

<b>Reference:</b> 17/01107/HHA	<b>Site:</b> 18 Brookmans Avenue Stifford Clays Grays Essex RM16 2LW
<b>Ward:</b> Little Thurrock Blackshots	<b>Proposal:</b> Erection of summer house/office

Plan Number(s):		
Reference	Name	Received
(No Nos.)	Location Plan	17th August 2017
1B	Proposed Floor Plans	3rd October 2017
2B	Proposed Elevations	3rd October 2017
3B	Proposed Elevations	3rd October 2017
4A	Block Plan	14th September 2017

The application is also accompanied by:  - N/A	
<b>Applicant:</b> Mr B Preou	<b>Validated:</b> 17 August 2017  <b>Date of expiry:</b> 10 November 2017 (Extension of time agreed with applicant)
<b>Recommendation:</b> Approve, subject to conditions.	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Cllrs R Gledhill, J Redsell, L Spillman, S Little and B Rice (in accordance with the Constitution Chapter 5, Part 3 (b), 2.1 (d) (ii)) to assess the impact of the proposal in terms of overshadowing the garden and bungalow to the south.

**1.0 DESCRIPTION OF PROPOSAL**

1.1 This application seeks planning permission to construct an outbuilding measuring 8.7m (w) x 5.3m (d) x 3.5m (h) (2.5m to the eaves). The outbuilding would be set back from the rear boundary by 0.7m and both side boundaries by 0.5m. Internally,

the building would be divided into a small office and a larger play area with garden storage.

**2.0 SITE DESCRIPTION**

2.1 The application site is located within a residential area on the southern side of Brookmans Avenue. The properties on the south side of Brookmans Avenue feature long gardens generally between 17m and 27m long. By contrast, the properties on the northern side of Rushley Close, immediately south, are set in smaller plots with short rear gardens ranging from 7-8m near the application site to 10-12 farther west. There is no noticeable change in ground levels.

**3.0 RELEVANT HISTORY**

Application Reference	Description of Proposal	Decision
74/00755/FUL	Garage	Approved
13/00180/CLOPUD	Roof extension from hip to gable end, flat roof dormer window to rear, 3 rooflights to front elevation and conversion of extended loft area to habitable accommodation	Approved
13/00448/HHA	Single storey rear extension.	Approved but not implemented. Permission now expired.

**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](http://www.thurrock.gov.uk/planning)

**PUBLICITY:**

4.2 This application has been advertised by way of individual neighbour notification letters and online planning register. Two letters have been received, both concerned about amenity impacts to 2 Rushley Close, immediately to the south of the application site.

**5.0 POLICY CONTEXT**

**National Planning Guidance**

### National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 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 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.
- 5.2 The following headings and content of the NPPF are relevant to the consideration of the current proposals:

#### 7. Requiring good design

### Planning Practice Guidance

- 5.3 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

### **Local Planning Policy**

### Thurrock Local Development Framework (2011)

- 5.4 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The following Core Strategy policies apply to the proposals:

#### Thematic Policies:

- CSTP22 (Thurrock Design)

#### Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>

[Footnote: <sup>1</sup>New Policy inserted by the Focused Review of the LDF Core Strategy.

<sup>2</sup>Wording of LDF-CS Policy and forward amended either in part or in full by the

Focused Review of the LDF Core Strategy. <sup>3</sup>Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

#### Focused Review of the LDF Core Strategy (2014)

- 5.5 This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

#### Draft Site Specific Allocations and Policies DPD

- 5.6 This Consultation Draft "Issues and Options" DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD 'Further Issues and Options' was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

#### Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

- 5.7 The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan.

#### Thurrock Local Plan

- 5.8 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. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in 2017.

**6.0 ASSESSMENT**

6.1 The key planning considerations in this case are the design of the building and its relationship with its surroundings.

6.2 The outbuilding would be of a simple pitched-roof with an external brick finish, common of many outbuildings in the Borough. The applicant has chosen a pitched roof to be able to match the tiles to the house [something which could be secured via condition]. The building would feature a double door and large window into the main area and a single personnel door and small window into the office area. All openings would face the house. Subject to conditions controlling the materials the design is of sufficient quality and complies with policies CSTP22 and PMD2 of the Core Strategy.

6.3 The Residential Alterations and Extensions SPD (RAE) came into force in September 2017 and is relevant to this proposal. Policy 4.1.3 limits the quantum of construction on a site. Even without the demolition of the garage, the proposal complies with this criterion and, by extension, policy 5.6.4 which ensures outbuildings are appropriately proportioned and preserve a usable garden. Due to the scale of the building, the orientation of the plot and distances to the living areas of the houses, there would be no loss of outlook, overbearing or other loss of amenity.

**7.0 CONCLUSIONS AND REASONS FOR APPROVAL**

7.1 The proposal complies with all relevant policies and guidance and is therefore recommended for approval.

**8.0 RECOMMENDATION**

8.1 Approve, subject to the following 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 Purchase Act 2004.

**PLANS**

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

Reference	Name	Received
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Reason: For the avoidance of doubt and in the interest of proper planning.

### **MATCHING MATERIALS**

- 3 Notwithstanding the information on the approved plans, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the external finishes of the associated dwelling.

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

### **4. USE OF OUTBUILDING**

The outbuilding hereby permitted shall be occupied only for purposes ancillary or incidental to and in conjunction with the use of the existing property as a single dwelling house and not as a separate or independent unit of residential accommodation or for any business or commercial use.

**Reason:** In order to safeguard the amenities of neighbouring occupiers in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

### **INFORMATIVE**

#### **Positive and Proactive Statement:**

In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the National Planning Policy Framework.

#### **Documents:**

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

[www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

