping Centre	Circa 133,000 sq.m Gross Retail Space comprising over 250 shops including 4 Anchor Stores. A food court plus 30 cafes and restaurants, banks, building societies, travel agents, leisure uses including a cinema). Based on Economic Impact report in 2018 it is recognised that the LSC supports 7,660 permanent jobs growing to almost 10,000 jobs when taking into account indirect and induced jobs in the region.

Table 2: Development Floorspace Summary

Scheme components	Demolition / part demolition and rebuild (GIAm²)	Total New Build (GIAm²)	Net Change (GIAm²)
<i>Northern Extension (Plots LSC1, LSC2 & LSC3)</i>	11,628	53,544	41,917

<i>New bus station and associated facilities</i>	155	4,762	4,607
<i>Multi-storey car park (Plot LSC5)</i>	0	24,103	24,103
TOTAL	11,783	82,409	70,626

Note: Figures quoted are Gross Internal Areas (GIA) – this is the area of a building measured to the internal face of the perimeter walls at each floor level and as such include communal areas such as the Mall, service corridors, lift & stair cores, service accommodation, and demise partitions.

Table 3: Development Floorspace by Use Class

Use Class / Type of Use	Proposed net additional Gross Internal Area (sq.m)
A1 (Shops)	37,651* (*of which up to a maximum of 1,991 would be convenience goods retail the remainder comparison goods retail GIA) Net Additional Net Sales Area (NANSA) is 30,121sq.m
A2 (Financial and Professional Services) A3 (Restaurants & Cafes) A4 (Drinking Establishments) A5 (Hot Food Takeaway)	3,053 – 4,884
Subtotal	40,704
Multi Storey Car Park	24,103
Mall space and other communal areas	5,819
TOTAL	70,626

1.5 The following planning obligations are offered with this development:

No.	Heads of Terms
1	Safeguarding of land to be used as landing areas within the applicant's land either side of Lake Alexandra to facilitate a pedestrian bridge over lake in the future

2	Provision of a Travel Plan to include future monitoring arrangements and new targets to be to be agreed for modal shift and to promote sustainable travel
3	Provision of Local Labour and Education/Training Initiatives - including A. Education and Training Facilities B. Apprenticeships C. Local Employment D. Local Procurement for business use/contractors
4	Provision of Rights of Access – <ul style="list-style-type: none"> • Provide a route to be kept available at all times through the Lakeside Shopping Centre for when the buses and trains are operating. • For a future public transport and pedestrian/cycling link (with no access to other vehicular traffic) to land to the north of Arterial Road (A1306). • In the event that the Arena Essex site is developed for either housing, retail or leisure uses access rights shall be provided to enable the construction of a dual use footpath and cycleway from the A1306 along the spiral access to the Lakeside Shopping Centre.
5	Provision of Complementary Planning Strategies Contribution of £185,000 for pursuing planning strategies in Grays town centre or elsewhere in the Borough of Thurrock.
6	Provision of a Basin Wide Car Park Management Regime – To supply real time car park capacity information through signage boards.

1.6 Under the Town and Country Planning (Environmental Impact Assessment Regulations) 2017 (as amended) the proposed development falls within ‘Schedule 2’ as ‘EIA development’. The proposal includes an Environmental Statement (ES) demonstrating that an Environmental Impact Assessment (EIA) has been undertaken to accompany this planning application and this information is considered as part of the planning assessment in section 6 of this report. The EIA considers the construction and operational phases (when the development is complete and occupied) of the development as part of its assessment.

2.0 SITE DESCRIPTION

2.1 The Lakeside Shopping Centre (LSC) is located in the north-eastern part of the Lakeside basin. At the heart of the LSC is a shopping mall whose principal internal orientation is along a north-south axis. The main retail offer is located over two floors, with a food court on a smaller and centrally located third floor. The LSC contains a comprehensive range of national multiple comparison retailers and a considerable number of cafés and fast-food restaurants. The Lakeside Boardwalk contains a range of restaurants orientated towards Lake Alexandra and accessed externally to the mall. LSC also contains a cinema located north of the Lakeside Boardwalk.

- 2.2 The surface level car parks to the east and multi-storey car parks to the south, west and north east of the mall provide circa 12,500 parking spaces. LSC has its own bus station, located externally at the northern end of the mall. This currently serves 13 principal bus routes.
- 2.3 This outline application relates to 9.35 hectares of land to the north and east of the LSC which is currently occupied by existing bus station, car parks no.s 5, 6 and 3.
- 2.4 Beyond the LSC to the north is the chalk cliff face of the Lakeside Basin and the Arterial Road, West Thurrock (A1306); to the east is the A126 dual carriageway, railway line linking Grays with Upminster and Chafford Hundred; to the south, within the Lakeside Basin, is West Thurrock Way and further commercial uses; and to the west beyond Lake Alexandra is a supermarket and an outlet retail park.
- 2.5 Chafford Hundred train station is located approximately 150m from the nearest entrance point to LSC. Access from LSC is gained by way of an enclosed footbridge link over the A126, which also links with Chafford Hundred for pedestrian access to the site. Chafford Hundred Train Station is located upon the Fenchurch Street, London to Grays line which is operated by C2C. There are a total 13 bus services serving the LSC with 7 of these operating on a frequency of 20 minutes or better. Services operate at approximately 30 minute frequency. The National Cycleway Network runs along the southern boundary of LSC site.

3.0 RELEVANT PLANNING HISTORY

3.1 The following table provides the planning history:

Planning Reference	Description of Application	Decision
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<p>11/50433/ TTGOUT</p>	<p>Part demolition of existing Debenhams store and demolition of existing bus station. Alteration and extension of the Northern end of the shopping centre including erection of new buildings for uses within use classes A1-A5 and a new multi-storey car park. Erection of a new bus station and the alteration and extension of the shopping centre on its Eastern side including the erection of new buildings for uses within use classes A1-A5. Provision of new public realm and landscaping area. Provision of temporary bus station comprising works to existing surface car parking area, alterations of existing and construction of new vehicular, pedestrian and cycle access and egress arrangements and car parking and other ancillary works and operations.</p>	<p>Approved 11.03.2013</p>
<p>16/00812/ SCO</p>	<p>Request for an Environmental Impact Assessment (EIA) Scoping Opinion: Proposed extension to the Intu Lakeside shopping centre (Intu Lakeside)</p>	<p>Scoping Opinion issued 08.07.2016</p>
<p>16/01120/ OUT</p>	<p>Part demolition of existing Debenhams store and demolition of existing bus station. Alteration and extension of the northern end of the shopping centre including erection of new buildings for uses within Use Classes A1-A5 and a new multi-storey car park. Erection of a new bus station and the alteration and extension of the shopping centre on its eastern side including the erection of new buildings for uses within Use Classes A1- A5. Provision of new public realm and landscaping area. Provision of Temporary Bus Station comprising works to existing surface car parking area, alterations of existing and construction of new vehicular, pedestrian and cycle access and egress arrangements and car parking and other ancillary works and operations.</p>	<p>Approved 15.03.2017</p>

<p>19/00263/ SCO</p>	<p>Request for an EIA Scoping opinion - Extension to the northern and eastern side of the shopping centre, a new bus station and multi-storey car park. The extension to the shopping centre will include uses within Use Classes A1 to A5. A2.15 Since issue of planning permission in 2017, the development site boundary has changed in response to other development activity at intu Lakeside.</p>	<p>Scoping Opinion Issued 01.04.2019</p>
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4.0 CONSULTATION AND REPRESENTATIONS

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

4.2 PUBLICITY:

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

Two objections raising the following concerns:

- Access to the site - unsafe
- Documentation has missed the bus service 100 and this provides an important route between Lakeside and Chelmsford via Basildon

One response raising no objection but the following point:

- Hoping that the cycleway and footpath will keep out some of the noise

4.3 ANGLIAN WATER:

No objection.

4.4 BRENTWOOD COUNCIL:

No formal comments to make.

4.5 CHELMSFORD CITY COUNCIL:

No objection.

4.6 CADENT GAS:

No objection.

4.7 CASTLE POINT COUNCIL:

No response.

4.8 DARTFORD COUNCIL:

No objection.

4.9 GRAVESHAM COUNCIL:

No objection in principle.

4.10 EDUCATION:

No education requirement is required.

4.11 EMERGENCY PLANNER:

No objection subject to condition.

4.12 ENSIGN BUS COMPANY:

No objection.

4.13 ENVIRONMENT AGENCY:

No objections subject to conditions.

4.14 ENVIRONMENTAL HEALTH:

No objections subject to conditions.

4.15 ESSEX POLICE ARCHITECTURAL LIAISON OFFICER:

No objection subject to achieving 'Secure by Design', 'Park Mark' accreditation and the 'Safer Bus Station Award'.

4.16 FLOOD RISK ADVISOR:

No objection subject to conditions.

4.17 HIGHWAYS:

No objections subject to planning conditions and s106 obligations.

4.18 HIGHWAYS ENGLAND:

No objection.

4.19 LANDSCAPE AND ECOLOGY ADVISOR:

No objections to this application on landscape or ecology grounds.

4.20 NATIONAL GRID:

No objection.

4.21 NETWORK RAIL:

No comments to make.

4.22 PASSENGER TRANSPORT UNIT:

No objection.

4.23 PUBLIC FOOTPATH OFFICER:

No comments to make to this application.

4.24 REGENERATION:

No objection subject to s106 obligations relating to local education and training objectives.

4.25 TRANSPORT FOR LONDON:

No objection subject to conditions.

4.26 TRAVEL PLAN CO-ORDINATOR:

No objection subject to the updated Travel Plan securing new targets and the requirement of the annual travel plan monitoring fee of £525+VAT for five years.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework

The revised NPPF was published on 19 February 2019 and sets out the government's planning policies. Paragraph 14 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
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

5.2 Planning Policy Guidance

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

- Air quality
- Climate change
- Design: process and tools
- Effective Use of Land
- Environmental Impact Assessment
- Flood Risk and Coastal Change
- Healthy and safe communities
- Land affected by contamination

- Land Stability
- Light pollution
- Natural Environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Renewable and low carbon energy
- Town centres and retail
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking
- Use of Planning Conditions
- Viability

5.3 Local Planning Policy Thurrock Local Development Framework

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

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)

SPATIAL POLICIES

- CSSP2 (Sustainable Employment Growth)
- CSSP3 (Infrastructure)

THEMATIC POLICIES

- CSTP6 (Strategic Employment Provision)
- CSTP7 (Network of Centres)
- CSTP8 (Viability and Vitality of Existing Centres)
- CSTP9 (Well-being: Leisure and Sports)
- CSTP10 (Community Facilities)
- CSTP13 (Emergency Services and Utilities)
- CSTP14 (Transport in the Thurrock Urban Area)
- CSTP15 (Transport in Greater Thurrock)
- CSTP16 (National and Regional Transport Networks)
- CSTP18 (Green Infrastructure)
- CSTP19 (Biodiversity)

- CSTP20 (Open Space)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)
- CSTP25 (Addressing Climate Change)
- CSTP26 (Renewable or Low-Carbon Energy Generation)
- CSTP27 (Management and Reduction of Flood Risk)
- CSTP33 (Strategic Infrastructure Provision)

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD3 (Tall Buildings)
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)
- PMD12 (Sustainable Buildings)
- PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
- PMD14 (Carbon Neutral Development)
- PMD15 (Flood Risk Assessment)
- PMD16 (Developer Contributions)

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

Procedure:

6.1 The EIA Regulations require local planning authorities to examine the information within the Environmental Statement to assess the significant effects of the proposed development on the environment (beneficial and adverse), in addition to the material planning considerations. The EIA Regulations require the likely significant effects of the development to cover the direct effects and any indirect, secondary, cumulative, transboundary, short, medium and long term, permanent and temporary, positive and negative effects of the development. The Environmental Statement considers the baseline conditions (existing conditions), construction and operational phases (when the development is occupied) as part of this assessment.

6.2 The material considerations for this application are as follows:

- I. Principle of the development
- II. Retail Impact
- III. Urban Design, Townscape and Visual Impacts
- IV. Sustainable Buildings and Energy Consumption
- V. Transport, Access and Parking
- VI. Air Quality
- VII. Noise and Vibration
- VIII. Flood Risk and Drainage
- IX. Ecology and Biodiversity
- X. Land Contamination and Ground Works
- XI. Effect on Neighbouring Properties
- XII. Cumulative Impact
- XIII. Viability and Planning Obligations
- XIV. Sustainability

I. PRINCIPLE OF THE DEVELOPMENT

6.3 The principle of the development has been established through two previous outline planning permissions. The first was approved in 2013 under planning reference 11/50433/TTGOUT and the second was approved in March 2017 under planning reference 16/01120/OUT (the more recent permission remains the extant permission until March 2021). The current application seeks, in effect, to renew the outline permission 16/01120/OUT but with the changes as listed in paragraph 1.2 of this report.

6.4 In granting outline planning permission for 16/01120/OUT, the Council was satisfied that the proposal accorded with a range of Development Plan policies relevant at the time of the application. Since the grant of permission in 2017, the only policy change has been through the updated versions of the NPPF in July 2018 and in February 2019. The ‘Development Plan’ remains the Core Strategy. Despite the changes to the NPPF, the principle of the development remains sound.

II. RETAIL IMPACT

6.5 The previous outline permission established that the development and additional retail floorspace provision was acceptable. Point 1 of policy CSTP7 refers to the ‘New Lakeside Regional Centre’ which ‘supports the transformation of the northern part of the Lakeside Basin into a new regional centre’ (note regional centre is defined in paragraph 3.25 of the Core Strategy as being a town centre). This allows for the expansion of the New Lakeside Regional Centre for an increased retail floor space of up to 50,000m² of net comparison goods floorspace and at least 4,000m² of convenience goods floorspace (Class A1 use). The policy also identifies the opportunity for expansion to include new employment and other service floorspace to broaden the employment base, commercial leisure floorspace including food and drink uses, and up to 3,000 new dwellings, consistent with the function of a regional centre.

6.6 The proposed development accords with the floor space limitations of policy CSPT7. The table below sets out the level of floorspace that would be created through the development.

Use Class / Type of Use	Proposed net additional Gross Internal Area (sq.m)
A1 (Shops)	37,651* (*of which up to a maximum of 1,991 would be convenience goods retail the remainder comparison goods retail GIA) Net Additional Net Sales Area (NANSA) is 30,121sq.m
A2 (Financial and Professional Services) A3 (Restaurants & Cafes) A4 (Drinking Establishments) A5 (Hot Food Takeaway)	3,053 – 4,884
Subtotal	40,704

- 6.7 The applicant's 'Planning and Retail Statement' identifies that the level of retail provision is necessary for LSC to meet demand from retailers and to maintain LSC's position in the retail hierarchy.
- 6.8 In terms of the NPPF, chapter 7 paragraph 86 seeks to ensure the vitality of town centres and requires local planning authorities to apply a 'sequential test' to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. The LSC is an existing centre and considered to be part of the New Lakeside Regional Centre based on the information contained within policy CSTP7 and LSC's main function is to operate as a 'primary shopping area' with a town centre role, and secondly, when compared to the requirements of chapter 7 of the NPPF, policy CSTP7 is considered to be an up to date policy. On this basis there is no requirement for the local planning authority to apply a sequential test to this application.
- 6.9 The retail impact of the proposed development is acceptable in terms of Chapter 7 of the NPPF and policy CSTP7.

III. URBAN DESIGN, TOWNSCAPE AND VISUAL IMPACTS

- 6.10 It should be noted that the information provided in the Design and Access Statement (DAS) and the Parameters Plans are the same as the previous outline approval with the only differences being those set out in paragraph 1.3 of this report.
- 6.11 As an outline application with all matters reserved the finer details of the layout, scale, appearance, access and landscaping would be agreed through any future reserved matters application. Nevertheless the Parameter Plans are for determination with this application and these plans, if approved, will establish the extent of the development, minimum and maximum building lines and heights, and the extent of the proposed access within the site. To assist further the Design and Access Statement (DAS) provides an illustrative guide to the proposed development.
- 6.12 As stated in section 1 of this report the proposal is mainly split into two development areas at the LSC with these being the northern extension and the south-eastern extension. The Parameter Plans and DAS guidance is assessed below.

Access

- 6.13 Parameter Plan 6 'Public Realm and Vehicle Access Works' and the DAS shows the proposed new access arrangements.
- 6.14 For the northern extension the existing service access arrangements would be retained. The service access running along the eastern elevation of the LSC would be more enclosed and partly covered by the new development. The existing internal

road along the northern side of the LSC would remain with the addition of a new footway/cycleway shown on the northern side of the road which would lead to a crossing point at the existing roundabout junction to the north east car park no.6 and a new footway running along the eastern side of 'LSC5' and 'LSC2'. An ingress and egress access point into the new multi-storey car park 'LSC5' would be located along the existing northern internal road.

- 6.15 The existing internal road along the eastern side of the LSC would remain unchanged apart from revised access arrangements on its western side to include a new service access for 'LSC2' and new access arrangements into the existing car park no.5. The existing bus station location and car park no.6 and part of car park no.5 would be replaced by the northern extensions. This location would lead to the creation of external walkways and an area of landscaping as part of the public realm to a new outdoor street where retail and restaurant/cafe units would be located within a public realm area. These walkways would lead into the existing entrance currently accessed from car parks no.5 and no.6 in the north east corner of the LSC.
- 6.16 For the south-eastern extension the existing road network would be modified to accommodate the new bus station with the loss of car park no.3. The extension to the store would also be built to bridge over the existing service road at the eastern side of the LSC.

Layout and Use

- 6.17 For the northern extension the documents includes indicative details to show how the internal layout of the extensions to the store would work with 'LSC1' and 'LSC2' showing the potential arrangement of retail and non retail units along with the external areas. Within 'LSC1' the extension, internally, would represent a continuation of the existing mall.
- 6.18 Externally, within the northern extension location, areas of public realm would be created to areas 'LSC1', 'LSC2' and 'LSC3a' and 'LSC3b', which represents a modern approach found within newer shopping malls such as Westfield Stratford, which has open external areas as well as the internal shopping mall. This area of public realm would include retail and non-retail uses such as café/restaurants which would benefit from outdoor space for likely outdoor seating and dining opportunities.
- 6.19 The 'LSC5' multi storey car park and part of 'LSC2' includes an enclosed service yard that would both be sited on the eastern side of the building and would be seen by vehicles arriving from the spiral road to the Arterial Road (A1306) to the north, although elevation details are not for determination such details shall need to be carefully considered with the future reserved matters application to ensure a high quality and welcoming environment is created.

6.20 The layout of the south-eastern extension is indicatively shown in the documents to represent a continuation of the internal shopping mall to this location and provide a complete enclosed area for pedestrians leaving the LSC travelling to the existing footbridge to the Chafford Hundred railway station through 'LSC4c'. Within this extension further retail or non-retail units would front onto an enclosed concourse area which is defined as 'LSC4c' as part of the bus station with connections to the bus stands. The opportunity for a convenience store is shown in the documents indicative drawings nearest the footbridge location within the location of 'LSC4b'. Externally the layout shows the bus station occupying the existing car park and landscaping areas surrounding the bus station on this side of the LSC.

Scale and Form

6.21 Parameter Plan 5 'Minimum / Maximum heights' details the minimum and maximum building height Above Ordinance Datum (AOD) and the following Parameter Plans shows the block and massing through a series of section drawings. These are Parameter Plan 7 'Indicative Sections and Elevations Key', Parameter Plan 8 'Proposed sections AA-DD' and Parameter Plan 9 'Proposed sections EE-GG'. Furthermore the DAS demonstrates the massing and block structure of the proposed extensions.

6.22 It is recognised through Parameter Plan 5 that the northern extension to the LSC, through 'LSC1', 'LSC2' and 'LSC5' is proposed to be one storey taller than the existing buildings and this is more clearly shown in the 'indicative massing' drawing in the DAS. Taking into account the wider context of the overall LSC this increase in height is not considered to be an issue as the site is located within the Lakeside Basin which as a former quarry has a lower ground level than nearby developments. This lower ground level would allow for an increase in scale as the proposed development is located adjacent to the chalk walls of this former quarry which would help lessen the scale of the impact.

6.23 The scale and height of the south-eastern extension would be similar to the existing LSC with the highest element of the block structure shown in the indicative massing drawing in the DAS to be located nearest the existing footbridge which crosses the A126 and links to the railway station. There are no issues raised to the scale of this southern extension to the LSC.

Appearance and Materials

6.24 The overall appearance and use of materials for the extensions will be detailed in the reserved matters application with samples of materials agreed through planning condition. The DAS includes a number of illustrative photomontages to show the potential finishing of the appearance of the extensions of the LSC reflecting a modern

and contemporary design approach, which provide an updated appearance to part of the LSC bring forward high quality design as required by the relevant Core Strategy policies.

Landscaping

- 6.25 Parameter Plan 6 'Public Realm and Vehicle Access Works' shows locations of landscaping areas. The DAS details how connections would be made through landscaping and includes illustrative landscape concept plans, illustrative cross sections, illustrative planting styles and a tree strategy.

Townscape and Visual impacts

- 6.26 The northern extension would bring the LSC much closer to the road network. This would give the building more prominence particularly on the vehicular access route from the spiral road into the site from the north.
- 6.27 The ES has assessed the Townscape and Visual considerations of the development identifying that the existing townscape character is considered to be of 'low value' with the surrounding open land and residential areas to be considered of 'medium value'. The impact upon the surrounding landscape is lessened due to the LSC being located within the Lakeside Basin and where existing established landscaping and infrastructure help screen the site.
- 6.28 The ES considers that the proposed development would result in a 'high degree of change' but this would be result in a 'beneficial change to the townscape character'. The Council's Landscape and Ecology Advisor raises no objection to the development proposals.
- 6.29 In conclusion under this heading, the urban design, townscape and visual assessment of the proposed development is acceptable in terms of Chapter 12 of the NPPF and policies CSTP22, CSTP23 and PMD2.

IV. SUSTAINABLE BUILDINGS AND ENERGY CONSUMPTION

- 6.30 The application includes an Energy Statement and BREEAM Assessment and this is in effect a renewal of the previous outline approach to sustainable building and energy consumption. This states that energy measures will be further considered once the development progresses through to the reserved matters to demonstrate a reduction to CO₂ emissions in the interests of climate change. This includes sustainable construction techniques and the use of renewable energy.
- 6.31 The BREEAM Assessment demonstrates that a 'Very Good' rating can be achieved but the applicant is seeking to achieve an 'Outstanding' rating to accord with policy

PMD13. The applicant will be requiring future tenants to achieve the BREEAM 'Outstanding' rating through a 'Green Lease' arrangement but recognises that this can be difficult to achieve in shopping malls. The BREEAM rating can be secured through a planning condition requiring details of the BREEAM rating to be provided.

V. TRANSPORT, ACCESS AND PARKING

Sustainability and Access

- 6.32 The site is located in a sustainable location and can be accessed by road and rail. The road network provides good access to the A13 and M25 routes. Numerous bus routes service the LSC. The site can also be accessed by cycle and on foot from a range of directions, although the safest pedestrian route to the LSC is via the covered footbridge which also connects to the nearby Chafford Hundred rail station (155m away).
- 6.33 Various footpath and cycleway works are proposed to some of the internal roads around the LSC and these are listed in paragraphs 1.4 of the report.
- 6.34 'Works 1' would create a new footway/cycleway route connecting with the existing Northern Link Road footways and would run along the northern side of the road to the north of the LSC up until the roundabout junction where it is shown on Parameter Plan 6 to be linked to the eastern side of the northern extensions to the LSC with these details to be confirmed through the reserved matters.
- 6.35 Parameter Plan 6 shows 'Works 2' would allow access to the proposed new bus station and reduce the road widths to allow routes to be provided bordering the existing multi storey car parks to the south of the LSC. The new dual use footway and cycleway would link the new bus station to the recently completed footpath and cycle path along the western side of the LSC adjacent to the lake leading to the boardwalk area.
- 6.36 The planning obligations offer improvements to the existing footpath which runs around the northern end of Lake Alexandra to the Tesco site to the west and landing points safeguarded for a future bridge of the lake and improved access arrangements. Various rights of access would be secured through the planning obligations including provision of a footpath to be constructed along the route of the spiral road to the A1306 to allow for improved access and pedestrian links to the north. These planning obligations are similar to the previous planning permission and raise no objections from the Council's Highway's Officer.
- 6.37 All of the proposed pedestrian and cycle improvements would accord with policies CSTP14 and PMD2 and are welcomed.

Bus Station Provision

- 6.38 The new bus station and associated highway infrastructure would replace car park no.3. There are no objections to a new bus station in this location because it would allow for better connections with the existing footbridge and the Chafford Hundred railway station in accordance with the requirements of policy CSTP14.
- 6.39 The proposed bus station would provide 13 bus stands instead of the 8 which was previously provided through outline planning permission for 16/01120/OUT. The larger proposed bus station would result in benefits to the LSC and Chafford Hundred through a more defined transport hub offering a range of sustainable transport modes. The proposed bus station would be constructed without the need for a temporary bus station. The Council's Highway's Officer, Passenger Transport Unit, and bus operators have no objections.

Traffic Impact and Parking

- 6.40 In terms of vehicle movements, both the construction and operational phases trip generation forecast remains generally the same as the previous applications and has been assessed through the Transport Assessment (TA) against the baseline of 2016 and 2017 traffic surveys and assessed alongside other major planning permissions in the area since March 2017, which is the date of the previous outline permission. The TA concludes that the proposed development would not have a material impact upon the highway network and there are no objections raised by the Council's Highway Officer.
- 6.41 The ES advises that the LSC has 12,500 car parking spaces and nearly 2,000 of these are normally closed and only used during peak periods such as bank holidays and Christmas so the ES advises that there is existing car parking space capacity. The proposal would initially involve the loss of car parking but this would be staggered in terms of timings through the construction process to avoid closure of certain car parks at the same time to minimize disruption. It is stated that by the time the new bus station development is under construction the northern extension will have progressed and the new multi-storey car park "LSC5" (which would be over a total of 10 internal levels of car parking), would be available and this would allow the entire LSC to continue to provide approximately 12,500 car parking spaces to match the existing level of provision, and therefore are no objections raised in regard to policy PMD8.
- 6.42 Policy CSTP14 identifies the opportunity to introduce car parking charging and management regime, however, the applicant through the ES and TA does not consider car parking charges 'practical, sustainable or necessary' and are concerned that this would 'undermine rather than encourage regeneration in the Lakeside Basin'. If car parking charging was introduced it would need to be across the entire

Lakeside Basin otherwise it could lead to distorted car park patterns. A 'Basin Wide Car Park Management Regime' is offered as a planning obligation and can be secured through the planning obligations and would provide real time car park capacity information through signage boards and linked to the existing Vehicle Messaging Service (VMS).

- 6.43 The LSC provides cycle parking facilities throughout the site and additional cycle parking provision shall be required to meet with policies CSTP14 and PMD8 and further details can be informed through a planning condition and through the future reserved matters.
- 6.44 As part of the Lakeside Leisure development an updated Travel Plan has been developed and forms one of the planning obligations offered so can be secured through the s106 agreement. The current Travel Plan promotes sustainable travel choices to follow the approach set out in policy PMD10 and therefore an updated Travel Plan would continue to accord with the requirements of policy PMD10. The Council's Travel Plan Co-ordinator raises no objections.
- 6.45 In conclusion under this heading, the development would not have an adverse impact upon the local highway network. The Council's Highway Officer and Highways England have no objections to the development subject to the planning conditions and planning obligations as set out in the recommendation section.

VI. AIR QUALITY

- 6.46 Chapter E of the ES considers 'Air Quality' and has been considered alongside policy PMD1, the relevant guidance in the PPG and paragraph 181 of the NPPF.
- 6.47 The ES identifies existing baseline conditions identify that within the site the nitrogen dioxide (NO₂) levels are generally low but along major roadside locations and junctions the levels exceed air quality limits. However, the site is not located within an Air Quality Management (AQMA).
- 6.48 Once construction is complete the operational phase of the development would require the installation of plant equipment to heat and ventilate the new development. Traffic associated with this phase would give rise to airborne pollutants.
- 6.49 The Council's Environmental Health Officer (EHO) raises no objections on air quality grounds.

VII. NOISE AND VIBRATION

- 6.50 Chapter F of the ES considers 'Noise' and 'Vibration' alongside policy PMD1, the relevant guidance in the PPG and paragraph 180 of the NPPF.

- 6.51 The predominant noise sources are road traffic and contributory rail traffic noise. The noise assessment has considered the impact upon noise sensitive (residential) properties in the vicinity of the site near Fleming Road and Chafford Hundred.
- 6.52 Limits to hours of construction, siting of noisy plant equipment, barriers and the management of construction traffic can be imposed through the Construction Environmental Management Plan. The Council's Environmental Health Officer (EHO) raises no objections on noise grounds.

VIII. FLOOD RISK AND DRAINAGE

- 6.53 The site is located within the highest risk flood zone (flood zone 3) as identified on the Environment Agency flood maps and as set out in the PPG's 'Table 1 - Flood Zones'. This means that the site is subject to a high probability of flooding and the PPG provides guidance on flood risk and vulnerability. The proposal would fall within the 'less vulnerable' use on the PPG's 'Table 2 - Flood Risk Vulnerability Classification' where development is 'appropriate' for this flood zone as identified in the PPG's 'Table 3 – Flood Risk Vulnerability and Flood Zone Compatibility' table.
- 6.54 Paragraph 162 of the NPPF notes that for individual developments on sites allocated in development plans through the Sequential Test, applicants need not apply the Sequential Test. As the application is a strategic allocation within the Core Strategy Proposal's Map as a 'Shopping Centre and Parade' area the Sequential Test does not need to be applied. There is also no requirement to apply the Exception Test as the development is 'appropriate' for this flood zone as identified in the PPG's 'Table 3 – Flood Risk Vulnerability and Flood Zone Compatibility' table.
- 6.55 The Flood Risk Assessment (FRA) identifies that the LSC site comprises of buildings, road infrastructure, car parking and approximately 1.15 hectares of soft landscaping. The existing surface water network diverts water around the LSC and draining into Lake Alexandra, which forms the primary surface drainage system (SuDS) for the LSC receiving the run off from a complex drainage network. The lake is maintained by a gravity outfall (weir and sluice) which discharges into the River Thames. The LSC is afforded a standard of protection against the 1 in 1000 year fluvial/tidal flood event by existing managed flood defences.
- 6.56 The proposed development would reduce run off rates as the proposal would use underground stormwater storage tanks draining to the existing drainage systems and into Lake Alexandra during the operational phase of the development. Details of the proposed drainage systems can be secured through a planning condition.
- 6.57 The development will connect to the existing foul drainage network arrangements for both the construction phase and operational phases of the development. There are

no objections raised from Anglian Water and the proposed development would comply with policy CSTP13.

- 6.58 Neither the Environment Agency nor the Council's Flood Risk Advisor have raised objection. A Flood Warning and Evacuation Plan can be agreed through a planning condition to meet the requirements of the Council's Emergency Planner.
- 6.59 Overall, the proposal would accord with policies CSTP25 and CSTP27, and the guidance contained within the NPPF and PPG.

IX. ECOLOGY AND BIODIVERSITY

- 6.60 The location of the proposed development is within existing developed areas which is considered to have 'low' ecological value as identified in Chapter K of the ES. The ES also identifies areas where ecology could be affected and outside of the site area are three Local Wildlife Site (LoWS) but these would not be adversely affected by the proposal.
- 6.61 The proposal would result in the loss of some existing trees and associated soft landscaping within the existing car park areas which surround the mall. These trees are considered to be of low ecological value based on their car park locations which are detached from areas where ecology is more likely to flourish.
- 6.62 A Construction Environmental Management Plan, would allow mitigation measures to be agreed to minimize any impacts upon ecology and biodiversity during the construction phase of the development. This would allow for assessing if any nesting birds, bats and reptiles are within the developable area. During the operational phase a detailed lighting scheme can control illumination to nearby landscaped areas to the north of the development along the northern edge of the former quarry chalk cliffs.
- 6.63 The Council's Landscape and Ecology Advisor raises no objections to the application but recommends a Landscape and Ecological Management Plan should be produced to help deliver long-term biodiversity benefits. Subject to conditions the proposal would be acceptable in regard policies CSTP19 and PMD7, and the guidance contained within the NPPF and PPG.

X. LAND CONTAMINATION AND GROUND WORKS

- 6.64 Chapter H of the ES considers 'Ground Conditions' recognising the site was developed in the base of a former chalk quarry where groundwater across the site flows into Lake Alexandra. The ES concludes that with mitigation measures in place the development would have a 'negligible' impact upon ground conditions. Subject to the recommendations in the ES being carried forward in the form of planning

conditions, there are no objections from Environmental Health or the Environment Agency.

XI. EFFECT ON NEIGHBOURING PROPERTIES

6.65 The LSC site takes up a large area of land the nearest neighbouring uses are commercial uses to the south of West Thurrock Way and to the west of Lake Alexandra. As the proposed extensions are located on the eastern side of the LSC these commercial units would not be adversely affected by the proposed development. The nearest residential properties are located over 250m to the east of the LSC on higher ground with car parks, roads and a railway line within the separation area. The proposal would not adversely affect amenity and therefore these are no objections in regard to policy PMD1.

XII. CUMULATIVE IMPACT

6.66 In accordance with the EIA Regulations 2017 the ES is required to take account of the cumulative effects of other schemes in the area. The ES has considered the cumulative effects in each of the environmental topic assessments taking into consideration the cumulative effects of the following either proposed or consented developments:

- The Lakeside Leisure development at the LSC (applications 13/00880/OUT and 16/01228/REM). Approved 28 November 2016 and now built out/occupied.
- Port improvements and re-development - C.Ro Ports London Ltd, Purfleet Thames Terminal, London Road, Purfleet, (ref. 16/01698/FUL). Approved 4 May 2017.
- Residential led mixed use development providing 203 dwellings and commercial uses at land to the rear & north of Bannatynes Sports Centre, Howard Road, Chafford Hundred (ref. 16/00307/FUL). Approved 16 July 2018 but not implemented.
- Residential development of 367 dwellings at land to the East of Elucid Way and South of West Thurrock Way, West Thurrock (ref. 18/00887/FUL). Approved 13 February 2019.
- Large scale mixed use development including 2,850 dwellings at land East of Caspian Way and North and South of London Road, Purfleet (ref. PCRL 17/01688/OUT). Approved 20 December 2019.
- Proposed employment led regeneration of the former Coryton Oil Refinery, Thames Enterprise Park, The Manorway, Coryton, (ref. 18/01404/FUL). Pending determination.
- Large scale mixed use development including up to 2,500 dwellings at Arena Essex, Arterial Road, Purfleet (ref. 18/01671/FUL). Pending determination.

- Motorway development connecting the M25 to the A2 known as the Lower Thames Crossing Development Consent Order. Application expected in Quarter 4 2020.

6.67 The ES assesses the cumulative impact to have ‘no significant adverse effects’ based on the mitigation measures through this proposal being implemented through planning conditions/obligations.

XIII. VIABILITY AND PLANNING OBLIGATIONS

6.68 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The policy states that the Council will seek to ensure that development contribute to proposals to deliver strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.

6.69 Following changes in legislation Community Infrastructure Levy Regulations (CIL), in April 2015 the Council produced its Infrastructure Requirement List (IRL) which changed the way in which planning obligations through section 106 agreements were sought.. This list is bi-annually reviewed to ensure it is up to date. The IRL applies a number of different development scenarios.

6.70 Paragraph 56 of the NPPF identifies that planning obligations must only be sought where they meet all of the following criteria:
a) necessary to make the development acceptable in planning terms;
b) directly related to the development; and
c) fairly and reasonably related in scale and kind to the development

6.71 Through the consultation process to this application and assessing the information contained within the Council’s IRL the planning obligations are similar to the previous extant permission and in comparison the table below demonstrates the differences:

No.	<i>Heads of Terms as summarised from permission 16/01120/OUT</i>	<i>Whether these draft Heads of Terms are still offered with this application</i>
1	Bride Over Lake - A new footpath link through a bridge over Lake Alexandra.	No, instead the offer is for improvements to existing footpaths around the northern end of the lake (as a planning condition) and to safeguard landing areas to allow for a

		bridge over the lake in the future.
2	Footpath Link to West Thurrock Way - Provision of New or Improved Linkages through a new footpath link to West Thurrock Way in an area to be agreed.	No, footpath link has already been provided through the hotel development.
3	Public Realm Improvements and Public Realm Contribution – an offer of £100,000 for public realm works.	Yes, but as a condition instead of an obligation as all public realm improvements are within the applicant's land on the eastern side of the LSC
4	VMS (Variable Messaging System).	No, has been provided through the leisure development (13/00880/OUT)
5	Travel Plan – to include future monitoring arrangements, and A Public Transport Contribution of £325,000.	Yes, still offered, but without the transport contribution as a larger bus station is proposed with this application
6	Local Labour and Education/Training Initiatives - including A. Education and Training Facilities B. Apprenticeships C. Local Employment D. Local Procurement for business use/contractors	Yes, still offered.
7	Rights of Access – Access rights to facilitate access to South East Rapid Transit System (SERT). For a future public transport and pedestrian/cycling link (with no access to other vehicular traffic) to land to the north of Arterial Road (A1306). Provide a route to be kept available at all times through the Lakeside Shopping Centre for when the buses and trains are operating. In the event that the Arena Essex site is developed for either housing, retail or leisure uses access rights	Yes, still offered, but without the SERT as this is no longer necessary

	shall be provided to enable the construction of a footpath from the A1306 along the spiral access to the Lakeside Shopping Centre.	
8	Safeguarding Route for Pedestrian/Green Bridge to cross over West Thurrock Way - An area of land to be made available for this.	No longer required as there is already an existing level surface crossing for West Thurrock Way near to this location
9	The Bus Station – Provision of Land for Future Expansion of the Bus Station.	No longer required as this application proposes a larger bus station which would avoid the need for future expansion
10	Complementary Planning Strategies Contribution of £185,000 for pursuing planning strategies in Grays town centre or elsewhere in the Borough of Thurrock.	Yes, still offered.
11	Basin Wide Car Park Management Regime – To supply real time car park capacity information through signage boards.	Yes, still offered.

6.72 Following consideration of the above table the proposed planning obligations are set out below and have been agreed with the applicant.

No.	Heads of Terms
1	Safeguarding of land to be used as landing areas within the applicant's land either side of Lake Alexandra to facilitate a pedestrian bridge over lake in the future
2	Provision of a Travel Plan to include future monitoring Arrangements, new targets to be to be agreed for modal shift and promotion of sustainable travel measures. Annual Travel Plan monitoring fee of £525+VAT for the annual monitoring period of 5 years following occupation
3	Provision of Local Labour and Education/Training Initiatives - including A. Education and Training Facilities B. Apprenticeships C. Local Employment D. Local Procurement for business use/contractors
4	Provision of Rights of Access – <ul style="list-style-type: none"> Provide a route to be kept available at all times through the Lakeside Shopping Centre for when the buses and trains are operating.

	<ul style="list-style-type: none"> • For a future public transport and pedestrian/cycling link (with no access to other vehicular traffic) to land to the north of Arterial Road (A1306). • In the event that the Arena Essex site is developed for either housing, retail or leisure uses access rights shall be provided to enable the construction of a dual use footpath and cycleway from the A1306 along the spiral access to the Lakeside Shopping Centre.
5	Provision of Complementary Planning Strategies Contribution of £185,000 for pursuing planning strategies in Grays town centre or elsewhere in the Borough of Thurrock.
6	Provision of a Basin Wide Car Park Management Regime – To supply real time car park capacity information through signage boards.

6.73 The proposed planning obligations meet with the require tests of paragraph 56 of the NPPF as they are necessary, directly related to the development and fair and reasonable related in scale and kind to the development.

XIV. SUSTAINABILITY

6.74 Paragraph 7 of the NPPF identifies that ‘the purpose of the planning system is to contribute to the achievement of sustainable development’ and paragraph 8 of the NPPF identifies that ‘achieving sustainable development means that the planning system has 3 overarching objectives, which are the ‘economic’, ‘social’ and ‘environmental’ objectives.

6.75 For the ‘economic’ and ‘social’ objectives the proposal would impact upon local and regional economies in terms of job creation and capital investment. The ES identifies that the construction phase of the development would generate up to 1,554 temporary construction jobs over a 3 year period and when completed the operational phase of the development would provide up to 3,697 jobs of which 3,087 of these would be new employment opportunities. There would be around 900 indirect jobs created in the region associated with the operational LSC. To bring forward education and training opportunities work placements would be created for both the construction and operational phase of the development (secured via planning obligations). This would assist in addressing employment and skills shortages within the area. The increased level of retail and commercial uses would widen the range of facilities and help the LSC as a shopping and leisure destination. Complimentary planning strategies would require a financial contribution for improvements for Grays town centre.

6.76 For the ‘environmental’ objective the proposal would make better use of existing urban land, would achieve a high quality design with visual improvements to the area, various improved pedestrian and cycle paths and opportunities, improved drainage

(through the loss of hardstanding areas), a maintained level of car parking to meet the needs of the development and various environmental improvements to be achieved through planning conditions and planning obligations including public realm improvements and safeguarding of access opportunities beyond the site.

6.77 Paragraph 11 of the NPPF identifies that planning decisions should apply a 'presumption in favour of sustainable development' and for decision taking this means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or*
 - ii *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

¹ *This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites ...*

² *The policies referred to are those in this Framework relating to: habitats sites and/or SSSIs, land designated as Green Belt, Local Green Space, AONBs, National Parks, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.*

6.78 The 'presumption in favour of sustainable development' applies in this instance as the proposed development would accord with the NPPF/PPG and policies CSSP2, CSPT7 and CSTP14, which seek to improve and regenerate the Lakeside Basin.

7.0 CONCLUSIONS AND REASONS FOR APPROVAL

7.1 The proposed development would lead to new, additional and improved retail facilities. This would help maintain the position of the LSC as a regional shopping centre and allow it to compete with other regional shopping centres. The development would also bring economic benefits to the local area through business rates and nearly 3,700 employment opportunities.

- 7.2 The development would bring forward a high quality, modern and sustainable extension to the Intu Shopping centre, raising the profile and environment of the Lakeside Basin with facilities to which would benefit of all users. The proposed new bus station and associated new footway/cycle links would provide much needed and improved opportunities for sustainable transport usage in the area as an alternative to the high level of private vehicle usage associated with this site.
- 7.3 In addition, the development would bring forward a range of infrastructure improvements as planning obligations which shall be agreed through a s106 agreement.
- 7.4 Whilst there would be some disruption during the construction phase of the development these impacts could be controlled and would be short lived. The outcome of the development when operational would result in clear benefits to the Borough that outweigh any disruption experienced during the construction stages.
- 7.5 All other material considerations including the environmental considerations of air quality, noise, flood risk, ecology/biodiversity, ground conditions and contamination have been assessed and are acceptable subject to mitigation measures and further information being required through planning conditions and planning obligations.
- 7.6 As the development is supported by a range of Development Plan policies and the NPPF’s ‘presumption in favour of sustainable development’, the application is recommended for approval.

8.0 RECOMMENDATION

8.1 Approve, subject to the following:

- i) the completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:

No.	Heads of Terms
1	Safeguarding of land to be used as landing areas within the applicant’s land either side of Lake Alexandra to facilitate a pedestrian bridge over lake in the future
2	Provision of a Travel Plan to include future monitoring Arrangements, new targets to be to be agreed for modal shift promotion of sustainable travel measures. Annual Travel Plan monitoring fee of £525+VAT for the annual monitoring period of 5 years following occupation
3	Provision of Local Labour and Education/Training Initiatives - including

	<p>A. Education and Training Facilities B. Apprenticeships C. Local Employment D. Local Procurement for business use/contractors</p>
4	<p>Provision of Rights of Access –</p> <ul style="list-style-type: none"> • Provide a route to be kept available at all times through the Lakeside Shopping Centre for when the buses and trains are operating. • For a future public transport and pedestrian/cycling link (with no access to other vehicular traffic) to land to the north of Arterial Road (A1306). • In the event that the Arena Essex site is developed for either housing, retail or leisure uses access rights shall be provided to enable the construction of a dual use footpath and cycleway from the A1306 along the spiral access to the Lakeside Shopping Centre.
5	<p>Provision of Complementary Planning Strategies Contribution of £185,000 for pursuing planning strategies in Grays town centre or elsewhere in the Borough of Thurrock.</p>
6	<p>Provision of a Basin Wide Car Park Management Regime – To supply real time car park capacity information through signage boards.</p>

ii) And the following planning conditions:

Submission of Reserved Matters

1. Details of the appearance, access, landscaping, layout and scale, (hereinafter called "the Reserved Matters") shall be submitted to and approved in writing by the Local Planning Authority before any development commences and the development shall be carried out in accordance with the details as approved. Application(s) for approval of the Reserved Matters shall be made to the Local Planning Authority not later than five years from the date of this permission. The development hereby permitted shall commence no later than one year from the date of approval of the last of the Reserved Matters.

Reason: To establish a timescale for the submission of Reserved Matters and implementation, having regard to the scale of development and Sections 91 to 95 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Reserved Matters

2. Development shall not commence until details of:
 - a) The Layout of the development;
 - b) The Scale of the development;
 - c) The Appearance of the development;
 - d) The Means of Access of the development, such details shall include access within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; and
 - e) The Landscaping of the development.

Referred to here after as the 'Reserved Matters', have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. For the purposes of this condition, 'Development' shall exclude investigations for the purpose of assessing ground conditions.

Reason: The application as submitted does not give particulars sufficient for the consideration of the Reserved Matters and to accord with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. To ensure the development is undertaken on the basis of the development proposed and accompanying assessments which has been advanced at outline stage, assessed and agreed and to which the Reserved Matters should adhere.

Parameters

3. Subject to compliance with the requirements of the conditions attached to this permission, the submission of Reserved Matters for any part of the site or phase shall adhere to and demonstrate conformity with the following parameters accompanying the application:
 - (a) The minimum / maximum siting of buildings / extensions hereby permitted as detailed on 'Parameters Plan 4 – Minimum / Maximum siting', ref: 080141-D-304 G,
 - (b) The minimum / maximum heights for buildings / extensions and plant detailed on;
 - 'Parameters Plan 5 – Minimum / Maximum heights', ref: 080141-D-305 F,
 - 'Parameters Plan 7 – Indicative sections and elevations key', ref: 080141-D-307 F
 - 'Parameters Plan 8 – Proposed sections AA-DD' ref: 080141-D-308 A
 - 'Parameters Plan 9 – Proposed sections EE-GG' ref: 080141-D-309 B
 - (c) The creation of a pedestrian and cycle networks through the site or part thereof as detailed on;

- 'Parameters Plan 6 – Landscaping / public realm and vehicle access works', ref: 080141-D-306 G
 - 'Proposed street networks within Lakeside Shopping Centre', ref: 8525-SK-014-F
- (d) The creation of landscaping and public realm works in the areas of at least the extent and distribution detailed on;
- 'Parameters Plan 6 – Landscaping / public realm and vehicle access works', ref: 080141-D-306 G
 - 'Proposed street networks within Lakeside Shopping Centre', ref: 8525-SK-014-F
- (e) The incorporation of vehicle access works and alteration to vehicle accesses within the site detailed on;
- 'Parameters Plan 6 – Landscaping / public realm and vehicle access works', ref: 080141-D-306 G
 - 'Proposed street networks within Lakeside Shopping Centre', ref: 8525-SK-014-F
- In addition they shall;
- (f) Utilise the plot identification references detailed on 'Parameters Plan 3 – Plot Plan', ref: 080141-D-303 F
- (g) Not exceed the maximum number of storeys identified for each plot stated at Table C3.4 of the Environmental Statement (Volume 2, Chapter C, p10 (July 2019)).

Reason: To ensure that individual Reserved Matters and phases follow the parameters assessed, considered and established at outline stage and do not prejudice the ability to deliver the development in a manner which is coherent and compliant with polices CSSP5, CSTP7, CSTP14, CSTP15, CSTP16, CSTP18, CSTP19, CSTP22, CSTP23, PMD2, PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Phasing of Development

4. The development shall not commence until a detailed programme of phasing of the development has been submitted to, and approved in writing by, the Local Planning Authority (herein referred to as 'the Phasing Strategy'). The Phasing Strategy shall include:
- a) A plan defining the extent of the works comprised within each phase;
 - b) Details of the quantum of floorspace to be created within each phase;
 - c) The infrastructure works to be included and undertaken within each phase, including:
 - Pedestrian and cycle networks
 - Landscaping and public realm works

- Vehicle access works and alteration to vehicle accesses within the site
 - New bus station
 - Surface and foul water drainage
- d) A timetable for the implementation and completion of works within each phase including infrastructure;
- e) Detail of the timing for the provision and opening of the new bus station.

The development shall be carried out in accordance with the approved Phasing Strategy.

Reason: To ensure the timely delivery of the development and associated infrastructure. To comply with polices CSSP2, CSSP5, CSTP14, CSTP16, CSTP18, CSTP19, CSTP20, CSTP22, CSTP27, PMD2, PMD10, PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Development Thresholds

5. (A) The development hereby permitted shall not exceed the maximum net change in floor area per scheme component specified in Table 1 below;

TABLE 1 – Development floor space			
Scheme components as referenced on Parameters Plan 3 – Plot Plan ref: 080141-D-303 B	Gross Internal Area of areas to be demolished (GIA sq.m)	Maximum Gross Internal Area (GIA) of New Build in sq.m	Net change (GIA sq.m)
Northern Extension (LSC 1, 2, 3a and 3b)	11,628	53,544	41,917
Bus station and associated facilities (including LSC4a, b and c)	155	4,762	4,607

Multi Storey Car Park (LSC5)	n/a	24,103	24,103
TOTAL	11,783	82,409	70,626

(B) In addition to (A) above, the development and uses hereby permitted shall not exceed the maximum floor areas specified in Table 2 below;

TABLE 2	
Use Class / Type of Use	Maximum Net Additional Gross Internal Area in sq.m (NAGIA)
Use Classes A1, (Shops), A2 (Financial and Professional Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and A5 (Hot Food Takeaway) combined	40,704
Multi Storey Car Park	24,103
Mall space and other communal areas	5,819
TOTAL	70,626

(C) Each application for Reserved Matters pursuant to condition 2 part (a) 'Layout' and part (b) 'Scale' incorporating additional floorspace shall be accompanied by:

- i) A schedule of accommodation and floor space proposed within that phase(s) and the quantum and nature of floorspace to be lost / demolished with reference to the breakdown of floor space detailed in Parts (A) and (B) above;
- ii) Details of how the development proposed would ensure that the remaining development will not exceed the maximum floor area requirements of Parts (A) and (B) of this condition. This shall include an updated schedule of accommodation and floor space to be delivered by further phase(s) of development having regard to Parts (A) and (B) of this condition.

The RICS definition of Gross Internal Area contained in the Code of Measuring Practice 6th Edition shall be used for all calculations of GIA.

Reason: To ensure that the development is carried out in accordance with the approved plans and the other submitted details including the EIA and Retail Impact Assessment assessed in relation to the development. To ensure that individual Reserved Matters and phases do not prejudice the ability to deliver the

development hereby permitted in an acceptable manner. Furthermore, to ensure the development does not give rise to an un-permitted reduction in the finite retail floorspace allocation for Lakeside which will assist in the creation of a Regional Town Centre (as detailed in Policy CSTP7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Floor Areas and Uses

6. (A) Notwithstanding the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Use Classes) Order 1987 (or any amending or re-enacting Acts or Orders), the development hereby permitted shall at no point exceed the total for floorspace within Use Classes A1, A2, A3, A4 and A5 specified in table 3 below. In addition, within that total the development shall not exceed the maximum floors area within the range specified for each Use Class or group of Use Classes detailed in Table ‘3’ below. Unless otherwise agreed as part of the Reserve Matters application, no mezzanine floors shall be installed within any building.

TABLE ‘3’		
Use Class / Type of Use	Maximum Net Additional Gross Internal Area in sq.m (NAGIA)	Maximum Net Additional Net Sales Area in sq.m (NANSA)
Use Class A1 (Shops)	35,820 - 37,651	28,657 - 30,121
Use Classes A2 (Financial and Professional Services), A3 (Restaurants & Cafes), A4 (Drinking Establishments) and A5 (Hot Food Takeaway) combined	3053 - 4,884	-
TOTAL	40,704	-

(B) Notwithstanding (A) detailed above and the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Use Classes) Order 1987 (or any amending or re-enacting Acts or Orders), the maximum Net Additional Net Sales Area (NANSA) for Use Class A1 (Shops) (both convenience and comparison) shall not exceed 30,121sq.m of which no more than 1,991sq.m shall be convenience goods retail. The 1,991sq.m of convenience goods retail shall be within no more than three retail units.

(C) Notwithstanding the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Use Classes) Order 1987 (or any amending or re-enacting Acts or Orders), except within the convenience goods retail units referred to in Part (B) above and the Use Class A3 (Restaurants and Cafes), A4 (Drinking Establishments) and A5 (Hot Food Take-away) uses hereby permitted, there shall be no retail sales of convenience goods including food within the retail units hereby permitted except whereby they are ancillary to the sale of comparison goods and in any event;

- i) the sales area of convenience goods is restricted to no more than 3% of the Net Sales Area of the retail unit in which they are located; and
- ii) for the provision of a customer café up is restricted to no more than 3% of the Net Sale Area of the retail unit in which they are located (to a maximum of 500sq.m in the Department Store and 250sq.m in any other retail unit).

(D) Notwithstanding the above and the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning (Use Classes) Order 1987 (as amended), the use of the plots LSC1 to LSC4 (inclusive) shall accord with the Use Classes specified on Parameters Plan 3 (ref: 080141-D-303 F) subject to the development hereby permitted not exceed the maximum floor areas specified for each Use Class or group of Use Classes detailed in the Table (3) above.

(E) Upon request, the applicant shall within 56 days provide the Local Planning Authority with a written schedule of units within the extensions and buildings hereby permitted, their current use and floor area.

With regards Gross Internal Area the RICS definition contained in the Code of Measuring Practice 6th Edition shall be used.

Reason: To ensure that the development is carried out in accordance with the approved plans, EIA, Retail Impact Assessment and the other submitted details assessed in relation to the development. To ensure that the development does not give rise to a greater portion of the finite quantum of both convenience and comparison shopping floorspace which is a key element in assisting to facilitate and deliver a Regional Town Centre within the Lakeside Basin. With regard (E), to facilitate monitoring of compliance with the condition.

Environmental Statement

7. The development (including all Reserved Matters and other matters submitted pursuant to this permission) shall be carried out in accordance with the mitigation measures set out in the Environmental Statement (July 2019) and Supplementary

Environmental Statement (February 2020) submitted with the Outline Planning Permission, unless otherwise provided for in any of the conditions or subject to any alternative mitigation measures as may be approved in writing by the Local Planning Authority, provided that such measures do not lead to there being any significant environmental effects other than those assessed in the Environmental Statement and Supplementary Environmental Statement.

Reason: To ensure that the development is carried out in accordance with the principles of mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development and ensure compliance with a range of development plan policies set out within the planning committee report.

BREEAM Pre Commencement

8. Development shall not commence until a certificate issued by an accredited Building Research Establishment consultant has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the design of the extensions and building(s) can achieve a BREEAM 'Outstanding' Rating. This shall be supplemented by details of any measures that would need to be secured by the development fit out and a mechanism by which these will be secured. The development shall be built in accordance with the agreed measures and shall achieve a BREEAM 'Outstanding' rating, unless a report has been submitted to and approved in writing by the Local Planning Authority providing a reasoned justification as to why it is not technically or economically viable.

Reason: To ensure that the development meets the objectives of energy efficiency in new building design and construction set out in Policy PMD12 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

BREEAM Post Construction

9. A BREEAM post construction review shall be undertaken confirming the BREEAM rating achieved for the extensions and buildings hereby permitted (with the exception of the multi-storey car park). This shall be submitted to the Local Planning Authority within 6 months of the completion of the development and in any event within 6 months of receipt by the applicant of a written request made by the Local Planning Authority in the event that not all phases are undertaken or completed.

Reason: To ensure that the development meets the objectives of energy efficiency in new building design and construction set out in Policy PMD12 of the

adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

On Site Energy Measures

10. The Development shall be undertaken in accordance with the measures set out in the 'Outline Energy Strategy' (July 2019) and the 'BREEAM Assessment' (July 2019), which includes:

- Passive and energy efficient design measures;
- The inclusion of energy efficient plant;
- Low carbon technologies including Air Source Heat Pumps and a Photovoltaic array of a minimum of 671 m²;
- Additional Solar Hot Water System to serve the 3rd floor toilets of the existing mall;

unless amendments or alternatives to the 'Outline Energy Strategy' (July 2019) and the 'BREEAM Assessment' (July 2019) have been submitted to and approved in writing by the Local Planning Authority.

Each application for Reserved Matters for buildings or extensions pursuant to condition 2 part (a) 'layout' and part (c) 'appearance' attached to this permission shall contain a statement advising how it has regard to the 'Outline Energy Strategy' (July 2019) and the 'BREEAM Assessment' (July 2019), or any amendments and alternatives, and incorporated, as appropriate, the measures contained therein including;

- i) Detail how the proposed building design(s) realise(s) opportunities to incorporate passive and energy efficient design measures;
- ii) Detail how this phase will contribute to the development as a whole securing energy from decentralised and renewable or low carbon sources;
- iii) Detail how the proposal includes energy efficient plant.

Development shall be carried out in accordance with the approved details prior to occupation of the development. In addition to the above, the applicant will undertake the measures to encourage retail tenants to maximise their energy efficiency design and operation.

Reason: To ensure the proposal incorporates energy efficiency measures and renewable or low-carbon technology to minimise emissions, in order to minimise the environmental effects of the development and in accordance with policies PMD12, PMD13 and PMD14 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Landscape Scheme

11. The Reserved Matters details to be submitted in accordance with Condition 2 Part (e) 'Landscaping' shall include a Landscape Scheme relating to the site (or phase in according with the phasing plan) and shall include details of:

- a) Trees, hedgerows and other landscape features to be removed, retained, restored or reinforced;
- b) The location, species and size of all new plants, trees, shrubs and hedgerows to be planted, those areas to be grassed and/or paved, and for a programme of planting, transplanting and maintenance;
- c) Written specifications (including cultivation and other operations associated with plant and grass establishment);
- d) Surfacing materials;
- e) Construction methods in the vicinity of retained trees and hedges, including protection measures in accordance with BS4428:1989 and BS5837:2012;
- f) Pit design for tree planting within streets or areas of hard landscaping;
- g) Existing and proposed levels comprising spot heights, gradients and contours, grading, ground modelling and earth works;
- h) Locations and specifications and product literature relating to street furniture including signs, seats, bollards, planters, refuse bins;
- i) Boundary treatments and means of enclosure with particulars of locations, heights, designs, materials and types of all boundary treatments to be erected on site;
- j) Whether such land shall be accessible by the public;
- k) How the landscaping scheme proposed promotes ecological interests and biodiversity in a manner which accords with the Environmental Statement accompanying the application (including the installation of bird, bat and invertebrate roosting and nesting boxes);
- l) Programme of Implementation and maintenance and a Landscape and Ecological Management Plan.

The Landscaping Scheme and associated works shall be carried out in accordance with the approved programme that has been approved as part of the Reserved Matters. Any newly planted tree, shrub or hedgerow dying, uprooted, severely damaged or seriously diseased or existing tree, shrub or hedgerow to be retained, dying, severely damaged or seriously diseased, within a period of 5 years from completion of the landscape scheme shall be replaced within the next planting season with others of the same species and of a similar size, unless the Local Planning Authority gives prior written consent to any variation. Management and maintenance of the open space and landscaped shall be in accordance with the approved details.

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings, enables high quality design, incorporates measures to promote biodiversity in accordance with the ES and to accord with policies CSTP22 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Landscaping Works for land to the East of the Shopping Centre

12. Development shall not commence until a scheme of landscaping enhancement works to cover the area of land to the east of the shopping centre between the new bus station and plots LSC 3a and LSC 3b, which falls outside of the application site but within land owned by the applicant and is identified for public realm improvements, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall include hard and soft landscaping details. The approved landscaping works shall be implemented prior to the occupation of plots LSC 3a and LSC 3b, unless alternative timing for implementation is approved as part of details submitted pursuant to condition 4 (phasing). The approved landscaping works shall be retained and maintained at all times thereafter. Any newly planted tree, shrub or hedgerow dying, uprooted, severely damaged or seriously diseased or existing tree, shrub or hedgerow to be retained, dying, severely damaged or seriously diseased, within a period of 5 years from completion of the landscape scheme shall be replaced within the next planting season with others of the same species and of a similar size, unless the Local Planning Authority gives prior written consent to any variation

Reason: To ensure that the proposed development is satisfactorily integrated with its immediate surroundings, enables high quality design, incorporates measures to promote biodiversity in accordance with the ES and to accord with policies CSTP22 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Movement Network

13. Application(s) for approval of Reserved Matters for a phase pursuant to Condition 2 Parts (a) 'Layout' and (d) 'Means of Access' shall include (where applicable) the following details:

- a) Movement network including layout of internal roads, visibility splay(s), sightlines, accesses, turning space(s), footways, cycleways and crossings. The details to be submitted shall include plans and sections indicating design, layout, levels, gradients and materials. It shall also detail how that phase fits into a comprehensive movement network for the totality of the site and links off site;

- b) External lighting (including to roads, car parking areas, footways / cycleways) and shall include details of the spread and intensity of light together with the size, scale and design of any light fittings and supports and a timescale for its installation. The external lighting shall be provided in accordance with the approved details and timescales;
- c) Street furniture;
- d) Surface finishes;
- e) Cycle parking;
- f) Amended layout for car parking;
- g) Signage;
- h) Drainage (including to roads, car parking areas, footways / cycleways);
- i) Timescale for the provision of this infrastructure. Footpath / cycle paths shall be a minimum of 3m wide.

The development shall be carried out in accordance with the approved details and timescales or in accordance with any variation first agreed in writing by the Local Planning Authority.

Reason: The application as submitted does not give particulars sufficient for the consideration of the Reserved Matters. To ensure the comprehensive planning and design of the site and the timely delivery of infrastructure, in the interests of safety, amenity, sustainability and meeting the objectives of creating a Regional Town Centre. To accord with Policies CSSP2, CSSP5, CSTP14, CSTP16, CSTP18, CSTP22, CSTP27, PMD2, PMD10, PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

New Bus Station

14. The Reserved Matters for the new bus station hereby permitted shall be implemented broadly in accordance with drawing numbers:

- 'Parameters Plan 6 – Landscaping / public realm and vehicle access works', ref: 080141-D-306 G
- 'Proposed street networks within Lakeside Shopping Centre', ref: 8525-SK-014-F
- Indicative layout plan ref: 8525-SK-068 Rev D

And shall include:

- a) Details of the layout of the bus station including the surrounding road layout and the provision of 13 bus stands (11 pick-up bays and 2 drop off bays) and 8 layover bays;
- b) Details of the bus stands and kerbs;

- c) Details of signage;
- d) A detailed swept path analysis of the proposed layout of the bus station;
- e) Details of the testing of the proposed layout using a bus or buses designed to use the bus station;
- f) Details of Real Time Passenger Transport Information (RTPI) displays within the new bus station and wider Lakeside Shopping Centre;
- g) Details of the bus driver's facilities at the new Bus Station;
- h) Details of measures to provide a safe and secure environment is provided for users of the bus station and bus station staff;
- i) Details of undercover waiting areas for passengers;
- j) Details of the pedestrian crossing and footways to provide access to all bus bays from the centre and to provide a link to existing connections to Chafford Hundred;
- k) A wayfinding strategy;
- l) Appropriate road safety measures including pedestrian restraint measures;
- m) The installation of charging points for electric vehicles;
- n) Details of the public realm areas to the east of the new retail units ref: LSC4a and LSC4b;
- o) Details of pedestrian and cycle links to the bus station.

Development shall be carried out in accordance with the approved details. Following the opening of the bus station, no development shall be undertaken to preclude access to the bus station by scheduled bus services. The signage, RTPI, Quality Bus Partnership measures and drivers facilities shall be retained and maintained unless otherwise first agreed in writing with the Local Planning Authority.

Notwithstanding condition 4 (phasing), the bus station shall be constructed, completed and operational prior to the occupation of any retail floorspace hereby permitted.

Reason: To ensure that the Reserved Matters are accompanied with adequate details of the new bus station, associated infrastructure and the potential for future expansion. In the interests of providing facilities that promote the use of public transport, in accordance with policies CSSP3, CSTP14, CSTP15 and CSTP16 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Link to Chafford Hundred Rail Station

15. Development shall not commence of that phase (approved in accordance with condition 4 of this permission) within which the New Bus Station is proposed, a

detailed scheme for the improvement / renovation of the lift core from Lakeside Shopping Centre to the bridge that leads to Chafford Hundred Rail Station shall be submitted to and approved in writing with the Local Planning Authority. Such details shall include but not necessarily be limited to;

- a) Upgrading the lifts;
- b) Improvements to the internal fabric of the stair core;
- c) Details of access to and from the lift core to the surrounding public realm and buildings;
- d) Details of any restriction upon the hours of use / access;
- e) Timescale for the works.

Notwithstanding the above, the stair and lift core shall be accessible from outside the bus station and store, unless otherwise agreed in writing with the Local Planning Authority. The works shall be carried out in accordance with the approved details and timescale. The level of access agreed shall be maintained (unless in the event of an emergency or maintenance).

Reason: The application does not give particulars sufficient for the consideration of the detail. To ensure that sufficient access is provided to the bridge and Chafford Hundred and associated rail station outside the opening hours of the store. To securing more sustainable movement patterns and improved accessibility for pedestrians in accordance with policy CSTP14 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Footway Improvements

16. Development shall not commence until details of the footway improvement works to be constructed to the north eastern end of the lake have been submitted to and agreed in writing by the Local Planning Authority. The details to be submitted shall be broadly in accordance with details provided on drawing Potential Footway Improvements Around Northern Lake ref: 8525-SK-063 D and the footways shall be 3m in width unless existing constraints limit delivery of this width. The footway improvement works as approved shall be carried out prior to occupation of the development and then maintained and retained clear of obstruction at all times thereafter.

Reason: To promote sustainable forms of transport and reduce reliance on the use of private cars, in the interests of the environment, sustainability, highway safety and amenity, in accordance with policies CSTP14, PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Cycle Parking

17. Applications for approval of Reserved Matters for a phase including retail development pursuant to Condition 2 (parts (a) 'Layout' (d) 'Means of Access' shall include; details of the number, size, location, design and materials of secure and weather protected cycle parking facilities to serve the development. Such provision shall be in accordance with the following standard (unless a variation to these standards is first agreed in writing with the Local Planning Authority): 1 space per 500sq.m of additional retail floorspace. Such cycle parking facilities as approved under Reserved Matters shall be installed on site prior to the occupation of the units they serve and shall thereafter be permanently retained for sole use for cycle parking.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity, in accordance with policies CSTP14 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Remediation Scheme

18. Development (other than that required to be carried out as part of an approved scheme of remediation) must not commence until parts 1 to 4 of this condition have been complied with. The Remediation Strategy may include details of phasing. In the event that the remediation is phased, no development within that phase shall commence until parts 1 to 4 of this condition have been complied with.

(PART 1) Site Characterisation and Remediation Strategy;

Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by, the Local Planning Authority:

- A) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
- B) A site investigation scheme, based on (A) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- C) The site investigation results and the detailed risk assessment (B) and,

based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

- D) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (C) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

(PART 2) Implementation of Approved Remediation Scheme;

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development (other than that required to carry out remediation) or in the event of a phased Remediation Strategy, the commencement of that phase. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

(PART 3) Verification Plan;

Following completion of measures identified in the approved remediation scheme and prior to occupation of any part of the permitted development or in the event of a phased Remediation Strategy, the occupation of that phase, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

(PART 4) Reporting of Unexpected Contamination;

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out in that phase until the developer has submitted to, and obtained written approval from, the Local Planning Authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

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

Landfill/ Ground Gas

19. The development/use hereby permitted shall not be commenced until a comprehensive site survey has been undertaken to:

- a) determine the existence, depth, extent and character of any filled ground.
- b) determine the existence, extent and concentrations of any landfill gas with potential to reach the application site.

A copy of the site survey findings together with a scheme to bring the site to a suitable condition in that it represents an acceptable risk including detailing measures to contain, manage and/or monitor any landfill gas with a potential to reach the site shall be submitted to and agreed in writing with, the Local Planning Authority prior to, the commencement of development hereby permitted. Formulation and implementation of the scheme shall be undertaken by competent persons. Such agreed measures shall be implemented and completed in accordance with the agreed scheme. No deviation shall be made from this scheme.

Should any ground conditions or the existence, extent and concentrations of any landfill gas be found that was not previously identified or not considered in the scheme agreed in writing with the Local Planning Authority, the site or part thereof shall be re-assessed in accordance with the above and a separate scheme to bring the site to a suitable condition in that it represents an acceptable risk shall be submitted to and agreed in writing with the Local Planning Authority. Such measures shall be implemented in accordance with the agreed scheme.

The developer shall give one month's advanced notice in writing to the Local Planning Authority of the impending completion of the agreed works. Within four weeks of completion of the agreed works a validation report undertaken by competent person or persons shall be submitted to the Local Planning Authority for written approval.

Reason: Chapter H of the ES indicates that there are elevated ground gas concentrations existing within the proposed development site and recommends further investigation. The report recommends gas protection measures post

construction for the development (section H6.15 to H6.17). To ensure that any potential risks arising are properly assessed and that the development incorporates any necessary measures and subsequent management measures to satisfactorily deal with contamination / gases in the interests of amenity and public health and to accord with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Piling

20. Piling or any other foundation designs using penetrative methods shall not be used unless a detailed geotechnical and geo-environmental ground investigation report has been submitted to, and agreed in writing by, the Local Planning Authority demonstrating that there is no resultant unacceptable risk to groundwater and that a scheme of mitigation can be implemented to avoid excessive noise implications upon nearby residential amenities and commercial operators. The development shall be carried out in accordance with the approved details.

Reason: Contamination has been identified at the site. The foundation piles in or through contaminated land has the potential to mobilise contaminants which can result in their release into the groundwater as identified in ES Volume 2 Chapter H para H6.16-17. Mitigation is required to keep the groundwater in the vicinity of the site free from pollution and in the interests of nearby residential amenity and commercial operators to accord with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Construction Vehicle Routing

21. Prior to the commencement of development a scheme for the routing of all construction vehicles shall be submitted to and agreed in writing with the Local Planning Authority. The scheme (and any amendments) so approved shall be operated at all times.

Reason: In the interests of the safe and efficient operation of the highway network and highway safety in accordance with policies CSTP14 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Construction Environmental Management Plan

22. Prior to the commencement of demolition, remediation or development on any phase of the development, a site wide Construction Environment Management Plan (SW-CEMP) shall be submitted to, and approved in writing by, the Local

Planning Authority covering the totality of development. The SW-CEMP shall be in accordance with the details contained in the outline application (including ES Volume 2 Chapter C para C4.7 to C4.10 and Chapter E para E6.0 to E6.2) and shall include, but not be limited to, details of:

- a) Management structure with roles and responsibilities
- b) Audit process
- c) Risk register and risk management process
- d) Training programme
- e) External communication strategy
- f) Performance monitoring procedure
- g) Action plan for non compliance and incidence management

Areas to be dealt with within the SW-CEMP shall include:

1. Transport
2. Air quality
3. Ecology
4. Ground conditions and contamination
5. Noise & vibration
6. Water

This shall incorporate details of:

- i) The location of the construction compound;
- ii) Hours and duration of any piling operations;
- iii) Vehicle haul routing in connection with construction, remediation and engineering operations;
- iv) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site;
- v) Construction access(es) and any temporary access(es);
- vi) Temporary parking requirements;
- vii) Location and size of on-site compounds (including the design layout of any proposed temporary artificial lighting systems);
- viii) Details of any temporary hardstandings;
- ix) Details of temporary hoarding;
- x) Method for the control of noise together with a monitoring regime (incorporating the mitigation measures detailed in ES Volume 2 Chapter F para F6.1 to F6.4);
- xi) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime;

- xii) Measures to control dust and other particulate emissions including those measures detailed in ES Volume 2 Chapter E para E6.1 to E6.2 Dust and air quality mitigation and monitoring;
- xiii) Water management including waste water and surface water discharge;
- xiv) Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals;
- xv) Ecology and environmental protection and mitigation;
- xvi) Community liaison including a method for handling and monitoring complaints, contact details for site managers;
- xvii) Measures to report and deal with areas of unforeseen contamination that may be encountered during construction;
- xviii) Details of construction phasing and which areas will be covered by a site / phase specific SS-CEMP.

Development shall be undertaken in accordance with the SW-CEMP. A site or phase specific Construction Environment Management Plan (SS-CEMP) shall be prepared for each phase or stage of development, each shall accord with the SW-CEMP. The SS-CEMP shall deal with constraints and impacts associated with a specific phase or site and shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development within a phase detailed within the SW-CEMP. All works and development shall be carried out in accordance with the approved SW-CEMP / SS-CEMP and the measures contained therein.

Reason: In the interests of protecting amenity, highway safety, sustainability, minimising impact upon the environment and ecology and ensuring that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, to accord with the ES and policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Waste Management Plan

23. Development shall not commence until a detailed Waste Management Plan (WMP) has been submitted to and approved by the Local Planning Authority in writing. The WMP shall include details of:
- a) The anticipated nature and volumes of construction waste;
 - b) Measures to minimise waste and maximise re-use;
 - c) Measures to ensure effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site;
 - d) Any other steps to ensure the minimisation of waste during construction;

- e) The location and timing of provision of facilities pursuant to criteria (b), (c) and (d) above.

Unless otherwise agreed in writing, thereafter the implementation, management and monitoring of construction waste shall be undertaken in accordance with the agreed details.

Reason: To ensure the sustainable management of construction waste in accordance with the ES and policy PMD12 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Hours of Construction

24. No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: Monday to Friday 07:00 - 18:00 hours, Saturdays 07:00 - 1300 hours unless in association with an emergency or except as otherwise first agreed in accordance with the provisions of a Code of Construction Practice submitted to and agreed in writing with the Local Planning Authority. All site deliveries for the purposes of construction of the development hereby permitted should take place between the above hours unless in association with an emergency or except as otherwise in accordance with the provisions of a Code of Construction Practice submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of nearby residential amenity in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Link to Chafford Hundred Rail Station

25. During the construction phases access shall be maintained to the lift and stair core on the western end of the bridge that links Lakeside Shopping Centre to Chafford Hundred Rail Station. All areas requiring access to and from the lift and stair core shall be hoarded off as necessary to safely segregate construction activity from members of the public and appropriate signage installed.

Reason: To maintain access to the bridge and public transport facilities in accordance with policy CSTP14 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Publically Accessible Design

26. All publically accessible areas as part of the development shall be designed to be

accessible to and usable by disabled people, including wheel chair users, people with sight impairment and people with prams and pushchairs. Any application for Reserved Matters pursuant to Condition 2 Parts (a) 'Layout', (d) 'Means of Access or (e) 'Landscaping' shall be accompanied by an access statement. The statement shall demonstrate that all parts of the relevant phase of development, including the car parks and all external public areas, shall be designed to be accessible for all, including people with disabilities. Such details to include: How the layouts, including entrances, internal and external circulation spaces, car parking areas, directional signs, lighting levels and other relevant facilities are accessible, adaptable or otherwise accommodate those with mobility difficulties or visual impairments. Such provision to make the development fully accessible shall be carried out in accordance with the approved details and made available before each phase of the development is first occupied and thereafter maintained as such.

Reason: In the interests of the amenities of future users and visitors in accordance with the Councils policies and practice for access for people with disabilities and in accordance with the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 (as amended) and policy CSTP22 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Shopmobility and Disabled Parking Provision

27. Prior to the occupation of any part of the development, details of the provision for Shopmobility centre and disabled parking spaces serving the development hereby permitted together with a timetable for their implementation shall be submitted to and agreed in writing with the Local Planning Authority. The measures outlined in approved scheme shall be undertaken in accordance with the agreed scheme and timescale and thereafter maintained as such.

Reason: The application does not contain such details. The relocation of the bus station may have implications for the existing shopmobility provision. In the interests of the amenities of future users and visitors in accordance with the Councils policies and practice for access for people with disabilities and in accordance with the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 (as amended) and policy CSTP22 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Materials

28. Development shall not commence on any phase until samples of the materials to be used in the external construction (including surfacing materials for buildings

and hard landscaping) for that phase, have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved materials.

For the purposes of this condition 'Development' shall exclude: site clearance, demolition, archaeological investigations, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions.

Reason: In the interest of amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings as set out policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Secure By Design

29. The Reserved Matters application pursuant to condition 2 Parts (a) 'Layout' and Part (c) 'Appearance' shall include a statement detailing the measures proposed to be incorporated into the development in order for the totality of the development hereby permitted, or those areas which qualify, to achieve Secure by Design accreditation, a 'Park Mark accreditation and the 'Safer Bus Station Award'. The development, or any phase of development, shall not be occupied until the applicant has demonstrated in writing to the Local Planning Authority that it has achieved Secure by Design accreditation for those areas that qualify.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in NPPF and policy CSTP22 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Northern Street

30. The Reserved Matters application pursuant to condition 2 Parts (a) 'Layout' and Part (c) 'Appearance' incorporating the northern extensions reference LSC1, LSC2, LSC3a and LSC3b shall include a statement detailing the proposals conformity with the following design principles set out in the Design and Access Statement (p32) accompanying the outline permission;

- a) Orientate buildings to provide optimum street frontage;
- b) Create a building line in harmony with the existing built environment;
- c) Maximise active street frontage;
- d) Avoid designs which are inward looking and which present blank frontages;
- e) Provide level access across the public realm;

- f) Provide good pedestrian access;
- g) How building ref: LSC2 will have an active eastern frontage.

Reason: To accord with the Design and Access Statement accompanying the application. To promote high quality design in accord with Chapter 12 'Achieving well-designed places' of the NPPF, and policies PMD2 and CSTP22 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Width of Public Square

31. Notwithstanding the illustrative sections, the Parameter Plans and condition 3, the street between buildings LSC2 and LSC3a shall have a minimum effective width of 10m when measured from the south elevation of LSC2 to the north elevation of LSC3a.

Reason: Such measures are necessary as the lower ends of the width parameters proposed (i.e. from 7m) would impact upon the ability of this space to accommodate seating areas on-street and provide landscaping and sufficiently generous pedestrian movement network. Furthermore, with the potential height of the buildings (LSC3a up to 13m and LSC2 up to 17m) reducing the width below 10m could make this space feel unduly narrow. To promote high quality design in accord with NPPF Chapter 12 'Achieving well-designed places', and policies PMD2 and CSTP22 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Car Parking Adjacent to the Public Square

32. The Reserved Matters submission pursuant to condition 2 Part (d) 'means of access' shall include details of the 'surface car park' detailed to the south of extension LSC3a and the public square on Parameters Plan 6 – 'Landscaping / public realm and vehicle access works', ref: 080141-D-306 G. Notwithstanding the illustrative detail accompanying the application, this part of the car park shall be designed to exclude car parking abutting or immediately parallel to the public square and building LSC3a. Furthermore, measures shall be employed to preclude unauthorised parking and to aid pedestrian and wheelchair permeability from the adjacent car park to the new public square.

Reason: The illustrative detail accompanying the application details a row of car parking abutting a significant proportion of the southern boundary of the proposed public square (DAS, p79, p102-103). This would not aid permeability or enhance the setting of the square. To promote high quality design in accord with Chapter 12 'Achieving well-designed places' of the NPPF, and policies PMD2 and

CSTP22 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015)..

Surface Water Drainage

33. Development shall not commence, with the exception of demolition, until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include:

- a) Limiting discharge rates to the 1 in 1-year Greenfield runoff rates for all storm events up to and including the 1 in 100-year rate plus 40% allowance for climate change. If this is proven to not be feasible then rates shall be limited to as close as feasibly possible with a 50% betterment of the brownfield rates being the absolute last resort.
- b) If greenfield rates are not restricted to then detailed brownfield calculations shall be provided. When calculating the brownfield runoff rate, surveying and modelling should be undertaken to confirm how the site currently drains. This shall take into account limits of the current pipe sizes and any orifice sizes or flow controls.
- c) Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus - 30% climate change event, with the 1 in 100 year plus 40% climate change being maintained within the highway system.
- d) Demonstrate that all storage features can half empty within 24 hours for the 1:100 plus 30% climate change critical storm event.
- e) Final modelling and calculations for all areas of the drainage system.
- f) The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- g) Detailed engineering drawings of each component of the drainage scheme.
- h) A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- i) A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall be carried out prior to occupation of the development. It should be noted that the submission of the above information shall be subject to the most up to date design criteria held by the LLFA.

Reason: To assess and prevent the pollution of groundwater and flooding through development, to improve and protect water quality, to improve habitat and amenity, and to ensure that there are adequate arrangements determined for the

future maintenance of the surface water drainage system, in accordance with policies CSTP25, CSTP27, PMD1, PMD2 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Surface Water Maintenance and Management

34. Prior to occupation of the development a maintenance plan detailing the maintenance and management arrangements of who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and approved in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided in details submitted. The maintenance plan shall be implemented as approved at all times thereafter.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with policies CSTP27, PMD1, PMD2 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Surface Water Yearly Logs

35. The applicant or any successor in title shall maintain yearly logs of maintenance which shall be carried out in accordance with the approved maintenance plan. The yearly logs of maintenance shall be made available in writing for inspection upon a written request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk in accordance with policies CSTP27, PMD1, PMD2 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Surface Water Clearance of Existing Pipes

36. The development hereby permitted shall not be commenced until the pipes within the extent of the site, which are to be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

Reason: To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site in accordance with policies CSTP27, PMD1, PMD2 and PMD15 of the adopted Thurrock LDF Core Strategy

and Policies for the Management of Development (2015).

Flood Warning and Evacuation Plan (FWEP) – Site Wide

37. Prior to or concurrently with the first Reserved Matters, a site wide Flood Warning & Evacuation Plan (FWEP) shall be submitted to and agreed in writing by the Local Planning Authority. The approved measures within the FWEP shall be made available for inspection by all users and shall be displayed in a visible locations around the site at all times thereafter.

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

Plant Noise

38. The Rated Sound Level, $L_{A,r,T,r}$, from any plant, together with any associated ducting shall not exceed a level of 5 dB below the Background Sound Level, $L_{A90,15min}$ at the boundary of the nearest noise sensitive premises. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014. Prior to operation of any plant a validation test shall be carried out and the results shall be submitted to and approved in writing by the Local Planning Authority. The plant and equipment shall be operated and maintained at all times thereafter in accordance with the approved validation testing results.

Reason: To accord with the mitigation measures set out within the ES accompanying the planning application, in the interests of amenity of sensitive receptors and to accord with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Ventilation of Hot Food Uses

39. Prior to the occupation of any unit within the development for Use Class A3 (Restaurants and Cafes), A4 (Drinking Establishments) and A5 (Hot Food Take-away) purposes, details of any mechanical ventilation or other plant associated with such a unit shall be submitted to and approved by the Local Planning Authority such details to include specification of filtration, deodorising systems (where applicable), noise output and termination points. The approved ventilation equipment and / or other plant shall be installed and commissioned prior to the occupation of that unit and shall be maintained in proper working order thereafter throughout the occupation of the unit for Use Class A3 (Restaurants and Cafes),

A4 (Drinking Establishments) and A5 (Hot Food Take-away) purposes.

Reason: The application contains no such details. Such measures are required in the interests of amenity and to accord with LDF Policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Class A5 (Hot Food Take Aways)

40. Notwithstanding conditions attached to this permission, the location of any A5 (Hot Food Take-away) shall be submitted to and agreed in writing with the Local Planning Authority together with details of vehicular access arrangements. The unit(s) shall not be used for A5 (Hot Food Take-away) unless the details are first agreed in writing. The unit shall only be used in accordance with the approved details and such details shall be maintained thereafter throughout the occupation of the unit for Use Class A5.

Reason: The application contains no such details. Such measures are required in the interests of amenity in accordance with policies PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

Notification

41. The Local Planning Authority shall be notified in writing within 7 days of the dates of the following:

- a) Implementation of planning permission;
- b) Commencement of a new phase of development;
- c) Completion of each phase of development;

Reason: To enable the Local Planning Authority to control and monitor the site to ensure compliance with the planning permission.

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Documents:

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

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

