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AGENDA

Committee: DEVELOPMENT CONTROL

Date and Time: Tuesday 2nd February 2016 at 7.30 p.m.

Venue: Council Chamber

N.B. This meeting will be webcast live on the internet.

Membership: Councillors Hart (Chairman), Smith (Vice Chairman), Anderson, Blackwell, Cole, Cross, Mrs Govier, Hurrell, Mrs King, Sharp, Varker, Mrs Wass, N. Watson.

Canvey Island Town Councillors : Greig and Tucker

Officers attending: Steve Rogers – Head of Regeneration and Neighbourhoods
Fiona Wilson – Head of Legal Services
Kim Fisher – Chief Development Control Officer

Enquiries: Cheryl Salmon, ext. 2454

PART I (Business to be taken in public)

1. Apologies

2. Members' Interests

3. Minutes

A copy of the Minutes of the meeting held on 5th January 2016 is attached.

4. Public Speakers

The Chairman will announce the names of those persons who wish to speak in support /objection under Agenda Item No. 5 (if any).

5. Deposited Plans

Report of the Head of Regeneration and Neighbourhoods is attached.

	Application No.	Address	Page
1.	14/0707/OUT	Land South of Roscommon Way, Canvey Island (Canvey Island West Ward)	1
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3.	15/1007/FUL	11 Rosemead, Benfleet (St George's Ward)	35
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DEVELOPMENT CONTROL COMMITTEE

5th JANUARY 2016

PRESENT: Councillors Hart (Chairman), Smith (Vice-Chairman), Anderson, Blackwell, Cole, Cross, Hurrell, Mrs King, Varker, Mrs Wass, N. Watson and Canvey Island Town Councillors Greig and Tucker.

Councillors Acott, Ladzrie, Letchford, MacLean, Mumford, Riley, Walter and Wood also attended.

An apology for absence was received from Councillor Mrs Govier.

All Members present offered their best wishes to Councillor Mrs Govier for a speedy recovery from illness.

25. MEMBERS' INTERESTS

Councillor Blackwell declared a non-pecuniary interest in application 14/0707/OUT as he had attended a luncheon which had also been attended by one of the Directors of ILD (Canvey) Ltd and remained in the Chamber during consideration of the item.

Councillor Blackwell declared a non-pecuniary interest in application 15/0949/ECC as he was a Member of Essex County Council and remained in the Chamber during consideration of the item.

Councillor Mrs King declared a disclosable pecuniary interest in application 14/0707/OUT and withdrew from the Chamber during consideration of the item.

26. MINUTES

The Minutes of the meeting held on 1st December 2015 were taken as read and signed as correct.

27. DEPOSITED PLANS

- (a) 14/0668/FUL - 396 LONDON ROAD, BENFLEET, ESSEX, SS7 1AX (BOYCE WARD) – PART TWO/PART THREE STOREY BLOCK OF 22 SELF-CONTAINED FLATS WITH ASSOCIATED PARKING AND LANDSCAPING – MESSRS PATERSON AND BROOKS**

The proposal represented a variation of a previously approved scheme and sought to provide 22 flats on the site. The principle of the use of the site, which was allocated for Green Belt purposes, for residential development had been established by the previous grant of consent for 18 flats as part of a wider scheme of development.

The proposal was considered satisfactory in the context of the provisions of the adopted Local Plan and Residential Design Guidance. It was therefore

recommended for approval subject to conditions and the applicant being willing to enter into a S106 agreement in respect of the provision of contributions towards off-site affordable housing provision, primary education and improvements to Rhoda Road.

During discussion a Member raised concern about the presence of Japanese Knotweed on the site and the effect this would have on the development. The Planning Officer explained that the knotweed would be treated in accordance with the Code of Practice published by the Environment Agency.

A Member questioned whether the provision of parking spaces on the site was adequate. It was stated that one space per unit was acceptable practice and had been agreed for similar applications.

The Committee recognised that the principle of development on the site had been established by a previous grant of consent for a wider development and it was therefore:

Resolved – That the application is approved subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act to secure the following:

- an appropriate contribution towards the off-site provision of affordable housing in lieu of provision on site as part of the proposed development.
- implementation of a scheme for the improvement of Rhoda Road to provide safe and convenient access to the proposed development. Such improvements to be provided prior to first occupation of the approved development.
- appropriate amendments to the Section 106 Agreement dated 21st February 2014 to reflect this new scheme.

then the Head of Regeneration and Neighbourhoods is authorised to approve with conditions as set out in the Planning Officer's report.

- (b) **14/0707/OUT – LAND SOUTH OF ROSCOMMON WAY, CANVEY ISLAND, ESSEX (CANVEY ISLAND WEST WARD) – OUTLINE DEMOLITION OF DISUSED PUMPING STATION AND ASSOCIATED SITE CLEARANCE AND CONSTRUCTION OF COMMERCIAL AND INDUSTRIAL DEVELOPMENT (USE CLASSES A3, B1(B), B1(c) B2, B8 AND SUI GENERIS WORKSHOP AND SHOWROOM) WITH ASSOCIATED LAND-RAISING, VEHICLE ACCESS TO ROSCOMMON WAY, INTERNAL ROAD ACCESS AND PEDESTRIAN LINKAGES, PARKING, SERVICE AREAS, UTILITIES AND INFRASTRUCTURE AND OPEN GREEN SPACE – ILD (CANVEY) LTD**

Consideration of the application had been deferred at the meeting on the 1st December 2015 in order to allow Members to inspect the supporting documentation which had been unavailable to view at that time due to technical

difficulties. The Planning Officer's report had been updated to reflect responses received subsequent to the last Committee meeting.

The application sought planning permission for 7.41ha of employment land uses comprising sui generis uses, (workshop and showroom), A3, B1 (b), B1(c), B2 and B8 uses with associated land-raising, vehicle access from Roscommon Way, site works and landscaping.

The proposal was considered to be an appropriate form of development which would accord with the provisions of the National Planning Policy Framework and Adopted Local Plan and was therefore recommended for approval subject to conditions and the applicant entering into a Section 106 agreement.

Mr Wickham, a representative of the applicant, spoke in support of the application.

Councillor Greig, a representative of Canvey Island Town Council, spoke in objection to the application.

During discussion some Members expressed their support for the development as it was felt it would lead to an improvement in employment opportunities in the area by creating local jobs for residents. Furthermore the site was allocated for long term employment purposes in the adopted Local Plan.

A Member raised concern about the impact the development would have on flooding in the area. The Planning Officer stated that the Lead Local Flood Authority had raised no objection to the proposal.

During debate other Members raised concern that the proposal would lead to an increase in traffic congestion in the surrounding area, the loss of green space, loss of wildlife, the impact the development would have on the drainage system and that it would lead to an increase in surface water level flooding.

Following debate a vote was taken and there was an equality of votes for and against the recommendation in the report. The Chairman elected not to use his casting vote and therefore a further motion was put and seconded. The new recommendation was debated by the Committee following which it was:-

Resolved – That the item is deferred to allow a meeting between the applicant, Chairman, Vice Chairman, appropriate Members and the Head of Regeneration and Neighbourhoods to discuss ways the site may be improved including matters regarding flooding.

- (c) **15/0696/FUL – 408 LONDON ROAD, BENFLEET, ESSEX, SS7 1AX (BOYCE WARD) – ERECTION OF 5 NO. THREE STOREY BUILDINGS CONTAINING A TOTAL OF 37 SELF-CONTAINED FLATS WITH REFUSE AND CYCLE STORAGE, PARKING, LANDSCAPING AND VEHICULAR ACCESS TO CATHERINE ROAD – ARGENT DEVELOPERS LTD**

The application sought to provide five blocks providing a total of 37 flats with associated parking and amenity area provision. In all the circumstances it was considered that the proposed scheme achieved an appropriate form of development on the site and it was therefore recommended that the application be approved.

Councillor Smith had requested that the application be presented to the Committee in order to consider the effect of the development on the surrounding area and the Green Belt.

Mrs Taylor, a local resident, spoke in objection to the application.

During debate some Members felt that whilst the application represented a more intensive form of development on the site than a previously approved scheme there was no sustainable reason for refusal particularly because the proposal would be similar in height and combined footprint to the previous application and there would be no greater impact on the openness of the site. It was also recognised that there was a need to make the most effective use of land for housing development.

Other Members felt that the provision of 37 flats in place of 8 detached dwellings represented overdevelopment of the site. It was believed that the proposal would have a significant impact on the openness of the site and therefore be detrimental to the area.

Following debate a vote was taken and there was an equality of votes, the Chairman exercised his casting vote in favour of the recommendation in the report and it was:

Resolved – That the application is approved subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act to secure the following:

- the upgrading of Catherine Road to an adoptable highway standard insofar as it serves the proposed development.
- proposed scheme for Block 1 to be Affordable Housing in perpetuity, and its transfer to a Registered Provider on its completion.
- appropriate amendments to the Section 106 Agreement dated 21st February 2014 to reflect this new scheme.

then the Head of Regeneration and Neighbourhoods is authorised to approve with conditions as set out in the Planning Officer's report.

(d) 15/0730/FULCLO – CRUCIBLE HOUSE ENDWAY, HADLEIGH, BENFLEET, ESSEX (ST JAMES' WARD) – ERECTION OF THREE STOREY REAR EXTENSION AND SECOND FLOOR EXTENSION OVER EXISTING BUILDING – ESSLAB

The application sought permission to extend the existing commercial building into the adjoining car park. Whilst there were some deficiencies in respect of the proposal in all the circumstances it was considered unlikely that reasons for refusal could be supported on appeal. The application was therefore recommended for approval.

The application was presented to the Committee as the Council had a legal interest in the land required to extend the building.

During discussion Members expressed that they were in favour of the proposal and it was therefore:

Resolved – That the application be approved subject to the conditions set out in the Planning Officer's report.

(e) 15/0772/FUL – THAMES COURT, WESTERN ESPLANADE, CANVEY ISLAND, ESSEX, SS8 0AY (CANVEY ISLAND SOUTH WARD) – ADDITIONAL 3RD FLOOR CONTAINING 2 NO. 1 BEDROOM FLATS – RYGA PROPERTIES

The application sought permission for the provision of two additional flats over the existing three storey building. Whilst there were no objections in principle to additional flats, the proposal was considered to be of unsatisfactory design and was therefore recommended for refusal.

The application was presented to the Committee at the request of Councillor Campagna, in order for the Committee to consider the need for additional dwellings in the borough, as well as the effect of the development on the surrounding area.

During discussion Members stated that the application represented overdevelopment of the site and that the proposal was of a poor design. It was therefore:-

Resolved – That the application be refused because the proposal would result in the provision of a roof design that would be uncharacteristic of the area and detrimental to the visual amenity of the area, contrary to Policy EC2 of the Castle Point Borough Local Plan, RDG7 of the Council's Residential Design Guidance and Government guidance as expressed in the National Planning Policy Framework.

(f) 15/0910/FUL – NASHLEA FARM, POORS LANE, BENFLEET, ESSEX, SS7 2XF (VICTORIA WARD) – DEMOLITION OF EXISTING BUILDINGS AND

CONSTRUCTION OF 6 NO. DETACHED HOUSES AND ASSOCIATED FACILITIES - EA AND BA WISBEY

The application sought permission for the residential redevelopment of a site located within the Green Belt. The proposed redevelopment of the site had a materially greater impact on the openness of the Green Belt than existing development, and would consequently constitute an inappropriate form of development.

It was not considered that any very special circumstances necessary to justify inappropriate development in the Green Belt could be identified in this case. Approval of the proposal would be contrary to the guidance contained in the National Planning Policy Framework and Policy GB3 of the Adopted Local Plan.

The agent had stated that the current proposal sought to reduce the footprint of the dwellings from the previously refused proposal (14/0737/FUL). The footprint of the dwellings at - Plots 1 and 6 had been reduced from 206.06m² to 192m², Plots 2 and 5 had been reduced from 196.5m² to 185.6m², Plots 3 and 4 had been reduced from 162.6m² to 155.1m². These marginal changes had been achieved by reducing the size of the proposed garages. It was not considered that such a minimal reduction in the footprint of the dwellings resulted in significant reduction in the size and mass of the dwellings. It was not therefore considered that the revised proposal overcame the earlier reason for refusal and it was considered that the proposal resulted in significant harm to the openness of the Green Belt. The proposal was therefore recommended for refusal.

Councillors Riley and Sharp had requested that the application be presented to the Committee in order for the Committee to consider the need for more dwellings and the effect of the development on the Green Belt.

Mr Butter, a representative of the applicant, spoke in support of the application.

Councillor Riley, a Ward Member, spoke in support of the application.

During debate some Members expressed their support for the application as it was considered that the site was more than suitable for this type of development, particularly in light of the fact that there was a need for residential properties in the borough. Other Members felt that the proposal would impact on the openness of the Green Belt and did not consider that there were any very special circumstances which would justify the development in the Green Belt.

Following detailed debate it was:-

Resolved – That the application be approved subject to conditions to be agreed by the Head of Regeneration and Neighbourhoods in consultation with the Chairman and Vice Chairman.

- (g) **15/0961/FUL – LAND ADJACENT TO 1 NORWOOD DRIVE, BENFLEET, ESSEX, SS7 1LJ – DEMOLITION OF DETACHED GARAGE AND**

**CONSTRUCTION OF 1 NO. DETACHED HOUSE (REVISION TO 15/0647/FUL)
– PARQUEZ DEVELOPMENT LIMITED**

Planning permission was sought for the demolition of an existing detached garage and the construction of a three bedroomed detached chalet. It was considered that the proposed development, by reason of its position on site, substantially in advance of the established building line to Essex Way, coupled with its mass and scale, would appear as an incongruent and overly prominent feature in the street scene, out of character with, and detrimental to, the pattern of development in the area. The proposal was therefore recommended for refusal.

The application was presented to the Committee at the request of Councillor Sharp, in order for the Committee to assess the impact of this development on the surrounding area.

Mr Moeller, a local resident, spoke in objection to the application.

Mr Pilgrim, a representative of the applicant, spoke in support of the application.

During discussion some Members felt that the application was acceptable and were supportive of the principle of development on the site. It was not considered that the development would be substantially in advance of the established building line in Essex Way. However Members did note the comments made by Mr Moeller regarding the impact the removal of the trees could have on flooding in this location and it was suggested that if the application was approved a condition be added to retain the trees.

Other Members considered that the proposal was unacceptable due to its mass and scale and would be an overly prominent feature in the street scene. It was also noted that a number of previous applications of a similar design for the site had been refused and two appeals had been upheld.

Following detailed discussion it was:-

Resolved - That the application is approved subject to a condition that the trees on the site be retained and any other conditions considered appropriate by the Head of Regeneration and Neighbourhoods in consultation with the Chairman and Vice Chairman.

**(h) 15/0703/VAR – 396-408 LONDON ROAD, BENFLEET, ESSEX, SS7 1AX
(BOYCE WARD) – DEED OF VARIATION OF PLANNING PERMISSION
CPT/25/13/FUL – PHASE 2 PLANNING AND DEVELOPMENT LTD**

The proposal sought to vary an existing Section 106 Agreement to allow separate land owners to pursue their own independent development proposals. The variation would in effect separate the obligations in the Agreement between the different owners on a pro rata basis. The planning objectives underpinning the Agreement would continue to be secure if the variation was to be agreed; if

further proposals for redevelopment were to be approved, then a varied agreement can also reflect this. The application was therefore recommended for approval.

Following discussion it was:-

Resolved – That the application is approved.

- (i) **15/0949/ECC – LAND ADJACENT TO GLENWOOD SPECIAL SCHOOL, RUSHBOTTOM LANE, THUNDERSLEY, BENFLEET, ESSEX – (ST GEORGE'S WARD) – DEMOLITION OF THE FORMER MONTGOMERIE INFANTS SCHOOL BUILDING AND THE CONSTRUCTION OF A NEW SPECIAL NEEDS SCHOOL WITH ASSOCIATED CAR AND CYCLING PARKING, LANDSCAPING AND INFRASTRUCTURE – ESSEX COUNTY COUNCIL**

The proposal sought to provide a new Special Educational Needs School with associated infrastructure and facilities on land on the west side of Rushbottom Lane. In terms of the principle of such development, the site was allocated for Green Belt and School purposes in the adopted Local Plan. This factor, coupled with Government advice in respect of the provision of a wide range of high quality educational opportunities and the identified need for a Special Educational Needs School in the area, which together with the limited impact of the proposal on the openness and strategic function of the Green Belt at this location were considered to represent the very special circumstances required to outweigh the harm to the Green Belt. Subject to a condition seeking to secure the amenity of adjoining residents, it was recommended that no objection was raised to the proposal.

Councillor Walter, a Ward Member, spoke on the application. Whilst he was supportive of the development of the site and stated that the new building was much needed and was of a very good design he did not feel that the proposed position of the building achieved the best use of the land as it would not optimise parking provision on the site. He therefore suggested that the Committee request that ECC move the building 10m to the north of the site.

Councillor Wood, a Ward Member, spoke on behalf of local residents and raised concerns regarding the impact the development would have on the surrounding highway whilst the building was under construction.

During discussion Members generally expressed their support for the proposal and recognised that it was a much needed and beneficial facility for the Borough. However the comments made by the Ward Members were noted and it was recognised that the south east corner of the site was very near to residential properties and it was therefore suggested that appropriate fencing or screening should be installed to protect adjoining residents from noise.

Following discussion it was:

Resolved –

1. That no objection be raised to the proposal, subject to appropriate conditions imposed on the grant of any consent to secure appropriate ecological mitigation, landscaping and screening, community use agreement and use of the turning/service in the south east corner of the site.
2. That in determining the proposal ECC be requested to give consideration to the following:
 - (i) That a condition be imposed on the grant of any consent requiring the provision of appropriate acoustic fencing to be provided to the boundary at the south east corner of the site, in order to protect adjoining residents from noise and disturbance generated by the use of the service area.
 - (ii) That the developer be required to submit a construction management plan for the site
 - (iii) That the submitted construction management plan be approved by Essex County Council and fully implemented by the developer
 - (iv) That consideration be given to the relocation of the building 10m to the north.

Chairman

ITEM 1

Application Number:	14/0707/OUT
Address:	Land South Of Roscommon Way Canvey Island Essex (Canvey Island West)
Description of Development:	Outline - Demolition of disused pumping station and associated site clearance and construction of commercial and industrial development (Use Classes A3, B1(b), B1(c), B2, B8 and sui generis workshop and showroom) with associated land-raising, vehicle access to Roscommon Way, internal road access and pedestrian linkages, parking, service areas, utilities and infrastructure, and open green space
Applicant:	ILD (Canvey) Limited
Case Officer	Mrs Ishita Sheth
Date of Expiry	11.03.2016

Note

Consideration of this application was deferred at the meeting of the 2nd January 2016 to facilitate a meeting between the applicant and Members to discuss the proposal. A verbal report on this meeting will be made to the Development Control Committee.

Summary

The application seeks planning permission for 7.41ha of employment land uses comprising sui generis uses, (workshop and showroom), A3, B1 (b), B1(c), B2 and B8 uses with associated land-raising, vehicle access from Roscommon Way, site works and landscaping.

The proposal is considered to be an appropriate form of development which would accord with the provisions of the National Planning Policy Framework and Adopted Local Plan and is therefore recommended for APPROVAL subject to conditions and the applicant entering into a Section 106 agreement.

Site Visit

It is not considered necessary for Members to visit the site prior to determination of the application.

Introduction

The site lies to the south of Roscommon Way, approximately 340m west of its junction with Haven Road. To the south east of the site, along Haven Road, is a large liquid storage site (Oikos). To the north of the site is the Charfleets Industrial site.

The site is irregularly shaped with an area of some 8.36 hectares. The land is largely undeveloped but currently contains a (former) pumping station in the south east corner. The site is bounded to the south with a low level ditch which drains into Holehaven Creek. A ditch also runs north - south through the centre of the site.

The site is allocated for long term employment purposes in the adopted Local Plan. This allocation has been revised to employment land in the consultation draft New Local Plan.

The site falls within the Greater Thames Marshes Nature Improvement Area, forms part of a designated Local Wildlife Site (CP5 – Canvey Village Marsh) and consists of the remains of an old grazing marsh system, representing a scarce and declining Essex habitat. The fields that make up the Site are variously grazed, cut for hay or under no current management, each of these resulting in grasslands of different character. Although of considerable significance in its own right, this wildlife site also provides an extension to the adjacent Canvey Wick SSSI and links it to the Brickhouse Farm Marsh LoWS to the east (CP38).

The Proposal

The application is in outline form, with all matters reserved except for access. The application seeks planning permission for 7.41ha of employment uses comprising Sui Generis uses (workshop and showroom), A3, Restaurants and Cafés for the sale of food and drink for consumption on the premises, B1(a) Offices, not within A2), B1(b) Research and development, studios and laboratories and high technology and B1(c) Light Industry, B2 General industrial but excluding incineration purposes, chemical treatment or landfill or hazardous waste and B8 Storage or Distribution, including open air storage, with associated land-raising, vehicle access from Roscommon Way, site works and landscaping.

The application is accompanied by an illustrative layout plan and shows the division of the site into 6 zones. The existing site is bisected north-south by a small ditch, which is proposed to be retained and straightened and will inform the division of the site into its various zones. The site will be served by a new spine road extending from the eastern-most roundabout on Roscommon Way eastwards through the site.

The western part of the site, comprising of Zones 1-4 would provide Sui Generis Uses, A3 and B1 (b) or B1(c) uses with the eastern part providing an area of larger B2 and B8 units.

The application indicates the provision of some 909m² for Sui Generis/workshop and car showroom use, 700m² for A3 use, 6,400m² of B1(b) and B1(c) use, 12,000m² of B2 use and 6,300m² of B8 use; providing an overall floorspace of some 26,400m². The indicative layout shows each unit provided with independent car parking and servicing areas and of 2 storey height.

The land levels are proposed to be raised by a maximum of some 0.673m, to bring the site level with Roscommon Way. Such land-raising will result in a loss of floodplain storage capacity which will be compensated by the provision a pond on land to the east of the proposed development area.

It is proposed to provide a hydrological connection to the drain by the construction of a sloping 'ramp' which extends for a length of some 15m.

It is also proposed to provide off site ecological mitigation on land to the north-east of the application site (referred to as the 'pear shaped' site) and a landscape buffer to the boundaries of the site.

Supplementary Documentation

The application is accompanied by the following documents:

- Environmental Statement, Non Technical Summary and Addendum
- Framework Travel Plan
- Archaeology Desk Based Assessment
- Transport Assessment
- Flood Risk Assessment
- Ecological Report

These are available to view on the Council's website.

Planning History

The site is undeveloped and has no planning history.

Local Plan Policies

The site is allocated for long term employment purposes within the Adopted Local Plan.

Long term is defined as post 2001.

The policies applicable to this application area as follows:

National Planning Policy Framework

Paragraphs

18 – 21	Securing economic growth
101 -104	Flood Risk
109	Conserving and enhancing the natural environment
118	Conserving and enhancing biodiversity

National Planning Guidance

Paragraphs 66 and 67	Flood Risk
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Adopted Local Plan

ED2	Long Term Employment Needs
T2	Intensification of Access Use
T8	Car Parking Standards
EC7	Natural and Semi-Natural Features
EC13	Protection of Wildlife and their Habitats
EC14	Creation of New Wildlife Habitats

Consultation

CPBC Planning Policy

The Council is currently in the process of progressing a New Local Plan following consultation on a draft in the Spring of 2014.

The site is identified for employment purposes in both the current 1998 Adopted Local Plan and the draft of the New Local Plan.

The National Policy Context for Economic Development

Section 1 of the NPPF sets out the Government's policies in relation to planning for a strong and competitive economy. Paragraphs 18 and 19 are clear that the Government is committed to securing economic growth in order to create jobs and prosperity, and to ensuring that the planning system does everything it can to support sustainable economic growth. Paragraph 20 is clear that local planning authorities have a key role in planning proactively to meet the development needs of business and support an economy fit for the 21st century.

Paragraph 21 of the NPPF sets out the specific requirements for local planning authorities in terms of planning for economic growth. It expects policies to address potential barriers to investment and not over burden businesses through excess requirements. Local Plans should set out a clear economic vision and strategy for their area, which supports existing and emerging business sectors, identifies priorities for regeneration, infrastructure provision and environmental enhancement, and promotes the development of clusters and the knowledge economy.

The Principle of Employment on this Site

The site was designated in the 1998 Adopted Local Plan as a long term employment site, to be brought forward upon review of the plan (Policy ED2). Policy T6 also makes reference to the site. It makes provision for a new road to be constructed as an extension of Roscommon Way and requires this to be provided prior to the development site.

The Draft New Local Plan identifies the site as an extension to the existing Charfleets Industrial Estate to be made available for employment purposes (B1b, B1c & B2). Furthermore the extension to Roscommon Way is now complete, providing appropriate access from a roundabout into the site.

The NPPF is quite clear that the presumption in favour of sustainable development does not apply in certain instances as set out in footnote 9. This includes sites in locations at risk of flooding. The 1998 Adopted Local Plan is silent on matters of flood risk. As such regard should be had to paragraphs 100 to 103 of the NPPF.

The South Essex Surface Water Management Plan 2012 identifies Canvey Island as a Critical Drainage Area. Given its low lying nature, land on Canvey is subject to surface water flooding and any development proposals at this site need to be designed to achieve resilience and resistance to flood risk. They also need to be designed to manage surface water drainage issues on or adjacent to the site and prevent an increased risk of flooding by surface water to other properties nearby.

A Local Wildlife Site designation (LoWS CPT5) affects the site. The development must provide sufficient and suitable compensation for the loss of wildlife in order to result in a net gain in biodiversity. Regard should be had to paragraphs 109 and 118 of the NPPF.

The Need for Employment in Castle Point

The Castle Point Employment & Retail Needs Assessment 2012 identifies that the Borough has less employment space overall than all neighbouring boroughs and that provided is predominantly comprised of industrial provision with a relatively low level of office provision.

The Assessment identifies that there is good demand for industrial space in Castle Point generally, but little available supply. Much of the stock is identified as old and unsuited to current

needs, with few larger units and little modern stock. There are indications that local firms may find it hard to expand or upgrade premises without moving out of the Borough.

Demand for office space is low, predominantly for small units by local firms. Supply is also very low, predominantly comprised of small, older premises above shops and with very few new premises being built. The Borough is also identified as having very limited provision for small, start-up businesses compared with adjoining boroughs.

The application site is considered reasonably suited to meet future needs, although its proximity to the Thames estuary, relative remoteness and potential drainage issues are highlighted as potential matters to deter development.

The application site is considered to benefit from good strategic and local access, via Roscommon Way and its Extension, but it is still considered relatively isolated from public transport. Potential flood risk issues are highlighted, given the site's location in Flood Zone 3, as well as potential drainage issues. The Assessment also indicates that the site's proximity to the established Charfleets Industrial estate gives it a reasonably good profile. It concludes by considering the site as an average quality employment site, but which is available in the short term, and could accommodate B1c, B2 & B8 uses.

The Assessment states that comparing future requirements with the current supply of employment land in the Borough, which includes the application site, suggests that there is adequate quantitative supply of industrial space to meet future needs to 2031, under different estimates of future demand.

Highway Authority

No objection subject to conditions.

1. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

2. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

4. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under-body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

5. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

6. The Cycle / Powered Two wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

7. No occupation shall commence until such time as the provision of a 2m wide footway from the site entrance to link into the existing Public Right Of Way along Roscommon Way has been provided entirely at the Developer's expense.

Reason: To make adequate provision within the highway for additional pedestrian movements generated as a result of the proposed development.

Environment Agency

No objection subject to the following condition:

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by SLR, referenced 407.05024.00001 Version 2 and dated April 2015, subsequent correspondence from SLR dated 8 June 2015 and the revised

modelling and ground levels provided in a letter from SLR, dated 2 July 2015, and the following mitigation measures detailed within these:

1. Provision of compensatory flood storage to provide level for level direct compensatory storage for the main river crossing/bordering the site.
2. Excavation of the compensatory storage area must be complete before infilling on site commences.
3. Ground levels across the development shall be set at a maximum of 1.8mAOD.
4. A Flood Warning and Evacuation Plan in combination with the incorporation of a mezzanine floor within each building, to ensure safe refuge on site is available if required.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons:

1. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.
2. To ensure that flood plain capacity is maintained during construction of the development.
3. To ensure that there is no negative off site impact due to land-raising in accordance with Table 13.1 of R&D document FD2320.
4. To ensure safe access and egress from and to the site.

A Condition in respect of water voles has also been recommended which states the following:

- o Prior to any works to the banks of the ditch, a water vole survey will be undertaken by a qualified ecologist at an appropriate time of year and using recognised survey techniques. In the event that the works have the potential to affect this species then a mitigation scheme for both during construction works and once the development is complete shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the agreed mitigation scheme.

Reason: To ensure protection of the water voles in this location.

An objection relating to the Water Framework Directive (WFD) has been removed provided a condition is appended requesting the submission of a formal Construction Management Plan (CMP). In the physio-chemical section of the WFD assessment, it states that the risks of siltation and pollution from construction works will be managed through a formal CMP, which should be conditioned as part of any planning permission. The EA suggests that silt traps should be used as a standard procedure to prevent siltation of Charfleets Dyke during construction and would like confirmation of the measures to be used as part of the CMP.

Flood and Water Management Officer

No objection subject to the following condition:

The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) (SLR Consulting, Reference: 407.05024.00001, April 2015), has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the Drainage supporting letter (SLR Consulting

Ltd, Ref Reference 407.05024.00001, 8 June 2015). The scheme shall be implemented in accordance with the approved details before the development is completed.

In particular the Drainage scheme shall include the following:

- o Drainage modelling calculations showing the discharge of run-off from all the sub-catchments of the development restricted to the equivalent 1 in 1 year greenfield rate. In this case, the maximum discharge from each of the 5 outfalls will be limited to 1l/s.
- o Where on site attenuation is achieved through ponds, permeable paving, permeable sub-base, or other similar methods, calculations showing volume of these should be submitted.
- o Drainage calculations should demonstrate how the system operates during a 1 in 100 year event, for the critical duration storm, including an allowance for climate change.
- o Drainage Strategy Layout/Plan of the scheme including dimensions of the different SuDS features. The plan should indicate the areas for surface storage of exceedance flows and flow paths which should be away from buildings.
- o Provide details of adoption and schedule of maintenance of the scheme for the lifetime of the development.
- o Provide the required number of treatment stages for treating run-off from the different areas of the development.

They also have the following advisory comments:

- o Whilst the site is not situated in a Critical Drainage Area, (CDA) reference should be made to the recommendations of the Surface Water Management Plan as the site may impact on the adjacent CDA.
- o The site is situated in Flood Zone 3, and benefits from the flood defence infrastructure along the River Thames. The EA recommendations on the submitted fluvial modelling must be fully incorporated in the planning condition(s) as outlined.

Anglian Water

No assets owned by Anglian Water or subject to an adoption agreement within the development site boundary. Recommends the following condition to be attached to any consent granted:

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No premises shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

Natural England

No objection subject to suitably worded planning conditions which achieve the following:

- An **on-site** landscaping, habitat creation and management plan (including monitoring), targeting in particular those invertebrate species which currently use, or are likely to use, the Roscommon Way Extension road verges, and the broader assemblage of invertebrate species known from the Canvey Wick SSSI (especially highly mobile species which are likely to use foraging habitats beyond the boundary of the SSSI).

- An **off-site** habitat creation and management plan (including monitoring), targeting a similar range of species as described above.
- A Wildlife Protection Plan, to safeguard sensitive wildlife habitats during the construction phase of development.
- A lighting strategy, to minimise light spill onto surrounding wildlife habitats.

Natural England supports the intention to transfer the off-site “pear shaped land” to an appropriate nature conservation body (SLR letter to Natural England, dated 10th March 2015, section 5, page 8). The transfer of land and funded habitat management in perpetuity should be set out within a S106 legal agreement. This agreement needs to include details of the area of land to be managed and details of the organisation that will be responsible for implementing the scheme (both for an initial habitat creation and aftercare period, suggests for a minimum of three years, and thereafter). The agreement should be implemented and maintained in perpetuity. Other similar developments in the area have included a land management agreement for 99 years. The Agreement shall also include confirmation that an adequate funding package has been agreed between the applicant and the organisation to which the compensation area will be transferred.

Welcomes the proposed Construction and Environment Management Plan (CEMP). This should be secured with a suitably worded planning condition.

The Landscaping and Habitat Creation Management Plan (LHCMP) should be secured with a suitably worded planning condition. The Plan is proposes that this be limited to 10 years in duration; however Natural England considers that habitat management should be in perpetuity, in practice this should be 99 years, consistent with similar development projects within the area.

Essex County Council – Infrastructure Planning Officer

Requests a contribution of £370,560 for early years and childcare places.

Canvey Island Town Council

Following a meeting of the Planning Committee on the 27th July 2015, the Town Council objects to this application for the following reasons:

- o Major infrastructure improvements are required due to the significant impact of this development to the surrounding infrastructure.
- o This is not an isolated development proposal for this area and would overburden the highway network and would be contrary to Planning Policy T4 of the adopted Local Plan.
- o Flood Risk Assessments do not provide the evidence that the risk of flooding to the surrounding areas have been considered or sufficient preventative measures are in place.
- o The New Local Plan has yet to go out for consultation and should be considered before large developments are approved due to the impact to the surrounding areas and existing infrastructure.
- o There will be a detrimental impact on the traffic coming off the island along Somnes Avenue as the right of way is given to the additional traffic coming onto the island.

- o There is no sufficient evidence as to how foul water will be dispersed adequately.
- o There will be increased movement of traffic around the existing COMAH sites.
- o There are no cycle lanes to support the suggestion of other forms of transport and cycle provision and therefore the current infrastructure of the island is insufficient and would be contrary to Planning Policy T4 of the adopted Local Plan.
- o Traffic impact study required to ascertain the effect on the island's infrastructure as the intensification of traffic to the highway network is contrary to Planning Policy T2 of the adopted Local Plan.
- o Infrastructure requirements cannot be met and would be contrary to Planning Policy CF1 of the adopted Local Plan.
- o Policy CF13 should be considered due to the large scale development and the impact to the surrounding area.

British Pipeline Agency

Not aware that any of BPA apparatus falls within the application site.

Not in zone of interest.

Legal Services

No objection

Essex Field Club

Objects to the proposal for the following reasons:

- Survey inadequate
- The species which the Field Club consider present on the site were not found during the survey.
- The proposal which involves land raising would result in unpredictable effects on hydrology of the site.
- Run-off and pollution from vehicle movements within the development would have severe implications for the aquatic fauna.
- 5m buffer is insufficient to avoid damage.

It should be noted that these were comments to the original submission. The ecology report has since been amended overcoming the objections from Natural England.

Further comments have been received stating that the Essex Field Club could demonstrate that the site has rare species if it had permission to access the land.

Refuse and Recycling

No comments at this stage.

Buglife

Objects to the proposal for the following reasons:

- Impact on SSSI and its associated invertebrate assemblages.
- Potential impacts on nationally rare and scarce invertebrates.
- Loss of Local Wildlife Site.
- Inadequate survey and assessment of site's value.
- Absence of mitigation

Disputes the assessment of the site's value and considers that the lower ecological value of the site is the result of only short term high intensity management which is likely to be reversible with a more relaxed regime due to how recently the site provided a rich forage resource. Considers that the floral resource of these grasslands could be easily raised with more appropriate, sympathetic management.

Acknowledges the re-designed landscaping area to create a more continuous mitigation area undertaken in consultation with Natural England and notes that this has resulted in some improvements to the overall scheme. However, considers the proposed wildflower areas insufficient for the scale of impact that the proposed development is likely to have on the site and the surrounding area.

Raises concerns in respect of the raising of the ground and the potential for altered site hydrology to impact on the site's recognised ditch fauna. Concerns about the lack of long term commitment to manage the limited mitigation proposed.

Essex Badger Protection Group

No objections

RSPB

Refers to letter of the 11th August 2015. The Environmental Statement (ES): Addendum (CIR.I.0109 dated August 2015) does not fully meet the mitigation requirements requested both the RSPB and Natural England, as clearly presented in the letter of the 8 May 2015. Furthermore, it is essential that due weight and consideration is given to the new comments made by Mr Peter Harvey of the Essex Field Club in his email of the 10th August 2015 in relation to the ecological significance of the Local Wildlife Site.

Detailed Comments

1. Management Plans

1.1 Welcome the intentions of the Landscaping and Habitat Creation Management Plan (LHCMP) as presented in paragraphs 5.5.20/21 in the ES Addendum in connection with the flood attenuation land to the east of the main development.

1.2 Also notes that there will be a Management Plan (paragraph 5.6.4) for the “pear-shaped land” directly to the north of this area, referred to in Appendix 5.10 ‘Phase 1 Habitat Plan and Offsite Areas’ and previously described in Drawing 5982_13 “Proposed Wildlife Habitat Plan with building footprint”.

1.3 The RSPB is concerned that the LHCMP only has a ten-year span and that the management of the “pear-shaped land” has not been given a timescale, merely being described as “long-term”.

1.4 Natural England, in their letter of the 8 May 2015, highlight that such plans should run in perpetuity and reference that similar plans in the area have a 99-year term. The RSPB believes that such vision is essential, in order that the Council can be satisfied that the important invertebrate species which exist in and around the neighbouring Canvey Wick Site of Special Scientific Interest (SSSI) are maintained and enhanced.

1.5 Note that there is no mention of a structured programme of monitoring. This must be included in any management plan in order to ensure its effectiveness.

1.6 The RSPB considers that any land being managed must also be functioning for the important invertebrate species in advance of the main development.

2. Email from Peter Harvey dated 10th August 2015

2.1 In light of Mr Harvey’s email, urge the Council to give due weight to this in accordance with paragraph 109 of the National Planning Policy Framework which states, “The planning system should contribute to and enhance the local environment by establishing coherent ecological networks that are more resilient to current and future pressures.”

2.2 As such, refer to point 2.14 of our previous correspondence dated 28 January 2015, which highlighted the importance of such a network for the key nationally-important species present on and around the adjacent Canvey Wick SSSI.

3. Biodiversity enhancements – other species

3.1 Whilst the RSPB is fully supportive of nest-boxes being installed (paragraph 5.5.16), an opportunity will be missed here if the development does not incorporate integrated nest-boxes into the fabric of the design.

3.2 This would be in line with Development Management policy NE8 (paragraph 18.50) of the draft Local Plan which highlights the good work being undertaken across Essex to “integrate biodiversity in to development”.

3.3 Integrated nest-boxes are primarily used by Birds of Conservation Concern such as swifts, starlings and house sparrows. The latter two species are also priority species under the Natural Environment and Rural Communities (NERC) Act (2006). Nest-boxes, which are proposed in the ES Addendum are generally used by more widespread species and after time are likely to fall in to disrepair.

3.4 The RSPB would welcome the opportunity to work with the Council and the developer to advise on how an integrated nest-box scheme could be worked in to the fabric of the

development. Such a successful scheme would provide the Council with an opportunity to demonstrate its delivery of policy NE8.

Environmental Health Officer

The proposed development raises no immediate concerns.

Health and Safety Executive

No objection on safety grounds.

Subsequent Responses

Subsequent to the above comments, an email was received from the agent stating the following:

On the matter of nature conservation

In the response of 6th October 2015, SLR stated that the LHCMP (Landscape Habitat Creation Management Plan) would encompass both on and off-site areas (i.e. site landscaping, 'pear-shaped' land and the 'loop' field which includes the flood mitigation area). This would deliver a coherent approach. SLR explained that the plan would be for a 10 year term to establish habitats, monitor their development, and manage the land to its full potential for invertebrates. Thereafter, the LHCMP would be reviewed every 5 years within the framework of an agreed mechanism (i.e. the s.106) to secure funding for long term management and funding. The funding package would be for 25 years, and the relevant land transfer would be in perpetuity (i.e. 99 years). The distinction between the long-term 25 year funding package and the 'in perpetuity' land transfer is therefore an important one.

On the matter of education contribution

Refers to the correspondence between the applicants and ECC regarding the proposed early years and childcare contribution. Considers that the figure of £370,560 will be subject to a reduction given the up-dated employment generation evidence that has been provided to ECC whose response is awaited.

On the matter of conditions

In relation to the proposed conditions, considers that there is some unnecessary duplication between their requirements and the intended scope of the s.106, and that some conditions could also be combined. Conditions 13, 16 and 17 all include matters covered, at least in part, by the s.106. Furthermore, conditions 16 and 17 could be combined into one holistic plan for the on and off-site areas, and conditions 21 and 22 could be combined with condition 21 stating that the boxes are to be installed prior to the nesting season following completion of the relevant buildings. Considers it would be useful to agree definitions of 'on-site' and 'off-site' in order to avoid any uncertainty. This might be an appropriate matter for discussion during the s.106 drafting process.

Consultee responses

In response to the agent's email, responses have been received from Natural England and the Infrastructure Planning Officer (Essex County Council) as below:

Natural England

In letter of 22nd September 2015, sought clarification on the duration of the management plan, as a 10 year plan was referred to in the ES Addendum. Note that this 10 year plan represents the initial habitat creation and management plan period, to be followed by 5-yearly reviews.

Furthermore, note that the funding package associated with habitat management of off-site areas (the “pear” land and the “loop” parcel) is to be limited to 25 years, however the transfer of that land would be in perpetuity.

Natural England welcomes the proposal to secure the off-site land parcels for nature conservation purposes (consistent with the wider aspirations of the area) by way of land transfer to a conservation organisation, and supports the provision of funding to achieve the objectives for these areas. The commuted sum should be adequate for the conservation body to meet the management objectives of that area for the time period in question. In this case a 25-year funding package has been offered.

Without assurances that ongoing management will be resourced beyond the 25-year funded term, Natural England does not consider that 25 years represents a “long-term” agreement. Advise that Natural England cannot speak for the nature conservation organisation in question, and ultimately it must feel that the package is adequate to deliver the aspirations of the area for the required period.

Infrastructure Planning Officer- Essex County Council

- o Confirms that the link between job creation and nursery spaces is based upon countywide (Essex) experience. Details about this and information as to how a contribution is calculated can be found in the Developers’ Guide to Infrastructure Contributions and the Education Supplement.
(<http://www.essex.gov.uk/Education-Schools/Schools/Delivering-Education-Essex/School-Organisation-Planning/Pages/Developer-Contributions.aspx>)
- o With regards to ‘double counting’, residential units and employment sites are calculated separately. Double counting could only occur on a mixed use development whereby a new resident also gained employment on the development.
- o There are currently no signed S106 agreements for early years and childcare (EY&C) in Canvey Island. The EY&C team suggests that the contribution from the proposed development would be used for a new provision. The details of this, and its location, would be finalised after the S106 agreement is signed.

In order to address the varying probable numbers of jobs created by the proposed development, suggests a formula based S106 agreement.

Public Consultation

One response has been received which makes the following comments:

- o Part of the site is a part of SSSI
- o Impact on wildlife.
- o Increase in surface water and flooding of drainage ditches from the proposed development
- o Site used for grazing and should be protected in an already overpopulated island.
- o Tidal flooding is not the biggest problem on Canvey Island; surface water is.
- o What is Canvey Island’s employment floor space need?
- o Would be sensible to utilise existing floor spaces – redundant and vacant spaces on Charfleets Industrial Estate.
- o Are local builders going to be used for this development?

- o How many businesses have signed up to take employment floor space?
- o What are the evacuation plans in the event of an incident at the gas or liquid installations?
- o Increase in traffic and pollution
- o Local people didn't get a chance to comment.

Comments on Consultation Responses:

- o The Castle Point Employment & Retail Needs Assessment 2012 discusses the employment floor space need within the Borough.
- o No part of the application site is designated as a SSSI.
- o Consultation on the proposal was carried out in accordance with the Statement of Community Involvement and EIA regulations.
- o The conditions recommended by the various statutory bodies can be attached to any consent granted.
- o Other relevant issues are discussed in the evaluation of the proposal.

Evaluation of Proposal:

The main considerations in respect of the application are the principle of development, flood risk, ecology and traffic and parking.

Principle of Development

Policy ED2 of the Adopted Local Plan is concerned with 'Land to the south of Charfleets Industrial Estate' which is shown on the Proposals Map as safeguarded for long term employment purposes. The Policy states that this is an area of special reserve to take account of possible development needs beyond the current plan period (post 2001). Until such time as reviews of the structure plan and the local plan show that the land needs to be released for employment purposes, the land will be kept free of development which would prejudice later comprehensive treatment; valuable wildlife features will be protected.

The application site forms the entirety of the land safeguarded for employment purposes under saved Adopted Local Plan Policy ED2 which seeks to retain land for employment purposes beyond the plan period, (post 2001), subject to a need for such employment land being identified within reviews of the Structure and Local Plan.

Due to changes in the methodology for the preparation and publication of Development Plans, Structure Plans are no longer prepared and reliance must therefore be placed on a review of the Local Plan. The Local Plan is currently under review and consideration of the employment needs of the Borough is informed by the Castle Point Employment & Retail Needs Assessment 2012. This clearly identifies that the Borough suffers a relative deficiency in employment land when compared with its neighbours and that there is good demand for industrial space in Castle Point generally, but little available supply. Much of the existing stock is identified as old and unsuited to current needs, with few larger units and little modern stock. This situation prejudices the expansion and development of local employers.

On this basis it is considered that a need for employment land can be identified. Recognition of this need has resulted in the land being identified for employment purposes in the Draft New Local Plan.

Whilst it is recognised that the Draft New Local Plan is not the current adopted Local Plan, it is not considered that the proposed development raises such issues of contention in respect of land use that an objection to the proposal on the basis of prematurity could be sustained on appeal. No objection is therefore raised to the principle of the development of the land for employment purposes.

Turning to the specific uses proposed, the proposal seeks to provide B1(b), B1(c), B2 and B8 uses, a sui generis use(car dealership) and A3 uses. Some 93% of the proposed floorspace within the proposed development would comprise 'B' class uses. Such use is acceptable in principle.

With regard to the incorporation of a Car Dealership into the employment area it is clear that such uses, by reason of their need for relatively extensive sites, would normally be found within industrial areas. Present examples of such uses within the Borough can be found on the Charfleets Industrial Estate and the Stadium Way Trading Estate. Under the circumstances it is not considered that an objection can be raised to the provision of a car dealership on this site.

With regard to the provision of A3 uses on the site, it is clear that such uses would not normally be found within an industrial estate. The submitted Planning Statement states that the proposed A3 use would provide a complementary service for the business development at this site and nearby employment sites.

Furthermore, A3 uses would generate employment which technically would meet the terms of Policy ED3. Whilst Policy ED2, relating to the site of the application does not specifically permit A3 uses, it is clear that such a use would supplement and support the proposed employment uses and as such would be acceptable on the site.

It may be noted that the proposed A3 use would comprise only some 2.4% of the proposed floor space within the development.

It may further be noted that food outlets are commonly found on industrial sites, such as at the Stadium Way Trading Estate.

Under the circumstances it is not considered that the proposed A3 use would undermine or prejudice the use of the site for employment purposes and no objection is raised to the principle of such provision within the site.

No objection is therefore raised to the proposal under Policy ED2 of the Adopted Local Plan.

Flood Risk

Government guidance as contained in the NPPF requires all proposals in areas at risk of flooding to be accompanied by a site-specific Flood Risk Assessment in order to demonstrate that the occupiers of the proposed development would not be placed at unacceptable risk in the event of a flood. The proposal may also be required to pass the sequential and exception tests as set out in the National Planning Policy Framework and associated Practice Guidance, in order to determine

whether sites of lower flood risk probability exist which may be more suitable for the type of development proposed.

Proposals are also required to demonstrate that they would not increase flood risk elsewhere.

The proposal seeks to provide commercial and industrial uses within the settlement of Canvey Island.

Such uses are considered to be a 'less vulnerable use' as defined within the Flood Risk Vulnerability Classification as provided in the Paragraph: 066 (Reference ID: 7-066-20140306) of the National Planning Guidance. This type of development is considered to be appropriate within Flood Zone 3 (Table 3: Flood risk vulnerability and flood zone 'compatibility,' Paragraph: 067 (Reference ID: 7-067-20140306). Exception testing is not therefore required in respect of such development.

In respect of sequential testing, in order for industrial/commercial development to serve the community of Canvey Island it is considered that it would need to be located within that settlement. Since the settlement of Canvey Island is located entirely within Flood Zone 3, it is not considered that there are reasonably available alternative sites within the area with a lower probability of flooding that could accommodate the proposed development.

Under the circumstances it is considered that the proposal passes the sequential test.

The submitted Flood Risk Assessment states that in the event of a breach of the tidal defences, the depth of flooding across the site would be approximately 0.2m. It is considered that in such an instance there should be provision for the occupiers and visitors to the buildings to evacuate to a refuge area at a higher level. The application is currently at outline stage and there are limited details in respect of the use or occupancy of the proposed buildings. However, it is considered that refuge areas for each unit could be incorporated into the scheme and such details could be submitted as part of the reserved matters.

The proposed buildings should also be constructed to a standard offering resistance and resilience to floodwaters and rapid recovery from a flood event. The submission of a scheme of flood resilience measures capable of withstanding the effects of a 1 in 1000 year (plus climate change) event is therefore required. This can be achieved by the attachment of an appropriate condition to the grant of any consent.

It is also necessary to consider whether the buildings would be able to withstand the hydrodynamic and hydrostatic pressures that would occur during a flood event. No details have been provided; however such information could be submitted and approved prior to the commencement of the development via a condition.

In respect of the safety of occupiers, no flood response plan has been provided to clarify the best response for staff and visitors of the proposed units during a flood event. A breach of the seawall could occur during operational hours and as evacuation is not recommended, unless on the instruction of the emergency services, it is important to document the flood risk to the site and to employees and customers of the various businesses and, more importantly, the actions that should be taken should a flood warning be issued. The submission of a Flood Response Plan identifying these risks and actions can be required by condition.

It is acknowledged that the proposed development will result in more people being present on the site but this is not considered to equate to a greater level of risk sufficient to warrant refusal of planning permission. Subject to appropriate conditions the proposed development is considered to represent an acceptable risk.

Paragraph 103 of the NPPF states that when determining applications, local planning authorities should ensure flood risk is not increased elsewhere.

The proposed development will render impermeable significant areas of the site. Furthermore, the site is to be raised to facilitate access from Roscommon Way. The proposed development therefore has the potential to increase flood risk elsewhere. In order to compensate for this effect it is proposed to provide a flood compensation area on a parcel of land to the east of the application site that is within the applicant's ownership. This land comprises a pasture/hay field within the Local Wildlife site (LoWS) which is situated within a loop of land defined by a drain of brackish water along its southern, eastern and northern sides. It is proposed that the central part (0.3 ha) of this off-site adjacent field would be lowered to provide compensatory flood storage. The excavated material would then be used as a part of the land raising of the application site.

A hydrological connection is proposed to the brackish drain in the form of a sloping ramp which extends for a length of some 15m. Under flood conditions water would ingress into the low hollow. At other times the site is likely to vary between dry and damp/marshy.

The Environment Agency considers the proposed mitigation appropriate and raises no objection to the proposal. Subject to the conditions recommended by the Environment Agency and the other conditions discussed above, no objection is raised to the proposal on the basis of Flood Risk.

Ecology

The site lies within 500m of two SSSIs, falls within the Greater Thames Marshes Improvement Area and forms part of the Canvey Village Marsh Local Wildlife Site. The site therefore has significant potential for ecology.

Policy EC7 of the Adopted Local Plan is concerned with natural and semi-natural features in urban areas and states that such features and open spaces within urban areas shall be retained and enhanced wherever possible, in order to safeguard their physical, visual, recreational and wildlife value.

Policy EC13 states that the Council will refuse development which is prejudicial to the interests of all wildlife and the retention and management of important habitats.

Policy EC14 encourages proposals to promote the creation of new wildlife habitats. It further states that the Council will take into account the potential for the creation of wildlife habitats, particularly where these would enhance and complement existing elements of nature conservation on adjoining land.

With the exception of Policy EC13, these policies are considered consistent with the NPPF. Policy EC13 is inconsistent with the provisions of the NPPF as it does not seek a hierarchical response to sites with nature conservation interest. Under the circumstances it is considered appropriate to consider the proposal in the context of paragraphs 118 and 119 of the NPPF.

Paragraph 109 of the NPPF states:

“The planning system should contribute to and enhance the natural and local environment by:

- o protecting and enhancing valued landscapes, geological conservation interests and soils;
- o recognising the wider benefits of ecosystem services;
- o minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”.

In paragraph 118 it states:

“When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- o if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- o proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- o development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- o opportunities to incorporate biodiversity in and around developments should be encouraged;
- o planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss”.

The majority of the application site (6ha) forms part of the larger (36ha) CPT5 Canvey Village Marsh Local Wildlife Site (LoWS), which was designated on the basis of its character as old grazing marsh and the diversity of flora and fauna this supports.

The site also has importance as a consequence of its proximity to two nationally designated sites – the Canvey Wick SSSI and the Holehaven Creek SSSI.

The applicant has submitted an Environmental Statement and an ecological report of the site. The findings state that the proposal will not have any adverse impacts on the adjacent SSSIs.

Natural England (NE) has been consulted but has raised no objection to the proposal subject to securing the finer details of the mitigation scheme, appropriate long term land management and the transfer of off-site areas to an appropriate nature conservation body.

Furthermore it advises that the authority should secure the proposed Construction and Environmental Management Plan (CEMP) and Landscaping and Habitat Creation Management Plan (LHCMP) with suitably worded conditions.

Whilst raising no objection to the proposal Natural England has requested clarification in respect of the management of on and off site invertebrate mitigation areas. It states that the currently proposed 10-year arrangement should not be considered long-term and that such arrangement should be in perpetuity, in practice, for a period of 99 years.

The main impact of the proposed development on habitats would be the loss of some 6ha of land which currently forms the northern part of the Local Wildlife Site (LoWS).

The submitted Environmental Statement Addendum states that all of the habitats found within the application site are of site level ecological importance only. The applicant contends that the loss of these areas is constitutes a local ecological impact only.

Buglife has objected to the proposal on the basis that the development would result in the loss of a local wildlife site and a valuable connective feature in the area which supports species associated with the SSSIs. Buglife considers that recent management of the site has prejudiced the interests of wildlife and has led to a decline in the quality of forage resources. It considers however that a sympathetic management regime would restore the value of the site.

The RSPB and Essex Field Club have raised also objections, stating that the application site provides habitat for a number of rare species which could be demonstrated if access were allowed to the site for survey purposes.

The RSPB has also made comments about mitigation requirements synonymous with the comments made by Natural England.

It has also made comments about the potential for integrating nest-boxes within the fabric of the development.

In response to these comments it should be noted that the current management of the land is not a matter that can be controlled by the Planning Authority. Nor can the Planning Authority require the applicant to provide third parties with access to their land for survey purposes.

The evidence submitted to date indicates that the northern part of the LoWS, where the development is proposed is of low ecological value. In the absence of evidence to the contrary this statement must be accepted. Nevertheless, mitigation of the impact of the proposal on interests of ecological importance is required.

The Environmental Statement Addendum states that some 2.06 ha of landscaping/greenspace would be provided within the layout with an additional 0.60 ha comprising of the southern perimeter ditch and a five metre buffer would be retained and enhanced for ecological purposes, outside of the application site but on land within the applicant's ownership. Within the application site, a 1.8m batter, formed when the land is raised, would be landscaped for wildlife and sown with an appropriate seed mix. It is proposed that all of the site landscaping would be designed to be of specific benefit to invertebrates and in particular bees, by providing a tall sward with abundant forage plant species such as clovers, vetches and trefoils.

Furthermore some 200m of ditch would be enhanced to provide improved habitat in the southern part of the site for water vole, reptiles, amphibians, breeding birds and bats.

It is also proposed to develop a sensitive lighting scheme with the aim of avoiding direct illumination of ditch features and light spill into the wider LoWS. No details of these features have been provided but can be required to be submitted by condition.

Overall, it is acknowledged that the proposal would result in the loss of land forming part of a Local Wildlife Site. However, the evidence available suggests that the development site is of limited value and that mitigation and appropriate management of the site could achieve positive enhancement of habitats and biodiversity.

Whilst the objections of the RSPB and Buglife are noted, Natural England raises no objection to the proposal subject to imposition of controls in respect of the provision and management of land identified and retained for ecological purposes. Under the circumstances, no objection is raised to the proposal in respect of Ecology.

Parking and Highway Matters

Policy T2 states that proposals which would result in the intensification of the use of existing accesses or the creation of new accesses onto any trunk, principal or other classified road will, in appropriate cases, require the submission of a traffic impact study demonstrating the ability of the highway network to accommodate the proposed development.

Where such demonstration cannot be shown, or where there is a policy objection from the highway authority, permission will be refused.

When considering applications that would affect these roads the council will consult the highway authority and will take the advice received into account when determining applications for planning permission.

The proposed development will result in an intensification of the use of Roscommon Way. The application includes the submission of a Transport Assessment and a Framework Travel Plan. The Highway Authority has not raised any objection to the proposal subject to conditions.

The applicant has advised that it is willing to contribute £30,000 towards the provision of highway signage for the site. This would need to be secured through the S106 Agreement.

No objection is therefore raised to the proposal under Policy T2 of the Council's Adopted Local Plan.

Policy T8 requires adopted parking standards to be taken into account. In this case, the current standards are the vehicle parking standards as set out by the Essex County Council.

Whilst the application is at outline stage only with the detailed layout reserved for future consideration, consideration of the submitted indicative layout suggests a parking requirement of some 662 parking spaces across the site. Only some 566 spaces are provided with the most significant deficiency serving the proposed B2 uses.

Whilst the A3 use is also deficient, this use is intended to complement the use of the site by existing users and as such a degree of shared parking may be appropriate.

Nevertheless the applicant is cautioned to ensure that an appropriate level of parking and servicing is provided to serve all uses across the whole of the site, in the submission of any reserved matters.

Archaeology

An Archaeological Desk-based Assessment has been submitted as a part of the application. This report concludes that no designated archaeological assets are located within or in close proximity to the application site. A low potential has been identified for all periods for the application site and any unknown assets that are located within the application site are likely to be of no more than local significance.

Under the circumstances, it is not considered that the site has any archaeological implications.

Proximity to a Hazardous installation

Paragraph 5.31 of the Council's Adopted Local Plan states that in determining whether or not to grant permission for a proposed development on land within the consultation zones, the Planning Authority will take account of advice it receives from the Health and Safety Executive.

Health and Safety Executive (HSE) has not raised any objection in respect of the proposal. No objection is therefore raised to the proposal on this basis.

Conclusion:

The proposed application is considered to be an appropriate form of development within an area allocated for employment uses. Whilst it is acknowledged that development of the site would result in the partial loss of a Local Wildlife site, this loss must be considered in the light of the pressing need for greater employment opportunity in the Borough and the proposed mitigation of the impact on wildlife.

I have taken all other matters raised by interested parties into consideration, but none are sufficient to outweigh the considerations that led to the recommendation.

Subject to the applicant entering into an Agreement under Section 106 of the Town and Country Planning Act to secure the following:

- the transfer of the 'pear shaped' compensation land and funded habitat management to an appropriate body in perpetuity,
- the creation, management and maintenance of the open areas within the site,
- provision of a financial contribution towards the provision of early years and childcare places,
- the implementation and monitoring of a Travel Plan including payment of a £3000 Travel Plan Monitoring fee to Essex County Council and
- the management and monitoring of the proposed surface water drainage system.
- The provision of a financial contribution of £30,000 for improved highway signage

My Recommendation is, subject to the applicant entering into an Agreement under S106 of the Town and Country Planning Act to secure the matters referred to above, then the Head of Regeneration and Neighbourhoods is authorised to APPROVE with the following conditions:

1 This permission should be read in conjunction with Section 106 Legal Agreement dated contemporaneously with this permission.

REASON: In order to ensure:

- the transfer of the 'pear shaped' compensation land and funded habitat management to an appropriate body, in perpetuity, in the interests of maintaining the ecological value of the wider site
- the creation, management and maintenance of the open areas within the site, in the interests of maintaining the ecological value of the site
- provision of a financial contribution towards the provision of early years and childcare places,
- the implementation and monitoring of travel plan including payment of a £3000 Travel Plan Monitoring fee to Essex County Council
- -the management and monitoring of the proposed surface water drainage system and
- -the provision of £30,000 towards highway signage.

2 The development hereby permitted may only be carried out in accordance with details of the layout, scale and external appearance of the building(s), the landscaping of the site, and the means of access thereto, (hereinafter called "the reserved matters"), the approval of which shall be obtained from the Local Planning Authority before development is begun.

Application for the approval of the reserved matters shall be made to the local planning authority within three years beginning with the date of this outline permission.

The development hereby permitted shall be begun on or before whichever is the latter of the following dates- (a) the expiration of three years beginning with the date of the outline permission; or (b) the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: The particulars submitted are insufficient for consideration of the details mentioned, and also pursuant to Section 92 of the Town and Country Planning Act 1990.

3 The use of the site shall be primarily for uses falling within Class B1(b) and (c), B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 as amended and for A3 use and one motorcar dealership only (in accordance with the floor space indicated in Table 4.2 in the Environmental Statement Addendum) unless otherwise permitted by Castle Point Borough Council.

REASON: In order to ensure a satisfactory form of development and in the interests of the creation of local employment opportunities.

4 Prior to the construction of any building, areas within the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

REASON: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

5 No unbound material shall be used in the surface treatment of the vehicular access within six metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.

6 There shall be no discharge of surface water onto the Highway.

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

7 No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the routing of lorries servicing the site and the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel and under-body washing facilities

REASON: To ensure minimal disruption to traffic flows in the area, to ensure that on-street parking of vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway, in the interests of highway safety.

8 Prior to the occupation of any building, all parking areas to be provided to that building or use of land shall be provided in accordance with the adopted parking standards and shall be hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form in perpetuity and shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided

9 Prior to the occupation of any building or use any cycle/powered two wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety and amenity

10 No occupation of any building or use of land shall commence until such time as the provision of a 2m wide footway from the site entrance to link into the existing Public Right Of Way along Roscommon Way has been provided entirely at the Developer's expense.

REASON: To make adequate provision within the highway for additional pedestrian movements generated as a result of the proposed development.

11 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by SLR, referenced 407.05024.00001 Version 2 and dated April 2015, subsequent correspondence from SLR dated 8 June 2015 and the revised modelling and ground levels provided in a letter from SLR, dated 2 July 2015, and the following mitigation measures detailed within these:

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- Provision of compensatory flood storage to provide level for level direct compensatory storage for the main river crossing/bordering the site.
- Excavation of the compensatory storage area must be complete before infilling on site commences.
- Ground levels across the development shall be set at a maximum of 1.8mAOD.
- A Flood Warning and Evacuation Plan in combination with the incorporation of a mezzanine floor within each building, to ensure safe refuge on site is available if required.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, to ensure that flood plain capacity is maintained during construction of the development, to ensure that there is no negative off site impact due to land raising and to ensure safe access and egress from and to the site.

12 Prior to any works to the banks of Charfleets Dyke, a water vole survey will be undertaken by a qualified ecologist at an appropriate time of year and using recognised survey techniques. In the event that the works have the potential to affect this species on the site then a mitigation scheme for both during construction works and once the development is complete, shall be submitted to and approved in writing by the local planning authority prior to any works. The works shall be implemented in accordance with the agreed mitigation scheme.

REASON: To ensure protection of the water voles in this location.

13 The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) (SLR Consulting, Reference: 407.05024.00001, April 2015), has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the Drainage supporting letter (SLR Consulting Ltd, Ref Reference 407.05024.00001, 8th June 2015). The scheme shall be implemented in accordance with the approved details before the development is completed.

In particular the Drainage scheme shall include the following:

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- Drainage modelling calculations showing the discharge of run-off from all the sub-catchments of the development restricted to the equivalent 1 in 1 year greenfield rate. In this case, the maximum discharge from each of the 5 outfalls will be limited to 1l/s.
- Where on site attenuation is achieved through ponds, permeable paving, permeable sub-base, or other similar methods, calculations showing volume of these should be submitted.

- Drainage calculations should demonstrate how the system operates during a 1 in 100 year event, for the critical duration storm, including an allowance for climate change.
- Drainage Strategy Layout/Plan of the scheme including dimensions of the different SuDS features. The plan should indicate the areas for surface storage of exceedance flows and flow paths which should be away from buildings.
- Provide details of adoption and schedule of maintenance of the scheme for the lifetime of the development.
- Provide the required number of treatment stages for treating run-off from the different areas of the development.

REASON: To prevent flooding elsewhere and to deal with surface water run-off in a sustainable manner.

14 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding.

15 No buildings shall be occupied or land uses commenced until the works have been carried out in accordance with the foul water strategy approved under Condition 14 unless otherwise approved in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding.

16 An on-site landscaping, wildlife protection, habitat creation and management plan (including measures for appropriate monitoring), targeting in particular those invertebrate species which currently use, or are likely to use, the application site, the Roscommon Way Extension road verges, and the broader assemblage of invertebrate species known from the Canvey Wick SSSI (especially highly mobile species which are likely to use foraging habitats beyond the boundary of the SSSI) shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters application and S106 Agreement.

REASON: In order to protect the interests of wildlife present on the site and the SSSIs.

17 An off-site habitat creation and management plan (including measures for appropriate monitoring) targeting in particular those invertebrate species which currently use, or are likely to use, the application site, the Roscommon Way Extension road verges, and the broader assemblage of invertebrate species known from the Canvey Wick SSSI (especially highly mobile species which are likely to use foraging habitats beyond the boundary of the SSSI) shall be submitted to and approved in writing by the Local Planning Authority as a part of the reserved matters application and S106 Agreement.

REASON: In order to protect the interests of wildlife present on the site and the SSSIs.

18 Prior to the commencement of the development hereby permitted a Construction and Environment Management Plan (CEMP) shall be submitted to, and approved by, the Local Planning Authority. Such Plan shall include measures for the protection of wildlife during the clearance and construction stages in accordance with good practice. Any such Plan approved shall thereafter be implemented in its entirety.

REASON: This information is required prior to commencement to ensure that any development of the site including site clearance is carried out in an acceptable manner given the existence of protected species on site.

19 Prior to the commencement of any development on site a Site Waste Management Plan shall be submitted to and formally approved by the Local Planning Authority. Any such plan approved shall thereafter be implemented in its entirety.

REASON: In order to ensure that construction waste is recycled or re-used in order to make the most efficient use of natural resources.

20 A lighting strategy, designed to minimise light spill onto surrounding wildlife habitats shall be submitted to and approved by the Local Planning Authority. Any such strategy approved shall subsequently be implemented in its entirety.

REASON: In order to protect the interests of wildlife present on the site and the SSSIs.

21 Prior to the first occupation of the development hereby permitted details of appropriate bird boxes shall be submitted and approved by the Local Planning Authority. Such details shall include the number of boxes, the timing of the installation of these boxes, the position of the boxes and the future monitoring and maintenance of the boxes.

REASON: To ensure that adequate provision is provided for the nesting of birds to compensate the loss of habitat within the site.

22 The bird boxes approved under condition 21 shall be installed prior to the first nesting season, after completion of the host building and thereafter permanently retained as such.

REASON: To ensure that adequate provision is provided for the nesting of birds to compensate the loss of habitat within the site.

23 Prior to the occupation of any building or commencement of any use, a Flood Response Plan shall be submitted to, and formally approved by, the Local Planning Authority.

REASON: In order to ensure the appropriate protection of occupiers of the building in the event of a flood.

24 Upon occupation of the development or commencement of any use, the approved Flood Response Plan shall be enacted and thereafter maintained at all times that the host building is occupied. Any revisions to the Plan shall be submitted to and formally approved by the Local Planning Authority.

REASON: In order to ensure the appropriate protection of occupiers of the building in the event of a flood.

25 Prior to the commencement of any building, a scheme, prepared by a qualified structural engineer and demonstrating the ability of the proposed structures(s) to withstand the hydrostatic and hydrodynamic pressures likely to be acting on the buildings in a 1 in 200 year and 1 in 1000 year flood event shall be submitted to the Local Planning Authority.

REASON: To ensure the ability of the approved buildings to withstand the effects of flooding in the interests of the safety of the future occupiers of the site.

26 The development shall be constructed in accordance with the scheme submitted by a qualified structural engineer pursuant to condition 25 above.

REASON: To ensure the ability of the approved building to withstand the effects of flooding in the interests of the safety of the future occupiers of the site.

27 Prior to the construction of any building a scheme of flood resistant and resilient construction for the approved buildings shall be submitted to and formally approved by the Local Planning Authority. Any flood resistance and resilience measures shall be in accordance with the document 'Improving the flood performance of new buildings' (DEFRA Publication).

REASON: To minimise damage to the buildings caused by floodwater and to enable faster recovery following a flood.

28 The development shall be constructed and fitted out in accordance with the approved scheme of flood resistance and resilience measures.

REASON: To minimise damage to the building caused by floodwater and to enable faster recovery following a flood.

Informative

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

ITEM 2

Application Number:	15/0985/FULCLC
Address:	Thorney Bay Car Park Western Esplanade Canvey Island Essex (Canvey Island South)
Description of Development:	Extension to car park and installation of new tarmac path
Applicant:	Castle Point Borough Council
Case Officer	Mr Keith Zammit
Date of Expiry	04.02.2016

Summary

This is an application for the enlargement and improvement of the Thorney Bay Public Car Park, located on Western Esplanade, opposite the junction with Leigh Road.

The application is presented to the Committee in accordance with the Council's scheme of delegation, as it concerns development by the Council, on Council-owned land.

The proposal seeks primarily to use land adjacent to the existing car park for seasonal parking purposes. No objection is raised to the principle of the enhancement of the current carpark for the provision of a new overspill parking facility and it is not considered that these works would have a significant adverse visual impact on the area. The proposal is therefore recommended for APPROVAL.

Site Visit

It is not considered necessary for Members to visit the site prior to determination of the application.

Introduction

The site currently comprises a hard surfaced Council-run car park and surrounding grassed open space. The existing car park has a single-width vehicular access from Western Esplanade and currently provides parking for approximately 20 cars.

The Proposal

Permission is sought for the upgrading of the existing carpark and the provision of an overspill facility for seasonal use. In detail the proposal comprises:

- The enlargement of the car park in a south easterly direction, comprising an area some 45m by 17m. The application form states that some 40 additional spaces will be provided, making a total of 60 car parking spaces.
- Removal of the kerb stones between the existing car park and the 'extension' area and levelling of the ground to match the existing car park. The additional car parking area is to have a grass surface.

- Installation of bollards around the extension area to prevent parking on the surrounding open space.
- Installation of HGV kerbing around the existing car parking area, with a height of 415mm (300mm above ground), which will prevent vehicular access onto surrounding open space without the need for bollards.
- Widening of the existing car park entrance to 6.5m to allow two cars to pass.
- Installation of height restrictor and gates at entrance with a height of 2.1m.
- Installation of gate to prevent use of the 'overflow' area during the winter or when grass is too wet.
- Moving the rear kerb of the existing car park back 3m to widen the car park to 20m in width.
- Resurfacing of existing car park with 25mm tarmac overlay.
- Provision of lining to existing hard surfaced car park, to provide 19 spaces, including two disabled spaces.
- Installation of two parking machines, as it is intended to charge for car parking from Good Friday to the end of October.
- Replacement of existing damaged path leading up to sea wall with new tarmac path from western end of car park.

Supplementary Documentation

There is a detail sheet containing specifications for works forming part of the application, which is available to view online.

Planning History

None relevant

Relevant Government Guidance and Local Plan Policies

The land is allocated as public open space on the Local Plan Proposals Map. The following policies are of relevance:

National Planning Policy Framework

Paragraph 14 - approach to decision-taking

Current Local Plan

EC2 – Design

EC7 – Natural and semi natural features in urban areas.

Consultation

Legal Services

To be reported

Environment Agency

To be reported

Public Consultation

Two objections received from the following properties:

Western Esplanade 3, 7 (Melford House)

making the following comments:

- loss of recreation space
- detrimental to character of area
- disturbance from car park (buses already cause extra disturbance due to new bus route)
- potential for flooding
- detrimental to Canvey residents for benefit of 'visitors'
- loss of privacy
- loss of value to home
- hope there will be provision to deter travellers from entering the area
- more rubbish receptacles desirable

Comments on Consultation Responses

- issues relating to impact on neighbours, flooding and recreation space are discussed in the evaluation of the proposal
- loss of property value is not a material planning consideration
- the Council manage this facility and it is expected that reasonable measures will be taken to prevent occupation of the site by travellers
- no additional rubbish containers are proposed as part of this application; however if the level of provision in the area is proving to be inadequate, the Council's Environment Department can consider the provision of more bins (separately from this planning application).

Evaluation of Proposal

The main issues with this application are the principle of the use of the land for parking purposes, its visual impact, impact on open space provision, impact on traffic and highways, impact on neighbours and flooding.

The principle

The site is located adjacent to an existing car park, serving Thorney Bay and the adjacent children's playground, and in an area which is subject to parking restrictions during the period from Good Friday to the end of September. During the summer season in particular the area exhibits signs of extreme parking pressure, with vehicles frequently parking on the highway and within the adjoining Environment Agency service area attached the pumping station.

The land is allocated, as part of a much larger area, for public open space purposes.

The provision of an enlarged parking facility would afford greater opportunity for the use of the adjoining public open space and is therefore considered to be consistent with the allocation. No objection is therefore raised to the principle of the enhancement of the current car park for the provision of a new overspill parking facility.

Visual impact

Policy EC2 of the current Local Plan seeks to enhance the space around buildings with appropriate hard and soft landscaping. Although there are no buildings in the immediate vicinity, it is appropriate to seek to achieve a satisfactory standard of landscaping on all sites.

Policy EC7 requires natural and semi – natural features and open spaces to be retained and enhanced wherever possible, inter alia, to safeguard their physical, visual and recreational value.

The proposed parking surface would be grass, which is intended to be used only during the summer (Good Friday to the end of October), and only when the grass is dry enough. The entrance area to the land would be levelled to match the level of the existing car park, with bollards to confine cars to the intended area. On their own, it is not considered that these works would have a significant visual impact on the area.

The other works such as minor enlargement of the hard surfaced car park and installation of height restrictors and parking machines are not considered to have a significant adverse impact on the character and appearance of the area, being peripheral to the site and limited in extent.

In response to concern that the use of a grassed surface for parking could cause the grass to wear away, or become rutted, which would be unsightly, the application states that the extension area of the car park would be closed when the grass was too wet. Seasonal use of the area for parking during dry weather is considered unlikely to cause the grass to suffer irreparable harm.

It is noted that it is proposed to remove the existing short path leading from the car park to another path leading to the sea wall and return this area to grass; this would result in the gain of one parking space. Instead, a new path would be provided, connecting the car park to the existing path further west, providing a new route to the sea wall and the nearby playground. It is acknowledged that the route of the existing path may be more direct but this is not considered in planning terms to represent a reason for refusal.

Impact on recreation space

Paragraphs 70, 73 and 74 of the NPPF set out a clear need for the retention of open space for recreational purposes and state that open spaces should not be built on unless the space is clearly shown to be surplus to requirements or alternative provision would be made.

Although it is intended to enclose the area of the overspill car park with bollards, it is not proposed to make any physical alteration to the land and access to the land.

When not being used for car parking, recreational access to the land would not be prevented. When the land was being used for car parking, the amount of open space for recreational purposes along the greensward would be reduced; however there would still be large areas of open space available for recreational use further away from the road, which could be said to be more attractive as a recreational space and therefore the proposal is not viewed as being significantly prejudicial to open space provision in the area. No objection is therefore raised to the proposal on this basis.

Traffic and highways

The provision of additional car parking during the summer is, in principle, welcomed, as the existing car park at Thorney Bay is not able to cater for the needs of all those who wish to visit the area. Whilst the use of the access would be intensified, the access would be improved to enable

simultaneous access and egress, which is not currently possible. This feature would reduce the necessity to wait on the highway and would therefore achievement highway safety benefits. As such no objection is therefore raised to the proposal from a highway point of view.

It should be noted that the applicant considers that the proposed extension would achieve the provision of an additional 40 parking spaces. Application of the adopted parking standards to the area of land in question reveals however the site would only achieve the provision of 30 parking spaces.

Impact on neighbours

It is noted that some residents feel that the extension of the car parking area would cause disturbance and loss of privacy. Whilst an enlarged car park may be viewed as a source of noise as the sounds of car engines and car doors may be heard from nearby residences, this would be against a backdrop of a road which in the summer might be expected to be fairly heavily used for accessing the seafront, and under these circumstances it is not considered that any additional noise from parking would be so great as to cause a significant change in the overall level of noise experienced by residents living nearby.

An objection has been received that nearby residences would be overlooked by the proposed car park extension.

Whilst it is acknowledged that the provision of an extended car park would be likely to lead to more people in the area, the car park would be located a minimum of 17m from the front boundaries of the adjoining properties and some 28m from the front elevations of those properties. At this distance, it is not considered that persons within the car park would result in a loss of privacy for adjoining residents.

No objection is therefore raised on the ground of neighbour impact.

Flooding

An objector has commented that this section of road is liable to flooding. Whilst heavy rainfall can cause flooding along Western Esplanade, the additional car parking area would be grass, with only a minor extension of the hard surfaced car parking area; it is not considered that the proposal would have a significant effect on surface water runoff in the area.

Conclusion

I have taken all other matters raised by interested parties into consideration, but none are sufficient to outweigh the considerations that led to the recommendation.

My Recommendation is APPROVAL subject to the following conditions:

1 The development hereby permitted shall be begun on or before the expiration of five years beginning with the date of this permission.

REASON: This condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. Prior to the widened vehicular access being brought into use, within the confines of the site, a 1.5m x 1.5m clear to ground visibility splay shall be provided at the junction of the vehicular access and the highway which shall be maintained free of obstruction in perpetuity.

REASON: In the interests of highway and pedestrian safety.

Informative

1 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.

ITEM 3

Application Number:	15/1007/FUL
Address:	11 Rosemead Benfleet Essex (St George's)
Description of Development:	Conversion of garage to habitable accommodation, single storey rear extension and new pitched roof
Applicant:	Mr Andre Moseley
Case Officer	Mr Keith Zammit
Date of Expiry	18.02.2016

Summary

The application seeks to provide ground floor accessible accommodation to benefit an occupant of the dwelling with a disability. Whilst no issues of design are raised, it is considered that the dwelling would lack satisfactory parking provision following the works, and as such the proposal is recommended for REFUSAL.

The application is presented to the Committee at the request of Councillor Walter in order for the Committee to consider the effect of the development on the surrounding area.

Site Visit

It is considered appropriate for Members to visit the site prior to the determination of the application.

Introduction

The application site is located on the western side of Rosemead within a private drive which serves six individual dwellings. The access to the private drive is located some 58m west of the junction of Rosemead with Roseberry Avenue. The site is irregular in shape with a frontage of some 5m, increasing to some 10m after a depth of 7m. The site has a maximum depth of 40m.

The site is occupied by a semi-detached, dual pitched roofed, three bedroomed house with a rear conservatory, large outbuilding in the rear garden area and an attached garage to the western side of the dwelling. There is a hard surface in front of the dwelling to provide parking. The hard surface in the front of the garage is part of the communal private drive and falls outside the confines of the application site.

Rosemead consists of similar designed detached and semi-detached gabled houses, many with attached flat roofed garages.

The Proposal

Permission is sought for the conversion and extension of the property's garage to form a bedroom and wet room for the applicant's disabled partner, together with the provision of a utility room.

The rear extension to the garage would have a maximum depth of some 3.9m and a width of some 3.5m. The new pitched roof would have a ridge height of some 5.3m.

The proposed external finishes are face brick with a tiled roof.

Supplementary Documentation

Documentation has been submitted as proof of the resident's disability. Under the provisions of the Data Protection Act these details have not been publically displayed.

Planning History

October 2015 – permission refused for a single storey side extension to form an annexe (15/0516/FUL) for the following reason:

- 1 The proposal by reason of the inadequately sized hard surface to the front of the dwelling would provide insufficient safe and convenient parking within the confines of the application site to the meet the needs of the extended dwelling and the occupiers thereof.

If permitted the proposal is considered likely to result in vehicles projecting beyond the confines of the site, restricting access to adjacent properties and potentially giving rise to vehicular conflict and inconvenience within the limited extent of the communal drive area contrary to Policies H17 RDG12, EC2 and T8 of the adopted Local Plan, the Essex County Parking Standards and Government guidance as contained within the National Planning Policy Framework.

An appeal against this refusal has been lodged with the Planning Inspectorate and a decision is awaited.

Relevant Government Guidance and Local Plan Policies

National Planning Policy Framework

Section 7

Current Local Plan

EC2 – Design

T8 – Parking Standards

Residential Design Guidance

RDG2 – Space around dwellings

RDG3 – Building lines

RDG6 – Amenity space

RDG8 – Detailing

RDG12 – Parking and access

Consultation

No statutory consultees notified of this application

Public Consultation

The period for public consultation on this proposal does not expire until the 1st February 2016. No comments had been received in respect of the proposal at the time of writing this report. Any responses received will be reported separately.

Evaluation of Proposal

The primary matters for consideration in this case are design and the provision of parking.

The applicant intends to convert and extend the existing garage to provide accommodation comprising a utility room, wet room and bedroom, to serve the needs of a disabled member of the family currently occupying the site.

Policy EC2 of the adopted Local Plan states that a high standard of design will be expected in all proposals for alterations and extensions to existing buildings. This is consistent with paragraphs 56 to 58 of the NPPF.

Within the Council's Residential Design Guidance, RDG2 states that space around all new development should be informed by the prevailing character of space around dwellings. Where there is no clear pattern of development the space around a dwelling should be proportionate to the size of the dwelling, with at least 1m provided between the property and the boundary.

This guidance has been prepared in accordance with section 7 of the NPPF.

RDG8 states that the provision of detailing elements must be consistent with the overall architectural approach of the dwelling and their design and siting should be an integral part of the dwelling. They must not result in prominent, dominant, alien or incongruous features which detract from the visual appearance of the dwelling or the public realm. The design of all development should result in well proportioned and balanced properties.

The rear extension to the garage and pitched roof are not considered to raise any design issues insofar as they are viewed from the front of the property. The rear view is less attractive as a consequence of the configuration of the proposed development; however this would have little public impact and is not therefore considered to have such an adverse visual impact on the area that refusal on this basis could be sustained on appeal.

The extension would extend tight to the western boundary of the site. This replicates the site coverage currently achieved. The existing garage has a flat roof whilst the proposed extension would have a dual pitched roof some 2.7m higher than the existing flat roofed garage. The proposed extension therefore has the potential to appear as a much more prominent and dominant feature in the street scene. The relationship of the extension to the host dwelling and the adjoining highway network however significantly reduces the impact of the enlarged building on the character, appearance and setting of the host dwelling. No objection is therefore raised to the proposal on this basis under RDG2 or RDG8.

RDG3 states that where there is a distinct pattern of development which creates an exceptionally strong building line, development must not result in a disruption to this pattern. It further states that development which would result in excessive overshadowing or dominance to any elevation of an adjoining property will be refused.

The proposed extension would not disrupt the building line within Rosemead. By reason of the proposed extension's relationship with adjacent neighbours it is considered that excessive levels of overshadowing or dominance are unlikely to occur to any elevation of an adjoining property. No objection is therefore raised to the proposal under RDG3.

The application dwelling benefits from sufficient amenity space to meet the aims of RDG6 and to cater for all the outdoor needs of all the occupiers.

RDG12 provides guidance on the design of parking, and seeks to ensure that all forms of parking do not dominate the public realm. It also states that the access should be safe and convenient for all users, and that the design, size, orientation and location of parking spaces should enable the spaces to be utilised conveniently.

Policy EC2 of the adopted Local Plan also requires all modes of movement to be safe and convenient.

Policy T8 of the current Local Plan requires off-street parking to be provided in accordance with the County parking standards, which require a minimum of two spaces, each having a bay size of 5.5m by 2.9m, to be provided for properties with two or more bedrooms. This information is consistent with paragraph 39 of the NPPF which requires local planning authorities to set such standards reflecting local circumstances.

The proposal would replace the garage, which is capable of providing for the parking of one vehicle. The hard surface in front of the existing garage does not form part of the application site and therefore does not offer the opportunity for parking provision. The dwelling would therefore be reliant on the area in front of the dwelling to provide for its parking needs. This area has a depth of between 7m and 5.15m, and a width of 5.1m. This hard surface is therefore insufficient to provide the requisite two parking spaces.

It is noted that this area of hard surface is made further deficient by the external steps to the dwelling, reducing the depth from 5.15m to a minimum of 4.2m. The proposal would consequently fail to meet the parking demands of the property by being unable to provide two parking spaces to meet the current standards.

In exceptional circumstances, parking spaces may be reduced to 5m by 2.5m. Even under these circumstances however the site cannot achieve the provision of two car parking spaces.

It is possible to reduce the parking requirement to one space only if the site is considered to be within an urban area that has good links to sustainable transport networks. This is not the case for this application site and no reduction may therefore be credited on this basis.

If permitted the proposal is considered likely to result in vehicles projecting beyond the confines of the site, restricting access to adjacent properties and potentially giving rise to vehicular conflict and inconvenience within the limited extent of the communal drive area. An objection is therefore raised accordingly.

Whilst it is acknowledged that the proposal is required to provide disabled facilities for a member of the household, it is not considered that the transient needs of the current occupier outweigh the

long term harm the proposal would cause to the current and future occupiers of the dwellings within this enclave.

Conclusion

Whilst the conversion and extension work raises no issues in terms of design it is considered that then consequent lack of satisfactory on-site parking provision and the likely obstruction of the access to other properties would be of significant detriment to surrounding residents and permission should be refused accordingly.

There are no other matters raised by third parties that need to be considered at this stage, however as mentioned earlier in this report, any consultation responses received prior to the date of the Committee meeting will be reported separately.

My Recommendation is REFUSAL for the following reason:

1 The proposal by reason of the inadequately sized hard surface to the front of the dwelling, would provide insufficient safe and convenient parking within the confines of the application site to the meet the needs of the extended dwelling and the occupiers thereof.

If permitted the proposal is considered likely to result in vehicles projecting beyond the confines of the site, restricting access to adjacent properties and potentially giving rise to vehicular conflict and inconvenience within the limited extent of the communal drive area, contrary to Policies EC2 and T8 of the adopted Local Plan, RDG12 of the Council's Residential Design Guidance, the adopted Essex County Parking Standards and Government guidance as contained within the National Planning Policy Framework.

Informative:

1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

ITEM 4

Application Number:	15/1010/FUL
Address:	19 Holbek Road Canvey Island Essex SS8 8NT (Canvey Island East)
Description of Development:	Erect pair of semi-detached houses and form new vehicular accesses to Holbek Road and Temptin Avenue (amended proposal)
Applicant:	Hodder & Lewis
Case Officer	Mr Keith Zammit
Date of Expiry	05.02.2016

Summary

The application seeks permission to redevelop the site of a former bungalow with a pair of semi-detached houses and represents an attempt to overcome the reasons for refusal raised in respect of a similar form of development on this site in 2015.

It is not considered that the current scheme has overcome the reasons for refusal originally cited. The proposal therefore represents a poor form of development, of mean and cramped appearance, exhibiting a poor relationship between design and context and providing inadequate parking provision to meet the needs of the development proposed.

The proposal is therefore recommended for REFUSAL.

Councillor Sharp has requested that the application be brought before the Committee if it is to be recommended for refusal.

Councillor Acott requested that the application be presented to the Committee if recommended for approval.

Site Visit

It is not considered necessary for Members to visit the site prior to their consideration of the application.

Introduction

The application site is an irregular shaped plot located at the junction of Holbek Road and Temptin Avenue. It has a frontage to Holbek Road of some 20m and a return frontage to Temptin Avenue of some 28m.

To the west of the site is a house at 15 Holbek Road. To the north is a bungalow at 7 Temptin Avenue.

A detached bungalow formerly occupied the site.

The Proposal

Permission is sought for the erection of a pair of asymmetrical semi-detached houses. Plot 1, on the western side, is stated to be a one bedroomed property, with one parking space at the rear accessed from Temptin Avenue. Plot 2, on the eastern side, would be a three bedroomed property, with two parking spaces on a hard standing accessed from Holbek Road.

Redland Grovebury Tudor Brown roof tiles (interlocking tiles) and Atherstone Red Multi bricks by Hanson are proposed as external materials.

Supplementary Documentation

The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Statement on Flood Resilient Construction, Flood Response Plan and Sequential Test Report, which are available to view on the Council's website.

Planning History

August 2015 – Application to erect a pair of semi-detached dwellings and form new vehicular accesses to Holbek Road and Temptin Avenue (15/0500/FUL). The application was refused for the following reasons:

- 1 The width of plot 1 would be uncharacteristically narrow in relation to the surrounding area and would be out of character with the locality, contrary to the provisions of RDG1 within the Council's Residential Design Guidance and Government guidance as expressed in the National Planning Policy Framework.
- 2 The proposed development would be detrimental to the street scene in Temptin Avenue due to the blank side elevation of the dwelling on Plot 2 and the excessive length of high level garden screening along the return frontage. The proposal would thereby be contrary to the provisions of RDG4 within the Council's Residential Design Guidance and Government guidance as expressed in the National Planning Policy Framework.
- 3 The proposed development represents overdevelopment of the site, as demonstrated by the projection of the dwelling on Plot 2 beyond the established building line to Temptin Avenue. When viewed from the north, this dwelling will appear as an overly prominent and dominant feature in the street scene, detrimental to the character and appearance of the area, contrary to the provisions of RDG3 of the adopted Residential Design Guidance and Government guidance as expressed in the National Planning Policy Framework.
- 4 The proposed development potentially provides a two bedroomed property on Plot 1. As such the property would attract a requirement for the provision of two car parking spaces. This cannot be achieved within the confines of the site and it is therefore considered that the proposal represents overdevelopment of the site, contrary to Policy T8 of the adopted Local Plan.

Relevant Government Guidance and Local Plan Policies

The site is allocated for residential purposes on the Local Plan Proposals Map. The following policies are of relevance:

National Planning Policy Framework
Sections 7 and 10

Current Local Plan
EC2 – Design
T8 – Parking standards

Residential Design Guidance
RDG1 – Plot size
RDG2 – Space around dwellings
RDG3 – Building lines
RDG4 – Corner plots
RDG5 – Privacy and living conditions
RDG6 – Amenity space
RDG12 – Parking and access

Consultation

County Highways
No objection subject to conditions

Environment Agency
No objection subject to conditions.

Canvey Town Council
No comments received

Public Consultation

Four objections received from the following properties:

Holbek Road 16
Temptin Avenue 2, 4
No address given x 1

These make the following comments:

- Canvey Island is overcrowded
- Temptin Avenue has too many vehicles on the highway which this proposal would add to
- Car parking space accessed from Temptin Avenue would restrict parking
- Would break building line to Temptin Avenue
- On street parking would obstruct access to other properties
- Semi-detached properties not in keeping with surrounding area (other properties are detached)

Comments on Consultation Responses

Car parking, building line and character are discussed in the evaluation of the proposal

Evaluation of Proposal

The main issues with this application are flood risk, the design and layout, impact on neighbours and parking implications.

Flood Risk

Government guidance as contained in the NPPF requires all proposals for new dwellings in areas at risk of flooding to be accompanied by a site-specific Flood Risk Assessment in order to demonstrate that the occupiers of the proposed development would not be placed at unacceptable risk in the event of a flood.

The proposal is also required to pass the sequential and exception tests as set out in the National Planning Policy Framework and associated Practice Guidance, in order to determine whether sites of lower flood risk probability exist which may be more suitable for the type of development proposed.

With regard to the sequential test, the proposal seeks to provide dwellings within the settlement of Canvey Island. For residential development to serve the community of Canvey Island it is considered that it would need to be located within that settlement. Since the settlement of Canvey Island is located entirely within Flood Zone 3 it is not considered that there are reasonably available alternative sites within the area with a lower probability of flooding that could accommodate the proposed development. Under the circumstances it is considered that the proposal passes the sequential test.

Having passed the sequential test, the proposal must then pass the exception test. In order to meet the requirements of the exception test as described at paragraph 102 of the NPPF, the proposal must demonstrate that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and a site-specific Flood Risk Assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

In response to the first criterion, in a very broad sense, the continued development of Canvey Island is necessary to sustain the local community and prevent the social and economic blight of the settlement. However, in assessing whether these benefits outweigh the flood risk, the flood risks surrounding the development must be considered in more detail.

The second criterion requires that the applicant demonstrates that the development is safe, will not increase flood risk elsewhere and where possible will reduce flood risk overall.

The applicant has provided a Flood Risk Assessment (FRA). The FRA identifies that the ground level of the site is 1.10mAODN and that during a 1 in 200 year breach event water levels are likely to reach 2.973mAOD. The finished habitable ground floor level of the properties would be set at 1.35mAODN and therefore would be liable to flooding under such circumstances.

For a 1 in 1000 year breach event, water would flood the site to a depth of up to 3.40mAODN (using data from the SFRA). The ground floor of the properties would again be liable to flooding; however, in both scenarios, with the first floor set at 3.99mAODN, these would remain dry. There is therefore an area available to occupiers where they can stay out of floodwater that may enter the ground floor. Provided that the response of occupiers to flooding or a flood warning is

managed by a Flood Response Plan, it is not considered that the development would pose an undue risk to future occupiers.

A Flood Warning and Response Plan has been included as part of the application. This contains advice for potential occupiers on what actions to take if a flood warning is issued or flood water is seen around the property. Were permission granted, a condition should be imposed requiring enactment of this Flood Response Plan upon occupation of the dwellings.

It is noted that there is the possibility of incorporating flood resistance and resilience measures into the construction of the building in order to minimise damage to the building during a flood event and to enable a faster recovery once floodwaters have subsided. The submission contains a document entitled “General Principles of Flood Resilient Design and Construction”. This is not considered to represent a firm commitment to the use of such measures in the proposed construction. Were permission granted, a condition should be imposed requiring submission and approval of a scheme of flood resistance and/or resilience measures for the dwellings.

The National Planning Practice Guidance states at paragraph 054 Reference ID: 7-054-20140306 that when considering safety, the depth and velocity of flood water and the structural safety of buildings needs to be considered. The submission contains no consideration of such matters. Were permission granted, it would be necessary to impose a condition requiring demonstration of the ability of the building to withstand the hydrodynamic and hydrostatic pressures that may act upon it during a flood.

It is noted that surface water and fluvial flooding may also affect the site. There is no modelling available indicating predicted depths of flooding under such circumstances; however the ground floor levels would be set 0.25m above the surrounding natural ground level which is considered to offer some protection from surface water or fluvial flooding and the Flood Response Plan that would be required to be enacted if permission is granted would manage occupiers’ response to flooding from surface water or fluvial sources.

Subject to the imposition of the conditions as described, there are no objections to the proposal on the basis of flood risk.

Design

Policy EC2 of the adopted Local Plan seeks a high standard of design in all new buildings. This is consistent with paragraphs 56 to 58 of the NPPF.

The proposed dwellings are somewhat mismatched in terms of size which produces a visual discordance and the dwellings individually and as a pair are not of particular architectural merit. However there is no strong character of architectural quality in the surrounding area and under the circumstances the proposal is not considered so visually harmful that an objection on the basis of design is considered likely to be sustained on appeal.

The Council has adopted Residential Design Guidance as a supplementary planning document in accordance with section 7 of the NPPF. Within this, guidance at RDG1 deals with plots sizes. It requires the plot sizes for all new development to be informed by the prevailing character of plot sizes.

The proposed plot depths would be approximately 20m. This is reflective of adjoining plots and raises no concerns.

The plot widths would be 5.3m for plot 1 and 14m for plot 2, as measured at the dwelling frontage. The plots in the surrounding area have widths of at least 7.1m and in most cases plots are much wider. There is no objection to the width of plot 2, however plot 1 is considered to be uncharacteristically narrow and would look mean and cramped in the context of the surrounding area. As such it is considered that the proposal represents a form of development which is inconsistent with, and detrimental to, the character and appearance of the area.

Support for such a stance is found in the NPPF at paragraph 58 (bullet 2) which states that developments should establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit. It is not considered that the proposal achieves this objective. An objection is therefore raised to this aspect of the proposal.

Guidance at RDG2 requires the space around all new development to be informed by the prevailing character of space around dwellings.

RDG3 requires proposals to respect established building lines. The fronts of the proposed dwellings would be broadly consistent with the front wall of the adjacent dwelling at 15 Holbek Road to the west and no objection is raised to this aspect of the proposal.

The dwellings on Temptin Avenue are generally set 3m from the highway boundary. The rear corner of the dwelling on plot 2 would be located some 2.4m from the highway boundary with Temptin Avenue at the closest point. The proposed dwelling at Plot 2 would therefore project in advance of the building line to Temptin Avenue. In this location, when viewed from the north, this dwelling would appear as a prominent and dominant feature in the street scene, the impact of which would be exacerbated by its two storey form and roof design.

It is considered that the need to project in advance of the established building line to Temptin Avenue demonstrates that the proposal represents overdevelopment of the site. An objection is therefore raised on the basis of RDG3.

RDG4 deals with development on corner plots. It requires development to be designed to turn the corner, providing active frontages to all elevations that face the public realm, avoiding the use of excessive lengths of high level garden screening along return frontages.

In the previously refused scheme the proposed dwelling on Plot 2 featured a blank elevation to the side aspect. The current proposal incorporates two side windows serving the kitchen and bedroom 2, which serve to provide some small element of interest in this elevation, although it remains largely imperforate and presents a bland facade to the street frontage.

The 1.95m high fence along the Temptin Avenue frontage has been reduced in length, but remains some 13.8m long. This feature would be unattractive as it would provide a dead frontage to this part of the street. The former dwelling had vegetation along this boundary, which was more attractive. A note on the plan asserts that the length of garden fencing would now be equivalent to less than 50% of the total length of the boundary. Whilst this is noted; it does not reduce the adverse impact of the fence on the street scene.

The proposed design and layout of the dwellings is considered to turn the corner poorly, and would be detrimental to the street scene in Temptin Avenue. An objection is accordingly raised on the basis of RDG4.

RDG6 requires the provision of appropriate amounts of amenity space commensurate with the size of the dwelling. 15m² per habitable room should be provided, with a minimum of 50m².

Plot 1 provides three habitable rooms and requires a minimum amenity space of 50m². A rear garden of 49.4m² would be provided which, allowing for a margin of error, is considered to satisfy this requirement.

Plot 2 would have five habitable rooms requiring an amenity area of 75m². An amenity area of some 72.1m² would be provided (it has been slightly reduced due to the reshaping of the garden area) which is slightly below the required amount; however it is not considered that this marginal deficiency would represent robust grounds for refusal of the application.

Subject to a condition withdrawing PD rights for extensions, which could erode the already modest gardens still further, there is no objection on the basis of RDG6.

Impact on neighbours

RDG3 also requires development not to cause excessive overshadowing or dominance of adjacent dwellings. The proposed dwelling on plot 1 would project approximately 2m beyond the rear wall of the western neighbour, but would be situated 1m from the boundary with that property. In this context it is not considered that the proposal would result in an unduly dominant relationship or cause undue overshadowing towards the neighbouring property on that side. Other neighbouring properties are too remote to be significantly affected by this proposal. No objection is therefore raised to the proposal on the basis of RDG3.

RDG5 deals with privacy and overlooking. A distance of 9m is required to be provided between first floor windows and the boundaries of the site. The first floor front windows would overlook the street which is within the public realm and would not cause undue loss of privacy of properties opposite. The first floor side window to Plot 1 would serve a landing; however this is not a habitable room so may be conditioned as obscure glazed and fixed to 1.7m from floor level to protect privacy without leading to unsatisfactory living conditions within the room.

The rear facing first floor windows of Plot 2 would only overlook the rear garden of that property and the footway of Temptin Avenue which is not considered to cause loss of privacy.

The rear facing first floor window of Plot 1 would be located a minimum of 9m from the boundary with the adjacent site.

No objection is therefore raised on the basis of loss of privacy subject to a condition requiring the first floor side window of Plot 1 to be obscure glazed and fixed to 1.7m from floor level.

Parking

Policy T8 of the Local Plan requires the provision of off-street parking in accordance with adopted standards. This is consistent with paragraph 39 of the NPPF which requires local planning authorities to set such standards reflecting local circumstances.

The current standards are the 2009 County Parking Standards which require the provision of one space for properties with one bedroom and two spaces for properties with two or more bedrooms. Parking spaces are required to have dimensions of 2.9m by 5.5m.

The proposed layout would provide one parking space for Plot one and two parking spaces for Plot two which meet the required spatial dimensions.

It is noted however, that the dwelling on Plot 1 is described as a one bedroomed property. Consideration of the submitted layout however identifies a room at first floor level annotated as a 'dressing room'. This is isolated from the large bedroom provided at the front of the dwelling and is of a size slightly larger than that of the third bedroom provided within the dwelling at Plot 2. As such it is considered that the room holds significant potential to be used as a second bedroom. The property therefore attracts a requirement for two parking spaces. This cannot be accommodated within the site.

The inability of the site to accommodate an appropriate level of parking is likely to lead to vehicles parked on the highway. In such close proximity to a junction such a situation is likely to result in danger and inconvenience to other highway users.

An objection is therefore raised to the proposal on the basis of inadequate parking provision.

RDG12 requires parking not to be visually dominant. It is not considered that the single parking space accessed from Temptin Avenue would be dominant in the streetscene. The two spaces side by side accessed from Holbek Road could be said to be somewhat dominant, however the remainder of the frontage would have space for planting so it is considered that an acceptable appearance of the frontage could be provided.

No objection is therefore raised on the basis of guidance at RDG12.

Conclusion

Although minor changes have been made to the proposal since it was refused in August 2015, it is not considered that these changes make a significant difference to the scheme as a whole and are not sufficient to overcome the reasons for refusal.

I have taken all other matters raised by interested parties into consideration, but none are sufficient to outweigh the considerations that led to the recommendation.

My Recommendation is REFUSAL for the following reasons:

1 The width of Plot 1 would be uncharacteristically narrow in relation to the surrounding area and would be out of character with the locality, contrary to the provisions of RDG1 within the Council's Residential Design Guidance and Government guidance as expressed in the National Planning Policy Framework.

2 The proposed development would be detrimental to the street scene in Temptin Avenue due to the paucity of openings in the side elevation of the dwelling on Plot 2 and the excessive length of high level garden screening along the return frontage. The proposal would thereby be contrary to the provisions of RDG4 within the Council's Residential Design Guidance and Government guidance as expressed in the National Planning Policy Framework.

3 The proposal represents overdevelopment of the site, as demonstrated by the projection of the dwelling on Plot 2 beyond the established building line to Temptin Avenue. When viewed from the north, this dwelling would appear as an overly prominent and dominant feature in the street

scene, detrimental to the character and appearance of the area, contrary to the provisions of RDG3 of the adopted Residential Design Guidance and Government guidance as expressed in the National Planning Policy Framework.

4 The proposed development provides a two bedroomed property on Plot 1. As such the property would attract a requirement for the provision of two car parking spaces. This cannot be achieved within the confines of the site and it is therefore considered that the proposal represents overdevelopment of the site, contrary to Policy T8 of the adopted Local Plan.

Informative:

1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

ITEM 5

Application Number:	15/1025/FUL
Address:	Hillside Lodge Great Burches Road Benfleet Essex SS7 3ND (St Peter's)
Description of Development:	Demolish existing conservatory and construct a single storey rear extension and first floor side extension over existing ground floor with front and rear dormers.
Applicant:	Mr Keith Gregory
Case Officer	Mrs Sophie Adams
Date of Expiry	15.02.2016

Summary

The proposal is for extensions to a dwelling within the Green Belt. The scheme seeks to demolish the existing conservatory and provide a first floor side extension with front and rear dormers, and a single storey rear extension. This application follows a recent refusal for an identical scheme of development (15/0826/FUL). The only identifiable difference between this application and that previously refused is the location of the site boundary.

Assessment of the scheme has revealed that the extensions would lead to a disproportionate enlargement of the dwelling, contrary to Green Belt policy. It is therefore recommended that permission be REFUSED.

The application is presented to the Committee at the request of Councillor Bill Dick.

Site Visit

It is not considered necessary for Members to visit the site prior to determination of the application.

Introduction

The application relates to a site measuring approximately 52m wide and 150m deep, located to the eastern side of Great Burches Road, between Brickfields and Braeside Farm. The site is occupied by a detached two storey dwelling, set back approximately 17m from the front boundary of the site. There are a number of mature conifers and deciduous trees within the grounds, none of which would be affected by this proposal. A detached garage and lock up store are located on the northern side of the site. Ground levels are uneven but generally rise from west to east and north to south.

The Proposal

Planning permission is sought for the removal of a rear conservatory and the construction of a single storey, rear extension and first floor side extension with front and rear dormers.

The single storey, rear extension would be provided to the south eastern corner of the dwelling. This extension would be some 3.1m wide, 2.4m deep and 2.45m high with a flat roof. This part of the proposal would provide an enlarged ground floor bedroom and en-suite for a disabled person.

The proposed first floor extension would provide a sixth bedroom. In design terms the proposal would continue the main gable roof form of the dwelling over the southern part of the property. This part of the proposal would be some 3.1m wide, 7.9m deep and 5.3m high. A small pitched roofed dormer would be provided to the front elevation which would project some 1.85m beyond the new front roof slope, and measure some 1.05m wide and 1.35m high. A larger rear roof projection would extend some 3.7m beyond the new rear roof slope, with a width of some 3.1m and a height of 2.7m.

The proposed works would be externally finished in materials to match the existing dwelling.

This application has been submitted to overcome the reasons for refusal associated with 15/0826/FUL.

Supplementary Documentation

There are no supporting statements or other documentation submitted with the application.

Planning History

September 1967 – permission granted for a conservatory (BEN/9580)

August 1973 – permission granted for a dining room extension (BEN/13116)

April 1980 – permission granted for alterations to form additional bedrooms and bathroom (BR/440/80)

October 1988 – permission granted for a single storey pitched roofed rear extension and pitched roofed rear dormer window (CPT/1439/88)

November 2007 – permission refused for a two storey rear and first floor side and rear extensions (CPT/564/07/FUL) for the following reasons:

- 1 The proposed development is situated within an area of Green Belt as defined in the Council's Adopted Local Plan, where development of this nature is allowed only in the most exceptional circumstances. The proposal would result in an oversized, inappropriate form of development, and if allowed would be likely to have an adverse impact on the openness, character and appearance and strategic function of the Green Belt. The applicant has failed to demonstrate any special circumstances why the proposal might exceptionally be allowed and the proposal is therefore contrary to PPG2, and Policy GB5 of the Council's Adopted Local Plan.
- 2 The proposal, by reason of the formation of the increased height, mass and bulk of the first floor and pitched roof above represents an unsympathetic form of development which would be out of scale and character with the existing dwelling, contrary to Policy GB5 of the Council's Adopted Local Plan.

December 2011 – permission refused for a part first floor/part two storey side extension (CPT/550/11/FUL) for the following reasons:

- 1 The proposed development is situated within an area of Green Belt as defined in the Council's Adopted Local Plan, where development of this nature is allowed only in the most exceptional circumstances. The proposal would result in an oversized, inappropriate form of development, and if allowed would be likely to have an adverse impact on the openness, character and appearance and strategic function of the Green Belt. No very special circumstances have been identified which would justify the proposed works and the proposal is therefore contrary to PPG2 and Policy GB5 of the Council's Adopted Local Plan.
- 2 The proposal, by reason of the formation of the increased height, mass and bulk of the first floor and pitched roof above represents an unsympathetic form of development which would be out of scale and character with the existing dwelling, contrary to Policies GB5 and EC2 of the Council's Adopted Local Plan.
- 3 The proposal, due to the extension of the property up to the southern side boundary of the site, would result in a cramped and mean form of development, lacking adequate setting, to the detriment of the appearance and character of this part of the Green Belt, contrary to Policies GB5 and H17 SPG9 of the Council's Adopted Local Plan.

December 2015 – Permission refused for a single storey rear extension and first floor side extension over existing ground floor with front and rear dormers (15/0826/FUL) for the following reasons:

- 1 The proposed development is situated within an area of land allocated for Green Belt purposes as defined in the Council's Adopted Local Plan, where development of this nature is allowed only in the most exceptional circumstances. The proposal would result in an oversized, disproportionate, inappropriate form of development, which if allowed would be likely to have an adverse impact on the openness, character and appearance of the Green Belt. The applicant has failed to demonstrate any very special circumstances which would exceptionally allow this development to be permitted and in the absence of such very special circumstances approval of the proposal would be contrary to Policy GB5 and Appendix 2 of the adopted Local Plan and Government guidance as set out in the National Planning Policy Framework.
- 2 The proposal, by reason of the extension of the property up to the boundary of the site at first floor level, would result in a cramped and mean form of development, lacking adequate setting, to the detriment of the appearance and character of this part of the Green Belt, contrary to policies GB5 and H17 of the Adopted Local Plan, RDG2 of the adopted Supplementary Planning Guidance and Government guidance as contained within the National Planning Policy Framework.

Local Plan Allocation

Green Belt

Relevant Government Guidance and Local Plan Policies

National Planning Policy Framework: Paragraphs 87-89
Planning Practice Guidance

Current Local Plan

EC2	Design
H17	Housing Development – Design and Layout
T8	Car Parking Standards
GB5	Extensions to Dwellings
Appendix 2	Development in the Green Belt

Residential Design Guidance

RDG2	Space around Dwellings
RDG3	Building Lines
RDG5	Privacy and Living Conditions
RDG6	Amenity Space
RDG7	Roof Development
RDG8	Detailing
RDG12	Parking and Access

County Parking Standards September 2009 (Adopted June 2010)

Consultation

No statutory consultation undertaken

Public Consultation

One response received, so far, in response to the neighbour notification and the posted site notice with no objections to the scheme.

Evaluation of Proposal

The proposal raises no issues of neighbour impact, car parking or amenity space provision. The main issues here are whether the proposal would be of an acceptable design and whether it would have an acceptable impact in terms of Green Belt Policy.

The National Planning Policy Framework (NPPF) states that the fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.

Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 of the NPPF specifies that a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. It goes on to state that exceptions to

this include the extension or alteration of a building providing that it does not result in disproportionate additions over and above the size of the original building.

Policy GB5 of the adopted Local Plan states that within the Green Belt extensions to dwellings need to be of a scale and character so that the dwellinghouse is not impaired and that the proposal does not have an adverse impact on the Green Belt and its surroundings.

Supplementary guidance at Appendix 2 to the adopted Local Plan clearly defines what the Planning Authority would consider to be a proportionate extension to a dwelling in the Green Belt.

The General Permitted Development Order, at the time of the preparation of Appendix 2 to the adopted Local Plan allowed, subject to specific criteria, the extension of dwellings by up to 70 cubic metres, or 15%, to a maximum of 115 cubic metres, without the need for specific planning permission.

Appendix 2 of the Local Plan allows for a further enlargement of 25m³ in addition to any unimplemented permitted development rights existing to the original dwelling as a reasonable enlargement of a dwelling in the Green Belt

It is recognised that this advice is based on the provisions of Class A of the 1995 General Permitted Development Order, which has now been superseded however; it is considered that the principle it enshrines, which is to limit to a reasonable degree the extent by which a dwelling in the Green Belt may be extended, remains valid despite the more recent changes to domestic permitted development rights.

The NPPF clarifies the original dwelling to be the dwelling as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

A number of the consents are listed above, within the planning history, but no original consent can be identified for this property. However, for the purposes of this application the original volume has been taken to be that of the dwelling indicated on the plans submitted for a conservatory in 1967 under reference BEN/9580. This dwelling has been calculated to have a volume in the region of 306m³, thus the existing dwelling may be 'reasonably' extended in Green Belt policy terms by 95m³ to a total volume of 401m³.

The existing dwelling has been extended several times. It would appear that there are also a number of additions the Council has no records for. The submitted plans show an existing volume of some 566m³ (excluding the bay windows and chimney). The original dwelling has therefore already been extended considerably beyond the 'reasonable' figure. Any additional volume is consequently likely to result in further disproportionate additions to the dwelling.

In order to reduce the volume of the property and thus facilitate the proposed extension, the applicant has indicated an intention to remove the existing conservatory which has a volume of some 45m³.

The proposed extensions would have a total volume of some 61m³. Although the conservatory would be removed, the proposal would still increase the volume of the dwelling by some 16m³. Whilst this additional volume seems small, the proposal would result in a dwelling of some 582m³ (excluding the bay windows and chimney) which is 181m³ beyond what is considered proportionate, or 90% over and above the size of the original dwelling.

Prima facie the proposal is therefore contrary to Policy GB5 of the adopted Local Plan and the provisions of the NPPF. However, prior to determining the application, it is incumbent on the Planning Authority to consider whether there are any very special circumstances that would justify a departure from Green Belt policy. The Local Authority defines a special circumstance as something that is unique to the site or at the very least, not capable of frequent repetition.

The submitted plans show that the ground floor extension would provide additional space to allow disabled facilities to a ground floor bedroom. Verbally the applicant confirmed, in the previous application, that the additional accommodation is needed to support his disabled child. The Local Authority, whilst sympathetic to this situation, does not consider that this set of circumstances is unique to this site or incapable of repetition and consequently the situation cannot amount to the very special circumstances needed to justify otherwise inappropriate development in the Green Belt.

Additionally, the applicant verbally, in the previous application, referred to the level of development at the adjacent sites, Braeside Farm and Brickfields, which are also in the Green Belt. However, the existence of development at adjacent sites, which were considered and determined on their individual merits, does not provide justification for an inappropriate form of development in the Green Belt.

The proposal represents a disproportionate enlargement of the dwelling which would have an adverse impact on the openness of the Green Belt. Significant harm is attributed to the scale of extensions and an objection is therefore raised on the basis of adopted Policy GB5 and the provisions of the NPPF.

The proposal has consequently failed to overcome the first reason for refusal associated with planning application 15/0826/FUL.

Policy H17 states that in assessing the design aspects of proposals for housing, the Local Planning Authority will have regard to its adopted Residential Design Guidance (RDG). This guidance is considered to be in compliance with the NPPF.

RDG2 states that space around all new development should be informed by the prevailing character of space around dwellings. Where there is no clear pattern of development the space around a dwelling should be proportionate to the size of the dwelling, with at least 1m provided between the property and the boundary.

Paragraph (vii) of Policy GB5 requires a minimum side isolation space of 3m to be provided between the dwelling and the plot boundary for Green Belt properties.

The southern boundary is now identified to be located between 4.5m and 5.4m from the application dwelling. This differs from the location of the boundary previously identified under planning application 15/0826/FUL.

The current proposal demonstrates the provision of an adequate level of isolation to the southern boundary. No objection is therefore raised to the proposal under Policy H17 in respect of RDG2 and paragraph (vii) of Policy G5.

The revised layout consequently overcomes the second reason for refusal associated with planning application 15/0826/FUL.

Turning to the design of the proposal; Policy GB5 requires proposals to be sympathetic in terms of scale, form, design, height and materials to the existing dwelling and its surroundings. Policy EC2 of the adopted Local Plan reiterates that a high standard of design will be expected in all proposals for alterations and extensions to existing buildings.

RDG7 states that the roof design of any development should be compatible with the dwelling, and it should be proportionate to the remainder of the dwelling and not be too heavy or appear prominent or dominant.

RDG8 states that the provision of detailing elements must be consistent with the overall architectural approach of the dwelling and their design and siting should be an integral part of the dwelling.

The proposed first floor side extension would essentially elongate the main roof form of the dwelling over the existing single storey side extension. This would result in a roof design which would harmonise with the lines and form of the original dwelling house, be consistent with the overall architectural approach of the dwelling and would not result in a dominant or prominent addition. The proposed front dormer is consistent in scale and form to the existing front dormer, and considered to be an ancillary addition within the new roofscape.

The proposed rear roof enlargement is large, and dominant. However this design is consistent with the existing rear roof projections. The single storey rear extension would also not harm the character and appearance of the host dwelling. No objection is therefore raised to the proposal on the basis of design. This however is insufficient to overcome the principle objection to the proposal raised under Green Belt policy.

Conclusion

The proposed development represents inappropriate development in the Green Belt, the approval of which would be contrary to Green Belt policy as set out in the National Planning Policy Framework and Policy GB5 of the adopted Local Plan.

I have taken all other matters raised by interested parties into consideration, but none are sufficient to outweigh the considerations that led to the recommendation.

My Recommendation is REFUSAL for the following reason:

1 The proposed development is situated within an area of land allocated for Green Belt purposes as defined in the Council's Adopted Local Plan, where development of this nature is allowed only in the most exceptional circumstances. The proposal would result in an oversized, disproportionate, inappropriate form of development, which if allowed would be likely to have an adverse impact on the openness, character and appearance of the Green Belt. The applicant has failed to demonstrate any very special circumstances which would exceptionally allow this development to be permitted and in the absence of such very special circumstances approval of the proposal would be contrary to Policy GB5 and Appendix 2 of the adopted Local Plan and Government guidance as set out in the National Planning Policy Framework.

Informative:

1 The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.