

Thurrock - An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future

Planning Committee

The meeting will be held at **6.00 pm** on **20 October 2022**

Committee Room 1, Civic Offices 3, New Road, Grays, Essex, RM17 6SL.

Membership:

Councillors Tom Kelly (Chair), Georgette Polley (Vice-Chair), Paul Arnold, Adam Carter, Terry Piccolo, James Thandi, Sue Shinnick and Lee Watson

Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

Councillors Qaisar Abbas, Daniel Chukwu, Steve Liddiard, Susan Little and Elizabeth Rigby

Agenda

Open to Public and Press

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1 Apologies for Absence	
2 Minutes	5 - 10
To approve as a correct record the minutes of the Planning Committee meeting held on 18 August 2022.	
3 Item of Urgent Business	
To receive additional items that the Chair is of the opinion should be considered as a matter of urgency, in accordance with Section 100B (4) (b) of the Local Government Act 1972.	
4 Declaration of Interests	
5 Declarations of receipt of correspondence and/or any	

meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting

6 Planning Appeals 11 - 22

7 Public Address to Planning Committee

The Planning Committee may allow objectors and applicants/planning agents, and also owners of premises subject to enforcement action, or their agents to address the Committee. The rules for the conduct for addressing the Committee can be found on Thurrock Council's website at <https://www.thurrock.gov.uk/democracy/constitution> Chapter 5, Part 3 (c).

8 22/00933/HHA - 1 Orchard View, Robinson Road, Horndon On The Hill, SS17 8PU 23 - 40

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Queries regarding this Agenda or notification of apologies:

Please contact Kenna-Victoria Healey, Senior Democratic Services Officer by sending an email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **12 October 2022**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest *at a meeting*?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- Not participate or participate further in any discussion of the matter at a meeting;
- Not participate in any vote or further vote taken at the meeting; and
- leave the room while the item is being considered/voted upon

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Our Vision and Priorities for Thurrock

An ambitious and collaborative community which is proud of its heritage and excited by its diverse opportunities and future.

1. **People** – a borough where people of all ages are proud to work and play, live and stay
 - High quality, consistent and accessible public services which are right first time
 - Build on our partnerships with statutory, community, voluntary and faith groups to work together to improve health and wellbeing
 - Communities are empowered to make choices and be safer and stronger together

2. **Place** – a heritage-rich borough which is ambitious for its future
 - Roads, houses and public spaces that connect people and places
 - Clean environments that everyone has reason to take pride in
 - Fewer public buildings with better services

3. **Prosperity** – a borough which enables everyone to achieve their aspirations
 - Attractive opportunities for businesses and investors to enhance the local economy
 - Vocational and academic education, skills and job opportunities for all
 - Commercial, entrepreneurial and connected public services

Minutes of the Meeting of the Planning Committee held on 18 August 2022 at 6.00 pm

Present: Councillors Tom Kelly (Chair), Georgette Polley (Vice-Chair), Adam Carter, Susan Little (Substitute for Councillor Paul Arnold) Terry Piccolo and Lee Watson

Apologies: Councillors Paul Arnold, James Thandi and Sue Shinnick

In attendance: Leigh Nicholson, Assistant Director of Planning, Transport and Public Protection
Louise Reid, Strategic Lead Development Services
Ian Harrison, Principal Planner
Julian Howes, Senior Highways Engineer
Jonathan Keen, Principal Planner
Lucy Mannion, Senior Planner
Kenna-Victoria Healey, Senior Democratic Services Officer

Before the start of the Meeting, all present were advised that the meeting was being live streamed to the Council's website..

23. Minutes

The minutes of the meeting held on 14 July 2022 were approved as a true and correct record.

24. Item of Urgent Business

There were no items of urgent business.

25. Declaration of Interests

Councillor Little declared an interest in item 9, planning application 22/00930/FUL in that the application was within her Ward.

26. Declarations of receipt of correspondence and/or any meetings/discussions held relevant to determination of any planning application or enforcement action to be resolved at this meeting

The Chair declared the following correspondence on behalf of all Members:

- Planning Application 22/00930/FUL, Woodlands Koi Farm, South Avenue, Langdon Hills, Essex, SS16 6JG an email in support of the application.

Councillor Carter advised he had not received the correspondence; the Chair and other Members had received.

27. Planning Appeals

The Assistant Director for Planning, Transport and Public Protection presented the reports to Members.

RESOLVED:

That the report be noted.

28. 22/00210/FUL - High Fields, Lower Dunton Road, Bulphan, Upminster, Essex, RM14 3TD (Deferred)

The report was presented by the Principal Planning Officer.

Members questioned the difference in terms of footprint between Cumbria (the neighbouring property) and the proposal that is the subject of this application on the basis that they appeared similar. The Principal Planning Officer commented that the crucial consideration in relation to green belt applications is the size of the original dwelling at the application site, rather than any other dwellings surrounding it.

The Principal Planning Officer set out that a replacement dwelling could be supported by that national and local planning policy sets out that replacement buildings should not be materially larger than the original building. Members were advised that other dwellings within the street or area were not relevant to the assessment of inappropriate development.

During the debate Councillor Piccolo stated that, as much as he could understand the concerns of the Planning Officers, he felt there was exceptional circumstances to this application and from his point of view there would be no impact on the green belt due to the limited visibility of the proposal. He continued by saying that he felt that the reasons given by Members for approval at previous meetings had been clear and that each application should be taken on its own merit.

Councillor Watson commented that she was struggling with the application as she could not understand how harm to openness of the greenbelt could be linked to this application given its location. The Chair of the Committee commented that it was clear Members disagreed with the recommendation of Officers and highlighted that, should Members be mindful to approve the application, it was likely to be referred to the Monitoring Officer for their legal opinion.

The Chair thanked Members for their comments and sought if anyone wished to recommend the Officers recommendation. No Member recommended the application as per the Officers report, the Chair then sought an alternative recommendation.

The Assistant Director of Planning, Transport and Public Protection advised the Constitution was clear that an alternative recommendation would need to be put forward. He continued by advising Members that the application was considered inappropriate development and was beyond what could be seen as a reasonable enlargement relative to the existing property. It was advised that the proposal conflicts with national and local policies.

Members then put forward their reasons for approving the application, addressing each reason for refusal in turn.

Members commented that the present building could not be seen from the roadside and the building itself was rather dishevelled. Members felt that the resultant property would not be incongruous in the location and would be reflective of the neighbouring properties in terms of scale. Overall, it was felt that approving the application would not impede on the openness of the greenbelt.

Members continued onto their second reason for approval to which they stated in their opinion 99% of the plot would be retained and the proposal would improve the appearance of the building. In addition, there would be positive impacts on the location, visual impact. Through conditions on the home would be of a high quality and sustainable. Members acknowledged the harm that would be caused by reason of inappropriate development but concluded that that harm, and the harm identified by design of the scheme would be clearly outweighed by the factors presented, which were each given substantial weight.

The Chair proposed a recommendation to approve the application, and this was seconded by Councillor Watson.

For: (4) Councillors Tom Kelly (Chair), Georgette Polley (Vice-Chair), Terry Piccolo and Lee Watson

Against: (0)

Abstained: (0)

29. 22/00930/FUL – Woodlands Koi Farm, South Avenue, Langdon Hills, Essex, SS16 6JG

The report was presented by the Senior Planning Officer.

Councillor Polley thanked the Planning Officer for the report and sought clarification on whether the council had been considering enforcement action or if officers were actually taking enforcement action. The Senior Planner explained a reference had been set-up on the system and Officers were preparing an enforcement notice, however an issue with land ownership arose and so an actual enforcement notice was never served, but it was intended to be served.

Speaker statements were heard from:

- Statement of Support: Councillor Barry Johnson, Ward Member

During the debate it was mentioned that looking at that planning history and the way the applicant had come back time and time again with the plans changing very little and then the fact that the fact that the outer building had been extended. Members commented the application had been refused in the past and they couldn't see a reason to approve it now.

The Chair proposed the Officer recommendation to refuse the application and was seconded by Councillor Polley.

For: (5) Councillors Tom Kelly (Chair), Georgette Polley (Vice-Chair), Adam Carter, Terry Piccolo, and Lee Watson

Against: (0)

Abstained: (1) Councillor Susan Little

30. 21/01804/FUL - Beauchamp Place, Malvern Road, Grays, RM17 5TH

The report was presented by the Principal Planning Officer.

Councillor Little thanked Officers for the report, she enquired if the new day room would be plumbed into anything other than just electricity. The Principal Planning Officer explained the applicant had connected to the sewage network. It was mentioned this was something which had taken place after formal planning permission had been approved by the Planning Inspectorate.

Members heard the day room had ancillary uses so there was a kitchen, washing area and a seating area. There was also an area for one of the children on the site who had specific medical needs, so there was a room to allow recuperation and to help with their medical needs.

Councillor Carter sought clarity on how the planning application in front of Members compared to the planning application which was considered by the Planning Inspectorate and allowed on appeal. The Principal Planning Officer explained the site plan which was approved following the Inspector's decision and as part of the Inspector's decision permission for five plots were to be provided for five named families.

The Planning Officer further commented that as part of the application a condition has been included stating if this day room this built, the previous proposed day room cannot be and the conditions from the planning Inspectorates' decision had been reinstated.

During the debate Councillor Watson commented she felt the application was sympathetic to what the site was and that a lot of the Traveller sites were well kept. She continued by saying she felt it could be a benefit for the area.

Councillor Little proposed the officer's recommendation to approve the application and was seconded by Councillor Piccolo.

For: (5) Georgette Polley (Vice-Chair), Adam Carter, Susan Little, Terry Piccolo, and Lee Watson

Against: (0)

Abstained: (1) Councillor Tom Kelly (Chair)

31. 21/01427/CV - Cedarwood Court And Elmwood Court, Southend Road, Stanford Le Hope, Essex

The report was presented by the Principal Planning Officer.

The provision of adequate soft landscaping within the development was discussed and it was highlighted by the Planning Officer that one of the conditions which had been suggested required that the trees shown on the plans were planted in the next available planting season and required that the trees would be retained for five years. The condition also required the provision of placement trees if any died within a five-year period.

The Chair proposed the officer's recommendation to approve the application and this was seconded by Councillor Carter.

For: (6) Councillors Tom Kelly (Chair), Georgette Polley (Vice-Chair), Adam Carter, Susan Little, Terry Piccolo, and Lee Watson

Against: (0)

Abstained: (0)

The meeting finished at 8.13 pm

Approved as a true and correct record

CHAIR

DATE

**Any queries regarding these Minutes, please contact
Democratic Services at Direct.Democracy@thurrock.gov.uk**

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20 October 2022	ITEM: 6
Planning Committee	
Planning Appeals	
Wards and communities affected: All	Key Decision: Not Applicable
Report of: Beverly Kuchar, Interim Strategic Lead for Development Services	
Accountable Assistant Director: Leigh Nicholson, Assistant Director for Planning, Transportation and Public Protection.	
Accountable Director: Julie Rogers, Director of Public Realm	

Executive Summary

This report provides Members with information with regard to planning appeal performance.

1.0 Recommendation(s)

1.1 To note the report.

2.0 Introduction and Background

2.1 This report advises the Committee of the number of appeals that have been lodged and the number of decisions that have been received in respect of planning appeals, together with dates of forthcoming inquiries and hearings.

3.0 Appeals Lodged:

3.1 Application No: 22/00809/CLEUD

Location: St John The Baptist Church, Stanford Le Hope, SS17 0RN

Proposal: Certificate of lawful use in respect of use of Land as a Caravan Site.

3.2 **Application No: 22/00213/HHA**

Location: 11C Stifford Road, South Ockendon, RM15 4BS

Proposal: Formation of new vehicular crossover to access the highway

3.3 **Application No: 22/00382/HHA**

Location: Velminster Cottage Romford Road, Aveley, South Ockendon

Proposal: Two storey side extension incorporating car port, front porch addition and alterations to window layout and external materials

3.4 **Application No: 21/02186/FUL**

Location: Globe Industrial Estate, Unit 29A, Rectory Road, Grays RM17 6ST

Proposal: Conversion and change of use of vacant warehouse/office (B8 use) to a place of worship and community centre (falling under a dual F.1 and F.2 use) including minor external alterations to fenestration in both front and rear elevations.

4.0 **Appeals Decisions:**

The following appeal decisions have been received:

4.1 **Application No: 21/00453/FUL**

Location: South Ockendon Hall Farm, North Road, South Ockendon, Essex, RM15 6SJ

Proposal: Construction of new farm vehicular access and associated farm track from North Road

Appeal Decision: Appeal Dismissed

4.1.1 The Inspector considered the main issues to be:

- a) The effect of the proposed development on trees and biodiversity;
- b) The effect of the proposed development on highway safety; and
- c) Whether the proposal would preserve the setting of Gatehouse and Moat of South Ockendon Old Hall, (Scheduled Ancient Monument 'SAM') and Moat Bridge and Gatehouse at South Ockenden Old Hall (Grade II Listed).

(a) The effect of the proposed development on trees and biodiversity

4.1.2 The Inspector considered that the appellant had failed to demonstrate that the proposal would not have a net adverse impact on trees or biodiversity. Accordingly, there would be a conflict with Policy PMD2 of the Core Strategy which seeks to secure development proposals that have followed a full investigation of the magnitude of change, protect features of landscape and wildlife value, such as woods and hedges and mitigates negative impacts. There would also be a conflict with Policy PMD7 of the Core Strategy which requires developers to submit a detailed justification, including ecology surveys where appropriate, when there would be biodiversity loss. The conflict carried significant weight because the policies are consistent with the National Planning Policy Framework.

(b) The effect of the proposed development on highway safety

4.1.3 The proposed highway access would be taken from North Road (B186). The Inspector concluded the access would be safe, and its use would not harm the free flow of traffic or highway capacity. As a result, there would be no conflict with Policy PMD2 and PMD9 and there would be clear benefits from providing the proposed access.

(c) Whether the proposal would preserve the setting of Gatehouse and Moat of South Ockendon Old Hall (SAM) and Moat Bridge and Gatehouse at South Ockenden Old Hall (Grade II Listed)

4.1.4 The Inspector considered the proposal would preserve (not harm) the general rural character of the setting of the historic complex and how it is experienced. As a result, there would be no conflict in this respect with Policy PMD4 of the Core Strategy.

4.1.5 The Inspector concluded the proposed development would not harm highway safety or impact on heritage matters, but it would result in significant tree, hedge and habitat loss without adequate analysis and justification. The proposal would therefore conflict with the development plan taken as a whole and there were no other considerations which he considered outweighed these findings.

4.1.6 The full appeal decision can be found online.

4.2 Application No: 21/01611/FUL

Location: 50 Giffordside, Chadwell St Mary RM16 4JA

Proposal: Demolition of existing side extension: single storey extension to existing property and erection of end of terrace part two storey and part single storey dwelling with off street parking and rear amenity space

Appeal Decision: Appeal Dismissed

- 4.2.1 The Inspector considered the main issue to be the effect of the development on the character and appearance of the area.
- 4.2.2 The Inspector considered the irregular footprint of the proposed dwelling, featuring a dog leg to the flank wall would mean the dwelling would be noticeably wider at the front than the rear and would therefore be at odds with the simple architectural form of the buildings on Giffordside. The proposal would also be highly prominent from an adjacent footpath.
- 4.2.3 The proposal was therefore considered to be harmful to the character and appearance of the area, contrary to Policies PMD2 and CSTP22 of the Core Strategy. The Inspector accordingly dismissed the appeal.
- 4.2.4 The full appeal decision can be found online.

4.3 Application No: 21/01734/FUL

Location: 6 Elm Terrace, Grays RM20 3BP

Proposal: Conversion existing bedroom and bathroom side of main building and construction of double storey side extension as a self-contained one-bedroom flat.

Appeal Decision: Appeal Dismissed

(a) The Inspector considered the main issues to be (a) the effect on the character and appearance of the area and (b) whether sufficient parking would be provided.

(a) The effect on the character and appearance of the area

- 4.3.2 The Inspector noted that the proposed ground floor window to the front elevation would appear overly large, extending up to the boundary on one side and abutting the front door on the other. This would not reflect the rhythm and pattern of the fenestration withing the wider terrace and would present a poor façade to the street scene.
- 4.3.3 Furthermore, the Inspector noted the plans did not show the position of the adjoining tree which currently has branches that overhang the existing single storey extension. The Inspector concluded that the proposal would have a harmful impact on the character and appearance of the host property and the wider area. It would thereby conflict with Policies PMD2, CSTP22 and CSTP23 of the Core Strategy.

(b) Whether sufficient parking would be provided

4.3.4 The Inspector noted a single parking space was indicated to be provided at the end of the unmade road to the front of the site and outside of the red edged application site, in a position that would be difficult, if not impossible to manoeuvre into and out of. The Inspector concluded in the absence of any contrary information or reasoning to justify the absence of parking provision, the proposal would be likely to result in increased parking stress with the potential to have a harmful effect on highway safety and therefore fail to comply with policies PMD2, PMD8 and PMD9 of the Core Strategy.

4.3.5 The full appeal decision can be found online

4.4 Application No: 21/02043/HHA

Location: 9 Langthorne Crescent, Grays RM17 5XA

Proposal: Part first floor side extension

Appeal Decision: Appeal Allowed

4.4.1 The Inspector considered that the main issue was the effect on the character and appearance of the host property and wider street scene.

4.4.2 The Inspector noted that the appeal property, and those along the northern side of the road, have large projecting front gables with bay windows beneath which provide distinctive and prominent features in the street scene. The Inspector considered whilst the design and appearance of the original semi-detached properties in the row within the appeal site is located has a relatively uniform and distinctive appearance, the layout of the dwellings varies considerably such that there is no similar uniformity to the gaps between the semi-detached pairs.

4.4.3 The Inspector concluded that whilst it would reduce the visual gap between Nos 7 and 9 at first floor level, the extension would not have an unacceptable harmful impact given the lack of uniformity withing the wider streetscene and the limited view from which it would be apparent, and it would thereby accord with Policies PMD2, CSTP22 and CSTP23 of the Core Strategy.

4.4.4 The full appeal decision can be found online.

4.5 Application No: 21/01886/HHA

Location: 13 Arisdale Avenue, South Ockendon RM15 5AS

Proposal: Demolition of existing garage and erection of two storey side extension and single front extension.

Appeal Decision: Appeal Allowed

4.5.1 The Inspector consider the main issues were the effect on (a) the character and appearance of the host property and street scene (b) highway safety.

(a) the character and appearance of the host property and street scene

4.5.2 The Inspector considered that whilst the two-storey side extension and single storey front extension would extend beyond the 'notional building line' created by the properties to the north of the application site this would not be harmful, and the extensions would reflect a 'seamless' approach as referred to in the RAE SPD guidance. The Inspector concluded that the proposed extension would not have a detrimental impact on the street scene and would successfully integrate with the host dwelling. As such it would accord with Policies PMD2, CSTP22 and CSTP23 of the Core Strategy

(b) highway safety.

4.5.3 The Inspector noted that there were two vehicles parked in the area to the front of the dwelling which would be acceptable for the dwelling.

4.5.4 The full appeal decision can be found online.

4.6 Application No: 21/01979/HHA

Location: 249 Princess Margaret Road, East Tilbury RM18 8SB

Proposal: Demolition of the existing single storey side extension and conservatory and erection of single storey side/rear extension, erection of a new brick wall with access gates to the front boundary, and erection of new outbuilding to the rear garden.

Appeal Decision: Appeal Dismissed (in relation to the outbuilding)
/Allowed (in relation to the extension and walls)

4.6.1 The Inspector considered the main issue to be the effect of proposed outbuilding on the character and appearance of the East Tilbury Conservation Area.

4.6.2 The Inspectors found that proposed outbuilding would occupy a large portion of the property's rear garden and as a result of its size, it would be unduly dominating within its context. The Inspector also noted whilst it would be of brick elevations to match the host building it would have a very low pitch roof, almost flat. This would be at odds with the host dwelling which has a hipped tiles roof and would introduce a building that would be out of character within its context. The addition of the proposed decking would result in built development occupying most of the garden area. Overall, this would be to the detriment of the character of the area which, as

identified in the Conservation Area, is noted for the contribution that the undeveloped natural garden areas make and its distinctive architecture.

4.6.3 The Inspector concluded the proposal in respect of the outbuilding would fail to preserve or enhance the character or appearance of the East Tilbury Conservation Area. It would thereby conflict with Policies PMD2, CSTP22, CSTP23 and CSTP24 of the Core Strategy which seek to ensure that development preserves or enhances the historic environment and is the most appropriate for the heritage asset and its setting and which seek high quality development that responds to the sensitivity of the site and its local context

4.6.4 The full appeal decision can be found online.

4.7 Application No: 21/00646/FUL

Location: 14 Diana Close, Chafford Hundred, Grays RM16 6PX

Proposal: Change of use of amenity land to residential and the re-siting of the boundary wall.

Appeal Decision: Appeal Dismissed

4.7.1 The Inspector consider the main issues to be the effect on (a) the character and appearance of the host property and street scene (b) highway safety.

(a) the character and appearance of the host property and street scene

4.7.2 The Inspector considered the proposed height of the re-positioned wall and its proximity to the pavement would result in a solid and dominant barrier within the street scene. Whilst the wall would be set back 1m from the pavement leaving a narrow grass verge, it would nevertheless create a prominent and uncharacteristic sense of enclosure at odds with the open character of the estate. The proposal would result in the loss of a sizeable part of the open landscaped space which contributes to the character and appearance of the area. That would be harmful to the established street scene.

4.7.3 The Inspector concluded that the proposal would be harmful to the character and appearance of the area due to the height and positioning of the boundary wall and the loss of part of the landscaped area to the side of the property and contrary to Policies PMD2 and CSTP22 of the Core Strategy

(b) highway safety

4.7.4 The height of the proposed wall and its proximity to the highway would to some extent reduce forward visibility for drivers travelling southbound on Camden Road. The proposal would also reduce visibility for drivers emerging from Diana Close onto Camden Road as the wall would partly block the line of sight to the south. The Inspector could not be satisfied that this would not result in a hazard for motorists and the proposal would therefore conflict with Policy PMD9 of the Core Strategy.

4.7.5 The full appeal decision can be found online.

4.8 Application No: 21/01629/FUL

Location: 5 Malpas Road, Chadwell St Mary, RM16 4QX

Proposal: New dwelling to side plot adjacent to 5 Malpas Road including new vehicle access from Malpas Road.

Appeal Decision: Appeal Dismissed

4.8.1 The Inspector considered that the main issue was the effect on the character and appearance of the dwelling and wider street scene, and highway safety arising from the parking and access arrangement.

4.8.2 It was identified the appeal site comprised of a generous sized side garden area of an end terraced property within a residential area. The site is located at the end of a cul-de-sac adjacent to the turning head set at right angles to the road. The wider street scene of Malpas Road is characterised by long terraces of dwelling with some shorter terraces to the west, including that adjacent to the appeal site, which fronts a grassed area and footpath leading to the adjoining road to the north, Ingleby Road.

4.8.3 The proposal would involve an extension to the terrace into the side garden to form a new two storey one bed dwelling continuing the ridge height, pitched roof form and depth of the two-storey element of the existing terrace with single storey element to the rear.

4.8.4 The comparatively narrow width of the dwelling would not, in the Inspectors view be particularly noticeable but the position, size and design of the ground floor openings within it would appear cramped and would not reflect the rhythm and pattern of the adjoining terrace.

4.8.5 The Inspector concluded that, for the reasons set out above the proposal would have a harmful impact on the character and appearance of the host property and the wider area. It would thereby conflict with Policies PMD2, CSTP22 and CSTP23 of the Thurrock Core Strategy (2015) and it would fail to satisfy the aims and objectives of the RAE and the RAE

4.8.6 The full appeal decision can be found online

4.9 Application No: 21/01072/HHA

Location: 1 Inglefield Road, Fobbing, Essex, SS17 9HW

Proposal: Hipped to clipped hipped roof extension with front dormer, extension of rear dormer and front rooflight to be reposition.

Appeal Decision: Appeal Dismissed

- 4.9.1 The Inspector considered the main issues of the appeal to be whether the proposed development would be inappropriate development in the Green Belt, the effect of the proposal on the openness of the Green Belt; the effect of the development on the character and appearance of the area; and if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.
- 4.9.2 The Inspector drew attention to previous extensions at the site, which when viewed in addition to the proposal would represent a disproportionate increase in floor area over the original building and would exceed the two reasonably sized room allowance referred to with Thurrock's Core Strategy Policy PMD6 . Whilst the proposed uplift in floorspace would only be 14 sqm, the Inspector found it would not be proportionate in the context of the size of the original dwelling, which had already been substantially enlarged. In addition, the increase in width of the rear dormer and built form at first floor level of the dwelling would result in greater visual bulk. It was concluded that the scale of the extensions, taken in combination with previous extensions, would represent a disproportionate addition over and above the size of the original building. It was also deemed that the proposal by reason of its additional bulk and volume as a result of the enlargement of the rear dormer and alteration of the roof would materially impact on openness in a spatial aspect resulting in some limited harm to the Green Belt.
- 4.9.3 Whilst very special circumstances were submitted as part of the proposal, in particular what developments could be carried out at the site under Permitted Development, the Inspector commented that the prior approval scheme, if granted, would lead to a smaller increase in added bulk and volume and would have less of an impact on the spatial and visual openness of the Green Belt.
- 4.9.4 With regards to character and appearance it was considered that the proposed development by reasons of its bulk and mass would have an adverse impact on the character and appearance of the host dwelling and surrounding area. It would conflict with Policies CSTP22 and PMD2 of the Core Strategy, the Framework and the 'Residential Extensions and Alterations' (SPD) which together seek to ensure proposals are well-

designed and do not harm their surrounding contexts. Subsequently the appeal was dismissed.

4.9.5 The full appeal decision can be found online.

4.10 Enforcement No: 21/00099/AUNUSE

Location: Land at Fort Road, Tilbury, Essex, RM18 8UL

Proposal: Unauthorised encampment

Appeal Decision: Appeal Dismissed

4.10.1 The appeal against the Enforcement Notice was made only on ground (g), that the compliance period of the Notice was too short.

4.10.2 To succeed on this ground the Inspector noted, it must be demonstrated that the period for compliance set out in the notice falls short of what should reasonably be allowed. The appellant suggested a longer period of 12 months to allow for court proceedings and for vacant possession to be obtained. While the appellant had not provided an update on those actions, the Council had confirmed to the Inspector that the appeal site had been cleared.

4.10.3 The Inspector therefore found it could only follow that a 2-month period for compliance (as requested by the Council in the Notice) was not unreasonable.

4.10.4 Accordingly the Notice was upheld, and the appeal dismissed.

4.10.5 The full appeal decision can be found online

5.0 APPEAL PERFORMANCE:

5.1 The following table shows appeal performance in relation to decisions on planning applications and enforcement appeals.

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	7	3	-	2	1	7	5						25
No Allowed	4	1	-	0	0	5	0						10
% Allowed	57%	33%	-	0%	0%	71%	0%						40%

6.0 Consultation (including overview and scrutiny, if applicable)

6.1 N/A

7.0 Impact on corporate policies, priorities, performance and community impact

7.1 This report is for information only.

8.0 Implications

8.1 Financial

Implications verified by: **Laura Last**
Management Accountant

There are no direct financial implications to this report.

8.2 Legal

Implications verified by: **Mark Bowen**
Interim Head of Legal

The Appeals lodged will either have to be dealt with by written representation procedure or (an informal) hearing or a local inquiry.

During planning appeals the parties will usually meet their own expenses and the successful party does not have an automatic right to recover their costs from the other side. To be successful a claim for costs must demonstrate that the other party had behaved unreasonably. Where a costs award is granted, then if the amount isn't agreed by the parties it can be referred to a Costs Officer in the High Court for a detailed assessment of the amount due.

8.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**
**Community Engagement and Project
Monitoring Officer**

There are no direct diversity implications to this report.

8.4 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children.

None.

9.0. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- All background documents including application forms, drawings and other supporting documentation can be viewed online: www.thurrock.gov.uk/planning. The planning enforcement files are not public documents and should not be disclosed to the public.

10. Appendices to the report

- None

Agenda Item 8

Planning Committee: 20 October 2022	Application Reference: 22/00933/HHA
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Reference: 22/00933/HHA	Site: 1 Orchard View Robinson Road Horndon On The Hill SS17 8PU
Ward: Orsett	Proposal: Conversion of side extension to garage, second storey rear extension, two front dormers, one side dormer with replacement windows and fenestration amendment

Plan Number(s):		
Reference	Name	Received
RR-500	Location Plan and Proposed Site Layout	2nd July 2022
RR-100	Existing Ground Floor Plans	2nd July 2022
RR-101	Existing First Floor Plans	2nd July 2022
RR-102	Existing Elevations	2nd July 2022
RR-200-A	Proposed Ground Floor Plans	2nd July 2022
RR-201-A	Proposed First Floor Plans	2nd July 2022
RR-202-A	Proposed Elevations	2nd July 2022

The application is also accompanied by: – Planning Statement	
Applicant: Mr Kohl	Validated: 4 July 2022 Date of expiry: 23 September 2022 (Extension of Time agreed)
Recommendation: Refuse	

The application is scheduled for determination by the Council’s Planning Committee because it has been called in by Cllrs B Johnson, J Duffin, A Jefferies, D Huelin and B Maney (in accordance with the Constitution Chapter 5, Part 3 (b), 2.1 (d) (ii)) to assess the impact of the proposal on the Green Belt.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks approval for a first floor rear extension with a gable end and a side facing pitched roof dormer above a pre-existing single storey rear extension. Permission is also sought for the introduction of two pitched roof dormers and one roof light within the front roof slope and the reinstatement of the integral garage which is currently used as a habitable room.
- 1.2 The proposal also includes the removal of bowed windows within the front elevation and replacement windows throughout, including alterations to the window arrangement within the rear elevation and removal of one ground floor opening within the east flank. A change in materials is also proposed to the existing gable end positioned centrally within the rear elevation with the existing brickwork being masked by cladding.

2.0 SITE DESCRIPTION

- 2.1 The application site hosts a detached chalet style dwelling located in a rural area outside of Horndon on the Hill. The site is set within the Metropolitan Green Belt. The application site is located close to the junction with Oxford Road and is therefore considered to be a prominent corner plot. The immediate street scene consists of detached dwellings varying in design, appearance, scale and age where there is an inconsistent appearance and spacing between sites.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
78/00506/OUT	Extend and re-roof existing dwelling.	Approved
80/00852/FUL	Single storey extension	Approved
80/01068/FUL	Rooms in roof with repair to ground floor accommodation.	Approved
81/00246/FUL	Garage and room in roof & Amendment/resitting to former approvals THU/852/80 and THU/1068/80 Revised Plans received 18.6.81 (As amended by applicants/agents letter dated 17.6.81)	Approved
82/00193/FUL	Temporary Mobile Home.	Approved
83/00967/FUL	6' Larch lap fence along flank boundary with Oxford Road	Approved
90/01010/FUL	Erection of garage	Refused
99/00432/FUL	Dormer alterations	Approved
21/02030/HHA	First floor rear extension with side dormer, front and side	Refused

	dormers and changes to fenestration	
22/00522/HHA	First floor rear extension over existing single storey extension, replacement windows, fenestration amendments, internal retention of the garage and the introduction of front pitched roof dormers.	Withdrawn

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. Two representations of support have been received which support the proposal on the grounds that the proposal would be a visual improvement to the corner plot and would be of benefit to the occupying family.

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

- 5.1 The revised NPPF was published on 27th March 2012, revised on 24th July 2018, February 2019 and again in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. Paragraph 2 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 10 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- 4. Decision-making
- 12. Achieving well-designed places
- 13. Protecting Green Belt land

National Planning Practice Guidance (NPPG)

- 5.2 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was

accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application
- Green Belt
- Use of Planning Conditions

Local Planning Policy: Thurrock Local Development Framework 2015

- 5.3 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP4 (Sustainable Green Belt)

Thematic Policies:

- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD6 (Development in the Green Belt)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)

5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for

the Borough. Between February and April 2016 the Council consulted formally on an 'Issues and Options (Stage 1)' document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

5.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

5.6 Thurrock Residential Alterations and Extensions Design Guide (RAE)

In September 2017 the Council launched the RAE Design Guide which provides advice and guidance for applicants who are proposing residential alterations and extensions. The Design Guide is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

6.0 **ASSESSMENT**

Background

6.1 A previous planning application for the site was refused in March 2022 (Ref: 21/02030/HHA). Whilst this refused scheme included some elements that are also now proposed within the current application, there have been some amendments to the design and detailing of the proposal. The previous application was refused for the following two reasons:

- 1 *The proposal would, by reason of its scale and footprint, be in exceedance of the two reasonable sized room allowance relative to the original dwelling at the site. The development would therefore result in a disproportionate addition to the original dwelling constituting inappropriate development in the Green Belt which is, by definition, harmful. The proposal would also cause a reduction of openness. No very special circumstances have been provided which would clearly outweigh the harm to the Green Belt. The proposal is therefore contrary to Policy PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development 2015, the Residential Extensions and*

Alterations Supplementary Planning Document 2017 and the National Planning Policy Framework 2021.

2 *The flat roof dormer addition proposed to the rear of the property would, by reason of its scale, design, siting, mass and bulk result in an incongruous addition within the rear and side roof slopes creating a visually dominant feature visible within the public realm which would be harmful to the character, appearance and visual amenities of the property and wider area contrary to guidance in the NPPF, Policies CSTP22 and PMD2 of the Core Strategy and Policies for the Management of Development DPD (as amended) 2015 and the Thurrock Residential Alterations and Extension Design Guide (RAE) SPD.*

- 6.2 The site has an extensive planning history as detailed above. Plans have been obtained for each of the planning permissions granted in the early 1980's (80/00582/FUL, 80/01068/FUL and 81/00246/FUL) and regard has also been had to the commentary of the applicant in relation to the history of the site.
- 6.3 Given the content of the historic records available, it is difficult to establish the history of the built form at the site with definitive certainty. However, it appears that there was previously a single building at a wider site that was replaced with two single dwellings on the plots now known as nos. 1 and 2 Orchard View.
- 6.4 In this instance, it is considered the plans approved under permission 80/01068/FUL are likely to be representative of the initial footprint of the replacement dwelling with the garage and first floor bedroom directly above approved at a later date, under application 81/00246/FUL.
- 6.5 More recently a Decision Notice from planning application ref: 90/01010/FUL proposing the erection of a garage has been recalled from archived documents. Whilst this application was refused in December 1990, thereby pre-dating the national and local planning policies that are now in place, the Decision Notice sets out that the property had already been subject to previous extensions well in excess of the two reasonable sized room allowance, and for that reason the application for a garage was refused. The applicant was provided a copy of the decision notice for this development in June 2022 by Officers to assist with creating an understanding of the site history.
- 6.6 The assessment below covers the following areas:
- I. The Principle of Development in the Green Belt
 - II. Design, Layout and Character Impact

III. Impact on Neighbouring Amenity

IV. Access and Car Parking

I. THE PRINCIPLE OF DEVELOPMENT IN THE GREEN BELT

6.7 The application site is located in a rural part of the borough set within a small settlement of detached residential dwellings that sits within the Green Belt. As the site is located within the Metropolitan Green Belt, strict controls apply in relation to all new development.

Inappropriate Development

6.8 Policy PMD6 of the Core Strategy states that planning permission will only be granted for new development in the Green Belt provided it meets, as appropriate, the requirements of the NPPF, other policies in this DPD, and the following criteria that is specific to extensions

- i. *The extension of a building must not result in disproportionate additions over and above the size of the original building. In the case of residential extensions this means no larger than two reasonably sized rooms or any equivalent amount.*

6.9 It is considered relevant to highlight that the policy refers to the 'original building.' The definitions section of that policy states that original building "*means in relation to a building existing on 1st July 1948, as existing on that date, and in relation to a building built on or after 1st July 1948, as so built. Any building which is itself a replacement building will not be considered to be an original building for the purposes of this policy and the acceptability or otherwise of any proposals for further extension or replacement will be judged by reference to the 'original building' which preceded it. If the exact size of this previous building is unknown the redevelopment of a replacement dwelling will be limited to a like for like replacement.*" From this basis the consideration of the acceptability of extensions should be based on the original dwelling and not any replacement dwelling.

6.10 The NPPF includes similar policy guidance and the abovementioned policy is, therefore, considered to be consistent with the relevant national guidance. Paragraph 149 of the NPPF states that the erection of new buildings should be regard as being inappropriate. An identified exception to this is the "*the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*"

- 6.11 As set out above, the Core Strategy provides the Council's adopted interpretation of what extensions do not constitute inappropriate development, this is the two reasonably sized room limit. Before being adopted, this policy definition would have been examined and found acceptable by the Planning Inspectorate and sufficient Councillors for it to be adopted.
- 6.12 In order to calculate the two reasonable sized room allowance the original dwelling and associated buildings considered as original are taken into consideration. The floor space occupied by what is considered as a habitable space original to the site is combined and then divided by the number of habitable floor rooms measured and multiplied by two in order to calculate the two reasonable sized rooms allowance as set out in policy PMD6. Any existing development within the curtilage not considered as original to the site would be subtracted from the two reasonable sized room allowance along with the increase in floor space detailed within the current proposal. This calculation is carried out in order to ascertain whether the proposal would be within the limitations of the two reasonable sized room allowance considered as the limitations of proportionate development within the Green Belt.
- 6.13 Whilst site planning history would indicate the garage and first floor bedroom directly above may not be original to the current dwelling this cannot be either confirmed or refuted definitively as supporting information has not been provided. In addition, Building Control records indicate a single storey rear extension to the rear of the kitchen was constructed in 1999 and would therefore not be considered as original. It is also considered that the front porch addition is not original to the host dwelling. All of these additions will be subtracted from the two reasonable sized rooms allowance permitted under policy PMD6 of the Core Strategy.
- 6.14 Furthermore, whilst the host dwelling was constructed with two original flat roof box dormers to the rear, these have been enlarged over a period of time and are no longer in their original form. Internal floor areas have increased as a result of the enlargement of these dormers and will also be taken into consideration.
- 6.15 Based on what is considered the original footprint of the host dwelling, the original floor space would allow for extensions up to an increased floor area of 35 square metres. It is acknowledged both the front porch and rear extension exist through previous development and, when combined with the garage and first floor extension directly above, this equates to an increase in floor area of just over 66 square metres and is without considering the increase in floor area gained as a result of the historic evolution of the flat roof box dormer extension sited within the rear roof slope.

- 6.16 Consequently, the evidence available demonstrates that the original dwelling at the site has already been extended beyond its limit. This point appears to have been accepted by the applicant who, at point 2.0 of the submitted Planning Statement sets out that the Council would have already allowed development that exceeds the two reasonably sized room limit to enable the dwelling that now exists to be built.
- 6.17 The above assessment is consistent with the decision made in 1990 where, as part of refusing planning permission for a garage, it was set out by Officers that *'it is the policy of the Local Planning Authority to restrict extensions to domestic properties, situated in such location, to two reasonable sized rooms. The property, the subject of this application, has already been extended well in excess of this policy and has, in addition, an existing integral double garage which fulfils the off-street car parking requirement.'*
- 6.18 The development hereby proposed, particularly those which increase the floorspace and volume of the dwelling, i.e. the introduction of the three dormers and the proposed first floor extension, would further increase the internal floor space of the dwelling by an additional 19.58 square metres.
- 6.19 When considered collectively, the proposed development and established existing development at the site would equate to an increase in floor area in excess of 85 square metres, and whilst the reinstatement of the garage has a neutral effect in relation to the existing situation, this floor area has already been included in the above calculations as this is not considered original to the dwelling and contributes towards the two reasonable sized rooms allowance as set out in policy PMD6.
- 6.20 For clarity, each previous additional development is set out in the table below:

	Internal Floor Area	Combined Total Floor Areas	Percentage Increase on Original Floor Area	External Footprint
Assumed 'original' Property	90.37 sq. m	90.37 sq. m	N/A	103.44 sq. m
Single Storey Rear Extension (80/00852/FUL)	17.70 sq. m	108.07 sq. m	19.6%	125.18 sq. m
Rooms in Roof (80/01068/FUL)	76.21 sq. m	184.28 sq. m	104%	125.18 sq. m
Garage and Room in Roof (81/00246/FUL)	46.98 sq. m	231.26 sq. m	156%	158.67 sq. m
Dormer	6.18 sq. m	237.44 sq. m	162.7%	158.67 sq. m

Alterations (99/00432/FUL)			
Porch Addition	3.31 sq. m	240.75 sq. m	166.4%

6.21 The following table clarifies the development that is now proposed:

	Internal Floor Area (approximate)	Combined Total Floor Areas (approximate)	Percentage Increase on Original Floor Area (approximate)	External Footprint (approximate)
Proposed Development under this Application	19.58 sq. m	260.33 sq. m	188%	162.7 sq. m

6.22 Given the above, it is clear that the original dwelling at the site has already been extended significantly and reached the stage where it cannot be extended any further without the additions being considered disproportionate to the original dwelling.

6.23 Therefore, the combination of this proposal and all other developments that have been undertaken previously would be in excess of what would be considered as proportionate development within the Green Belt. Consequently, the proposal would be contrary to policy PMD6 and guidance set out in the NPPF and be considered as a disproportionate extension that is inappropriate development in the Green Belt. The NPPF outlines that this should be viewed as being harmful and that substantial weight should be afforded to that harm.

Openness and Purposes of the Green Belt

6.24 In this case, the provision of additional built form at the site, in a prominent position where there was previously no built form, would cause a reduction of the openness of the Green Belt. Although the scale of the development would be viewed in the context of the existing dwelling on the site, this additional built form would still add to the harm to openness caused as a result of the proposal representing inappropriate development in the Green Belt and adds to the conflict with the abovementioned national and local policies.

6.25 The NPPF sets out 5 purposes of the Green Belt at paragraph 138. The proposal would not conflict with these purposes of the Green Belt, but this is a separate consideration to whether the proposal represents inappropriate development and

the effect on openness and, as such, does not give reason to reach a different conclusion in those respects.

Very Special Circumstances

- 6.26 As detailed above, the proposed development represents inappropriate development within the Metropolitan Green Belt. Paragraph 147 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and that it should not be approved except in very special circumstances. The NPPF also states "When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt". Paragraph 148 states that Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.27 Although a planning statement has been submitted supporting the application the contents do not set out any matters that the applicant is specifically advancing as material considerations. The applicant has provided a version of the site history which has been taken into consideration above, but this is not a very special consideration in any respect and does not represent a reason to disregard national and local policies as has been requested or suggested. The following matters are points that have been raised by the applicant and will be treated as other material consideration that are being advanced for this purpose, although that has not been clearly clarified.
- 6.28 The applicant has identified that an extension at Oak Cottage, Oxford Road was allowed at appeal. The Inspector in that case considered that the method of calculating the two reasonably sized room limit should be taken as a guide only and was not a fixed methodology. From this basis, the Inspector concluded that developments that exceeded the limits calculated by the Council by just 9 square metres was not disproportionate and would have a minimal effect. As is widely established, each planning case should be considered on its own merits and as such that decision is not determinative as to how this application should be considered. In any case, the development hereby proposed and the circumstances of this site appear to be wholly different with the overall increase of floorspace in this case being much larger. That decision should therefore carry no weight in this case.
- 6.29 The applicant has suggested that, if the dormers were removed, a whole floor could be added under the terms of permitted development rights. It is presumed that the

applicant is referring to the permitted development rights set out at Class AA of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. However, utilising those permitted development rights would be subject to a prior approval application being submitted and found to be acceptable and in accordance with all the relevant limitations and conditions. No such application has been received, therefore it is not certain that such a development would comply with the limitations or be approved. As such, this cannot be afforded any weight as a fallback position and no weight towards the identification of very special circumstances.

- 6.30 The applicant has identified that the site is near to the village of Horndon-on-the-Hill which is not in the Green Belt and that the same restrictions do not apply to those properties. This is correct but is not a very special circumstance and it is considered that the development should be required to accord with the designations that are applicable to that site rather than those which are applicable to other sites. This factor is therefore afforded no weight.
- 6.31 The applicant has stated that images have been prepared to demonstrate that the proposal would have a little effect. These have not been received but in any case, for the reasons set out above, this is not agreed and would not represent a very special circumstance. This factor is therefore afforded no weight.
- 6.32 The corner plot setting is advanced as a reason for allowing a larger development as it would provide a frontage to face both stretches of the road. This is not a special consideration as there are many dwellings that sit at junctions or at bends in a road. For the reasons set out below, it is considered that the design is acceptable. However, being acceptable is a minimum requirement rather than a special circumstance and, as such, this is afforded no weight towards the identification of Very Special Circumstances.
- 6.33 The presence of dormers at neighbouring properties is highlighted. Again, for the reasons set out below, it is considered that the design is acceptable. However, being acceptable is a minimum requirement rather than a special circumstance and, as such, this is afforded no weight towards the identification of Very Special Circumstances.
- 6.34 Notwithstanding the comments of the applicant, the undertaking of amendments to a previously refused scheme is to be expected and is not, in itself, a reason to reach a different decision if the development remains contrary to adopted policies. As such, this is afforded no weight towards the identification of Very Special Circumstances.

6.35 Therefore, no ‘very special circumstances’ have been put forward by the applicant and, for the reasons set out above, the harm caused would not be outweighed by any other circumstances. Consequently, the application would be contrary to the RAE, Policy PMD6 and the NPPF in principle.

Overall Assessment

6.36 In reaching a conclusion on Green Belt issues, a judgement as to the balance between harm and whether the harm is clearly outweighed must be reached. In this case there is harm to the Green Belt with reference to inappropriate development (i.e. harm by definition), loss of openness and harm to Green Belt purpose. In assessing the factors promoted by the applicant as considerations amounting to ‘very special circumstances’ necessary to justify inappropriate development, it is for the Committee to judge:

- i. the weight to be attributed to these factors;
- ii. whether the factors are genuinely ‘very special’ (i.e. site specific) or whether the accumulation of generic factors combine at this location to comprise ‘very special circumstances’.

6.37 As set out above, although not advanced as Very Special Circumstances, the applicant’s submissions include a commentary of several factors that have been assessed above. In each case, it is recommended that these factors are afforded no weight. Conversely, harm has been identified to be arising as a result of the proposal representing inappropriate development in the Green Belt and causing harm to openness. This harm is required to be afforded substantial weight.

Summary of Green Belt Harm and Very Special Circumstances			
Harm	Weight	Factors Promoted as Very Special Circumstances	Weight
Inappropriate development	Substantial	Oak Cottage appeal decision	None
Harm to openness	Substantial	Potential Permitted Development fallback	None
		Proximity to Horndon-on-the-Hill	None
		Provision of CGI	None
		Position at a corner plot	None
		Neighbouring dormers.	None

		Amendments to previous refusal.	None
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6.38 As demonstrated in the table above, it is considered that the applicant has not advanced any factors which would, individually or cumulatively, amount to very special circumstances that could overcome the harm that would result by way of inappropriateness and the harm to openness that has been identified in the above assessment. There are no planning conditions that could be used to make the proposal acceptable in planning terms. The proposal is clearly contrary to Policies CSSP4, PMD2 and PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2021.

II. DESIGN, LAYOUT AND CHARACTER IMPACT

- 6.39 The proposed alterations to the window layout, removal of the bowed windows within the front elevation and replacement windows would not be considered harmful to the character and appearance of the street scene given its varied form and appearance.
- 6.40 The reinstatement of the integral garage would not externally alter the appearance of the host dwelling given the garage door currently remains in situ despite the internal area being used as an additional reception room, and would therefore be acceptable.
- 6.41 The pitched roof dormers proposed within the front roof slope would also be acceptable in terms of scale, siting, design and appearance resulting in a sympathetic, proportionate and balanced addition to the host dwelling. The front roof light would also be acceptable in this setting.
- 6.42 The alterations proposed to the principal elevation would not, therefore, result in harm to the character and appearance of the host dwelling and wider street scene given pitched roof dormers are present to nearby properties.
- 6.43 The application property is highly prominent given its proximity to the corner junction of Oxford Road and Robinson Road whereby the proposed rear addition would be visible from a public realm. Whilst it was previously considered that the rear extension had an unacceptable effect on the character and appearance of the dwelling, this was primarily due to the provision of a west facing box dormer. This has been omitted from this proposal and it is therefore considered that the first floor rear extension with a street facing, pitched roof dormer would be considered

acceptable in terms of its scale, siting and detailed design.

- 6.44 Given the choice of finishing materials to the rear addition, the introduction of a similar style cladding to the existing gable end located centrally within the rear elevation would be acceptable and would result in a collectively sympathetic and cohesive appearance which would suitably complement the overall character and appearance of the host dwelling.
- 6.45 For the reasons set out above, it is considered the previous reason for refusal with regards to scale, bulk, design and appearance has been suitably overcome and the proposal would be in accordance with policies CSTP22, CSTP23 and PMD2 of the Core Strategy.

III. IMPACT ON NEIGHBOURING AMENITY

- 6.46 Neighbouring amenity would not be unduly impacted as a result of the proposals as direct overlooking would not be afforded by the addition openings whereby additional levels of overlooking or loss of privacy would not be experienced by neighbouring occupiers. Therefore, the proposal would be in accordance with policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015 and the RAE.

IV. ACCESS AND CAR PARKING

- 6.47 The property would continue to provide five bedrooms and no parking spaces would be lost as a result of the proposal. It is therefore considered that the proposal would be acceptable in terms of parking provision and the proposal would accord with policies PMD8 and PMD9.

7.0 CONCLUSIONS AND REASON FOR REFUSAL

- 7.1 By virtue of the pre-existing development that has occurred at the site, the built form at the application site is considered to have reached the limit of development that is appropriate given the Green Belt restrictions that are applicable. When considered cumulatively in addition to the previous developments that have occurred, the proposal would be far in excess of the two reasonable sized rooms allowance set out in policy PMD6 of the core strategy. The proposal would, therefore, cause the resultant dwelling to be disproportionately larger than the original building and represent inappropriate development in the Green Belt. The proposal would also cause a small loss of openness. The harm arising in these respects is required to be afforded significant weight and, in this case, has not been outweighed by other material considerations that represent the very special

circumstances required to enable such development. The development is therefore unacceptable and contrary to policies CSSP4 and PMD6 of the Core Strategy and the guidance set out in the NPPF and the RAE.

8.0 RECOMMENDATION

8.1 Refuse planning permission for the following reason:

- 1 The proposal, by reason of the size of the proposed additions when taken in addition to all other previous developments at the site, would represent a disproportionate increase in the size of the original building at the site. The development would, therefore, result in inappropriate development in the Green Belt which is, by definition, harmful and also cause a limited loss of openness. The proposal is therefore contrary to Policies CSSP4 and PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2021.

Informative:

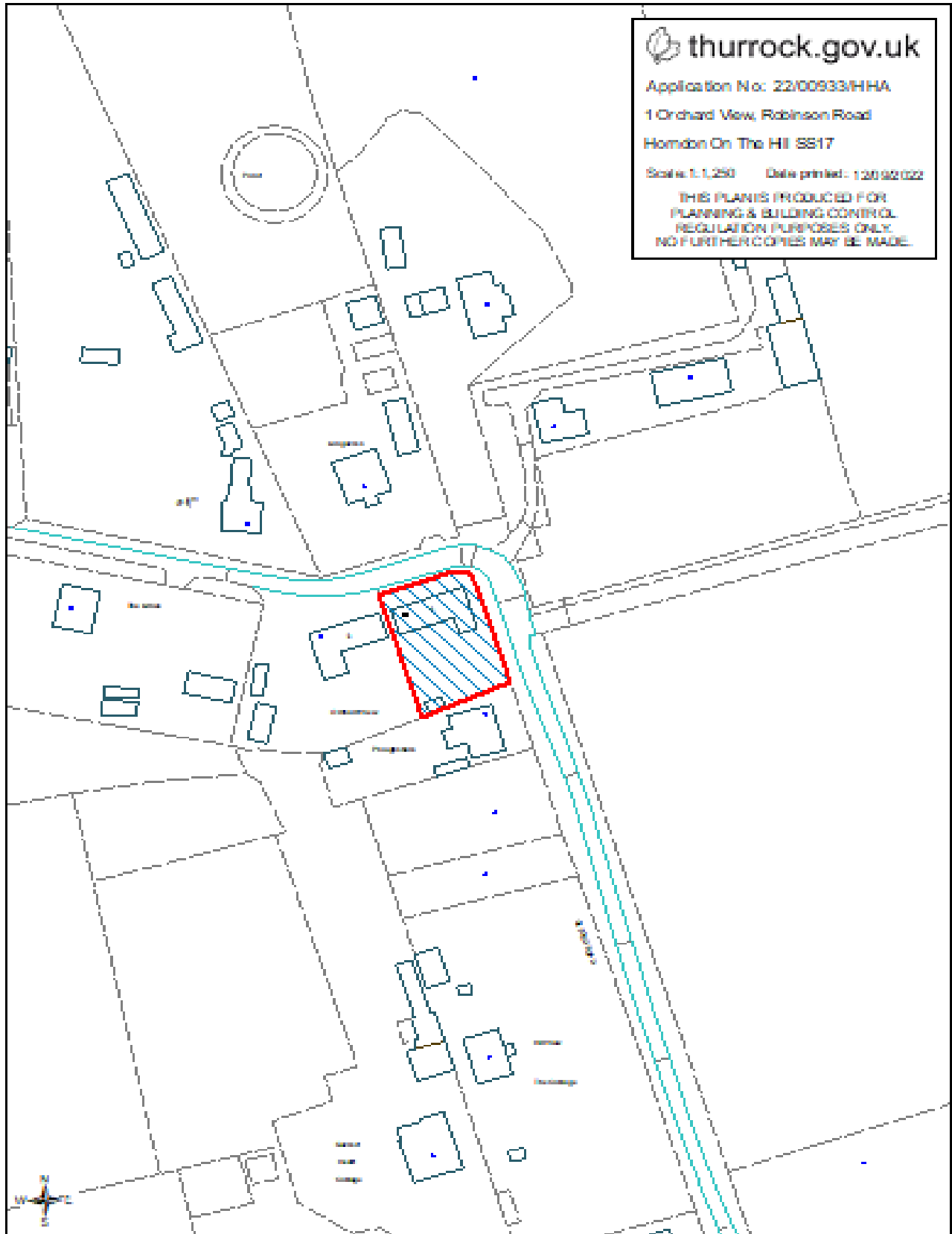
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant/Agent. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal – which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Documents:

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

www.thurrock.gov.uk/planning



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Agenda Item 9

Planning Committee 20 October 2022	Application Reference: 22/00706/FUL
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Reference: 22/00706/FUL	Site: Land Between Gunning Road And Globe Industrial Estate Towers Road Grays Essex
Ward: Little Thurrock Rectory	Proposal: Erection of 2 storey building for commercial purposes (Use Class E purposes - Commercial, Business, Service) with parking to rear

Plan Number(s):		
Reference	Name	Received
B201 REV B	Site Layout	19th July 2022
L201 REV C	Location Plan	19th July 2022
SK3.01 REV C	Proposed Site Layout	19th July 2022
SK3.02 REV B	Proposed Plans	19th July 2022
SK3.03 REV B	Proposed Elevations	19th July 2022
22-05-03 22.7694-M001	Location Plan	20th May 2022

The application is also accompanied by: <ul style="list-style-type: none"> - Planning Support Statement, ref. 22.7694 - Cover Letter dated 19th May 2022 	
Applicant: Gunning Road Thurrock Ltd	Validated: 20 May 2022 Date of expiry: 27 October 2022 (Agreed Extension of Time)
Recommendation: To Refuse	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Cllrs Carter, Churchman, Gledhill, Jefferies, Mayes and Sammons (in accordance with the Constitution Chapter 5, Part 3 (b), 2.1 (d) (ii)) to considered whether the proposal is in keeping with the street scene, the proximity to current properties, parking issues, late night/early morning working hours and noise impacts of the proposal.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the construction of a two-storey commercial building. The building would measure 7.2m in width, 7.2m in depth and 7.2m in height with a pitched roof. The building would, for all intents and purposes look similar to a converted two storey house with a shopfront. Three parking spaces are also proposed to the rear.
- 1.2 The building would be orientated such that the elevation that would be the front, which has a shopfront and separate personnel door would face onto Towers Road to the south. A cycle store and refuse area store would be in the east elevation while 3 parking spaces would be located to the rear of the building and would be accessed via a parking court and garage complex part of the Gunning Road estate.
- 1.3 The building would have usable commercial ground floor area of 26sq.m. and a first-floor office area of 21.8sq.m. Ancillary w/c facilities would be provided on both floors and each floor could be access independently of each other.
- 1.4 The scheme was originally submitted without any parking spaces, but during the course of the application the plans were amended to provide 3 spaces to the rear. (A full re-consultation was carried out on the revised scheme). This report relates solely to the revised plans and make no reference to the original scheme.

2.0 SITE DESCRIPTION

- 2.1 The application site is located within the Globeworks/Towers Road area which is allocated as a Secondary Commercial and Industrial Area in the Council's adopted Core Strategy. The site is close to the eastern boundary of this area.
- 2.2 To the immediate north, west and south boundaries the site adjoins the industrial area. To the east the site bounds the residential estate on Gunning Road.

3.0 RELEVANT HISTORY

None.

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. Consultations were carried out on the original scheme and the revised scheme with parking to the rear of the unit. Twenty-eight (28) comments were received directly to the Service objecting to the proposal. A further 45 letters were passed onto a local ward councillor. The comments were objecting to the proposal on the following grounds:

- Noise from development
- Highways, impacts on industrial area and access through residential streets
- Impacts on neighbour's amenity
- Overlooking

4.3 ENVIRONMENTAL HEALTH:

No objections.

4.4 HIGHWAYS:

Recommend refusal.

4.5 LANDSCAPE AND ECOLOGY:

No objections.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

5.1 The revised NPPF was published on 20 July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or
- ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

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

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

The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

- 2. Achieving sustainable development
- 4. Decision-making
- 6. Building a strong, competitive economy
- 15. Conserving and enhancing the natural environment

National Planning Practice Guidance (PPG)

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

- Design: process and tools
- Light pollution
- Noise
- Use of Planning Conditions

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

- 5.3 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY:

- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock

SPATIAL POLICIES:

- CSSP2: Sustainable Employment Growth

THEMATIC POLICIES:

- CSTP6: Strategic Employment Provision
- CSTP19: Biodiversity
- CSTP22: Thurrock Design

POLICIES FOR THE MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD7: Biodiversity, Geological Conservation and Development
- PMD8: Parking Standards
- PMD9: Road Network Hierarchy

Thurrock Local Plan

- 5.4 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an ‘Issues and Options (Stage 1)’ document and simultaneously undertook a ‘Call for Sites’ exercise. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council’s website and agreed the approach to preparing a new Local Plan.

Thurrock Design Strategy

5.5 In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD), which supports policies in the adopted Core Strategy.

6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Principle of the development
- II. Design and layout
- III. Traffic impact, access and car parking
- IV. Impact on neighbour amenity
- V. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 Although some neighbours have referred to the site being on land forming a 'buffer zone' the site is shown to form part of an easternmost extreme of a designated Secondary Employment Area in the Core Strategy. The use of the site for a commercial use is acceptable given the Core Strategy allocation and the new building would be proportionate to the site area.
- 6.3 In accordance with paragraph 11 of the NPPF the proposal should be considered in the context of the principle of sustainable development. It is acknowledged that the site is located within a sustainable location in relatively close proximity to other industrial units.
- 6.4 A significant change to the Use Classes Order came into force on 21st April 2021. This brought together a variety of different uses that were previously in different classes (e.g. Retail was in A1, Industrial Uses which could be carried out in a residential area were in B1) into one new class, Class E "Commercial, business and service" which is subdivided into different sections. The applicant has applied for a Class E, use. It should be noted that Class B2 – General Industry, and Class B8 – Storage and Distribution remain as distinct use classes separate to Class E. It should also be noted that a "hot food takeaway" is now a *sui generis* use.

- 6.5 The unit is proposed to be used as a small showroom for visiting members of the public (VMP) on the ground floor and ancillary offices at first floor. The applicant has indicated that it is expected that 5 FTE jobs would be provided by the development, thereby complying with the Council's objectives to promote job growth in this part of the borough. Accordingly, the proposal is acceptable in principle and in accordance with policies CSSP2 and CSTP6 of the Core Strategy.
- 6.6 However, the proposal must comply with other criteria in the Core Strategy to be acceptable.

II. DESIGN AND LAYOUT

- 6.7 As described earlier in this report, the building has an almost domestic scale, form and external appearance. Given the location of the site on the extreme edge of the estate, close to residential properties, the overall design, scale and appearance of the building is not considered to be harmful to the character or the area or streetscene.
- 6.8 Given the above the proposal is considered to comply with the requirement of policies PMD2 and CSTP22.

III. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.9 Policy PMD2 requires that all developments should fully consider the impact on the area and contribute positively to the character of the area.
- 6.10 Policy PMD8 of the Core Strategy states that all development will be required to comply with the car parking standards and that development will not be permitted where it impacts adversely on capacity and safety.
- 6.11 Policy PMD9 to the adopted Core Strategy also sets out the criteria for development of new vehicular accesses or increased accesses onto the road network
- 6.12 The proposed layout shows 3 car parking spaces to the rear of the unit and 4 cycle spaces inside the building. The frontage of the site would be immediately adjacent to an established access to a commercial site to the west. The existing pavement to the front of the site is deep and some parking is laid out on the pavement to the east, and double yellow lines exist where the front of the site would be located (although not adjacent to on pavement parking). There is known to be a lack of suitable off street parking spaces for units in this vicinity.
- 6.13 The proposed spaces would be laid out with two spaces in a tandem form, and the 3rd space adjacent. The access to these spaces would not be taken from Towers

Road but would be taken from a parking court which serves properties in Gunning Road. The access would be to the front of garages in this parking court. The layout of the parking is such that vehicles accessing these spaces would either drive into the spaces and then back out of the spaces, turning around in the residential parking court or, turning around in the parking court, before backing into the spaces. The applicant has provided the Local Planning Authority with details which show that they have a right of access across this parking court into the site.

- 6.14 The Highways Officer is not satisfied with the layout commenting that *“There are concerns regarding access through this residential area and a private residential parking court plus in addition the parking is a bit awkward. It would be inappropriate to increase traffic movements through the existing shared surface and mix additional traffic with the current limited residential use.”* Whilst not objecting, per se, to the number of spaces he still has issues with the location of the building and potential for on street parking, commenting that *“...concerns still remain regarding this development and the potential for parking inappropriate areas particularly considering the proposed operation of the facility and the likelihood that vehicles will park in Towers Road to gain access to the facility. There is a significant parking problem on this industrial estate due to its lack of accessibility to public transport measures and although parking is being provided it is likely that due to ease of access from Towers Road that this application is likely to lead to further on-street parking exacerbating the existing parking issues on this estate.”* This on street parking is likely to be harmful and *“raises severe concerns for pedestrian safety as there are locations where parking occurs on footways making accessibility on parts of the estate difficult. At present this application would still not be supported on highway grounds”*.
- 6.15 The concerns of the Officer are considered to be real and justifiable. Whilst it might be possible that staff attending the site would park in the spaces on the site, it would be likely that any visiting members of the public (VMP) would park to the front of the premises and add to and exacerbate existing parking difficulties in the area. The operators of the unit would have no control over this, and if they were to direct VMP to the 3 parking spaces, if they were full it could lead to parking in the private residential parking court, leading to conflict and harm to the established residential occupiers.
- 6.16 Accordingly, at this time, it is considered that despite the provision of 3 off street car parking spaces, it is not possible to ensure that adequate and usable off-street parking could be made, and the proposal is likely to lead to increased on street parking to the detriment of pedestrian and highways safety in the area, contrary to Policies PMD2 and PMD8 of the Core Strategy.
- 6.17 Furthermore, the use of the space via the residential parking court is considered to be unacceptable in highways terms as it would result in increased vehicle traffic in the residential area and result in inappropriate commercial movements through a

traffic calmed residential area. It could lead to conflict on the highways network and in the private residential parking court on Gunning Road, the proposal would also be contrary to Policy PMD2 of the Core Strategy in this regard.

IV. IMPACT ON NEIGHBOUR AMENITY

- 6.18 Policy PMD1 states development will not be permitted where it would cause or is likely to cause unacceptable effects on the amenities of the area or the amenity, health, or safety of future occupiers of the site.
- 6.19 Policy PMD2 requires that all developments should contribute positively to the character of the area including local views, the townscape and a positive sense of place, developments should contribute positively to the appearance and character of the area.

Built Development

- 6.20 The site layout plans show the proposed building would be 10m to the southwest of No 1 Gunning Road, the closest residential property. Given this intervening distance, whilst there would be some change in terms of the physical built form, compared to the existing, it is considered the building would be suitably distant not to have such an impact on No1 to result in harm for which a reason for refusal could be substantiated.

Overlooking and loss of privacy

- 6.21 The layout of the building has been designed such that there are no windows proposed on the rear (north) elevation and on the (side) east elevation at first floor the closest window which looks east would serve a w/c which could be obscure glazed if permission were to be granted. A window is proposed towards the front of the east elevation, but this is so close to the front that is it not considered there would be harm to the privacy or amenity of No 1 Gunning Road as a result of overlooking.

Access to parking area

- 6.22 The highways impact on the access have already been considered in section III above but it warrants consideration too in terms of neighbour amenity. The parking court as detailed serves garages for a number of properties in Gunning Road. The side garden of No 1 Gunning Road immediately adjoins the parking court. At present the owners of this property could justifiably expect private motor vehicles to manoeuvre in the area, in connection with the residential use of these garages.
- 6.23 However, the proposal would introduce new vehicle movements into the parking court and these vehicles would have to pass directly alongside the side boundary to No 1 Gunning Road. And they would need to manoeuvre, to turn to back into or out of the spaces. Due to the commercial use of the building, it would be expected that vehicle movements would be more frequent than the existing residential use of the parking court and may involve more service vehicle movements as a result of the

use. Whilst the overall hours of use of the building could be conditioned, if permission were to be granted, the use within those times could not be suitably controlled.

- 6.24 The increase of vehicles using the parking court, in connection with a commercial use outside of the residential area are therefore considered to be harmful to nearby residents causing noise and distance and potential conflict with existing residential users of the parking court, contrary to Policies PMD1 and PMD2 of the Core Strategy.

V. OTHER MATTERS

- 6.25 Some vegetation is shown to be lost as part of the proposal, but there are no objections to the proposal from the Landscape & Ecology Officer on ecology grounds. Neither does he object in terms of the visual impact or street scene impact of the proposals.

7.0 CONCLUSIONS AND REASONS FOR RECOMMENDATION

- 7.1 The principle of the development for commercial use, subject to conditions could be acceptable given the location of the site. The overall design of the proposed building would be acceptable and the physical layout of the site and its relationship with the Towers Road and Gunning Road street scenes would be acceptable.
- 7.2 However, the proposal is deficient in its ability to provide off street parking in a suitable manner. The location of the parking would be unacceptable in highways terms and neighbour amenity terms and contrary to policies PMD1, PMD2 and PMD8 in that respect.
- 7.3 In addition it would not be possible to control potential on street parking which would undoubtedly result from the development and the proposal would be contrary to the highways and pedestrian safety in that respect and contrary to Policies PMD2 and PMD8 of the Core Strategy in that respect.

8.0 RECOMMENDATION

- 8.1 Refuse for the following reason(s):

- 1 The proposed development would, by reason of the failure to provide adequate appropriately accessible off-street parking, lead to inappropriate commercial use of residential roads for staff and customer vehicles leading to excessive movements and potential conflict on the road network and a residential parking court contrary to Policies PMD2 and PMD8 of the Core Strategy.

In addition, by reason of the failure to provide suitably accessible parking the

proposal would be likely to lead to inconsiderate and harmful on street and on pavement parking on Towers Road, leading to harm to pedestrian and highways safety, contrary to policies PMD2 and PMD8 of the Core Strategy.

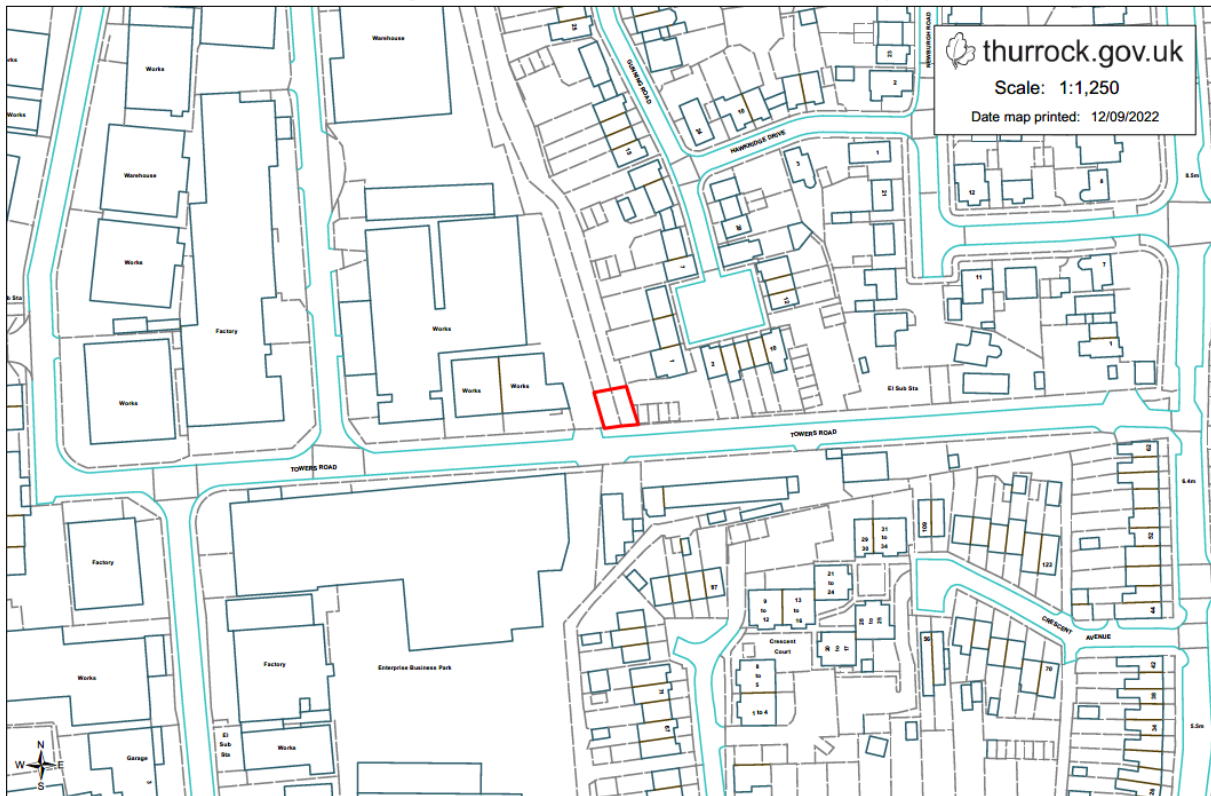
- 2 The proposed use of the parking court on Gunning Road to access the 3 car parking spaces would lead to inappropriate commercial use of a residential parking court, with increased manoeuvring and vehicles activity, which would create noise and disturbance and be harmful to the privacy and amenity of nearby residents, in particular No 1 Gunning Road contrary to Policies PMD1 and PMD2 of the Core Strategy.

Documents:

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

www.thurrock.gov.uk/planning

22/00706/FUL Land between Gunning Road And Globe Ind Est Towers Road Grays



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Reference: 22/00921/FUL	Site: 43 Purfleet Road Aveley South Ockendon Essex RM15 4DR
Ward: Aveley And Uplands	Proposal: Proposed redevelopment to provide five detached houses (2 no. 3x bedroom and 3 no. 4 bedroom) and new vehicle access and pedestrian access to Purfleet Road.

Plan Number(s):		
Reference	Name	Received
2951-01	Location Plan	30th June 2022
2951-03A	Proposed Site Layout	30th June 2022
2951-07	Proposed Elevations – Street Scene	30th June 2022
2951-08	Proposed Elevations and Floor Plans – Plots 3-5	30th June 2022
2951-09	Proposed Elevations and Floor Plans – Plots 1 - 2	30th June 2022
2951-12	Proposed Cross Section	30 th June 2022

The application is also accompanied by: <ul style="list-style-type: none"> - Planning Statement 29.06.22 - Letter supporting revisions to access and highway matters 29.06.22 - Transport Statement - 3D Visual 	
Applicant: Montague TSK Limited	Validated: 1 July 2022 Date of expiry: 31 October 2022 (Extension of Time agreed with Applicant)
Recommendation: To Refuse	

This application is scheduled for determination by the Council’s Planning Committee because the previously recently refused application (ref. 22.003725/FUL) was Called In by Cllrs Churchman, Gledhill, Collins, Kelly, Duffin and Mayes in order to consider the proposals on the basis of overdevelopment, character impact, immediate parking

concerns and the gradient of the site and its impact on pedestrian traffic. This current revised application has been submitted in direct response to that decision by Members.

1.0 DESCRIPTION OF PROPOSAL

1.1 The proposal seeks to redevelop the site to provide 5, detached two storey dwellings fronting Purfleet Road with new vehicular and pedestrian accesses from Purfleet Road, (the removal of the existing access from Love Lane) and including off street parking, private amenity areas and soft landscaping.

1.2 The table below summarises some of the main points of detail contained within the development proposal:

Site Area	0.14 Ha
Number of Dwellings	Include: <ul style="list-style-type: none"> • Five detached houses • 3 x 4 beds, and 2 x 3 beds
Building Height	9.2 m
Parking	12 Car Parking spaces, including 2 visitor spaces / Cycle Storage for each dwelling
Density	35.7/Hectare - Medium Density

2.0 SITE DESCRIPTION

2.1 The application site is a broadly rectangular piece of land located at the junction of Purfleet Road and Love Lane, Aveley. The site measures 44.5 metres by 33 metres and comprises of a centrally located detached bungalow, and garage outbuilding to the south of the site, in a spacious plot which is served by a single vehicular access from Love Lane and a pedestrian access from Purfleet Road.

2.2 There is a ground level difference of approximately 1.4 metres between ground levels on Purfleet Road and the northern half of the site which sits at a higher level. Ground levels within the site level off towards the south and Love Lane.

3.0 RELEVANT PLANNING HISTORY

Application Ref.	Description of Proposal	Decision
22/00375/FUL	Proposed redevelopment to provide 6 semi-detached houses (2 no. 3x bedroom and 4 no. 4 bedroom) and new vehicle access and pedestrian access to Purfleet Road.	Refused 13.06.22 – Appeal lodged and made valid.

21/30250/PMIN	Redevelopment of site to provide 6 semi-detached houses	Advice Given
54/00377/REM	Two bungalows	Approved

The following Planning Enforcement history is also relevant:

Enforcement Reference	Complaint	Outcome
21/00091/AUNWKS	Large trees are being removed	Complaint received 4.3.21 and investigated. Council Tree Officer informed the RSPB due to nesting season. Trees were not protected by TPO and there was no breach of planning control. Case closed

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2 PUBLICITY:

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

15 written responses have been received, including 3 responses from the same neighbour, all in objection and raising the following concerns:

- Overdevelopment of the site;
- Revised plans for 5 houses is still too many, 2 houses would be more appropriate;
- Out of Character;
- Loss of Amenity;
- Loss of Privacy/Overlooking;
- Concerns regarding Access to the site – unsafe;
- Additional traffic;
- Parking concerns;
- Loss of landscaping and wildlife.

4.3 ENVIRONMENTAL HEALTH:

No objections, subject to conditions including submission of a Construction Environmental Management Plan.

4.4 HIGHWAYS:

Further Information Required

4.5 LANDSCAPE AND ECOLOGY ADVISOR:

Unable to support the proposals. The revised proposal has addressed some of the previous landscape concerns, however, still appears overdeveloped with too little landscaping for the scale of the site.

4.6 URBAN DESIGN TEAM:

Unable to support proposal. Recommend refusal.

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

5.1 The NPPF was published on 27th March 2012 with the most recent revision taking place on 20th July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

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

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

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

The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

Planning Policy Guidance

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

- Consultation and pre-decision matters
- Design: process and tools
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Housing needs of different groups
- Housing: optional technical standards
- Making an application
- Planning obligations
- Use of Planning Conditions

Local Planning Policy Thurrock Local Development Framework (2015)

5.3 The statutory development plan for Thurrock is the 'Core Strategy and Policies for Management of Development (as amended)' which was adopted in 2015. The Policies Map accompanying the Core Strategy allocates this site as a land without

notation where broadly the same or similar uses would remain. As the site and the immediately surrounding area is residential it would be acceptable for the site to be used residential purposes. The following adopted Core Strategy policies would apply to any future planning application:

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

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

SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)

THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP2: The Provision of Affordable Housing
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness

POLICIES FOR THE MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD8: Parking Standards
- PMD9: Road Network Hierarchy
- PMD12: Sustainable Buildings
- PMD13: Decentralised, Renewable and Low Carbon Energy Generation
- PMD14: Carbon Neutral Development

Thurrock Local Plan

- 5.4 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

Thurrock Design Strategy

- 5.5 In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

6.0 ASSESSMENT

- 6.1 The assessment below covers the following areas:

- I. Background and revised proposals
- II. Principle of the development
- III. Design and layout and impact upon the area
- IV. Amenity provision and neighbour amenity impact of the development
- V. Traffic impact, access and car parking
- VI. Landscape
- VII. Other matters

I. BACKGROUND AND REVISED PROPOSALS

- 6.2 At the 11th June 2022 Planning Committee, Members considered and refused a planning application for 6 semi-detached houses (2 no. 3x bedroom and 4 no. 4 bedroom) for the following reasons:

1. *The proposed development, by virtue of the short rear garden depths of the dwellings proposed, would be likely to lead to overlooking and thereby an unacceptable loss of privacy and amenity to the neighbour to the immediate south of the site on Love Lane contrary to policy PMD1 of the Core Strategy and Policies for the Management of Development (as amended) (2015) and the NPPF 2021.*
2. *The proposals would, by virtue of the limited private amenity space provision, the short rear garden depths and the layout and access arrangements proposed within the site, be indicative of a cramped and contrived form of development and be likely to result in the overdevelopment of the site, detrimental to the character of the area and appearance of the street scene contrary to Policies CSTP22, CSTP23 and PMD2 of the Core Strategy and Policies for the Management of Development (as amended) (2015) and the NPPF.*
3. *The proposed development would, if permitted, fail to contribute positively to the local environment as it would result in excessive areas of hardstanding, providing limited opportunity for meaningful landscaping, resulting in a car dominated streetscape to the detriment of the development and wider locality in general. The development would fail to positively contribute to the character of the area contrary*

to Policies CSTP22, CSTP23 and PMD2 of the Core Strategy and Policies for the Management of Development (as amended) (2015) and the NPPF.

6.3 The current application seeks to overcome the reasons for refusal and the applicant has:

- Reduced the number of dwellings from 6 semi-detached dwellings to 5 detached dwellings;
- Increased the overlooking distance from the proposal to the neighbouring property to the south on Love Lane by increasing the rear garden depths from 10ms to 12ms;
- Increased the level of soft landscaping to the parking area on the frontage of the site.

This report will assess whether the applicant has made sufficient revisions to overcome those previous reason for refusal.

II. PRINCIPLE OF THE DEVELOPMENT

6.4 The application site is located within a residential area and in a locality predominantly characterised by residential development. There are no in principle objections to the proposed development of the site for residential use subject to compliance with all development management policies.

6.5 Policy CSSP1 (Sustainable Housing and Locations) refers to the target for the delivery of new housing in the Borough over the period of the Development Plan. The application site is within the urban area and comprises a 'brownfield' site.

6.6 Paragraph 12 of the NPPF sets out a presumption in favour of sustainable development and given that the Local Planning Authority is not able to demonstrate that a five year house land supply exists, this indicates that planning permission for residential development should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole. As such, the provision of additional residential units would weigh in favour of the purpose.

III. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

6.7 The NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness. Policies CSTP22, CSTP23 and PMD2 of the Core Strategy 2015 accord with the NPPF in requiring development to

have high quality design and to be well related to its surroundings.

- 6.8 The site is mostly rectangular in shape and comprises of a detached bungalow located centrally within the site and positioned so that it broadly follows the notional building line of the pairs of semi-detached dwellings running westwards on Purfleet Road. The site is served by a single width vehicle access via Love Lane which leads to a detached garage outbuilding to the southwestern corner of the site. There is hardsurfacing leading to this garage block and the remainder of the site is laid to lawn and includes some overgrown shrubbery and the previously well-established trees along the boundaries with Love Lane and Purfleet Road have been removed (the trees were not protected). Ground levels are higher by approximately 1.4 metre at the Purfleet Road end of the site and the boundary treatment along this northern boundary comprises of low brick walling atop the raised ground levels. The pedestrian access to the site is via a series of steps from Purfleet Road.
- 6.9 The existing dwelling is a single storey property and the immediate context on Purfleet Road comprises primarily of inter-war period, well-spaced semi-detached two storey dwellings with hipped roofs. The revised proposals would appear quite different to the immediate local vernacular and the Council's Urban Design Team has advised that the use of detached dwellings, as opposed to semi-detached pairs as previously sought, would be different to the prevailing character of the immediate street scene and would be out of character with the appearance and rhythm of the development within the street scene in Purfleet Road. The Urban Design Team have also advised that the visual impact of the detached dwellings would be highlighted further by their close siting and proximity to one another, given the more generous spacing of the surrounding semi-detached dwellings locally, along with the use of crown roofs, which overall result in a development which would appear visually cramped. Given the visual prominence of this corner plot, this close siting of the detached units and the crown roof design exacerbates the awkward appearance of the detached dwellings, resulting in a jarring impact upon the character and appearance of the street scene when viewed from both Purfleet Road and Love Lane. Crown roofs have been used to prevent the detached dwellings from significantly exceeding the height of the neighbouring properties on Purfleet Road. The Urban Design team has also commented that given the ground level changes across the site and in comparison to Purfleet Road, based upon the information submitted, a full and proper assessment of the visual impact of the overall height of the development upon the street scene could not be fully carried out. The use of detached dwellings with a crown roof design is considered to be of a poor design and to result in harm to the appearance of the street scene and character of the area when viewed from both Love Lane and Purfleet Road directions from this prominent corner plot. The revised proposal is considered contrary to Policies CSTP22 and PMD2 for this reason.

- 6.10 The proposed siting of the detached dwellings is broadly identical to that of the previous refusal, the main difference in the scheme emanates from the change in house design and type to detached properties. The detached dwellings would be shorter than the previously proposed pairs, resulting in an increased rear garden depths. The parking area has also been moved slightly further into the site and closer to the proposed detached dwellings. This has enabled a slight increase in the level of soft landscaping provided on the frontage.
- 6.11 The revised proposal continues to introduce a proposed parking arrangement along Purfleet Road, and even with some modest additional soft landscaping that has been introduced, would continue to create a car-dominated frontage directly adjacent to the footpath on Purfleet Road. Other properties on the street have front parking areas, but the cars themselves are by the houses, not adjacent to the pavement. The hard landscaped frontage of the site when viewed from Love Lane would be particularly visually prominent given the site previously had significant vegetation along this edge. The slight increase in soft landscaping provision would not be of significant benefit to the appearance of the frontage to reduce the negative impact of that dominant hard landscaped appearance of the site. The Council's Landscape and Ecology Advisor has continued to raise concerns regarding the likelihood of the proposal being able to retain the proposed soft landscaping identified in the scheme given the parking dominated frontage. It is considered that the detailed design of the predominantly hard-landscaped frontage would not be considered to contribute positively to the local environment and the site layout as proposed would result in excessive areas of hardstanding, providing limited opportunity for meaningful landscaping, resulting in a car dominated streetscape to the detriment of the development and wider locality in general. The proposal is considered to be contrary to the policy PMD2 and is recommended for refusal for this reason.
- 6.12 The proposed choice of materials indicated would be likely to be considered appropriate as in keeping with the existing neighbouring dwellings on Purfleet Road. The overall approach to main fenestration, width and proportion of the dwellings would also be considered appropriate.
- 6.13 The overall proposal for 5 dwellings would continue make the site appear somewhat cramped and overdeveloped; however, it is considered that given the increase in the provision of rear private amenity space for each dwelling a recommendation to refuse the application on the basis of overdevelopment would be unsustainable.
- 6.14 In conclusion to the assessment of the design and layout impact of the proposals, while it is acknowledged that the number of dwellings proposed has been reduced,

it is considered that there are concerns regarding the layout, namely, the amount of hard landscaping and the design and appearance of the frontage of this corner plot; the amount of hard frontage, and likelihood of the non-retention of the proposed soft landscaping to the frontage due to the tightly packed car parking spaces. Furthermore, the use of a crown roof design to the hipped roofs would appear out of character and visually jarring in the street scene on this visually prominent corner plot. As a consequence the detailed design and layout of the proposals would be considered contrary to Policies CSTP22, CSTP23 and PMD2 and the NPPF for this reason.

IV. AMENITY PROVISION AND NEIGHBOUR AMENITY IMPACT OF DEVELOPMENT

- 6.15 Policy PMD1 (Minimising Pollution and Impacts on Amenity) states that development will not be permitted where it would cause unacceptable effects on:
- i. the amenities of the area;
 - ii. the amenity of neighbouring occupants; or
 - iii. the amenity of future occupiers of the site.
- 6.16 The proposal would provide 3 x 4 bedroom dwellings, and 2 x 3 bedroom dwellings which include a study on the first floor. The proposals would provide a reasonable amount of floorarea in line with the Council's adopted standards, therefore, within its current layout the proposal provides adequate residential environment for the future occupiers.
- 6.17 The proposal would provide between 96 sq.m and 111 sq.m of private amenity space for the dwellings; Council policy would seek 4 bedroom dwellings of the size proposed to provide a minimum of 125 sq.m of private amenity space per dwelling; however, the rear garden depths have also been increased from 10m to 12m and the level of private amenity space provision for each dwelling would not be considered a sustainable reason to refuse the application given the location of the site to the nearby Aveley recreation ground. The level of private amenity space proposed would therefore be considered acceptable in this instance.
- 6.18 The increase in the depth of the rear gardens to 12m is an improvement and would result in an overlooking depth of 18m from the first floor rear windows of the proposal to the immediate rear private amenity area for the occupier of 14 Love Lane to the immediate south and to a lesser degree the rear private garden area of 45 Purfleet Road. A first floor flank window serving a study in the most westerly dwelling would overlook the flank of 45 Purfleet Road which has what appears to be a landing window in its flank. Given the separation distance and the orientation of the proposal it is not considered that any unacceptable overlooking or loss of

privacy to the neighbours at no. 45 Purfleet Road would occur. The level and degree of overlooking of 14 Love Lane would be considered less harmful as a result of the increase in overall depth of the rear gardens and given the orientation of the rear garden to the immediate private area of no. 14 Love Lane alongside the 18m depth, it is considered that the revised proposals would not warrant a recommendation to refuse on the basis of neighbour amenity impact by way of overlooking.

- 6.19 In conclusion to this section, it is considered that the proposals would provide an acceptable level of private amenity area for each of the occupiers of the proposed dwellings overcoming the previous application's first reason for refusal. The proposals would also result in no unacceptable overlooking or loss of privacy and thereby amenity to neighbours complying with Policy PMD1.

V. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.20 As has been highlighted in many of the neighbour comments received, a key element of the acceptability of the proposal at this site relates to highway matters. The site is located on a junction where there are also double yellow lining restrictions. The Highways Officer initially indicated that there were severe concerns with the proposed development, particularly with regard to the proposed access which had inadequate width and sight visibility on to Purfleet Road. The revised application indicates the proposed vehicular access on to Purfleet Road would be acceptable and measure 4.8m in width and includes visibility splays and appropriate gradients. As a consequence, the Highway Officer has commented that there are no objections to the proposed access to the site.
- 6.21 As with the previous proposals, the Highway Officer has highlighted that the parking layout would make manoeuvring within the site somewhat awkward but that this would not be considered to be so harmful as to warrant recommending refusal on highway grounds alone in this instance.
- 6.22 As with the previous scheme, adequate refuse storage provision and cycle storage provision has been incorporated into the current proposals. The revised scheme could incorporate consideration for electric vehicle parking spaces too, if being considered favourably. The development site is located in an area that has reasonable accessibility to public transport and local amenities. The minimum parking standards for a development of this size in this location is between 1.5 and 2 spaces for three bedroom properties and an additional space for four bedroom properties. In addition 0.25 spaces per dwelling for visitor parking is required. Thus a minimum of 14 spaces should be provided. The proposal seeks to provide 12 parking spaces, 2 per dwelling plus 2 visitor spaces. The Highway Officer has advised that while the number of parking spaces proposed would be 2 short of what

would be expected to comply with adopted standards, the provision of 12 spaces would be, on balance, acceptable and a reason to refuse the application on the level of parking provision alone would be unlikely to be sustained at appeal. As a consequence, if the application were being recommended favourably the highway and parking arrangements for the proposal would be considered acceptable subject to conditions and would comply with Policies PMD2, PMD8 and PMD9 of the Core Strategy.

VI. LANDSCAPE

- 6.23 It is noted that there were several mature trees on the site. While these were not protected via Tree Preservation Order the landscaping formed a part of the existing landscape and character of the plot. The proposal seeks to provide some soft landscaping particularly to the southern boundary of the site. Hard and soft landscaping is proposed to the northern half, breaking up the predominance of the parking area to the north of the site. The existing retaining wall and boundary walls along Purfleet Road and at the junction of the site would be retained.
- 6.24 The Landscape and Ecology Advisor has commented that the proposals appear to indicate an overdevelopment of the site and noted that there have been minor changes to the layout. As the houses have been moved northwards to increase the size of the rear gardens, this has been reduced the parking area. He continues that some planting has been shown on the roadside boundaries, but this is close to the parking bays and would cause issues as it grows. Accordingly, he considers the proposal would be unacceptable and he could not support the scheme on landscape grounds.

VII. OTHER MATTERS

- 6.25 The Environmental Health Officer has recommended that, should a favourable recommendation be forthcoming, a Construction Environmental Management Plan (CEMP) should be submitted to the Council to approval prior to works commencing. The CEMP should as a minimum deal with the hours of work, control of dust during demolition and construction and noise mitigation measures having regard to BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The principle of residential development at the site is deemed acceptable. There are however concerns in relation to use of detached dwellings and the detailed design of the detached dwellings, and their roof design in particular, which would appear incongruous and out of character with the immediate street scene. There is

also continued concern with regard to the amount of hard landscaping to the front of the site which would be likely to lead to a car-dominated frontage, with limited opportunity for landscaping.

8.0 RECOMMENDATION

8.1 Refuse planning permission for the following reason(s):

1. The proposals would, by virtue of the use of detached dwellings that would be closely sited and feature the use of a crown roof design, result in the poorly designed development appearing out of character with the local vernacular of well-spaced semi-detached dwellings, unattractive and incongruous on this visually prominent corner plot detrimental to the character of the area and appearance of the street scene contrary to Policies CSTP22, CSTP23 and PMD2 of the Core Strategy and Policies for the Management of Development (as amended) (2015) and the NPPF.
2. The proposed development would, if permitted, fail to contribute positively to the local environment as it would result in excessive areas of hardstanding, providing limited opportunity for meaningful landscaping, resulting in a car dominated streetscape to the detriment of the development and wider locality in general. The development would fail to positively contribute to the character of the area contrary to Policies CSTP22, CSTP23 and PMD2 of the Core Strategy and Policies for the Management of Development (as amended) (2015) and the NPPF.

INFORMATIVE:

Positive and Proactive Statement

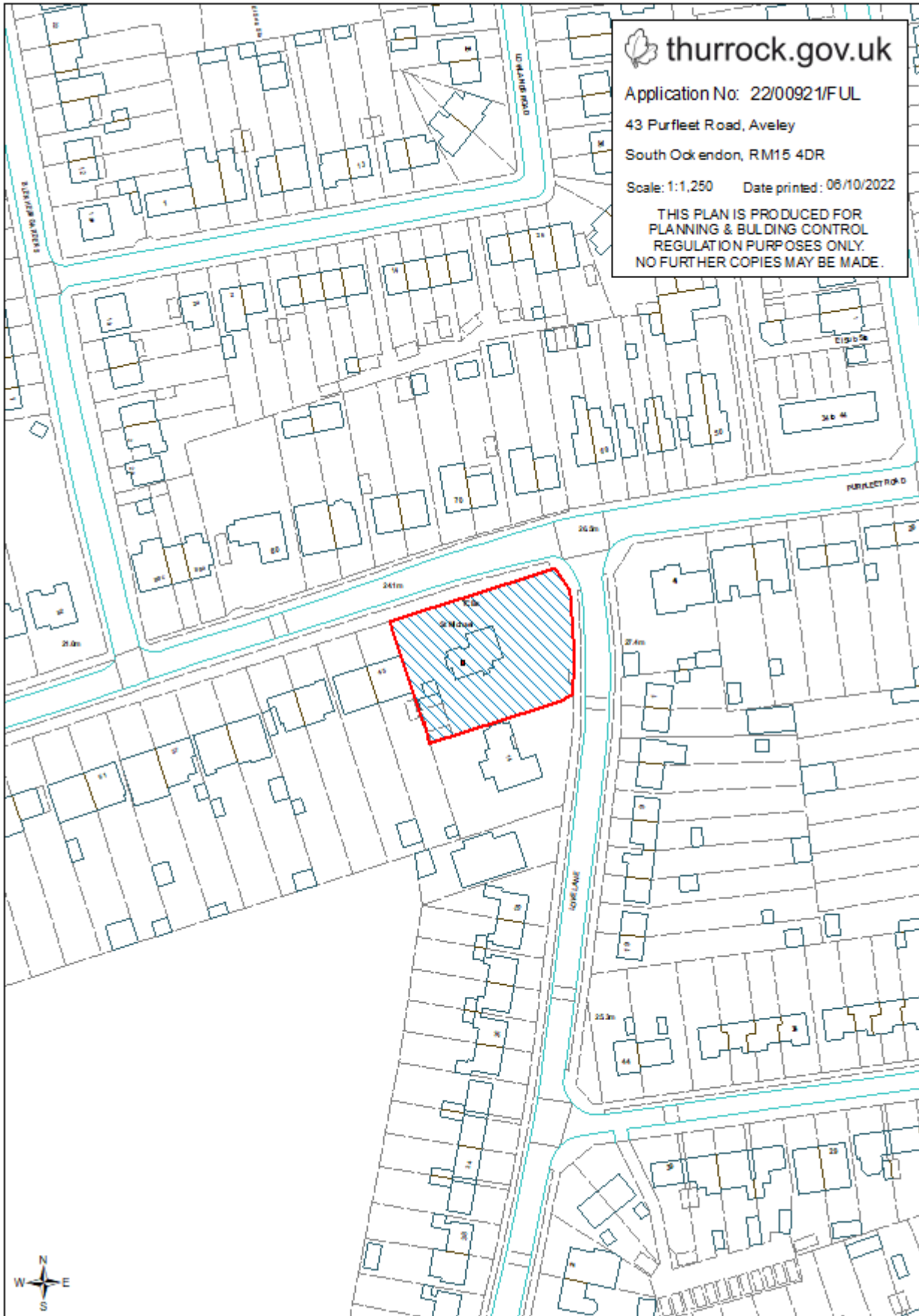
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant/Agent. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Documents:

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

www.thurrock.gov.uk/planning



Reference: 21/01277/FUL	Site: 36 High Street Stanford Le Hope SS17 0HQ
Ward: Stanford Le Hope West	Proposal: First floor rear extension to the existing property to provide HMO rooms and kitchen space, with parking beneath for existing HMO rooms.

Plan Number(s):		
Reference	Name	Received
1261_PL01D	Existing Plans and Elevations	29/10/2022
1261_PL02E	Proposed Plans and Elevations	29/10/2022
1261_PL03E	Existing and Proposed Block Plans with Location Plan	29/10/2022

The application is also accompanied by:	
<ul style="list-style-type: none"> - Application Form - 1261_3D – 3D Visualisation – 25 May 2022 	
Applicant: Mr P Grayer	Validated: 24 August 2021 Date of expiry: 24 October 2022 (Extension of Time Agreed)
Recommendation: Refuse	

This application is scheduled for determination by the Council’s Planning Committee because it has been Called-In by Councillors Anderson, Collins, Duffin, Hebb and Huelin (in accordance with Part 3 (b) 2.1 (c) of the Council’s constitution) because of local interest.

1.0 DESCRIPTION OF SITE

1.1 The application site is located at the junction of King Street and High Street within the ‘Shopping Centre and Parade’ of Stanford Le Hope as defined by the Council’s Policies Map. The site forms part of a terrace of buildings that extend along High Street, being the two properties closest to Kings Street. The building features accommodation over two floors. The part of the overall terrace that is within the application site measures 13 metres wide and 8.6 metres deep, with a pitched roof.

- 1.2 To the rear of the site, and accessed from King Street, is a service yard area that is flat and laid to hardstanding. It is understood that this part of the site is used as a parking area in associated within the ground floor shops at the application site and, anecdotally, it is understood that the occupiers of the first floor residential accommodation at the site have also used this car parking area.
- 1.3 To the west of the application site, on the opposite side of King Street, is The New Courthouse public house. A four storey block of timber clad and rendered flats (Maple Court) is located adjacent to that site and adjacent to the highway, within the grounds of the public house, is a large tree that is the subject of a Tree Preservation Order. To the north of the site is a terrace of commercial and residential properties and to the east of the site is the remainder of the terrace that includes the application site. To the east is a further tree that is the subject of a Tree Preservation Order which fronts the northernmost part of High Street but is also visible from King Street.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 The application seeks planning permission for the erection of an extension to the rear of the building in order to provide additional first floor accommodation. The main part of the extension would measure 8m deep and 11m wide, with a pitched roof to partially replicate the form of part of the existing roof. To the rear of the main part of the extension would be a further 3.7m projection which would provide a terrace area and be enclosed with vertical timber slats.
- 2.2 Beneath the extension, cycle parking and a private courtyard would be provided. The extension would feature four columns that would act as stilts and a wall beneath part of the extension that would face King Street, to give the impression that the development would appear as an extension. A 2.7m tall, 4.5m wide opening is proposed to enable access to King Street. Cycle parking for 8 bicycles is shown as well as space to store four 1100 litre bins. Gaps would be provided between parking spaces to enable access to the cycle parking and bins. The applicant has clarified that vehicle access to the private courtyard is no longer proposed.
- 2.3 The resultant building would be used as a House in Multiple Occupation (HMO) with a total of nine bedrooms. The existing first floor accommodation would feature four bedrooms, a shower room, a kitchen and a shared dining area. The new element of the building would feature five bedrooms, showers, a toilet and a communal area that would include kitchen facilities.

3.0 RELEVANT PLANNING HISTORY

3.1 The following table provides the planning history:

Reference	Description	Decision
68/00276/FUL	Taxi Booking Office	Approved
68/01026/FUL	Taxi Booking Office - Renewal of THU/276/68	Approved
70/00015/FUL	Taxi Booking Office - Renewal of THU/1026/68	Approved
71/00028/FUL	Taxi Booking Office - Renewal of THU/15/70	Approved
94/00069/FUL	36-40 High Street change of use of first floor (above shops) to use as offices	Approved
21/01112/PAOFFR	Change of use of first and second floors from offices use (Class E) to residential use (Class C3).	Approved

4.0 CONSULTATION AND REPRESENTATIONS

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

PUBLICITY:

4.2 This application has been advertised by way of individual neighbour notification letters. Three representations have been received, two of which have been received from the occupier of an adjacent property and object on the following grounds:

- Overlooking of neighbouring property;
- Noise from building works, disturbing the two young children that occupy the neighbouring property;
- Noise from the use of the communal terrace;
- Loss of light;
- Extension would be visually unattractive;
- Noise and fumes from vehicles at the site;
- Bins could not be collected from within the site and leaving them for collection within the highway could cause obstruction and be a potential danger to highway safety;

- If the bins are not collected they could cause litter and smells and attract unwanted wildlife.

The other representation received supports the proposal on the grounds that the building would be refurbished and modernised. It is stated that the development would be good for local businesses.

HIGHWAYS:

4.3 An objection is raised on the grounds that

- The proposals show insufficient consideration of the existing parking arrangements at the site, do not adequately clarify what will happen to the existing parking at the rear of the site and do not show that the retained ground floor space would be adequate for the existing commercial uses to be supported and serviced as they currently are.
- The applicant has indicated that the proposal would be a car-free development but previously suggested that parking permits in an adjacent public car park could be sought. Moreover, it is considered that developments being 'car-free' cannot be secured.
- At least two parking spaces would be required in association with the use of the building as a HMO.

The lack of parking would cause parking within King Street which would be unacceptable. The cycle parking provision is acceptable.

ENVIRONMENTAL PROTECTION TEAM

4.4 No objection. Conditions are recommended in relation to construction times and preventing bonfires. It is also highlighted that a HMO License would be required.

PRIVATE HOUSING PROPERTY LICENSING OFFICER:

4.5 No objection has been raised but it has been identified that the kitchen would not be of adequate size to meet licensing requirements and ventilation to the bathrooms is not shown.

5.0 POLICY CONTEXT

5.1 National Planning policy Framework

The revised NPPF was published on 20th July 2021. The NPPF sets out the Government's planning policies. Paragraph 11 of the Framework expresses a presumption in favour of sustainable development. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

9. Promoting sustainable communities;
12. Achieving well-designed places;

5.2 National Planning Practice Guidance

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

- Design
- Determining a planning application
- Making an application
- Natural environment
- Use of planning conditions

5.3 Local Planning Policy Thurrock Local Development Framework (2015)

The Council adopted the "Core Strategy and Policies for the Management of Development Plan Document" (as amended) in 2015. The following Core Strategy policies in particular apply to the proposals:

Overarching Sustainable Development Policy:

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

Thematic Policies:

- CSTP7: Network of Centres
- CSTP8: Vitality and Viability of Existing Centres
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness

Policies for the Management of Development

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout

5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016, the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

5.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

6.0 **ASSESSMENT**

6.1 The material considerations for this application are as follows:

- I. Principle of the development.
- II. Design and Layout and Impact upon the Area
- III. Effect on Neighbouring Properties
- IV. Living Conditions of Future Occupiers
- V. Highway Safety and Parking
- VI. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The site is located within the town centre where the overall principle of extending buildings and undertaking residential development is considered to be acceptable.
- 6.3 As the proposal relates to the first-floor accommodation and parking area to the rear of the commercial buildings at the site, the proposal would not cause a loss of ground floor retail floorspace in such a way that the proposal would conflict with the vitality or viability of the shopping centre or undermine the shopping parade designation that is referred to above.

II. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.4 The proposal would be dependent on a rear extension that would be visible from High Street and King Street. The area in which the extension is built is of minimal visual amenity value as it hosts an area used for servicing and car parking. The absence of built form at this part of the site results in the rear of the existing terrace being visible within the public domain as well as the side elevation of the terrace to the north east. The absence of built form at the site enables the two large protected trees that are described above to be visible from the public domain of King Street. Otherwise, the site does not make a substantially positive contribution to the character of the area.
- 6.5 The proposed extension would have a form that shows suitable regard for the existing building at the site, with vertical timber cladding to the elevations that would represent a more modern representation of the horizontal cladding of the existing building. The extension would be set back from the King Street elevation of the terrace and, as such, would show an adequate degree of subservience relative to the existing built form. Given the varied character of the built form within the surrounding area, including the timber clad flats of Maple Court, it is considered that the architectural style that is proposed would sit comfortably within its context and create visual interest. The timber slatted enclosure of the proposed communal terrace would also achieve this.
- 6.6 At ground floor, there would be a substantial undercroft area that could have had the potential to appear as a large void area. However, the provision of a façade to the King Street frontage is considered sufficient to address this elevation and ensure that the undercroft, private courtyard area that is proposed is of no worse visual appearance than the existing open area at that part of the site.

- 6.7 For these reasons set out above, it is considered that, subject to the comments below with respect to refuse storage and cycle parking, the proposal would have an acceptable effect on the character and appearance of the area. The proposal would, therefore, accord with Policies CSTP22, CSTP23 and PMD2 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015, the abovementioned Design Strategy SPD and the NPPF.

III. EFFECT ON NEIGHBOURING PROPERTIES

- 6.8 The ground floor properties of the terrace that includes the buildings at the application site are not used for residential purposes and, as such, the effect of the extension and the proposed use would not have any impacts on residential amenity with respect to those properties.
- 6.9 At first floor, the adjacent property (34A High Street) appears to have been extended following the grant of planning permission under application 17/00083/FUL. A small window on the two storey rear projection of that building faces the application site and would face towards the proposed extension. That window serves a bedroom. However, the approved plans for that development show that the bedroom is also served by a window on the other side elevation (facing east). As such, even though the extension would have a substantial effect on the small, west facing window that is described above, it is considered that the affected room would still receive adequate light to be usable and, as such, a reason for refusal on that ground could not be substantiated.
- 6.10 No windows are proposed at the side elevation that would face 34A High Street. As such, the proposed extension would have no effects on privacy.
- 6.11 To the north of the application site is a terrace of residential properties that were converted to residential use under the terms of application 15/00971/FUL. The plans available show that the rooflight and windows in the elevation facing the application site serve a hallway and as such do not serve a habitable room. Accordingly, the effect on light and outlook would not be unduly harmful to living conditions. The proposed communal terrace would enable elevated views towards the terrace to the south, but there are no first floor windows in the side elevation of that building, the single storey elements at that property would largely obscure views into the amenity areas at the rear of that terrace and, to prevent overlooking and ensure the privacy of future occupiers, it would be possible to impose a condition to require either a privacy screen to be provided or the slatted enclosure to be increased in height to achieve the same protection from overlooking.

- 6.12 Concerns have been raised by a neighbouring objector in respect of noise, particularly as a result of the times that children sleep during the day. Whilst these comments are noted, construction noise would not be a reasonable ground for the refusal of the application and, although there would be a substantial number of residents within a close proximity, there is no basis to conclude that this would generate noise that would exceed what would reasonably be expected in this relatively busy location.
- 6.13 No other residential properties would be harmfully affected by the proposal to an extent that would justify the refusal of the application.
- 6.14 For these reasons, it is considered that the proposal would not be harmful to the living conditions of nearby residents to an extent that could be found unacceptable. The development therefore would remain in accordance with Policy PMD1 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015 and the NPPF in that respect.

IV. LIVING CONDITIONS OF FUTURE OCCUPIERS

- 6.15 In many respects, the standard of accommodation for future occupiers would be a matter for the HMO licence which is addressed under the terms of other legislation and, in terms of matters such as room sizes, bathroom facilities and kitchen provisions, it is considered that these matters are sufficiently addressed by other legislation and are not matters that are to be controlled by the Local Planning Authority. From this basis, whilst the comments of the Property Licensing Officer above are noted with respect to the size of the proposed kitchens, this would not be a reasonable ground to object to the planning application and it is noted that conditions and subsequent internal amendments that would not require planning permission could address this matter if necessary.
- 6.16 A concern was previously raised in relation to the poor outlook for one of the proposed bedrooms, but the internal layout and the window positions have been revised and, therefore, the living conditions for future occupiers would be acceptable in planning terms.

V. HIGHWAY SAFETY AND PARKING

- 6.17 The proposal would involve the development of land that is currently used as a parking and servicing area for the adjacent commercial uses. As set out above, it is anecdotally understood that occupiers of the existing first floor

accommodation have been using the parking area and, in this regard, it is noted that the application form for application 21/01112/PAOFFR stated that the *“existing parking spaces allocated to the office will be transferred to the first floor flat.”* The plans submitted with that application showed that four parking spaces would be available.

- 6.18 The submitted plans show an opening into the private courtyard in the same location as the existing vehicle access, but the opening within the built form would be limited to measure 2.7 metres tall and 4.5 metres wide. Earlier versions of the submitted plans included parking but, in each case, concerns were raised that the parking shown was not accessible. The applicant has therefore now chosen to show no parking at all.
- 6.19 Based on the above, it is considered that it would be necessary to proceed on the basis that the development would feature no usable parking; it is clear from the applicant’s submissions that the development is proposed as a car-free scheme. The Highway Authority have identified that a development of this type should be served by 2 parking spaces and set out that the ‘car-free’ occupancy proposals of the applicant cannot be guaranteed or secured. In this instance, it is considered that there could be a degree of flexibility to the level of parking that is provided given that the site is well located with respect to shops, services, community facilities and public transport connections. However, it is unlikely that there would be no demand for parking within the site as a result of the proposed HMO use. As such, it is considered that there would be a shortfall of parking at the site and a likely increase of parking within the wider locality. Whilst this may be controlled by parking restrictions in some respects, there remains a significant concern that the development would be likely to be detrimental to highway safety.
- 6.20 With respect to the ground floor commercial uses, it is considered that the existing commercial area would need to be serviced and therefore, even if all residents chose to not have a car, it would still be necessary to ensure that parking and servicing areas are provided for the retained commercial units at ground floor. In this regard the applicant has clarified that customer car parking can occur within the nearby public car park and set out that loading bays are available within the highway forward of the application site. However, the public spaces within the highway that have been referred to are freely available parking spaces rather than designated loading bays and, as such, there is no guarantee that they would be available. Consequently, it is considered that the loss of the servicing area could lead to on-street parking by larger vehicles. Again, it is noted that parking restrictions apply within the locality, but these are not always applicable for delivery vehicles and it is

therefore a concern that the servicing of the ground floor commercial properties could result in a reduction of highway safety.

- 6.21 Previous iterations of the proposals showed the courtyard area as being used for parking and/or servicing. However, concerns have consistently been raised as a result of the obstructions caused by the proposed supporting columns, the enclosed access and the refuse and cycle stores. Therefore, even if that area were used for those purposes as the plans might suggest could be possible, it has not been demonstrated that this would be acceptable in terms of accessibility, usability or quantity of parking. Therefore, it is considered that conditions cannot be imposed to address the concerns that are raised.
- 6.22 A substantial cycle parking provision and refuse storage area would be included within the development and following modification, this is now covered and conveniently located. The proposal is, therefore, acceptable in this respect.

VI. OTHER MATTER

- 6.23 The applicant has stated that the proposed development would be highly insulated with the use of high performing materials within the development. It has also been stated that the applicant is considering the use of solar panels, PV panels and air source heat pumps. These considerations are noted, but the proposals do not include these provisions and no evidence has been provided to demonstrate that the sustainability credentials of the proposal are of such significance that the benefits of the proposal outweigh the objections that are raised above. Therefore, whilst acceptable and encouraged, this is not a reason to reach a different conclusion.
- 6.24 The applicant has identified that including a private amenity space reduces the need for future occupiers to travel. However, providing amenity space is considered to form part of providing appropriate living conditions which should be a conventional practice and does not overcome the objection raised with respect to the lack of parking.

7.0 CONCLUSIONS AND REASONS FOR REFUSAL

- 7.1 For the reasons set out above, it is considered that the development would result in insufficient parking and servicing provisions being available at the site and it is considered that this would be likely to result in harm to highway and pedestrian safety. Therefore, whilst the proposal would be acceptable in

other respects, it is considered that the proposal would be unacceptable and contrary to the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015 and the NPPF.

8.0 RECOMMENDATION

8.1 REFUSE planning permission for the following reasons:

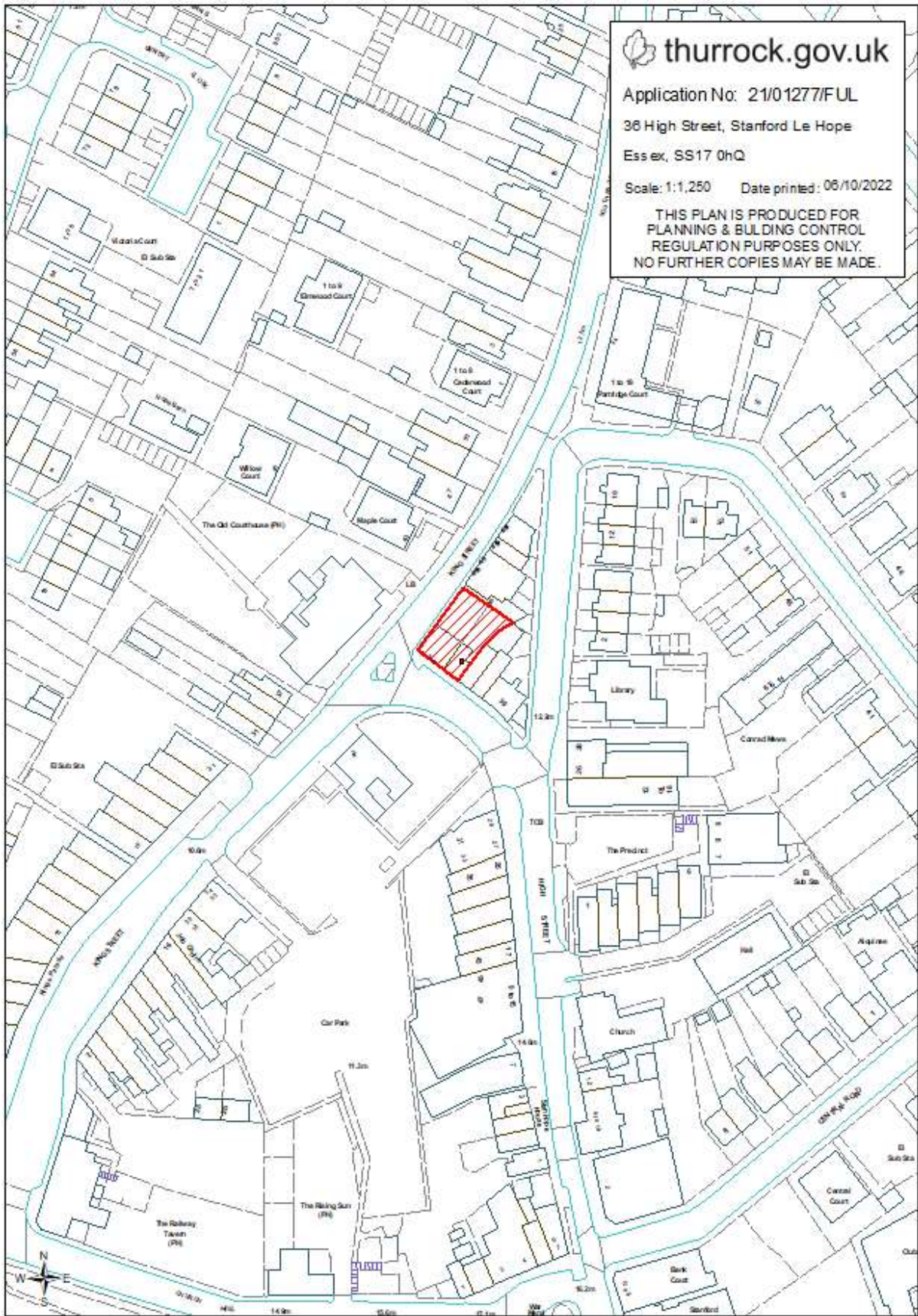
The proposed development would result in alterations to the provision of parking and servicing areas at the site which have not been satisfactorily replaced within the proposal and, as a result, it is a concern that the site would be served by an inadequate access and insufficient servicing and parking. This would be likely to lead to conditions that would detract from highway and pedestrian safety. The development would, therefore, be unacceptable and contrary to Policy PMD8 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015 and the NPPF.

Positive and Proactive Statement

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

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: <http://regs.thurrock.gov.uk/online-applications>



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Reference: 22/00884/TBC	Site: Thurrock Council Civic Offices New Road Grays Essex RM17 6SL
Ward: Grays Riverside	Proposal: Installation of a new entrance doorway to the front of the CO2 building with associated access ramp and steps. Window to be installed within the rear elevation.

Plan Number(s):		
Reference	Name	Received
22085-LSI-AAA-GF-DR-A-1200-S2-WIP	Existing General Arrangement Plans Ground Floor	18th July 2022
22085-LSI-AAA-GF-DR-A-1300-S2-WIP	Proposed General Arrangement Plans Ground Floor	18th July 2022
22085-LSI-AAA-XX-DR-A-1170-S2-WIP	Location Plan	18th July 2022
22085-LSI-AAA-XX-DR-A-1175-S2-WIP	Block Plan	18th July 2022
22085-LSI-AAA-ZZ-DR-A-1250-S2-WIP	Existing General Arrangement Elevations	18th July 2022
22085-LSI-AAA-ZZ-DR-A-1251-S2-WIP	Existing General Arrangement Elevations	18th July 2022
22085-LSI-AAA-ZZ-DR-A-1350-S2-WIP	Proposed General Arrangement Elevations	18th July 2022
22085-LSI-AAA-ZZ-DR-A-1351-S2-WIP	Proposed General Arrangement Elevations	18th July 2022

The application is also accompanied by: N/A	
Applicant: Thurrock Council	Validated: 19 July 2022 Date of expiry: 13 September 2022
Recommendation: Approved subject to conditions	

This application is scheduled as a Committee item because the Council is the applicant and landowner (In accordance with Part 3 (b) Section 2 2.1 (b) of the Council’s constitution).

1.0 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks planning permission for the installation of a new accessibility ramp to the front elevation of the Council Offices. The ramp would be constructed of red brick with a stainless steel handrail, located adjacent to the underground car park entrance. An existing planter would be reduced in size to allow suitable access to the ramp. A new door would be installed to provide additional access into the Offices. To the west of the ramp a set of stairs is proposed that would also to be constructed of red brick. An existing raised area of hardstanding would also to be increased in depth.
- 1.2 A single paned window would also be installed within the rear elevation of the building at ground floor level, located to the western corner of the building.

2.0 SITE DESCRIPTION

- 2.1 The application relates to part of the Thurrock Council Offices. The Offices are located upon the northern side of New Road.
- 2.2 Just outside the northwestern boundary of the site are a mix of buildings including traditional two storey buildings in use as a dentist surgery and a former public house and flatted development. To the west is the recently completed new Council Office building extension. To the south is the South Essex college building and public square.

3.0 RELEVANT HISTORY

Whilst there is an extensive planning history in relation to the site, the following is of most relevance:

Application Reference	Description of Proposal	Decision
89/00866/FUL	Development of new five storey civic offices	Approved
96/00362/TBC	Change of use of part of second floor from local government use to use for offices other than local government	Approved
19/00617/FUL	Demolition of existing buildings and external wall on the corner of High Street and New Road and	Approved

	<p>refurbishment and extension of Council offices comprising a 3 storey building with raised parapet to the west of existing building (CO2), to provide 147 sq m (GIA) of Class B1 (a) office space on the ground floor as a registry office and 2,163 sq m of Sui Generis floor space on part of the ground floor providing new public service points, meeting rooms and an ancillary cafe and on the upper floors providing a Council Chamber, Committee Rooms and Members Services, together with cycle parking, roof plant and plant enclosure, hard and soft landscaping, seating areas and benches, infrastructure and associated works.</p>	
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4.0 CONSULTATIONS AND REPRESENTATIONS

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

PUBLICITY:

4.2 The application has been advertised by way of neighbour letters and a site notice erected nearby to the site. No comments were received.

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

5.1 The revised NPPF was published on 20 July 2021 and sets out the Government’s planning policies. Paragraph 2 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 11 states that in assessing and determining development proposals, local planning authorities should apply the presumption in

favour of sustainable development. The following headings and content of the NPPF are relevant to the consideration of the current proposals:

4. Decision making
12. Achieving well-designed places

National Planning Practice Guidance (NPPG)

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

- Design
- Determining a planning application
- Use of planning conditions

Local Planning Policy

Thurrock Local Development Framework (as amended) (2015)

5.3 The Core Strategy and Policies for Management of Development was adopted by Council on the 28th February 2015. The following policies apply to the proposals:

THEMATIC POLICIES

- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)

Thurrock Local Plan

5.4 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an 'Issues and Options (Stage 1)' document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues

and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

Thurrock Design Strategy

- 5.5 In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

6.0 ASSESSMENT

- 6.1 The assessment below covers the following areas:

- i. Principle of development
- ii. Design of development and relationship with surroundings
- iii. Amenity Impacts

I. PRINCIPLE OF DEVELOPMENT

- 6.2 The proposed alterations are acceptable in principle, given that they are required in association with the operation of the building and there are no changes to the proposed use of the site.

II. DESIGN OF DEVELOPMENT AND RELATIONSHIP WITH SURROUNDINGS

- 6.3 The proposed access ramp would be constructed using materials that would match the existing building. As a result, the proposals would be in keeping with the existing building and there would be no harm to the street scene. The proposal would not appear out of character within its immediate or wider location and as such the proposals comply with Policies CSTP22 and PMD2 of the Core Strategy in this regard.

III. AMENITY IMPACTS

- 6.4 The proposed access ramp and associated works would not negatively impact upon surrounding amenity. The door within the principle elevation and ground floor window in the rear elevation would afford similar views to that of the existing building and the alterations would not result in an unacceptable loss of privacy to nearby residents. Given the above, it is not considered that the proposals would have any significant adverse amenity impacts and as such the proposals are considered to comply with Policy PMD1 in this respect

7.0 CONCLUSIONS

7.1 The proposal is considered to be comply with the relevant Core Strategy policies, as well as relevant chapters of the NPPF.

8.0 RECOMMENDATION

8.1 Approve, subject to conditions.

TIME LIMIT

1 The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Act 2004.

PLANS

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):		
Reference	Name	Received
22085-LSI-AAA-GF-DR-A-1200-S2-WIP	Existing General Arrangement Plans Ground Floor	18th July 2022
22085-LSI-AAA-GF-DR-A-1300-S2-WIP	Proposed General Arrangement Plans Ground Floor	18th July 2022
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22085-LSI-AAA-ZZ-DR-A-1350-S2-WIP	Proposed General Arrangement Elevations	18th July 2022
22085-LSI-AAA-ZZ-DR-A-1351-S2-WIP	Proposed General Arrangement Elevations	18th July 2022

REASON: For the avoidance of doubt and in the interest of proper planning.

MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION

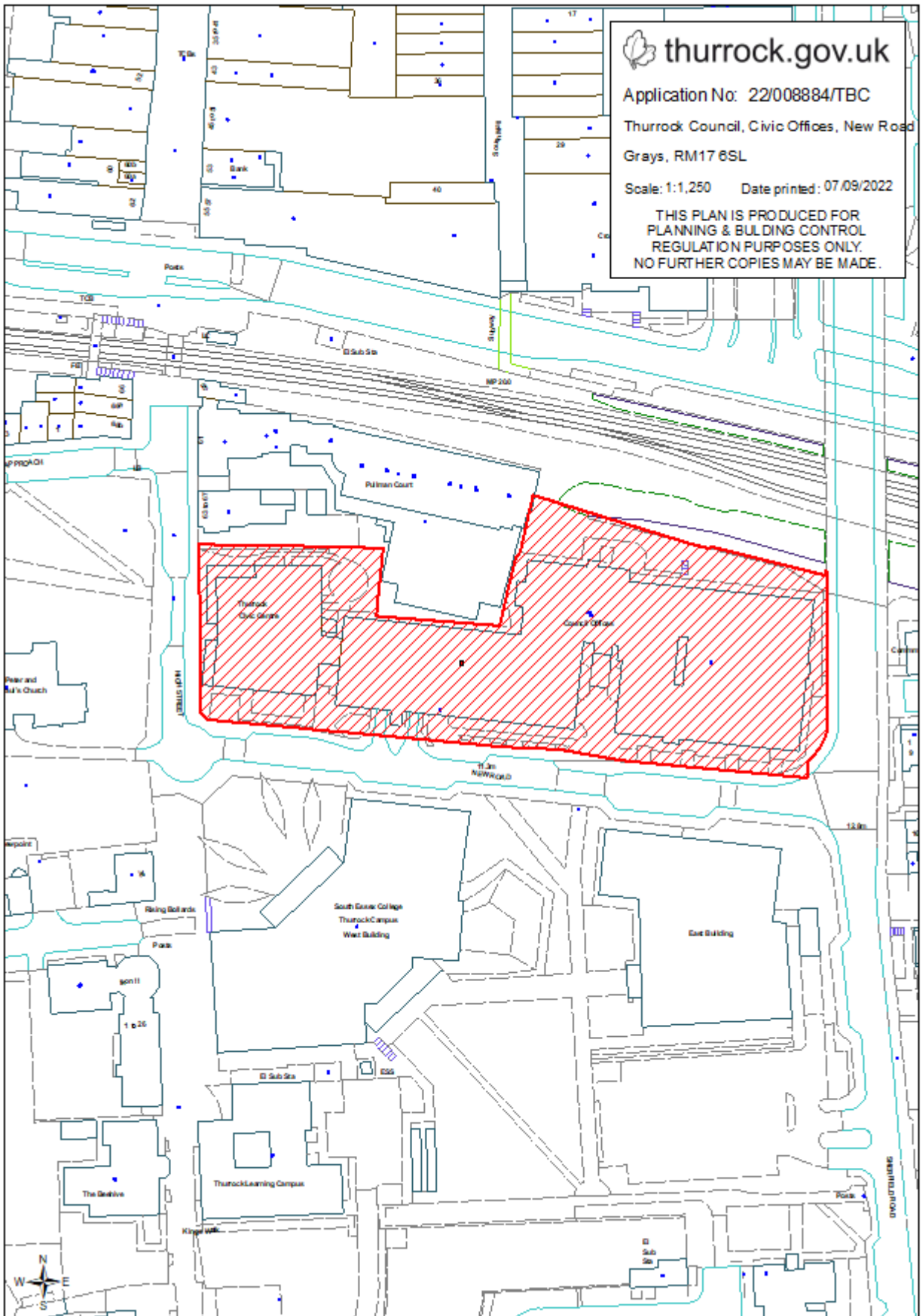
- 3 The materials to be used on the external surfaces of the development hereby permitted shall be implemented as detailed within the application.

Reason: In the interests of visual amenity and to ensure that the proposed development is integrated with its surroundings in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Documents:

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www.thurrock.gov.uk/planning



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