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AGENDA

Committee: DEVELOPMENT CONTROL

Date and Time: Tuesday 7th March 2017 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), Acott, Anderson, Blackwell, Mrs King, Mumford, Sharp, Sheldon, Taylor, Varker, Mrs Wass and Wood.

Canvey Island Town Councillors : Greig and Tucker

Officers attending: Rob Davis – Planning Development and Enforcement Officer
Steve Rogers – Local Plan and Regeneration Adviser
Fiona Wilson – Head of Legal Services

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 7th February 2017 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.

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DEVELOPMENT CONTROL COMMITTEE

7th FEBRUARY 2017

PRESENT: Councillors Hart (Chairman), Smith (Vice-Chairman), Acott, Anderson, Blackwell, Mrs King, Mumford, Sharp, Varker, Mrs Wass, Wood and Canvey Island Town Councillor Greig.

Councillors Hurrell and Riley also attended.

Apologies for absence were received from Councillors Sheldon and Taylor.

(Note: Councillor Taylor did not attend the meeting as he had a Disclosable Pecuniary Interest in Agenda Item 5 (1))

25. MEMBERS' INTERESTS

There were none.

26. MINUTES

The Minutes of the meeting held on 10th January 2017 were taken as read and signed as correct.

27. DEPOSITED PLANS

- (a) 16/0917/FUL – FORMER CASTLE VIEW SCHOOL, MEPPLE AVENUE, CANVEY ISLAND (CANVEY ISLAND WINTER GARDENS) – CHANGE OF USE FROM D1 (NON-RESIDENTIAL INSTITUTION) TO C2 (RESIDENTIAL INSTITUTION) AND FORM DORMITORY ACCOMMODATION IN THE FIRST FLOOR – JCOCI EDUCATIONAL ESTABLISHMENT**

The application sought to change the use of the former Castle View School from Class D1 use (non-residential institution) to C2 use (residential institution). The proposal represented an appropriate use of a building in the Green Belt, however an unfettered Class C2 use on the site was considered capable of resulting in undue noise and disturbance to local residents and gave cause for concern in respect of flood risk. As such it was not considered that consent for a change of use from Class D1 to Class C2 for the whole of the building should be unconditionally granted.

The applicants had made it clear that the intention was that the existing building resumed its use for educational purposes but that provision be made for dormitory accommodation so that the students could remain resident on the site. The provision of ten dormitories, accommodating some 60 students, with staff in

attendance, at first floor level within the existing building and associated with the lawful use of that building as a school, was not considered likely to give rise to undue noise and disturbance to local residents and gave rise to no concerns on flood risk. The proposal also represented a highly sustainable form of development.

No objection was therefore raised to this specific use of the site and it was considered, subject to conditions requiring the provision of appropriate vehicle and cycle parking facilities, that a consent which limited use of the building to a residential educational establishment, in the manner described in the Planning Officer's report, would be appropriate.

During discussion Members were supportive of the proposal however raised concern that the building would be used for residential purposes by the wider community and not just for students. The Planning Officer explained that the use of the building was restricted to a residential educational establishment only and that any other use would need to be referred to the planning authority to determine whether or not it should be granted permission.

The Committee noted the proposed conditions in the report to mitigate flood risk however a Member suggested that the applicant should also be requested to submit a Flood Risk Response Plan to further protect users of the site against the risk of flooding.

Following discussion it was:

Resolved – That the application is approved subject to the conditions as set out in the Planning Officer's Report and a condition that requires the applicant to submit a Flood Risk Response Plan.

Chairman

ITEM 1

Application Number:	16/0987/OUT
Address:	92-94 Foksville Road Canvey Island SS8 7BE (Canvey Island South Ward)
Description of Development:	Demolition of existing structures and construction of three storey building comprising of 10 No. apartments with associated works
Applicant:	Co-op
Case Officer:	Mr Keith Zammit
Expiry Date:	11.04.2017

Summary

The application is for outline planning permission for redevelopment of a vacant commercial site with a block of 10 apartments. In all the circumstances the proposed redevelopment is considered to be acceptable and no sustainable reasons for refusal can be found. The application is therefore recommended for **APPROVAL**.

The application is presented to the committee because there is a conflict between the site's designation in the Adopted Local Plan and the proposals in the Canvey Town Centre Masterplan. Under such circumstances, the adoption statement to the Masterplan states that when a planning application is submitted, the matter will be reported to the Development Control Committee for a decision.

Site Visit

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

Introduction

The application relates to a commercial site within Canvey Town Centre which is irregular in shape, having approximate dimensions of some 48m by 30m.

It currently contains redundant commercial buildings. The site's former use was as a milk depot, although there was planning permission in 2002 for its use as a builders' yard, which appears to have been implemented. More recently a monumental mason has occupied the site. The site is currently unoccupied.

The Proposal

Outline planning permission is sought for the removal of the redundant commercial buildings and the erection of a three storey building containing ten self-contained flats. The matters that are submitted for consideration at this stage are access, layout and scale. The matters of appearance and landscaping would be reserved, should outline planning permission be granted.

The building would have a footprint of approximately 22m by 17m with various pitched and flat roofed elements to a maximum overall height of some 12m.

Car parking is proposed to the front (north) of the building, utilising the existing vehicular access from the highway.

Supplementary Documentation

The application is accompanied by a transport statement, contaminated land study, flood risk assessment and outline drainage strategy, flood response plan and a structural statement, which are available to view on the council's website.

Planning History

In 2002 permission was granted to use the former milk depot as a builders' merchant, with the enclosure of an existing canopied structure to create a retail building (CPT/559/02/FUL).

Relevant Government Guidance and Local Plan Policies

The site is allocated for shopping purposes in the Adopted Local Plan. The following policies and guidance are of relevance:

National Planning Policy Framework

Section 2 – Ensuring the vitality of town centres

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 10 – Meeting the challenge of climate change, flooding and coastal change

Adopted Local Plan

EC2 – Design

S4 – Non-retail development

T8 – Parking standards

Residential Design Guidance

RDG2 – Space around dwellings

RDG3 – Building lines

RDG5 – Privacy and living conditions

RDG6 – Amenity space

RDG8 – Detailing

RDG13 – Refuse and recycling storage

Emerging New Local Plan (2016)

H12 – Location of Housing Development

Consultation

Highways

No objection subject to conditions

Environment Agency

No objection subject to conditions

Lead Local Flood Authority

Awaiting response to revised drainage strategy

Natural England

No comments to make

Refuse and Recycling

No objection

Anglian Water

No response received

Canvey Town Council

No response received

Education

No response received

Environmental Health

No response received

Public Consultation

No response to neighbour notification, press and site notices

Comments on Consultation Responses

The holding objection from the Lead Local Flood Authority has resulted in the submission of a new drainage strategy. The outcome of consultation on this revised strategy will be reported at the meeting.

Evaluation of Proposal

Principle

The site is located within an area allocated primarily for shopping purposes in the adopted Local Plan. Policy S4 seeks to retain such areas for shopping purposes. This is consistent with paragraph 23 of the National Planning Policy Framework (NPPF). The development of the site for residential purposes would be contrary to this provision. However, paragraph 51 of the NPPF states that local planning authorities should normally approve planning applications for change from commercial to residential use where there is an identified need for additional housing, provided there are no strong economic reasons why such development would be inappropriate. Whilst this statement is directed at changes of use of existing buildings, it is also considered to be of some relevance to redevelopment of vacant commercial sites.

The Written Ministerial Statement (WMS), 'Planning for Growth', dated 2 March 2011 gives significant weight to the provision of housing in sustainable locations close to significant employment opportunities. The WMS states that:

"Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy."

Such sentiment is echoed in the Housing White Paper "Fixing our Broken Housing Market" which was published on 7th February 2017.

There is a clear and recognised need for additional housing provision within the borough and as such a presumption in favour of the development of the site for residential purposes exists, unless there are strong economic reasons for refusing the development or the proposal would compromise the key sustainable development principles set out in national planning policy.

The site is within the town centre but not located within a primary shopping frontage. It is isolated from the nearby core retail area by reason of the busy one way road system of the town and this is reflected in the fact that the site is currently occupied by derelict buildings and has not been used for retail purposes. The site is therefore not considered to contribute to the retail activity of the town centre.

On balance it is not considered that the redevelopment of this site in the manner proposed would have an adverse impact on the retail vitality or viability of the town centre or compromise key sustainable development principles as set out in national planning policy.

The context of the site suggests that the principle of residential development would be acceptable, being consistent with Government policy and guidance. No objection is therefore raised to the principle of a residential development on this site.

Policy H13 of the Adopted Local Plan considers the principle and location of flatted development and provides criteria on design, scale and siting. This policy is considered generally consistent with the NPPF.

The policy specifically states that proposals for flats should be located on main roads. The site is located on Foksville Road which is a main road and forms part of the one way system through the town. Under these circumstances the site is considered an appropriate location for the proposed development. The other remaining criteria will be assessed against the Council's Residential Design Guidance (RDG), which will be discussed later in the report.

The provision of flats on this site would be consistent with the provisions of Policy H12 of the emerging New Local Plan (2016).

The Canvey Town Centre Master Plan identifies part of the application site for highway purposes, forming part of an improved route through the Town Centre. Development of the site in the manner proposed would prejudice the provision of such a route. This represents a potential objection to the proposal.

However, whilst the Canvey Town Centre Master Plan is an adopted policy document it is at an embryonic stage and something of an aspirational document with limited commercial commitment. The proposals within the plan will not be delivered in the short or medium term and are unlikely to come to fruition in their current form. As such it is not considered that this document can carry significant weight in the determination of the current application. A reason for refusal based on conflict with the Canvey Town Centre Master Plan is unlikely to be supported on appeal.

Piecemeal development

Policy H12 of the Adopted Local Plan states that where it appears to the Council that the comprehensive (residential) development of a large site or development in depth would be prejudiced by piecemeal development proposals, planning permission will be refused.

It is noted that the commercial site immediately to the north and east of the application site (74 High Street, occupied by Canvey Supply) currently benefits from a resolution to grant planning permission for a mixed residential and commercial development subject to the applicant entering into a Section 106 Agreement for a financial contribution towards the off-site provision of affordable housing.

The development of 92-94 Foksville Road with 10 units does not, on its own, trigger a requirement for the provision of affordable housing. If feasible however the combined development of this site and 74 High Street would mean that a higher commuted sum in lieu of affordable housing would

be payable (compared to the redevelopment of 74 High Street in isolation) or that the on-site provision of some affordable housing may be possible, which is preferable to payment of a commuted sum.

However this is not the test required in Policy H12 – it is the case that both this site and the High Street site can be redeveloped independently of each other without prejudice to any larger scheme, since the configuration of the two areas of land does not immediately lend itself to any obvious larger scheme. There are site boundaries which are contiguous, but a more rational and comprehensive scheme would also need to involve further land at the corner of Foksville Road and High Street. Furthermore it is also relevant to note that the High Street scheme was of mixed residential and commercial development rather than solely residential land use, as inferred by Policy H12.

In these circumstances it would be inappropriate to assert that there is conflict with Policy H12, particularly since there is no directly relevant policy in the Local Plan which takes into account the above circumstances, and there is no guidance on this matter within the NPPF, other than to advise that local planning authorities that, where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless:

- o any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole or
- o specific policies in this Framework indicate development should be restricted

It is the advice of officers that a refusal of permission based on the loss of affordable housing by the separate development of these two adjacent sites is not a robust reason supported by current national policy and is unlikely to be supported on appeal.

Design and Layout

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

Whilst the applicants seek outline permission for the development of the site at this stage, access, scale and layout are matters identified for consideration at this time. It is therefore appropriate to consider design and layout at this stage.

Policy EC2 specifically states that the scale, density, siting, design, layout and external materials of any development shall be appropriate to its setting and should not harm the character of its surroundings; that the appearance and treatment of spaces around buildings shall be enhanced by appropriate hard and soft landscaping and that all modes of movement are to be safe and convenient.

These principles are broadly reflected in the provisions of Policy DES1 of the emerging Local Plan (2016).

In terms of scale, the proposed flats would be three storeys in height. Whilst higher than the existing building and those immediately abutting the site, this locality exhibits several examples of three storey flatted development, including the proposed redevelopment of 74 High Street which has been mentioned earlier in this report. In this context it is not considered that there can be an objection to the principle of a three storey development on this site.

In terms of the indicative style, the proposed building would be of modern appearance with its various elements of pitched and flat roofs. The site is located between the rear of commercial

development fronting High Street to the north and a school to the south west and does not form part of a distinct frontage of buildings. Under these circumstances it is not considered that the proposed development would appear incongruous or otherwise detrimental to the visual amenity of the area.

The council has adopted Residential Design Guidance as a supplementary planning document.

Within this, RDG2 requires blocks of flats to be provided with space either side equivalent to 25% of the width of the building. The block of flats would have a width of some 22m, 25% of which is 5.5m. Isolation spaces totalling 6m would be provided which satisfies this requirement. No objection is therefore raised on the basis of RDG2.

RDG3 requires proposals to respect established building lines. The proposed block of flats would not directly face the highway. The school and nearby commercial development do not form a strong building line. On this basis it is not considered that the proposed development would be out of keeping with any established building lines.

RDG3 also requires developments not to cause loss of residential amenity by way of obtrusiveness or dominance. This proposal is considered to have an acceptable physical relationship with the planned development on land to the east. There are no other residential properties that would be significantly affected by the proposal. No objection is therefore raised on the basis of RDG3.

RDG5 deals with privacy and overlooking. A distance of 9m should be provided between first floor windows and the boundary of the site, increasing to 15m for windows at second floor level.

Any front and rear windows or balconies would overlook either the car park or the adjacent school field so would not cause loss of privacy.

West facing windows would overlook landscaping and car parking within the curtilage of the school so would also not cause loss of privacy.

Notes on the plans suggest that east facing windows above ground floor level would be obscure glazed and with restricted opening and also that balconies would have screening along their eastern sides. This is important to prevent loss of privacy to planned residential development of the site to the east, so a condition would need to be imposed on any grant of permission to ensure that such devices were provided and retained in perpetuity. Subject to such a condition there is no objection on the basis of RDG5.

RDG6 requires 8m² of communal amenity space provision per habitable room, with a minimum of 25m² per flat.

Ten flats are proposed, requiring 250m² of communal amenity space provision. The plans are notated with an amenity area of approximately 400m². This figure appears to take into account the areas to the sides of the building and a small area of landscaping in the northeast corner of the site. Whilst the provision of amenity space close to the parking court may not be very practical to use some of the of the apartments, most notably the two top floor units but also the south facing flats on the first floor, would have access to balcony areas overlooking the school field.

Taking these factors into account, it is felt that the development makes satisfactory provision for outdoor space and no objection is raised on the basis of RDG6.

RDG13 requires the provision of refuse and recycling storage facilities for blocks of flats. The proposed layout would allow for a refuse storage area to be provided in the car park. The council's

refuse and recycling service has raised no objection to the provision of the facility in this location. Subject to a condition requiring the provision and retention of this facility there is no objection on the basis of RDG13.

The appearance of buildings is a reserved matter and the details of the design of the refuse and recycling storage facilities should be submitted as part of any reserved matters application.

Parking

Policy T8 of the local plan requires the provision of parking in accordance with adopted standards. These require the provision of one parking space for one bedroomed properties and two spaces for properties with two or more bedrooms. Unallocated visitor parking should be provided at a rate of 0.25 spaces per dwelling, rounded up to the nearest whole space.

Application of the parking standards to this development requires parking as follows:

4 No. 1 bed flats = 4 spaces

6 No. 2 bed flats = 12 spaces

Visitors $0.25 \times 10 = 2.5$ spaces = 3 spaces

19 spaces are therefore required but only 12 are provided on site. However in town centre locations where there is good access to public transport and other facilities it would be appropriate for the planning authority to accept lower levels of parking provision.

In this case one space per flat with two spare spaces is provided and this is considered to be an acceptable level of parking provision. Such an approach is supported by the highway authority. Members should also note that the flexible application of car parking standards in town centre locations has also been supported on appeal by Inspectors.

Cycle parking for this development is a minimum of one space per dwelling for residents plus one space per eight dwellings for visitors. 12 cycle parking spaces should therefore be provided. The proposal shows a cycle storage area that would appear to be capable of accommodating this. Any reserved matters application should provide full details of this facility.

Flooding and drainage

The NPPF states at paragraph 100 that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, applying the sequential test and, if necessary, the exception test.

The development, along with the rest of Canvey Island, is located in Flood Zone 3 which has the highest probability of flooding. Whilst sequential testing aims to steer new development to the area with the lowest possible probability of flooding, it is an established principle that Canvey has development needs which need to be met on Canvey if the settlement is not to be economically blighted, therefore the sequential test is considered to be passed.

For the exception test to be passed, which is necessary for this development, the following is required:

- o it must be demonstrated 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

- o 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 respect of the first criterion, as has been identified, there are socio-economic benefits to the development that are considered to outweigh flood risk therefore this element of the exception test is considered to be passed.

In respect of the second criterion, the application is accompanied by a site-specific flood risk assessment. This identifies that the finished ground floor level of the building would be set at 2.4mAOD, the first floor at 5.16mAOD and the second floor at 7.935mAOD.

The 0.5% (1 in 200 year) annual probability breach flood level inclusive of climate change is 3.13mAOD and the 0.1% (1 in 1000 year) annual probability breach flood level is 4.13mAOD. The ground floor of the development would therefore be liable to flooding but the first and second floors would not be. As such, a solution needs to be found for the ground floor flat dwellers to be able to escape from a flood situation.

The proposed development includes a refuge room at second floor level for use by the ground floor residents in a flood event. This contains only basic amenities but would provide a safe area for residents if their flats were flooded. Provided that a flood response plan is put in place to manage the response of occupiers to a flood warning being issued or flooding occurring, the second part of the exception test is considered to be passed.

A flood response plan has been submitted as part of the application. This is considered satisfactory for the purpose of making occupiers aware of the actions they should take in the event of a flood warning or flood water entering the ground floor of the building. Subject to a condition that this plan be enacted upon occupation of the building and maintained at all times that the building is occupied, there is no objection to this aspect of the proposal.

The Planning Practice Guidance states that structural stability of buildings is a material planning consideration. The submission contains details of reinforced wall construction which an accompanying statement explains will mean that the building can withstand the hydrostatic and hydrodynamic pressures that may act upon it in a flood event. Subject to a condition requiring the building to be constructed in accordance with these details, there is no objection to this aspect of the proposal.

The above paragraphs relate only to tidal flood risk to the site. The site may also be affected by fluvial (river/watercourse) and pluvial (surface water) flooding.

In respect of fluvial flooding, the Environment Agency has high confidence that the site is not vulnerable to flood risk from a designated main river watercourse.

In respect of pluvial flooding the site-specific Flood Risk Assessment has used data from the Canvey Island Integrated Urban Drainage Model to deduce that the maximum flood depth in a pluvial event would be 2.29mAOD for a 1 in 1000 year event inclusive of climate change. The finished ground floor level of the building would be set at 2.4mAOD. It can therefore be seen that the building should not be affected by surface water flooding under the most extreme circumstances

No objection is raised to the proposal on the basis of flood risk.

On the matter of drainage of surface water within the application site, the Lead Local Flood Authority (Essex County Council) has raised a holding objection to the application, on the basis

that the applicant's original drainage strategy was not satisfactory. This was primarily due to the unacceptably high discharge rate to the surface water sewer. A revised drainage strategy has been submitted for consideration and the comments of the Lead Local Flood Authority are awaited.

Contaminated land

The applicant has had a Phase I Preliminary Site Assessment carried out. This is a desk based assessment and recommends that further work is needed from the applicant due to the potential for pollutants to be present on site. The specific works recommended are:

- o Undertake an intrusive ground investigation.
- o Undertake a Generic Quantitative Risk Assessment (GQRA) as part of the ground investigation.
- o Undertake Ground Gas Monitoring

Conditions are recommended to require the applicant to submit these items and to carry out any necessary remedial work at the appropriate times.

Conclusion

The proposal is considered acceptable in principle and also in terms of the design and layout, as far as that can be assessed at this stage. Subject to there being no adverse comments from the Lead Local Flood Authority on the revised drainage strategy, it is considered that the provision of a 3 storey block of flats in this location is appropriate.

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 with the following conditions

- 1 The development hereby permitted may only be carried out in accordance with details of the external appearance of the building and the landscaping of the site, (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.

- 2 Prior to commencement of development, including any site clearance or demolition work, the applicant shall undertake an intrusive ground investigation and ground gas monitoring, as outline in the Phase I Preliminary Site Assessment prepared by Curtins dated 17th October 2016, the results of which shall be submitted to the local planning authority.

REASON: To prevent construction workers and future occupiers of the development from being exposed to unnecessary health risks.

- 3 Any remedial works identified as necessary in the documentation submitted pursuant to condition 2 shall be carried out in accordance with such time frame(s) as may be embodied within the relevant documentation. Upon completion of the development, written confirmation of the implementation of the remedial works shall be submitted to the local planning authority.

REASON: To prevent construction workers and future occupiers of the development from being exposed to unnecessary health risks.

- 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 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 underbody 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

- 5 Such Construction Method Statement as may be approved pursuant to condition 4 shall be adhered to throughout the construction phase of the development, including any demolition or site clearance works.

REASON: To ensure that on-street parking of construction-related 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.

- 6 The development shall be constructed in accordance with the structural details submitted by Millard and Partners Ltd dated December '16.

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

- 7 The development shall be carried out and built in accordance with the approved surface water drainage details.

REASON: To prevent increased flood risk to adjacent land from surface water runoff.

- 8 Any upper-floor windows in the east facing elevation of the building shall be -

- (i) obscure-glazed; and
- (ii) non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed

and retained as such thereafter.

REASON: To protect the privacy of occupiers of the adjacent site.

- 9 Any balconies shall be provided with obscure glazed screening along their eastern edges, such screening to have a minimum height of 1.8m as measured from the floor surface of the balcony.

REASON: To protect the privacy of occupiers of the adjacent site.

- 10 Prior to occupation of any apartment, the approved refuse storage facility shall be provided and made available for use. Thereafter, this facility shall be kept available for the purpose of storage of refuse and recyclable materials and not used for any other purpose.

REASON: To make and retain satisfactory provision for the storage of waste in the interest of visual amenity.

- 11 Prior to occupation of any apartment the approved cycle storage facility shall be provided and made available for use. Thereafter, it shall be kept available for the purpose of cycle storage and not used for any other purpose.

REASON: To make and retain satisfactory cycle storage provision in the interest of sustainable travel.

- 12 Prior to occupation of any apartment, the approved car parking and turning areas shall be provided, hard surfaced and drained. Thereafter, these areas shall be retained for the purpose of vehicle parking and not used for any other purpose.

REASON: To make and retain satisfactory provision for parking off the highway to avoid the generation of additional on-street parking in surrounding streets.

- 13 Prior to first occupation of the proposed apartments the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. One pack per dwelling. Written confirmation of the issue of the packs shall be provided to the local planning authority within one month of the occupation of the last apartment.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

- 14 Upon occupation of any apartment, the approved Flood Response Plan shall be enacted and thereafter maintained at all times that the 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.

Informatives

- 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 2

Application Number:	17/0047/FULCLC
Address:	Runnymede Swimming Pool R/o Council Offices Kiln Road Thundersley Benfleet (Cedar Hall Ward)
Description of Development:	Construction of side extension to the existing swimming pool building to provide a Health and Fitness Suite and new car park
Applicant:	Castle Point Borough Council
Case Officer	Mr Steve Rogers
Expiry Date:	17.03.2017

Summary

The proposals comprise a single storey extension to the east flank of the Runnymede Pool building, in order to create a health and fitness suite, and a new car park to the north and east of the extended Pool building, with access taken from Runnymede Chase, for 50 cars.

The proposals are consistent with the 1998 Adopted Local Plan, and more recent emerging policy in the 2016 New Local Plan.

There are no objections from statutory consultees or interested persons.

The design and appearance of the extension is satisfactory and the site layout arrangements acceptable on planning grounds. Since there are no planning reasons to withhold permission the application is recommended for **APPROVAL**.

The application is presented to Committee for determination since the applicant is the Borough Council.

Site Visit

It is not considered necessary for the Committee to undertake a site visit in this case.

Introduction

This application site is adjacent to the Runnymede Pool building, situated to the rear of the Council Offices, Kiln Road, Thundersley. The location of the development is to the east and to the north of the Runnymede Pool building. The land is at present mown grassland and the levels fall to the south and east.

Four trees are located to the east of the Pool building – a Leylandii in healthy condition, a Lawson Cypress in healthy condition, a Scots Pine in healthy condition and a Horse Chestnut in poor condition. A shrub bed with a seat and litter bin is located to its rear north facade.

To the north of the site, a pathway leads east from Runnymede Chase to the White Room, beyond which and to the north is an area of open space used for informal recreation.

Runnymede Hall is located to the east, used for civic, leisure, recreation and assembly purposes.

A car parking area for the Runnymede Pool building is situated to the south of the site, access to which is through part of a larger area of car parking shared by the Council Offices and Runnymede Hall, via a traffic signal controlled junction off Kiln Road.

Runnymede Chase is situated to the west of the Runnymede Pool building, beyond which are the grounds and buildings of SEEVIC College. Access to the plant and maintenance area of the Pool building is gained from Runnymede Chase.

Pedestrian access to the Runnymede Pool building is taken from the south facade but with ready accessibility from north, east, south and west.

The Proposal

The proposed development comprises two elements. First a **single storey side extension** is to be situated adjacent to the east facade of the Runnymede Pool building. Secondly a **new car park** for 50 cars is to be provided to the north and east of the extended Runnymede Pool building, with a new access from Runnymede Chase.

The single storey side extension is to accommodate a health and fitness suite, spinning studio, multi-purpose studio, extended cafe/rest area, male and female changing rooms, an accessible WC and studio store.

The building would measure 32.950m long, 14.000m wide and 6.393m high at its highest point above ground level (the south eastern corner), providing 435 sq.m of floorspace. The building would have two windows and emergency exits on the south and north elevations, and five windows and an emergency exit on the east elevation.

The design of the building has carefully followed the features of the reception wing of the existing Pool building, and the fascia treatment of that part of the existing building is to be carried through on the extension. The roof area of the reception wing of the existing building will accommodate three new air handling units to service the new space in the health and fitness suite – these units will be screened by the existing pool hall to the west, the extension to the east and by screening at roof level to the south and north.

The building will be constructed in buff colour facing bricks to match the main Pool building, with white powder coated aluminium window and door frames, again to match those on the reception wing of the existing building. The fascia at roof level to both the extension and the reception wing of the existing building will be a brown colour coated steel, as will the roof screens surrounding the air handling plant.

Finally a “brise soleil” will be installed over the entrance area to the reception wing of the existing building to minimise solar glare and heat gain.

The new car park takes access from Runnymede Chase, to the north of the existing maintenance lay-by by the existing Pool building, but to the south of the pedestrian access to the paths across the open space. Access is to be taken via an 8m wide bell-mouth junction and 5.5m access road which, at the entrance to the car park, will be height restricted and barrier controlled. The car park will be surfaced with “grasscrete”. A total of 50 car parking spaces are to be provided, with the centre line of the spaces indicated by oak posts on the boundary of the car park, which will also prevent vehicles leaving the parking area.

10 cycle stands are to be provided to the front of the extension.

The car park will be accessible for pedestrians to and from the front of the extension and reception area via a new path running alongside the eastern side of the extension, constructed from concrete blocks laid in herringbone style.

The new car park and existing adjacent footpath across the open space will be illuminated by 15 lamp columns each 6m high and carrying hooded 53 watt luminaires. The cycle parking area will be illuminated by 2 lamp columns each 4m high and carrying hooded 18 watt LED luminaires. 7 wall mounted 18 watt LED luminaires will be fixed to the north, east and south elevations of the proposed extension.

Four existing trees will need to be removed to construct the extension and some small shrubs removed to accommodate the car park. However on completion the existing mown grassed areas will be made good and new planting provided to the east and south of the proposed extension.

Supplementary Documentation

The application is supported by the following supplementary documents, all of which are available to view on the Council's website;

- Planning Statement
- Lighting Assessment Report
- Essex Historic Environment Monument Full Report
- Air Handling Unit Specifications

Planning History

BEN/333/69 - construction of swimming pool - approved 29th August 1969

CPT/1536/84 - alterations to entrance and foyer including cashier's desk – approved 4th December 1984

CPT/1291/88 - single storey flat roofed side extension – approved 14th September 1988

CPT/607/01/FUL - sloping roofed extension to accommodate public viewing gallery to teaching pool - approved 31st October 2001

CPT/630/01/FUL - pitched roofed entrance porch; exit canopy; replace door with window; internal alterations –approved 31st October 2001

CPT/379/07/FUL - foyer extension – approved 31st July 2007

Local Plan Allocation

1998 Adopted Local Plan – Local Government

2016 New Local Plan – Community Facility

Relevant Policies and Government Guidance

National Planning Policy Framework

Section 7	Requiring Good Design
Section 8	Promoting Health Communities

1998 Adopted Local Plan

EC2	Design
EC7	Natural and semi natural features
EC22	Retention of trees, woodland and hedgerow
T8	Car parking standards

2016 New Local Plan

SD1	Presumption in favour of sustainable development
T8	Parking provision
DES1	General design principles
DES3	Landscaping
HC1	Active and healthy communities
HC2	Opportunities for indoor leisure and sports
HC6	Community areas
HC11	Development of community facilities

Consultation

Essex County Council – Highways

No objections subject to conditions concerning the vehicular access, the entrance driveway, the parking area layout, surfacing material and contractors off-highway working area.

Castle Point Borough Council – Legal Services

1. Make sure the external lights do not affect neighbours.
2. Runnymede Chase is only adopted road up until after the SEEVIC College side entrance and from there it is a private street, meaning the properties fronting the road it would be liable for repairs.

Public Consultation

Public consultation via individual letters to neighbouring occupiers and 4 site notices; one response received:

"I do not agree or disagree with this application, but would like our Officers and Councillors to insist that the Contractor does not allow any HGV access via the west or east entrances of The Chase to the site, also no HGV to enter, exit or turn round in the unmade section of Runnymede Chase: during the last expansion of SEEVIC, property, kerbs, footpaths and foliage was extensively damaged along these adopted and adopted parts of these roads, especially during SEEVIC period of additional student intake with many special needs transport using the roads."

Comments on Consultation Responses

The conditions recommended by the Highway Authority can be incorporated into the recommendation for approval.

The external lighting is designed so as to minimise light spill and will not affect any neighbouring property. The lighting will be sensor and time controlled.

Contractors' access to the site will be taken from Runnymede Chase to and from Kiln Road only.

Evaluation of Proposal

The key planning issues to be considered in the determination of this case are as follows:

1. The principle of the development
2. The design and appearance of the proposals
3. The effect of the proposals on surrounding land uses

Each of these matters will be considered in turn.

1. The principle of the development

Section 8 of the National Planning Policy Framework (NPPF) supports the notion of planning for healthy and active lifestyles. In particular paragraph 70 explains...

“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- *plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments....”*

Paragraph 73 explains that:

“Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.”

The proposed development site is allocated for Local Government use in the 1998 Adopted Local Plan. Whilst it could be claimed that the current and proposed land use is not strictly one for Local Government, it is a facility operated by the Borough Council. Furthermore the existing Runnymede Pool building and Runnymede Hall are also similar land uses and also operating under the same Local Plan designation.

The 2016 New Local Plan carries a more up-to-date designation for the land, as a Community Facility. Furthermore Policies HC1, 2, 6 and 11 in that Plan give support to the concept of improving the range of health and leisure facilities, and particularly on designated land.

The principle of the development is therefore supported through national planning policy and is consistent with adopted and emerging local planning policy.

2. The design and appearance of the proposals

The proposals have been designed to ensure that they represent a sustainable development, readily assimilated with the existing Pool building on the site as well as neighbouring buildings, and with appropriate access, car and cycle parking.

The NPPF explains at paragraphs 56 and 57 that;

“56. The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

57. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.”

Policy EC2 of the 1998 Adopted Local Plan and Policy DES1 of the 2016 New Local Plan also require a high standard of design for new buildings and extensions.

In this case the footprint of the proposed building has been arranged so that it can take access from within the existing building and form part of a single unified facility. Improved internal facilities comprise dry changing rooms, an accessible WC and an extended café/rest area, in addition to the suites for health and fitness. Externally the footprint sits back from both the north and south facades of the existing building.

The appearance of proposed extension replicates the style of the current building on the all elevations, albeit at a higher level than the reception wing of the Pool building because of the fall in ground levels. The extension has a strong deep horizontal fascia at roof level and has windows which are proportionate to the scale of the building. The external materials have been selected to match those of the existing Pool building.

The position and layout of the car park has been designed so as to allow access from Runnymede Chase, with a car park designed to current car space requirements.

The location of the car park close to an area of open space is an important consideration. In order to ensure that a harsh, urbanised appearance of a hard surfaced car park is softened, “grasscrete” has been selected as the surfacing material to ensure that over time the appearance of the car park will create an appropriate transition between the built form to the south, east and west, and the more open character of the open space to the north. Furthermore the entire perimeter of the car park and its access will be defined with oak posts. These posts will also mark the centre line of each individual car parking space in order to assist with the management and operation of the car park.

Policies in the 1998 Adopted Local Plan require that existing natural features such as trees and hedges be retained where possible in carrying out new development. Policy DES1 of the 2016 New Local Plan also requires appropriate landscaping. In this case it has not been possible to provide an extension to the Pool building of the requisite size and design without impact on the 4 existing trees in this location. This is regrettable and with the exception of the Horse Chestnut, the trees themselves are in good condition. Nonetheless the proposals acknowledge this impact and provide an opportunity for more extensive area of new planting alongside the south and east elevations of the extension.

Similarly the loss of the shrub bed to the north of the Pool building to make way for the car park is also regretted but the new planting area referred to above is able to provide a satisfactory area of re-provision for planting.

Under the 1998 Adopted Local Plan and the 2016 New Local Plan, the current parking standards for 435 sq.m of gym floorspace suggest a maximum of 44 car spaces should to be provided; 50 spaces are shown in the new car park, with the surplus available to assist the current Pool facility.

The current standards for cycle parking suggests that a minimum of 15 new cycle parking stands should be provided; 10 spaces are shown, which is considered acceptable having regard to the location of the site close to other civic uses where other cycle parking opportunities are available.

Finally the design and appearance of the lighting facilities are appropriate for the facility, being of a modern design, low intensity and downward orientated to avoid unnecessary glare and light spill.

3. The effect of the proposals on surrounding land uses

The proposals are situated in a location which is surrounded by land accessible to members of the public, and used as informal open space, civic uses and car parking.

The proposed side extension would bring the Pool building closer to the Runnymede Civic Hall to the east, but a distance of some 10m would still be available between the buildings; this would continue to be used as informal open space providing an appropriate setting for the building. The existing car park for the Pool building would be directly to the south of the extension and no undue effect is likely on that space. The proposed car park is located to the north of the extension, beyond which is a pathway leading from Runnymede Chase to the White Room, and a further area of informal open space to the north of that.

The proposed car park would be visible from the pathway and informal open space to the east and north, as well as from Runnymede Chase to the west, and the SEEVIC campus beyond that. However the car park is to be designed in such a way as to respect the grassed nature of the open land, by being surfaced in “grasscrete”, with the car park perimeter defined by oak posts.

The lighting arrangements are also carefully designed so that illumination is focussed on the car park and paths and does not spill beyond that. The operation of the lighting will be controlled by sensor and by timer to ensure that illumination does not occur outside operational times.

Having regard to these features, it is not considered that harm would be caused to users of the informal open space to the north and east, nor to the use of the highway and campus to the west, which in themselves display features such as hard surfaces, buildings and illumination similar in character to this proposal.

Conclusion

The proposals can be shown to be consistent with national and local policy, and the allocation on the Proposals Map of the 1998 Adopted Local Plan, and the 2016 New Local Plan. The design and appearance of the proposed side extension and car park is acceptable and appropriate to the site and its location. Furthermore no undue effect can be demonstrated on adjoining informal open space, civic and educational land uses.

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 with the following conditions

- 1 The development hereby permitted shall be begun on or before the expiration of three 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 The proposed development shall be finished externally in materials to harmonise with the existing development.

REASON: To ensure a satisfactory form of development in sympathy with the existing development and the character of the surrounding area.

- 3 The vehicular access as shown on planning drawing NPS-DR-B-(00)-010 shall be constructed at right angles to the existing carriageway. The width of the access at its junction with the carriageway shall be no more than 8 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge and footway.

REASON: At the request of the Highway Authority, to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

- 4 The proposed shared drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back edge of footway and provided with an appropriate dropped kerb crossing of the verge.

REASON: At the request of the Highway Authority, to ensure that vehicles can enter and leave the highways in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with policy DM1.

- 5 The vehicle parking area indicated on planning drawing NPS-DR-B-(00)-010, shall be hard surfaced and marked out in parking bays before the extension hereby permitted is first brought into use. Each parking space shall have dimensions in accordance with current parking standards. 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 development or use of the site as a whole, unless otherwise agreed with the Local Planning Authority.

REASON: At the request of the Highway Authority, 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.

- 6 The cycle parking area indicated on planning drawing NPS-DR-B-(00)-010, shall be hard surfaced and marked out with appropriate stands before the extension hereby permitted is first brought into use. Each stand shall have dimensions in accordance with current standards. The cycle parking area and its access shall be retained in this form at all times. The cycle parking shall not be used for any purpose other than the parking of cycles that are related to the development or use of the site as a whole, unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that appropriate provision is made for the parking of cycles at the site at all times.

- 7 No unbound material shall be used in the surface treatment of the vehicular access.

REASON: At the request of the Highway Authority, to avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

- 8 Prior to the commencement of and during the course of the development, 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, and construction traffic access route signs via Kiln Road clearly displayed.

REASON: At the request of the Highway Authority, 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.

- 9 Before the extension and car park hereby permitted are first brought into use, all landscaping and external works shown on the approved drawings shall be carried out and completed in accordance with the approved drawings, and retained thereafter in that form.

REASON: To ensure a satisfactory development incorporating a degree of natural relief, in the interests of the amenities of the site and the surrounding area.

Informatives

- 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.
- 2 All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team at SMO3, Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, CM13 3HD or emailed to development.management@essexhighways.org