Reference: 19/01556/OUT	Site: Kings Farm / Thurrock Airfield Parkers Farm Road Orsett RM16 3HX
Ward:	Proposal:
Orsett	Application for outline planning permission with all matters reserved apart from access: Proposed mixed use development comprising up to 750 no. residential dwellings, medical facility, retail and commercial units.

Plan Number(s):		
<u>Reference</u>	Name	Received
LP001	Location Plan	20 July 2021
RS-1493-01	Topographical Plan	15 October 2019
MP0001 Rev F	Illustrative Masterplan	20 July 2021
MP0007	Indicative CGIs	20 July 2021

The application (see Appendix 1 for list of previously submitted details) is accompanied additionally by:

- Email dated 20.2.23 from Transport Consultants, KMC Transport Planning
- Email dated 20.5.23 from applicant's planning agent
- Technical Note May 2023, KMC Transport Planning
- Planning Statement (July 2021) tba (– agent indicated may update this to reflect changes to Transport Assessment to include above Technical Note);
- Design and Access Statement (July 2021) tba (agent indicated may update this to reflect changes to Transport Assessment to include above Technical Note);

To clarify, the planning application was originally submitted in October 2019. In accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) the application was screened and it was determined that an Environmental Impact Assessment (EIA) was required. A Scoping Opinion to confirm the content and format of the EIA weas issued in March 2020 and the planning application was validated in July 2021. Further information to support the EIA was subsequently submitted in May 2022.

Applicant:	Validated:
Grasslands Ltd	19 July 2021
	Date of expiry:

Planning Committee 13 July 2023	Application Reference: 19/01556/OUT

(18 October 2021) Extension of time negotiated until 31 July 2023

Recommendation: Refuse planning permission

This application is scheduled for determination by the Planning Committee because the application is considered to have significant policy or strategic implications and constitutes a departure from the Development Plan (in accordance with Part 3 (b), Section 2 2.1 (a) of the Council's constitution). A report was prepared for the Committee meeting in January 2023. However, shortly before the meeting the applicant requested that the report be withdrawn from the agenda to enable further work to address some of the reasons for refusal listed. This report is being submitted following a period of 6 months in which the applicant has requested time to make further submissions and to enable consultees to make any further comments. The contents of this report address only the changes/submissions since the January Committee Report was published. This report should therefore be read in conjunction with the earlier report (Appendix 1).

1.0 CONSULTATIONS AND REPRESENTATIONS

- 1.1 3 additional letters have been received objecting to the application on the grounds that:
 - the proposal would result in the loss of an airfield, contrary to the need to retain a network of general aviation airfields identified in the NPPF;
 - it would result in high levels of lighting in a current "dark" location which will adversely affect astronomy and the hobby of star gazing;
 - as the area is close to the Langdon Hills nature reserve, light pollution would be disruptive to nature;
 - there is no room to improve infrastructure and the A128 is already badly congested and has a high accident record;
 - current bus services to the village are already very limited and the local train station (West Horndon) has very limited parking for people who need to commute;
 - the development would have a catastrophic result not only on the village of Bulphan but also on Orsett and the surrounding villages; and
 - due to flooding in the area in combination with use of local roads when main roads are blocked, the local roads are often in poor state of repair and not suitable for extra use.

1.2 CONSULTATION RESPONSES:

Detailed below is a summary of the further consultation responses received since January 2023. The full version of each consultation response can be viewed on the

Planning Committee 12 July 2022	Application Reference: 19/01556/OUT
Planning Committee 13 July 2023	Application Reference. 19/01000/001

Council's website via public access at the following link: <u>www.thurrock.gov.uk/planning</u>

1.3 NATIONAL HIGHWAYS (NH):

We have previously issued a holding recommendations to the LPA regarding this application, seeking capacity assessments for the A13/A1012 junction and the adjoining Treacle Mine Roundabout. We are interested as to whether there would be any adverse safety implications for the SRN as a result of this proposal. This information has recently been provided in the form of a technical note from Vectos (the applicant's consultant).

NH recommend that planning permission not be granted for a specified period (until 27th July 2023). Should the local planning authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The reason for the recommendation not to approve the scheme is that, at 31 May 2023:

We have previously issued a holding recommendation to the LPA regarding this application, seeking further information regarding the proposals. Following our review of the KMC Addendum TA (May 2022), we accept that the revised trip rates and trip generation presented. The agreed development trip generation now includes 530 two-way vehicles trips in the AM peak and 478 vehicles trips in the PM peak.

With trips distributed / assigned over the strategic and local highway network, it is evident that the A13/A1012 junction receives a sizable volume of development trips that could impact on the operation and safety of this junction. The operation of the A13/A1012 junction is also closely linked to the Treacle Mine Roundabout positioned to the south, for which there are queue interactions between the two junctions.

Our primary concerns relate to the potential for mainline queuing on the A13 from the eastbound and westbound off-slips at the A13/A1012 junction. The westbound off-slip in particular, given that trips associated with this development will add to this movement during the sensitive weekday peak hours.

Capacity assessments of the A13/A1012 junction have been requested, and National Highways has recently received a technical note prepared by Vectos setting out the LinSig modelling for the combined junction. This audit is currently ongoing, to determine the severity of development traffic impact. Until this information has been presented, we are unable to determine the impact of proposals on the SRN.

1.4 THURROCK HIGHWAYS:

A Transport Assessment (TA) was submitted in support of the application with a rebuttal to highway comments. Both gave a positive view towards the potential traffic impact, and identifies that there will not be a need for minimal mitigation or changes to various junctions in the locale.

However, a number of queries were raised regarding public transport accessibility and walking and cycling regarding compliance with Thurrock Transport Policies and the NPPF and National Highways raised issues regarding the impact of the development at the North Stifford Interchange and the Treacle Mine roundabout and a meeting was held to discuss the Transport Assessment with ourselves and the traffic modelling with both ourselves and National Highways.

The meeting with KMC transport planning on 1st March 2023 was to discuss their emailed comments (dated 23rd February 2023) and there was a further meeting on 21st March 2023 which discussed our concerns over alternatives means of transport accessibility to the site and we discussed various potential options for them to go way and consider regarding the feasibility and we asked them to look in more detail at the access to Bulphan for pedestrians and if this was feasible.

The applicant has yet to fully provide further information as requested in the meeting regarding sustainable transport measures but has provided a response on the North Stifford Interchange and the Treacle Mine roundabout traffic impact analysis. The comments provide a positive view on the impact.

It is still not necessarily agreed as development proposals could be unacceptable, if they increase demand for use of a section of the network that is already operating over-capacity or cannot be safely accommodated within the existing infrastructure provision, unless suitable mitigation is agreed. This area already suffers at times from severe congestion. The modelling of the North Stifford interchange and the Treacle Mine Roundabout was in the main requested by National Highways and therefore at present full comments remain reserved subject to additional comments from National Highway as clearly there is a close interaction between the National Highways Network and the Thurrock Highway Network. In addition further work on the sustainability of the site in regards walking, cycling, public transport and other forms of transport are awaited.

1.5 FLOOD RISK MANAGER (LLFA):

Objects on the grounds that surface water flow rates are not deflected by the proposed development and would create flooding elsewhere.

1.6 NHS:

Clarification was sought by officers on NHS's previous comments. The NHS responded that the requested financial contribution would be for Horndon-on the Hill and Orsett surgeries.

1.7 ADDITIONAL AREAS OF ASSESSMENT

The following section provides further assessment to matters that have arisen following the publication of the original report. As with the rest of this report, it should be read in conjunction with the report set out in the appendix.

LOSS OF AIRFIELD

The issue of the loss of the current airfield was not previously covered in the January Committee report. One reason for this is that the airfield is not historic but was allowed to continue after enforcement action was taken due to the change of use of the agricultural field to airfield, albeit that this period is now around 20 years.

Notwithstanding, the objector (referenced above) is correct that the NPPF (2021) does indicate in Section "9. Promoting sustainable transport" at para. 106 that

*"Planning policies should:f) recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy*⁴⁵.

⁴⁵ Department for Transport (2015) General Aviation Strategy."

1.8 The NPPF also defines general aviation airfields (GA/GAA) as "Licenced or unlicenced aerodromes with hard or grass runways, often with extensive areas of open land related to aviation activity."

The adopted Core Strategy 2015 postdates the 2012 NPPF (and has been considered by a Planning Inspector to be in accordance with it). There is no local policy requiring the retention of airfields.

- 1.9 Notwithstanding, where a plan is silent on a topic area, the NPPF is a material consideration. The NPPF indicates that there should be a recognition of the importance of maintaining a national network of general aviation airfields. Beyond that there is no specification that any particular airfield has to be retained nor of how many airfields are needed to provide the network indicated.
- 1.10 The 2015 General Aviation Strategy published by the Department of Transport is somewhat dated and two more recent reports are now available which provide more background:
- 1.11 A Report entitled "General Aviation Airfields Study Final Report" by York Aviation was published by the Department for Transport in March 2021. The Study indicates that

"The GA sector is supported by a large and diverse network of airfields located across the UK. Previous research by York Aviation has identified that there may be around 900 active airfields across the country, although this figure is likely to be much higher. Very little is known about a significant proportion of these and many are thought to be very simple, basic 'farm strip' type airfields, sometimes operated under the 28 day rule [permitted development], which allows flying activity to be undertaken for 28 days in a calendar year without planning permission. This research has identified just under 400 airfields where there is some information available, sufficient to support consideration of a broad typology that helps to understand the local economic impact of these airfields. It is, however, important to remember that data on even these airfields is often poor and severely limited, particularly in relation to the extent of activity.

For the purposes of considering the potential local economic impact of GA airfields... identified four broad airfield categories. These can be summarised as follows:

• Category 1 - this category includes airports and airfields with instrument runways that are at least capable of taking Business Aviation light jets but which may also, in some cases, facilitate smaller GA aircraft as well. These airfields are likely to have the greatest economic impact;

• Category 2 - airfields in this category have 50 or more based aircraft. Many are likely to support occasional business-related air taxis and helicopters, including emergency services flights. They generally have a substantial level of flight training, maintenance and hangarage, but do not have the facilities required for larger Business Aviation aircraft. This category would also cover some airfields with grass runways but which are still substantial GA airfields;

• Category 3 - airfields in this category have between 20 and 50 based aircraft and are also likely to have some measure of flight training, albeit generally at a basic (PPL) level. Most also have some maintenance and hangarage, although this is likely to be limited. They are, in many ways, similar to Category 2 airfields but are smaller and with less extensive facilities;

• Category 4 - airfields in this category have fewer than 20 based aircraft or none at all. They are likely to have very limited or basic facilities. Most farm strips, for example, fall into this category."

The airfield at Kings Farm would appear to fall in Category 3 or 4.

- 1.12 The current Thurrock Airfield at Kings Farm remains in use (Case Officer observation on 31.5.23) as a general aviation airfield (GAA) with a number of planes (around 15-20) parked to the south-western corner and the grass cut either side of the hardstanding airstrip.
- 1.13 The DoT report concludes that "Overall, as would be expected, Category 1 airfields are likely to have by some margin the largest local economic impact amongst GA airfields and to make the most substantial contribution towards the Department's broader aims. It should, however, also be recognised that Category 2 airfields can be significant local assets. While Category 3 airfields do appear to make a smaller contribution than Category 2 airfields, they still often have training facilities, and some have links with local educational institutions and share many similar runway characteristics with Category 2 airfields."
- 1.14 While the above DoT report included case studies of only 12 airfields (of around 900), it is reasonable to indicate that the current airfield which includes a hangar and a vehicle workshop would be expected to provide jobs and have a local economic impact.
- 1.15 In 2022, the DoT produced a document entitled "Flightpath to the Future". In Chapter 8 and under a section entitled "Airfield Protection: Supporting the strategic infrastructure network and assets of GA for activities today and to secure it for the next generation" it states:

"We will continue to seek to ensure plan making and decision taking has appropriate regard to the importance of the national network of GA facilities, in line with the National Planning Policy Framework which seeks to recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time. We will publish guidance for Local Planning Authorities on the importance of GA to ensure that GA is better understood and informs local planning and decision taking."

- 1.16 While the above shows a direction of travel, there is no further advice on how to consider the loss of a GA airfield in the planning context. In addition, the current consultation version of the NPPF does not indicate any alteration to the current wording on GA/GAA.
- 1.17 No information has been provided by the applicants regarding the current usage of application site as an airfield. It is recognised that the loss of the airfield would result in the loss of an airfield, loss of aircraft storage and aircraft mechanical/repair services (including jobs associated with it). While business can form part of the flying offer, there is no evidence that this airfield is used in this context as either providing passenger services or commercial carrying services.
- 1.18 Other airfields exist locally, for example at Damyns Hall Farm/Aerodrome in Upminster and at Stapleford Abbots, Essex.
- 1.19 As indicated in the NPPF, there is no specific requirement to retain any specific airfield(s), just for planning policies to be written which consider the maintenance of a network. As such, the loss of an airfield must be considered in this context in the planning balance.

1.20 TRANSPORTATION

The applicant's transport consultants consider, in relation to the proposed new roundabout and lack of detail to ensure that it could meet highway safety standards for both existing and proposed users, that:

- the TA Addendum included a detailed review of the site access junction in terms of compliance with design standards;
- a Stage 1 RSA has been with the TA Addendum submitted in April 2022;
- that a new footway connection from the site along Parkers Farm Road into Bulphan with extensive work undertaken on the design of the proposed footway and;

- the applicant is liaising with the adjacent landowner to get agreement for the footway.
- 1.21 The applicants recognise that the third-party landowner would need to enter into a legal agreement. These negotiations are on-going and it is considered that the deferring consideration of this application has provided sufficient time to finalise the agreement. There is no desire-line for pedestrian or cycle trips along the A128 and the applicant agrees to provide a contribution towards cycle improvements to Orsett. This could form part of any s106 agreement with Thurrock Council. In response to concerns that the application site is remote from shops, services and public transport and would rely almost entirely on private vehicles such that it does not comply with NPPF the applicant considers that the day-to-day needs of residents can be met locally and with the additional facilities provided within the site and whether they can accommodate larger vehicles turning, it is pointed out that this is an outline application and that internal roads form part of any future application for the approval of reserved matters.
- 1.22 The applicant's transport 'Techncial Note May 2023 (KMC Transport Planning) states that:

"KMC commissioned SLR/Vectos to undertake the modelling exercise. SLR/Vectos have previously modelled the A13 corridor including the A13/A1012 and Treacle Mine roundabout in relation to the Thames Enterprise Park (TEP) application which was considered in 2022. To assess the impact of the Thurrock Airfield development, the two junctions have been modelled using the LINSIG model that was originally used to support the VISSIM modelling for the TEP application. The modelling methodology and results are presented in the Technical Note prepared by SLR/Vectos (ref: N01/237249B (REV A)) included in Appendix B. The modelling demonstrates that no material impact is forecast from the Thurrock Airfield development at either roundabout in the AM peak hour. Both junctions are forecast to operate acceptably. In the PM peak, average queues increased by fewer than 4 pcu, to 145m. Even when considering this value as the average queue, the extent is not likely to impact upon operation of the A13 roundabout. The level of change is not considered significant."

- 1.23 The applicant's planning agent on 20th May 2023 indicated that the following information is being completed:
 - the additional information requested in respect of the footpath link between the development site and Bulphan village; and
 - the request from Thurrock Highways to examine the possibility of Parkers Farm being a 'no through road'."

1.24 NH have extended their holding response to 27th July 2023 (that the LPA does not consider an approval of the scheme) citing

"Comments will follow in a separate email shortly. But for the purpose of the application, there is a need to extend our current holding position until this information has been reviewed. Therefore, at this stage, we are unable to determine the impact of proposals on the SRN (Strategic Road Network) and conclude our recommendation to the LPA. Based on the information provided to date, we are not yet able to conclude our audit of the development proposals and determine its impact on the SRN. As such, we are yet to be satisfied that the proposals would not affect the safety, reliability and/or operation of the SRN (the tests set out in DfT Circular 01/2022 and MHCLG NPPF para 111). A holding recommendation extension is included in the NHPR attached and should be in place until at least 27 July 2023 or until we are able to revise our position."

- 1.25 The local highway authority has reviewed the Transport Assessment, Transport Addendum and the Technical Note, together with the email from KMC dated 20th February 2023 and met with the applicant's Transport Consultants along with NH. They confirm that if NH are satisfied regarding the road network, then they would also be satisfied in this respect, although NH (see above) does not agree that the applicant has, even after further information has been provided, fully justified its stance that there would be minimal impact on the national road network.
- 1.26 Notwithstanding, concerns remain with the proposals for cycle and pedestrian links along Parkers Farm Road/Church Lane which stem from the proposal requiring a Traffic Order to stop all but local access to enable the reduction in the 50 mile an hour speed limit which, while it could be required to be undertaken though any s106 legal agreement, would require separate consultation with existing local residents. On the basis that there has been significant local objection to the proposal and also that concerns have been raised that there is rat-running on Parkers Farm Road/Church Lane, the outcome of a Traffic Order is by no means certain. In addition, the roadway/highway limit does not extend wide enough to accommodate all the proposed pedestrian footway works such that a S278 could not be used to provide all the proposed works. The applicant indicates that other owners of the additional land are willing to enter into any necessary deals to enable this. However no signed agreements/evidence has been provided by the applicants that any deals have been made such that there is uncertainty that this could be achieved. In addition, the pedestrian link across a field to the north has not been included within the application boundary/nor is it owned by the applicant. In any event, this route is premised in part by the idea that the small primary school can be extended to accommodate any/all new pupils arising from the proposed development. The local education authority has not indicated that this school can either a) be extended nor

b) that it would wish for this school to be extended in future but has requested a financial contribution towards increasing spaces at existing local schools. While pedestrian/cycle access from the site to the main facilities available in the village of Bulphan would also be from Parkers Farm Road/Church Lane, it is more likely given the long, circuitous route provided to the village shop/other facilities (with no walking access along the A128) that future occupiers of the application site would most likely choose to use their private cars via the A128.

- 1.27 In relation to a possible bus service, the applicant has indicated that they have a quote from a local bus company for a half-hourly service from the application site along the A128. This quote and the request for it have not been provided to the LPA. It is noted that no rural villages in the Thurrock area have such a high-frequency and regular daily services. Notwithstanding, the LHA have indicated that a quote is not confirmation that such a service would be provided such that there is no guarantee that a practical/feasible service would be provided for the new occupiers. Even if one is, it's continued provision would depend on usage and, given high car ownership would be expected for this remote site, it is unlikely that the bus company would provide this service much beyond an initial term. A s106 could not require the bus company to be tied to their quoted provision and the Council could not be required to subsidise a service to this remote location in the longer term. It is not therefore considered that a reasonable public transport service is likely to be provided to the remote application site in the longer term.
- 1.28 Conclusion on Transportation issues:

There has been some movement to try to overcome concerns raised previously, including the provision of a Technical Note in May 2023 and meetings/discussions/email correspondence with the Council's Highways Team. However, despite an additional 6-month period since the application was first included on the January Committee Agenda, neither NH nor local highway authority consider that the information submitted is sufficient that the applicant can justify their scheme in terms of the impact on the highway network or in respect of cycle and pedestrian access or public transport provision in connection with the proposed scheme at the application site.

1.29 FLOOD RISK

The application seeks outline planning permission. However, the issue of flood risk does require some certainty at the outline stage and in the absence of any further submission, it is considered that the proposal does not sufficiently overcome the flooding issues in this fen location where surface water flooding has been identified to the satisfaction of the Flood Risk Manager. Such that a refusal reason is warranted. An additional reason can therefore be added to the list from the Officer

Report of January 2023.

- 1.30 RECOMMENDATION:
- 8.1 For the above reasons, the recommendation remains the same as previously included in the January 2023 Committee report, as follows:

The Committee is recommended to **Refuse** planning permission for the following reasons:

1. The application site is located within the Green Belt, as identified on the Policies Map accompanying the adopted Core Strategy and Policies for the Management of Development (2015). National and local planning policies for the Green Belt set out within the NPPF and Thurrock Local Development Framework set out a presumption against inappropriate development in the Green Belt.

By reason of the scheme being for a large housing estate with ancillary urbanled development, the proposals are considered to constitute inappropriate development with reference to paragraph 149 (inappropriate buildings – shops, services and a medical centre) and 149 g) (inappropriate buildings – dwellings due to harmful impact on openness) of the NPPF The proposals would also be contrary to purposes c) and e) of the five Green Belt purposes, which are that the proposal would not assist in safeguarding the countryside from encroachment (c) and not assist in urban regeneration, by encouraging the recycling of derelict land (e and would, by definition be harmful to the Green Belt.

The identified harm to the Green Belt and other harm identified is not clearly outweighed by other considerations, either singly or in combination, such as to amount to the very special circumstances required to justify inappropriate development in the Green Belt. The proposals are therefore contrary to Part 13, paragraphs 138, 148 and 149 of the NPPF and Policies CSSP4 and PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).

2. The proposals would, by reason of the combination of the high number, scale, density, proposed storey-heights and the extent/spread of proposed dwellings and other built forms across the majority of the 31.2 ha application site, result in harm to openness and permanence which are the essential characteristics of Green Belts, contrary to paragraph 137 of the NPPF and CCSP4 and PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).

- 3. The proposal would result in a large urban settlement which would be harmful to the existing/established visual and landscape characteristics of the fen countryside contrary to Policy CSTP18 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015). The proposal would, by reason of the proposed retail, employment uses and the medical centre in this remote/unsustainable location, result in an unsustainable pattern of development which would cause an unacceptable increase in private vehicle traffic contrary to modal shift expectations, in particular along the A128, cause some loss of vitality and viability of the retail hierarchy's existing town centre uses and facilities particularly in Bulphan and Orsett and not meet the Borough's identified medical facility needs, contrary to paragraphs 142 and 143 of the NPPF and Policies CSSP1, CSTP6, CSTP8 and CSTP11 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015)
- 4. Insufficient information has been submitted as to whether the proposal would adversely impact on the strategic road network (A1089 and A13); as such, National Highways and the local planning authority is not satisfied on the basis of the current submission that the proposals would not adversely affect the safety, reliability and/or operation of the Strategic Road Network (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111) and highway safety concerns are raised in relation to the local road network contrary to Policies CSTP16 and PMD9 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).
- 5. The proposed mitigation measures in the Travel Plan and Transport Assessment Addendum are not, due to their reliance on other landowners and the Council making the provision outside the application site boundary, of sufficient robustness to provide adequate connectivity to existing services such as to overcome the shortcomings associated with the site's remote/unsustainable location, contrary to Policies CSTP15 and CSTP33 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).
- The applicant has not provided sufficient justification as to whether the flooding issues raised can be overcome to the satisfaction of the LLFA. The proposals are therefore contrary to policies CSTP27 and PMD15 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015).

Positive and Proactive Statement

The local planning authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing with the Applicant/Agent. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

Documents:

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

www.thurrock.gov.uk/planning

