

<b>Reference:</b> 18/00984/FUL	<b>Site:</b> Land To North East Of St Cleres Hall Stanford Road Stanford Le Hope Essex
<b>Ward:</b> Stanford Le Hope West	<b>Proposal:</b> Erection of a terrace of 4no. residential dwellings with associated hardstanding and landscaping following demolition of existing buildings

Plan Number(s):		
Reference	Name	Received
001	Location Plan	10th July 2018
002	Proposed Plans	10th July 2018

The application is also accompanied by: - Planning Statement	
<b>Applicant:</b> Mr M Valente	<b>Validated:</b> 3 September 2018 <b>Date of expiry:</b> 29 October 2018
<b>Recommendation:</b> Refuse	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Cllrs S Hebb, R Gledhill, D Huelin, A Watkins and B Johnson (in accordance with the Constitution Chapter 5, Part 3 (b), 2.1 (d) (ii)) to assess the impact of the proposal on the amenity of local residents.

## 1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

1.1 The key elements of the proposals are set out in the table below:

<b>Site Area (Gross)</b>	0.097ha							
<b>Height</b>	Eaves – 4.5m Ridge – 10.5m							
<b>Units (All)</b>	<b>Type (ALL)</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4-bed</b>	<b>5-bed</b>	<b>TOTAL</b>	

	Houses			4			4																					
	Flats																											
	<b>TOTAL</b>			<b>4</b>			<b>4</b>																					
<b>Affordable Units</b>	<table border="1"> <thead> <tr> <th>Type (ALL)</th> <th>1-bed</th> <th>2-bed</th> <th>3-bed</th> <th>TOTAL</th> </tr> </thead> <tbody> <tr> <td>Houses</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Flats</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td><b>TOTAL</b></td> <td></td> <td></td> <td></td> <td><b>0</b></td> </tr> </tbody> </table>								Type (ALL)	1-bed	2-bed	3-bed	TOTAL	Houses					Flats					<b>TOTAL</b>				<b>0</b>
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Houses																												
Flats																												
<b>TOTAL</b>				<b>0</b>																								
<b>Car parking</b>	<p>Houses: 4</p> <p>Total allocated: 2 spaces (Average of per unit)</p> <p>Total Visitor: 0 spaces (Average per unit)</p> <p>Total: 8</p>																											
<b>Amenity Space</b>	<p>Minimum 63 sq.m</p> <p>Average between 63 sq.m to 66.5 sq.m</p> <p>Maximum 66.5 sq.m</p>																											
<b>Density</b>	<p>41.2 units per ha</p> <p>36.8 units per ha (for the whole development site including previously approved schemes)</p>																											

1.2 This application seeks planning permission for the erection of a terrace of 4 residential dwellings following the demolition of existing buildings on the site. The proposal also includes associated hardstanding and landscaping.

1.3 The proposed terrace would be located toward the north east corner of the wider site which is currently being developed under previously approved planning applications 11/50268/TTGFUL and 16/00271/FUL. The terrace itself would be of pitched roof design with an appearance similar to the buildings previously approved on the site. The proposed parking area would utilise the access proposed under the previous applications.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is situated within the Green Belt to the West of Stanford-le-Hope. The site, which is located on the south side of Stanford Road was formally part of a redundant farmyard which also included a large car storage building. The area to the south of the site is currently being developed to provide 17 residential units under applications 11/50269/TTGFUL and 16/00271/FUL. The site itself would be within an area which was proposed as an open area with landscaping in previous application 16/00271/FUL. Access to the site would be via the access road within the current development which links the site to the driveway that is shared with St Clere’s Hall Golf Club.
- 2.2 The site is adjoined to the East by residential development fronting London Road and the cul-de-sac of Oxford Road, and to the West by St Clere’s Hall, which is a Grade II\* listed building. This building was once a farmhouse but is now used as the club house for St Clere’s Hall Golf Club.

**3.0 RELEVANT PLANNING HISTORY**

3.1 The following table provides the planning history:

Reference	Description	Decision
10/50230/TTGFUL	Erection of 14 dwellings	Withdrawn
11/50268/TTGFUL	Erection of 14 dwellings	Approved
14/00547/CONDC	Discharge of conditions 2,3,4,8,9,10,21,22 and 23 on previous planning application 11/50268/TTGFUL.	Advice Given
14/00654/CONDC	Discharge of Conditions 5, 6, 12, 15, 18 and 19 against approved planning application 11/50268/TTGFUL	Advice Given
14/01009/CV	Variation of conditions 3,4,8,10,19 and 21	Withdrawn
16/00271/FUL	Demolition of existing car storage building and erection of a residential terrace of 5no. three bedroom dwellings	Refused – Appealed – Allowed
16/01374/FUL	Demolition of existing car storage building and erection of a residential terrace of 5no. three bedroom dwellings	Withdrawn
17/01628/CONDC	Application for the approval of details reserved by condition no. 3 (Hard and soft landscaping), 4 (Construction and waste management plan), 5(Highways management plan) and 8(foul and surface water) of planning permission ref. 16/00271/FUL (Demolition of existing car storage building and erection of a	Advice Given

	residential terrace of 5 no. three bedroom dwellings)	
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#### **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](http://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. No letters of representation were received in relation to this application.

#### **4.3 CADENT GAS:**

No objection subject to informatives.

#### **4.4 ENVIRONMENTAL HEALTH:**

No objection subject to conditions.

#### **4.5 HIGHWAYS:**

No objection.

#### **4.6 HISTORIC ENGLAND:**

Update to be provided at Committee.

#### **4.7 LANDSCAPE AND ECOLOGY ADVISOR:**

No objection subject to conditions.

#### **4.8 LISTED BUILDING ADVISOR:**

Object to the proposal due to the adverse impact upon a Grade II\* listed building.

#### **5.0 POLICY CONTEXT**

##### **National Planning Policy**

## 5.1 National Planning Policy Framework

The NPPF was published on 27th March 2012 and amended on 24th July 2018. Paragraph 10 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 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:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 16. Conserving and enhancing the historic environment

## 5.2 Planning Policy 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:

- Conserving and enhancing the historic environment
- Design
- Determining a planning application
- Land affected by contamination
- Natural Environment
- Noise
- Planning obligations
- Tree Preservation Orders and trees in conservation areas
- Use of Planning Conditions

### **Local Planning Policy**

## 5.3 Thurrock Local Development Framework (as amended) 2015

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)<sup>1</sup>

#### SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)
- CSSP4 (Sustainable Green Belt)

#### THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP2 (The Provision Of Affordable Housing)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)<sup>2</sup>
- CSTP24 (Heritage Assets and the Historic Environment)

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)<sup>2</sup>
- PMD2 (Design and Layout)<sup>2</sup>
- PMD4 (Historic Environment)<sup>2</sup>
- PMD6 (Development in the Green Belt)<sup>2</sup>
- PMD7 (Biodiversity, Geological Conservation and Development)<sup>2</sup>
- PMD8 (Parking Standards)<sup>3</sup>
- PMD9 (Road Network Hierarchy)
- PMD16 (Developer Contributions)<sup>2</sup>

[Footnote: 1New Policy inserted by the Focused Review of the LDF Core Strategy. 2Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. 3Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

#### 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. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in 2018.

#### 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 in the Green Belt
- II. Layout and Design
- III. Impact on Listed Building
- IV. Impact on Amenity
- V. Highways and Parking
- VI. Landscaping and Ecology
- VII. Other Matters
- VIII. Developer Contributions

#### I. PRINCIPLE OF THE DEVELOPMENT IN THE GREEN BELT

6.2 The NPPF states that a Local Planning Authority should regard the construction of new buildings in the Green Belt as 'inappropriate' unless they fall within one of the exceptions set out in paragraph 145. Amongst other things this includes the limited infilling or the partial or complete redevelopment of previously development sites (Brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.3 The NPPF defines "Previously developed land" to be: *Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development*

*management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

- 6.4 The principle of the residential re-development of the site has already been established by the granting of full planning permission under applications 11/50268/TTGFUL and 16/00271/FUL. However, these developments relied on the redevelopment of a previously developed site where there would be no greater impact upon the openness of the Green Belt than the existing development. The effect of this was to rely upon the pre-existing buildings on site which would be demolished to make way for the residential development on the site. In order to comply with the approved plans and conditions from the previous scheme all the pre-existing buildings would need to be removed from the site. Therefore whilst one of the pre-existing buildings remains on the site this cannot be considered again in terms of the impact upon the Green Belt. Given that the previously approved applications had a similar impact upon the openness of the Green Belt to the pre-existing buildings the consideration of the current application is essentially confined to whether the proposal would have a greater impact upon the openness of the Green Belt than the previously approved schemes. The approved plans from application 16/00271/FUL showed the area to the north east corner of the site as being utilised for open space and landscaping with the pre-existing building removed. The proposal would introduce a two storey terrace with a ridge height of 10.5m. This would have a significantly greater impact upon openness than the previously approved scheme resulting in the dispersal of built form across a larger proportion of the site and the introduction of a further building of significant scale. As a result the proposal would fail to comply with the relevant exception to inappropriate development in the Green Belt. Therefore it would constitute inappropriate development within the Green Belt which is by definition harmful to openness.
- 6.5 In addition to the definitional harm to the Green Belt consideration must be given to any other harm to openness that would result from the proposed development. The site is located on the edge of the existing urban area and whilst the previous approvals on the site have permitted a certain amount of development the current proposal would result in further sprawl of the built up area and encroachment into the countryside. As a result the proposal would result in further harm to the openness of the Green Belt.
- 6.6 Where a proposal constitutes inappropriate development in the Green Belt paragraph 143 of the NPPF states that it should not be approved except in very special circumstances. Paragraph 144 goes on to state that substantial weight should be given to any harm to the Green Belt and that very special



circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

- 6.7 In this instance the Planning Statement submitted with the application has not explicitly referred to any very special circumstances as it sought to argue that the development was not inappropriate development in the Green Belt. As outlined above it is considered that the proposal would constitute inappropriate development in the Green Belt. However, whilst not explicitly referred to as very special circumstances the benefits of the scheme put forward in the statement were; housing provision, the logical completion of the development and the removal of the remaining farm buildings on the site.
- 6.8 Turning to each of these points in turn, the primary justification for the development is the provision of additional housing on the site. The proposal would result in 4 additional dwellings which would make a small contribution towards housing need in the area. However, in isolation, the provision of housing would not represent a very special circumstance which would outweigh the harm to the Green Belt.
- 6.9 The other matters highlighted in the statement relate to the logical completion of the development and the removal of the farm buildings. The logical completion of the development in design terms is afforded no weight in terms of the impact upon openness. The removal of the remaining farm buildings on the site was already considered in the assessment of previous applications and would be necessary to carry out the previous development in accordance with the approved plans and conditions. Therefore the removal of these buildings is afforded no weight in the assessment of the impact upon the Green Belt.
- 6.10 In conclusion it is considered that the proposal results in inappropriate development in the Green Belt which would result in both definitional and actual harm to openness. There are no very special circumstances which would clearly outweigh the identified harm. Therefore the principle of the development in the Green Belt is unacceptable as it would be contrary to policy PMD6 of the Core Strategy 2015 and the NPPF.

## II. LAYOUT AND DESIGN

- 6.11 The proposed terrace would be sited perpendicular to the previously approved terrace facing towards Stanford Road. It would be somewhat separated from the residential properties to the east of the site although it would be in close proximity to the boundary with St Clere's Hall to the west of the site. Its siting

and orientation would result in it being positioned significantly closer to the road than the buildings within the previously approved scheme. Its pitched roof design would present a side gable end facing onto Stanford Road. Therefore the current proposal would result in a building of significant scale sited in close proximity to the road which would appear visually dominant within the street scene.

- 6.12 In addition to the above, the resultant development would remove the landscape buffer which separated the previously approved scheme from the road. This results in a higher density scheme, dominated by structures and hardstanding which would have an urban appearance out of character in the context of its location in the Green Belt and on the outskirts of the urban area.
- 6.13 Therefore it is considered, that, by reason of its siting, scale and the increased density of the site as a whole that the proposal would result in an overly dominant and incongruous form of development which would have a significant adverse impact upon the street scene and the character of the area. The proposal would, therefore, be contrary to policies PMD2, CSTP22 and CSTP23 and the NPPF.

### III. IMPACT ON LISTED BUILDING

- 6.14 The Council's Listed Building Advisor has noted that the site is located adjacent to St Clere's Hall, a Grade II\* listed former farmhouse. As a Grade II\* listed building, St Clere's Hall is a heritage asset of significant value. Therefore great weight should also be given to any harm identified as part of the assessment of the proposal. Any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. In this instance, whilst the applicant has addressed heritage within the Design and Access Statement this appears to rely upon conclusions drawn within earlier applications which did not include any development within this particular part of the site. Therefore no justification has been provided in relation to the current scheme.
- 6.15 The Listed Building Advisor considers that the proposed terrace does not successfully convey a rural/agricultural character in a modern manner but would instead appear an uncomfortable assemblage of styles and typologies which cannot be considered to make a positive contribution to local character and distinctiveness. Further to this, the massing and position of the block would appear to dominate the local streetscene and crowd the listed building whilst blocking intermittent historic views across the site through the hedging which would be better revealed by the previous permission and allow for the listed building to be gradually revealed upon approach from the north-east.

Therefore, from a heritage perspective, the proposal would be unacceptable contrary to policies CSTP24 and PMD4 and the NPPF.

#### IV. IMPACT ON AMENITY

- 6.16 The proposed building would be sited a significant distance from the nearest pre-existing dwellings located to the east of the site on Stanford Road. As a result it would not result in a significant loss of light, overbearing impact or loss of privacy to these neighbours.
- 6.17 The residential dwellings most likely to be impacted by the proposal are those currently under construction within the remainder of the site. The terrace containing plots 1 to 6 is sited perpendicular to the current proposal. The proposal would breach the 60 degree angle to the nearest of these plots. However, given the distance between the buildings and the impact upon a limited number of windows it is considered that this would not result in significant harm to future occupiers of plots 1 to 6. Any views from the current proposal would be towards the front of plots 1 to 6 and would not directly overlook habitable room windows or private amenity space.
- 6.18 With regards to the proposed parking and turning area this would result in some disturbance to the previously approved properties. However in the context of their siting within an estate where there are likely to be a number of vehicular movements and the close proximity to Stanford Road it is considered that this would not result in an unacceptable impact upon the amenity of future occupiers.
- 6.19 The proposed terrace would provide units of a sufficient size and with suitable light and outlook to provide an acceptable living environment for future occupiers. The proposed garden sizes whilst marginally below the recommended standards set out in Annexe of the 1997 Local Plan would provide sufficient private amenity space for future occupiers. As such it is considered that the proposal would provide a suitable living environment for future occupiers.

#### V. HIGHWAYS AND PARKING

- 6.20 The proposal would be accessed through the estate road associated with the previously approved applications on the site. The proposal is for four additional dwellings which is unlikely to result in a significant increase in vehicular movements. The proposal would provide two parking spaces per unit which is considered to be sufficient for properties of this size in this location and would comply with the requirements of policy PMD8.

6.21 The proposal does not indicate any specific cycle storage although the previously approved cycle store is indicated on the proposed site plan. It is not clear whether this would have sufficient capacity in relation to the current proposal. However, given availability of private amenity space and access to the rear of each property there is sufficient scope for bike storage within the curtilage of the individual units.

6.22 Refuse collection arrangements would be the same as the previously approved applications. There is access to the rear of each dwelling to store bins. Therefore no concerns are raised with regards to refuse storage or collection.

#### VI. LANDSCAPING AND ECOLOGY

6.23 The proposal would still incorporate sufficient space for boundary screening and would not adversely impact upon TPO trees on the adjacent site. The Council's Landscape and Ecology Advisor has raised no objection to the proposal subject a condition in relation to a detailed landscaping scheme with particular attention to screening along the boundary with Stanford Road. No concerns have been raised with regards to biodiversity and ecology.

#### VII. OTHER MATTERS

6.24 The proposal would result in changes to the previously approved scheme which is still under construction. As the previously approved application has yet to be carried out in accordance with all relevant planning conditions the proposal would result in changes to the original scheme. The Council's Legal Team have advised that in order to carry out the scheme as a whole, at this time, an application would need to be submitted for the entire development including those elements which were previously approved.

#### VIII. DEVELOPER CONTRIBUTIONS

6.25 The proposal is for four dwellings, which in isolation would not require a contribution as it would fall below the threshold for affordable housing and infrastructure contributions. However, if the proposal was to be carried out as part of the extant permission it would require an application for the development as a whole with consideration of the affordable housing and infrastructure requirements of the entire development.

### 7.0 CONCLUSIONS AND REASONS FOR REFUSAL

- 7.1 The proposal is for development within the Green Belt on previously developed land. The applicant has relied upon the removal of a pre-existing outbuilding to justify the further development of the site. However, in order to comply with all conditions of the previously approved scheme this outbuilding would need to be removed. Therefore it cannot be relied upon to justify the current scheme and is given no weight in the consideration of this application. In this instance the assessment is based upon whether the proposal would result a greater impact on the openness of the Green Belt than the previously approved development on the site. The proposal would result in an additional building of significant scale which is to be located in an area which was to be provided as open landscaping under the previously approved scheme. As a result it is considered that the proposal represents inappropriate development in the Green Belt which results in both definitional and actual harm to the openness of the Green Belt. There are no very special circumstances which would clearly outweigh the harm to the Green Belt. Therefore the proposal would be contrary to policy PMD6 and the NPPF.
- 7.2 The siting and orientation of the proposed building would result in it being sited significantly closer to the road than the currently approved scheme with a side gable end facing onto Stanford Road. It would also include a significant amount of hardstanding in an area which was to be landscaped under the previous approval. The current proposal would result in a building of significant scale sited in close proximity to the road which would appear visually dominant within the street scene. It also represents a higher density scheme which is dominated by structures and hardstanding which would have an urban appearance out of character in the context of its location within the Green Belt and on the outskirts of the urban area. Therefore it is considered that the proposal would result in a significant adverse impact upon the street scene and the character of the area contrary to policies PMD2, CSTP22 and CSTP23 and the NPPF.
- 7.3 The proposal would be sited adjacent to St Clere's Hall, a Grade II\* listed former farmhouse. The massing and position of the proposed terrace would dominate the local streetscene and crowd the listed building and block intermittent historic views across the site through the hedging which would have been revealed through the previous permission. Therefore the proposal would result in an unacceptable impact upon the setting of a listed building contrary to policies CSTP24 and PMD4 and the NPPF.

## **8.0 RECOMMENDATION**

## 8.1 Refuse for the following reasons:

1. The proposed development would, by reason of its siting and scale result in a greater impact on the openness of the Green Belt than the previously approved development, representing inappropriate development in the Green Belt which is by definition harmful. In addition the proposal results in a loss of openness due to the substantial increase in the extent of the built form on the site. There are no circumstances put forward by the applicant which would constitute very special circumstances to justify inappropriate development in 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 (as amended 2015) and the National Planning Policy Framework 2018.
2. The proposed development, would by reason of its siting, scale, density and extent of hardstanding result in an overly dominant, incongruous and urban form of development adversely impacting upon the street scene and character of the area. The proposal would therefore be contrary to policies PMD2, CSTP22 and CSPT23 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 2018.
3. The development, would by reason of its siting and scale result in a significant adverse impact upon the setting of the adjacent Grade II\* Listed Building, St Clere's Hall. The massing and position of the proposed terrace would dominate the local streetscene and crowd the listed building and block intermittent historic views across the site. Therefore the proposal would be contrary to policies CSTP24 and PMD4 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 2018.

### 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 determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to liaise with the Applicant/Agent to discuss the best course of action and is also 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:  
<http://regs.thurrock.gov.uk/online-applications>

