

<b>Reference:</b> 22/00375/FUL	<b>Site:</b> 43 Purfleet Road Aveley South Ockendon Essex RM15 4DR
<b>Ward:</b> Aveley And Uplands	<b>Proposal:</b> 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.

<b>Plan Number(s):</b>		
Reference	Name	Received
CT-PFR-001	Proposed Site Layout	18th May 2022
2951-02B to scale of 1:250	Proposed Site Layout	18th May 2022
CT-PFR-002	Other	18th May 2022
2951-04	Elevations	22nd March 2022
2951-03	Floor Layout	22nd March 2022
2951-06	Elevations	22nd March 2022
2951-05	Floor Layout	22nd March 2022
2951-07	Other	22nd March 2022
2951-14	Existing Site Layout	31st March 2022
2951-02B	Proposed Site Layout	18th May 2022
2951-12	Existing Plans	31st March 2022
2951-15	Roof Plans	31st March 2022

The application is also accompanied by:

- Cover letter
- Planning Statement
- Letter supporting revisions to access and highway matters
- Transport Statement
- 3D Visual

**Applicant:**  
Montague TSK Limited

**Validated:**  
1 April 2022  
**Date of expiry:**

	13 June 2022 (Extension of time agreed)
<b>Recommendation:</b> To Refuse	

This application is scheduled for determination by the Council’s Planning Committee because the application has been 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.

## 1.0 DESCRIPTION OF PROPOSAL

- 1.1 The proposal seeks to redevelop the site to provide 6, semi-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"> <li>• Six Semi-detached houses</li> <li>• 4 x 4 beds, and 2 x 3 beds</li> </ul>
Building Height	9 m
Parking	14 Car Parking spaces, including 2 visitor spaces / Cycle Storage for each dwelling
Density	42.6/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
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](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.

At the time of drafting the report the neighbour consultation period had not yet expired and 14 written responses had been received, including 6 responses from two neighbours, all in objection and raising the following concerns:

- Overdevelopment of the site;
- 6 houses is 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:

Recommend submission of a Construction Environmental Management Plan.

#### 4.4 HIGHWAYS:

No objections, subject to conditions

#### 4.5 LANDSCAPE AND ECOLOGY ADVISOR:

No landscape objections, however, raised concern regarding potential overdevelopment of the site, the likelihood of the loss of the soft landscaping to the frontage and the quality of the retaining wall.

### 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 date<sup>1</sup>, 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 proposed<sup>2</sup>; 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.

<sup>1</sup> 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 ...

<sup>2</sup> 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. Principle of the development
- II. Design and layout and impact upon the area
- III. Amenity provision and neighbour amenity impact of the development
- IV. Traffic impact, access and car parking
- V. Landscape
- VI. Other matters

### **I. PRINCIPLE OF THE DEVELOPMENT**

6.2 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.

6.3 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.

6.4 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.

### **II. DESIGN AND LAYOUT AND IMPACT UPON THE AREA**

6.5 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.

- 6.6 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.
- 6.7 Despite the existing dwelling being a single storey property, the proposed siting of pairs of two storey semi-detached dwellings would be unlikely to appear out of character with the locality; the immediate context on Purfleet Road comprises of inter-war period, well-spaced semi-detached two storey dwellings with hipped roofs. The proposed development of the site for two storey semi-detached dwellings would not, therefore, be unacceptable with respect to character impact. The proposed siting of the dwellings, slightly set-back from the closest pair of semis, but broadly following the notional building line of dwellings, in Purfleet Road would be acceptable.
- 6.8 The proposal seeks to site three pairs of hipped roof dwellings. The use of hipped roofs to the properties would be considered appropriate as would the design approach in seeking to reflect the character of the street scene in Purfleet Road. The dwellings would be constructed at the same ground level as the neighbouring dwelling on Purfleet Road, however, due to a bedroom space included within the roof space of each of the dwellings, the properties would have an overall roof ridge height approximately 0.5 metres higher than the ridge height of the closest two storey neighbouring dwelling. The properties from the west on Purfleet Road to the east up to Love Lane appear to gradually step up given the increase in ground levels. The modest increase in the overall height of the proposals would not be likely to appear out of character with the surrounding pattern of development with respect to the height and detailed design of development.
- 6.9 The proposal seeks to introduce a proposed parking arrangement along Purfleet Road, which would 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 Council's Landscape and Ecology Advisor has also highlighted 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.

- 6.10 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.
- 6.11 The overall proposal for 6 dwellings would make the site appear somewhat cramped and overdeveloped. This would be borne out by concerns that the rear gardens serving the dwellings would be relatively short, at 10 metres, and would not provide a compliant level of private garden area to serve each dwelling in accordance with policy. The rear gardens would be particularly short in comparison to the character of the locality.
- 6.12 These concerns are further exacerbated given that each dwelling would also directly overlook to neighbouring bungalow to the immediate south on Love Lane with a direct overlooking distance of 10m which falls far short of the minimum 20m distance required by Council policy. It is noted that only 3 of the proposed dwellings would overlook the rear and private side of the neighbour property with the remaining overlooking the front garden. While some landscaping by way of new hedge planting, is proposed, that would not ameliorate the harmful overlooking that could arise.
- 6.13 In conclusion to the assessment of the design and layout impact of the proposals, it is considered that while the general design approach would be acceptable there are concerns regarding the layout, namely, the number of dwellings proposed; concerns relating to the level of parking provision; the amount of hard landscaping and the design and appearance of the frontage of this corner plot; the amount of hard frontage, access and manoeuvring concerns within the site and likelihood of the non-retention of the proposed soft landscaping to the frontage due to the tightly packed car parking spaces; the insufficient rear garden depths, and private amenity

space provision in combination also indicate that the proposal would appear cramped and overdeveloped on this visually prominent corner plot. As a consequence the design, layout and amenity impact of the proposals would be considered contrary to Policies CSTP22, CSTP23 and PMD2 and the NPPF for this reason.

### III. AMENITY PROVISION AND NEIGHBOUR AMENITY IMPACT OF DEVELOPMENT

- 6.14 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.
- 6.15 The proposal would provide 4 x 4 bedroom dwellings, and 2 x 3 bedroom dwellings which include a study on the first floor. All 6 dwellings show a bedroom within the roofspace with light provided by a single rooflight to the front roofslope. 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.
- 6.16 The proposal would provide an inadequate level of private amenity space for each dwelling. The gardens would provide between 76 sq.m and 90 sq.m of private amenity space for the dwellings, whereas Council policy would seek 4 bedroom dwellings of the size proposed to provide a minimum of 125 sq.m of private amenity space. In addition each garden would have a depth of no greater than 10m, whereas Council Policy would seek a minimum depth of 12m. While the rear garden depths would be uncharacteristically short, the level of private amenity space provision for each dwelling may not be 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.
- 6.17 The short rear garden depths would be likely to lead to direct and unacceptable overlooking of the occupier of 14 Love Lane to the immediate south and to a lesser degree the rear private garden area of 45 Purfleet Road. The overlooking of 14 Love Lane would be considered significant and likely to result in an unacceptable loss of privacy and thereby amenity to this neighbour.
- 6.18 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. The proposals would, by virtue of the short rear garden depths, be likely to result in significant overlooking and an unacceptable loss of private and amenity for the occupiers of 14 Love Lane contrary to Policy PMD1. The application is also recommended for refusal for this reason.

#### IV. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.19 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 applicant has since submitted revised plans in response to these concerns and the vehicular access on to Purfleet Road would now measure 4.8m in width and now includes visibility splays and revised gradients. As a consequence, the Highway Officer has commented that there are no objections to the proposed access to the site.
- 6.20 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.
- 6.21 Adequate refuse storage provision, cycle storage provision and consideration for electric vehicle parking spaces has been incorporated into the scheme. 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 16 spaces should be provided. The proposal seeks to provide 14 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 14 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.

## V. LANDSCAPE

- 6.22 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.
- 6.23 The Landscape and Ecology Advisor has commented that the proposals appear to indicate an overdevelopment of the site and noted that the proposed soft landscaping may not remain at the frontage of the site given how closely positioned the parking spaces are. The Advisor has also commented on the poor quality of the existing retaining wall that is proposed to be retained. Nonetheless, the Advisor concluded that if the application were being recommended favourably, the application could be acceptable in terms of its landscape effects subject to appropriate planning condition relating to a hard and soft landscaping scheme, and would comply with Policies PMD2 and PMD7.

## VI. OTHER MATTERS

- 6.24 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 and there are no concerns in relation to the design of the properties proposed. There are however concerns in relation 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. The proposals would also be considered to result in a cramped and overdeveloped site and would also result in significant overlooking of the neighbouring property to the south of the site caused in part by the short rear garden depths.

## 8.0 RECOMMENDATION

### 8.1.1 Refuse planning permission for the following reason(s):

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.

### **INFORMATIVE:**

#### Positive and Proactive Statement

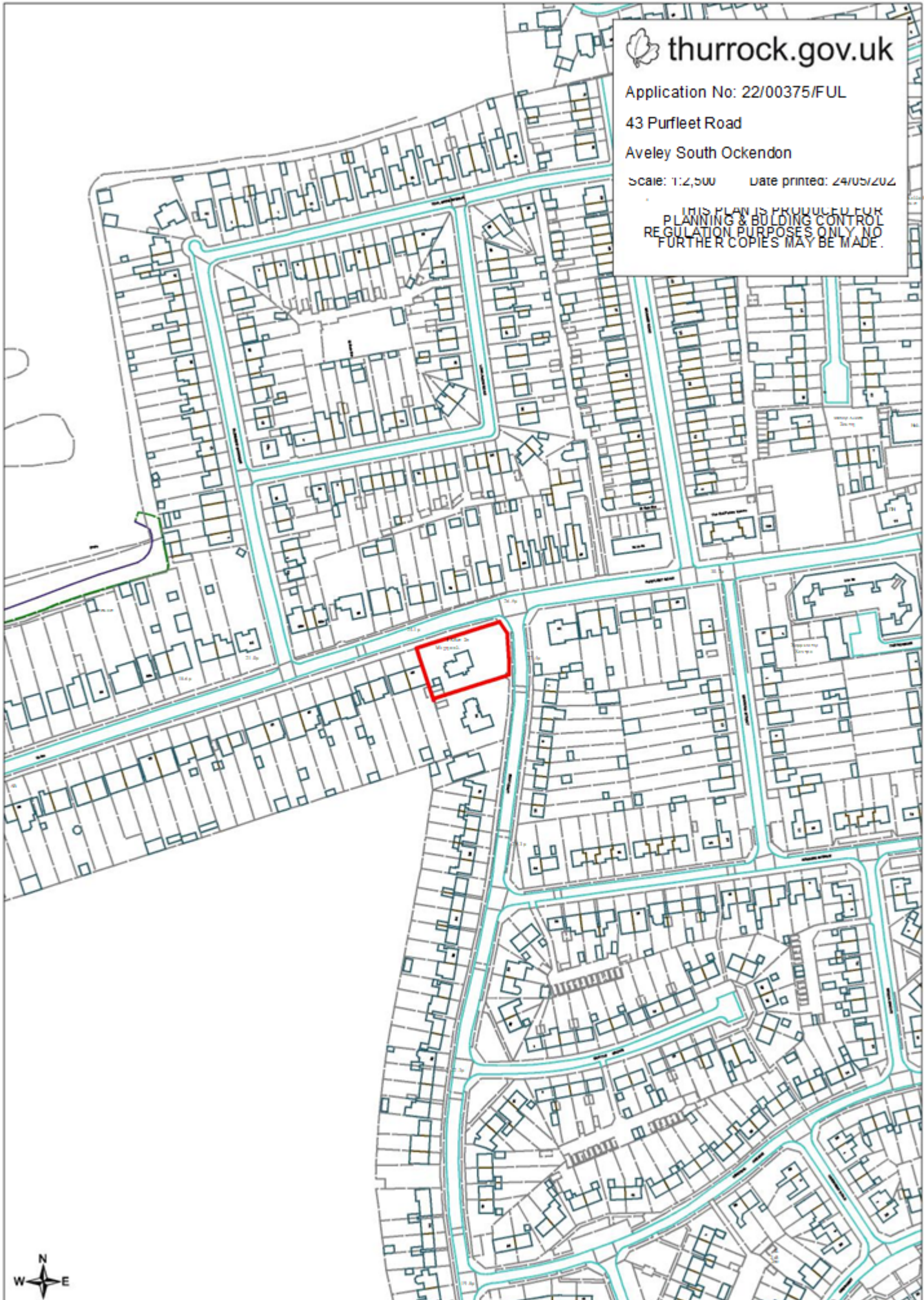
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

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



 **thurrock.gov.uk**

Application No: 22/00375/FUL

43 Purfleet Road

Aveley South Ockendon

Scale: 1:2,500

Date printed: 24/05/2022

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