

Reference: 22/00210/FUL	Site: High Fields Lower Dunton Road Bulphan Upminster Essex RM14 3TD
Ward: Orsett	Proposal: Demolition of existing detached chalet style dwelling. Erection of one four bedroom dwelling including associated landscaping, hardstanding, cycle store and refuse/ recycle storage area

Plan Number(s):		
Reference	Name	Received
HLLDR-06	Existing and Proposed Roof Plans	7th March 2022
LDR-1	Location Plan	25th February 2022
HLLDR-04	Proposed Elevations	25th February 2022
HLLDR-01	Existing Floor Plans and Elevations	17th February 2022
HLLDR-02	Proposed Floor Plans	25th February 2022
HLLDR-03	Proposed Floor Plans	25th February 2022
HLLDR-05	Proposed Site Layout	25th February 2022

The application is also accompanied by:

- Planning Statement, dated 27 April 2022
- Volume Calculations, received 27 April 2022

Applicant: Mr Mark Breden	Validated: 25 February 2022 Date of expiry: 17 June 2022 (Extension of Time agreed)
Recommendation: Refusal	

This application is scheduled for determination by the Council's Planning Committee because it has been called in by Cllrs. B Johnson, S Hebb, A Mayes, B Maney and J

Duffin (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 permission for the erection of a single replacement dwelling within the site known as High Fields, Lower Dunton Road. The existing chalet style dwelling would be removed, therefore there would be no increase in the number of residential dwellings within the site. An existing swimming pool and detached garage at the site would remain.
- 1.2 The proposed dwelling would measure 14.5 metres wide, have a maximum depth of 18.4 metres and measure 6.3 metres tall at its highest. The dwelling would feature two dormers to the front facing roof with a two storey gable projection that would measure 3.8 metres wide, 4.8 metres tall to the eaves and 6.2 metres tall overall. At the rear, the dwelling would feature a dormer and a 9 metre wide, 5.7 metre deep two storey projection with a crown roof that would have an eaves height of 5.2 metres and maximum height of 6 metres. Small single storey projections are proposed at the side of the dwelling.
- 1.3 The proposed dwelling would feature 4 bedrooms at first floor with one bathroom, one en-suite and two dressing rooms. At ground floor the dwelling would feature a large hallway, a utility room, a cinema room, a study, a large open plan area with defined kitchen, dining, sitting and lounge areas and associated toilets, changing rooms and storage areas.

2.0 SITE DESCRIPTION

- 2.1 The application site is located to the west side of Lower Dunton Road between the junction of Doesgate Lane and Old Church Hill. The site hosts a detached, two bedroom dwelling that features accommodation over two floors. The site also features an attached garage and a further detached garage. An open swimming pool is present to the rear of the dwelling. A mobile home is currently sited to the front of the site, close to the adjacent highway, and is understood to be used for purposes that are ancillary to the occupation of the dwelling.
- 2.2 In addition to the dwelling and the land around that dwelling that appears to be part of the curtilage of the dwelling, the application site includes further land to the rear that appears to have formed part of the wider plot of land for a substantial period of time. It is not clear that this falls within the curtilage of the dwelling. An outbuilding and stable block are present on this land and, whilst it is not clear whether these buildings are located on land that falls within the curtilage of the dwelling, it appears that the buildings and land have been used in conjunction with the dwelling.
- 2.3 The immediate street scene consists of eight detached single storey dwellings that are visible from the main highway. Despite there being soft landscaping present in front of those dwellings which softens their visual impact to a small degree, the changing ground levels result in the dwellings being set higher than the highway of Lower Dunton Road and, as a result, they are visible from the public domain. Each of the eight dwellings are set within different sized plots and are of individual design

and appearance. However, the single storey or chalet style form of each of these properties enables the buildings to have a relatively low height and this is a consistent characteristic of the immediate street scene.

- 2.4 The application site is located within an area designated as Metropolitan Green Belt where strict Green Belt policies apply in terms of additional development. The site sits within a semi-rural locality area and the group of properties is surrounded mainly by agricultural land.

3.0 RELEVANT PLANNING HISTORY

Application Reference	Description of Proposal	Decision
71/00267/FUL	House	Refused
78/00444/FUL	Store Building	Approved
21/30145/PSD	Demolition of existing property and construction of detached property with annex and gym associated to the property	Advice Given

Relevant Enforcement History:

Application Reference	Description	Decision
21/00214/AUNWKS	Development of a bungalow and a mobile home sited on the land without the benefit of planning permission	No breach established – 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, press advert and public site notice which has been displayed nearby. Two comments have been received, one objection and one in support of the development raising the following:

4.3 Letter of objection:

- Additional development in the Green Belt;

- Loss of privacy, impact on light and additional noise from construction and traffic. Requests that any construction is controlled to mitigate any impacts;
- Cited the refusal of several other proposals within the immediate locality and the urbanisation of the wider locality through other recent developments which have caused disturbance and pollution during construction;
- No original planning permission received for the main dwelling;
- Additional traffic;
- The removal of trees at the site and the impact on biodiversity and on an existing hedge at a neighbouring property;
- Tarmac has already been removed from the site and further developments will be proposed;
- Potential effect on surface water drainage from the development and any increases in hardstanding;
- Reduction in school places;
- The site is being used as a yard for business vehicles;
- Other developments in the locality have exceeded what was granted planning permission and should not be a basis for supporting this proposal;
- Insufficient evidence provided of the building being unstable or in disrepair;
- Green Belt Special Circumstances do not apply and the development is inappropriate and harmful to the Green Belt.

4.4 Letter of support:

- Owners have invested time and money on improvements;
- Overgrown conifers have been removed to the benefit of other tree species, shrubs and wildlife;
- Dilapidated fencing has been replaced;
- Proposal would have a positive impact on the Green Belt, with little or no impact.

4.5 ENVIRONMENTAL HEALTH:

No objections subject to condition

4.6 HIGHWAYS:

No objections.

4.7 HIGHWAYS INFRASTRUCTURE:

No comment.

4.8 LANDSCAPE AND ECOLOGY:

No objections, subject to condition

5.0 POLICY CONTEXT

National Planning Guidance

5.1 National Planning Policy Framework (NPPF)

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:

- 2. Achieving sustainable development
- 4. Decision making
- 11. Making effective use of land
- 12. Achieving well-designed places
- 13. Protecting Green Belt land

5.2 National Planning Practice Guidance (NPPG)

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:

- Before submitting an application
- Consultation and pre-decision matters
- Design
- Determining a planning application
- Effective use of land
- Green Belt
- Making an application
- Rural housing
- Use of planning conditions

5.3 Local Planning Policy: Thurrock Local Development Framework (2015)

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:

SPATIAL POLICIES

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

THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

POLICIES FOR 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

6.1 The assessment below covers the following areas:

- I. Principle of development within the Green Belt
- II. Design and Layout and Impact upon the Area
- III. Residential Amenity
- IV. Effect on Neighbouring Properties
- V. Traffic Impact, Access and Parking
- VI. Other Matters

I. PRINCIPLE OF DEVELOPMENT WITHIN THE GREEN BELT

Inappropriate Development

6.2 The site is set within the Metropolitan Green Belt where strict controls apply in relation to new development. In this regard, the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. An exception to this, however, is where the development would involve the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

6.3 Policy CSSP4 of the Core Strategy aims to help sustain the open character of the Green Belt and 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 and other policies in the DPD. As far as it is relevant to this application, that policy also states that the following development can be found to be acceptable in the Green Belt:

2. Replacement Buildings

- i. *Replacement dwellings in the Green Belt will only be permitted provided that the replacement dwelling is not materially larger than the original building.*
- ii. *The replacement of other buildings shall only be for the same use, and the replacement building shall not be materially larger than the one it replaces.*

8. Definitions and Limitations

In considering whether a proposal complies with the above:

- i. Account will only be taken on lawful existing buildings,*
- ii. For the purposes of paragraph 1 and 2 '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.*

- 6.4 In order to ascertain whether the proposed dwelling would be materially larger than the original dwelling, it is relevant to establish what is deemed as the 'original building'. Once this has been clarified, calculations on the original footprint and volume of the original dwelling can be used to establish whether the replacement dwelling proposed under this application would be materially larger.
- 6.5 In this regard, whilst the applicant has provided details of the existing and proposed dwelling, no attempt has been made to identify what was original at the site. Having reviewed records available to the Council it is noted that planning permission for a house to be erected on the site was refused in May 1971 (Ref: 71/00267/FUL). However, historic maps indicate that a dwelling was present on the site known as High Fields in 1957. It appears that the dwelling was of a much smaller footprint than the dwelling that is currently present at the site, appearing to have had a footprint of approximately 90 square metres. The abovementioned records indicate that the dwelling was in the same position at that time as it is now and, based on that evidence alone, it appears that additional development has taken place at the site over a period of time which has impacted the overall scale and footprint of what would be considered as the 'original building'. One such development appears to be a store building constructed as a result of permission granted in June 1978 (Ref; 78/00444/FUL).
- 6.6 As set out above, the 'original building' is established as that constructed as of, or after 1st July 1948, as so built. Therefore, in this instance, the 'original building' can be taken to be the single small building located within the site. It appears that the dwelling now is materially larger than the dwelling that was original and, as such, any further enlargement of the built form at the site would be contrary to the abovementioned policies.
- 6.7 Notwithstanding the above, even if the position most favourable to the applicant was taken and the existing dwelling was used as a starting point for consideration, the proposed dwelling would be materially larger than the existing dwelling. The existing dwelling has a footprint of 103 square metres and a floorspace of 137 square metres, with each figure increasing by 34 square metres if the attached garage is included. The proposed dwelling would have a footprint of 214 square metres and an overall floorspace of 417 square metres. The dwelling would, therefore, be significantly larger than the existing dwelling. Given the above, it is

not considered necessary to verify the applicant's calculations in respect of the volume of the respective buildings. However, it is noted that they indicate that the existing building has a volume of 448 cubic metres and the proposed building would have a volume of 967.7 cubic metres. The building is, therefore, doubling in size in all respects in comparison to the existing building, yet alone the original building.

- 6.8 For these reasons, it is clear that the proposed replacement building would be materially larger than the original or the existing building.
- 6.9 No other exceptions to the restraint on development in the Green Belt are applicable. The proposal would, consequently, represent inappropriate development in the Green Belt.

Openness and Purposes of the Green Belt

- 6.10 As established above, the proposed building would be significantly larger than the existing or original buildings at the site and would, therefore, cause a reduction of openness. The increase of the height of the building from 4.7 metres to 6.3 metres would amplify the harm caused in this respect and it is also relevant that the building would be 0.5 metres wider than the existing dwelling and attached garage combined. The harm to openness caused by the proposal should be found unacceptable and afforded substantial weight.
- 6.11 Paragraph 138 of the NPPF states that the Green Belt serves five purposes. The proposal would not be contrary to any of those purposes. However, this does not alter the assessment that the proposal represents inappropriate development and has an unacceptable effect on openness.

Very Special Circumstances

- 6.12 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.
- 6.13 Neither the NPPF nor the adopted Core Strategy provide guidance as to what can comprise as 'very special circumstances', either singly or in combination. However, some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'.

6.14 In considering whether 'very special circumstances' exist, factors put forward by the applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'. Ultimately, whether any particular combination of factors amounts to a very special circumstance will be a matter of planning judgement for the decision-taker.

6.15 The Planning Statement submitted outlines two main considerations which the applicant considers constitute very special circumstances. However, there are also some other points made which it is considered appropriate to assess in the context of whether they represent the very special circumstances necessary to justify inappropriate development. These are summarised and assessed below:

a) 90% of the property is substandard

6.16 The applicant has stated that the existing dwelling is in need of urgent upgrading. It is stated that, alike the housing stock of much of Thurrock and the country in general, the existing walls, floors and ceilings lack insulation and windows are a mix of single and secondary glazed units. It is considered that the existing building has been neglected and is in a fragile and poor state. It is also stated that the existing dwelling is not energy efficient.

Consideration

6.17 No structural survey or independent assessment of the quality of the building has been provided and no assessment has been provided of the extent of the benefits that would be achieved from replacing the existing dwelling. Accordingly, the benefit is anecdotal and not demonstrated in a manner that could justify this consideration being afforded more than minimal weight.

6.18 Whilst the applicant states that the existing building is not efficient in terms of carbon footprint, no case has been made that the proposal would exceed the requirements of building regulations. Therefore, although there would be some improvement, this is not a unique or special consideration as the dwelling is not shown to be achieving a high specification in this regard.

6.19 The applicant's case is undermined by their admission that the condition of some housing is a problem throughout Thurrock and the wider area. Accordingly, if this is the case, then the argument would be readily repeatable and, as such would not be special or unique to this site.

6.20 Moreover, even if this were considered to be reason to justify the replacement of the dwelling, it is not justification for the erection of a dwelling that is so much larger that it represents inappropriate development in the Green Belt. There is no reason given why a comparable upgrade could not be achieved with a development that is not inappropriate, i.e. the replacement building would not be materially larger.

6.21 Therefore, this consideration is afforded no weight towards the identification of very

special circumstances

b) Poor living accommodation

- 6.22 The applicant sets out that the internal configuration of the property is not ideal with the second bedroom being in the roof space accessed via a staircase that would not accord with current building standards and represents a fire risk. The applicant deems that the timber framed lobby area to the ground floor is also not compliant with current regulations. The applicant details that the two bedroomed property falls below the floor space required to meet the needs of becoming a family residence.

Consideration

- 6.23 It is not considered that the existing layout or form of the dwelling is justification for a replacement dwelling of such size to be built. Alike the consideration of a) above, it has not been demonstrated that only an inappropriate development in the Green Belt could achieve these suggested benefits and there is no reason to consider that these circumstances are unique or special. The recent purchase of the dwelling by the applicant who would have known its condition when purchasing the property also undermines this argument.
- 6.24 Therefore, this consideration is afforded no weight towards very special circumstances.

c) Improved family accommodation for a vibrant family that has other family members close by.

- 6.25 The applicant has set out that the existing dwelling fails to provide suitable family living accommodation and also set out that they have a close family and wish to reside at the property for the indefinite future.

Consideration

- 6.26 It is likely to be the case that the desire to improve the living accommodation within a dwelling is the driving force behind the vast majority of applications for the extension or replacement of dwellings and, as such, this is not a factor that is afforded weight. The proximity of other family members has not been elaborated on but, in any case, it is considered that this is not reason to conclude that a replacement dwelling of such size should be supported. This would not be a public benefit of the proposal and as such it is not considered that this should carry any weight towards outweighing the harm caused to the Green Belt.

d) The dwelling is respectful to the plot and designed to minimise harm to the Green Belt and the applicant is willing to overcome objections.

- 6.27 The applicant states that the proposed scheme would be respectful to the plot by utilising 95% of the existing footprint and existing orientation. It is also stated that the applicant is keen to work with the Council to address any issues that are raised.

Consideration

6.28 The proposed dwelling being positioned in the same position as the existing dwelling is not a unique or special consideration and is not a benefit of the proposal that should be afforded weight as a special circumstance. The previously mentioned planning policies and assessment set out that the proposal is not acceptable in terms of its impact on the Green Belt and as such it is not considered that the development achieves what is claimed by the applicant. Furthermore, development being visually acceptable is a fundamental requirement of all development and, notwithstanding the assessment of the visual effect of the development that is set out below, even if the development were acceptable in this respect, that is a minimum requirement and not a very special circumstance. Similarly, the NPPF makes it clear that the respective parties should always cooperate and, as such, this is not a special consideration.

Overall Assessment

6.29 A summary of the weight which has been placed on the various Green Belt considerations is provided below:

Summary of Green Belt Harm and Very Special Circumstances			
Harm	Weight	Factors Promoted as Very Special Circumstances	Weight
Inappropriate development	Substantial	a) 90% of the property is substandard	None
Harm to Openness	Substantial	b) Poor living accommodation	None
		c) Improved family accommodation for a vibrant family that has other family members close by.	None
		d) The dwelling is respectful to the plot and designed to minimise harm to the Green Belt and the applicant is willing to overcome objections.	None

6.30 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'.

6.31 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 other harm identified in the 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 AND LAYOUT AND IMPACT UPON THE AREA

- 6.32 As set out above, the proposed dwelling would be located within a group of 8 dwellings that are each of unique form, scale, layout and appearance. However, there are some regular features to the dwellings that are considered to be an important and consistent characteristic, these include the single storey or chalet style of the dwellings, their set back from the road and the presence of outbuildings and extensions that are subservient in scale to the original dwellings. This proposal would result in a replacement dwelling of considerably greater scale and would include several design features that would cause the dwelling to have an incongruous appearance in the locality as will be discussed below.
- 6.33 To the front elevation, the provision of dormers within the roofscape is considered to be acceptable and, when considered alone, would enable the dwelling to retain the chalet style that is a feature. However, it is from the front where the increase of the height of the building would be most noticeable and would exaggerate the visual impact of the dwelling. This would also be exaggerated by a large gable projection to the front that would have a much higher eaves height and give the impression of the dwelling being, in part, a full two storey dwelling. This increase of scale and bulk at the front elevation would be at odds with the prevailing character of the area. Whilst it is acknowledged that a nearby recent development at Balgownie Farm presents properties with two storey protruding front gabled end features, this site is a sufficient distance away from the application site to not affect the setting of this dwelling and the group of properties that the dwelling would sit within. Moreover, as that is part of a cohesive development of distinct design, those features within that development do not have the same discordant affect as this proposal.
- 6.34 To the side and rear, the dwelling would be of much greater bulk and whilst this would be of less prominence from the public domain, it is considered to be the case that the massing of the dwelling when viewed from the side and rear would be at odds with the pattern of development in the locality. The most striking feature would be the two storey rear projection with a crown roof that would have its eaves set well above the eaves of the remainder of the dwelling. The crown roof would be poorly proportioned to the remainder of the dwelling and cause the rear projection to have a bulky and ungainly appearance. Whilst public views of this would be

fleeting, from where it would be visible, particularly within neighbouring properties, this would cause material harm to the character and appearance of the dwelling and the locality.

- 6.35 In terms of window detailing and materials, the proposal is not considered to be unacceptable and it is noted that replacement planting could be provided at the site that would help to soften the impact of the development. However, even allowing for these considerations, they would not prevent proposal being detrimental to the character and appearance of the site and the locality.
- 6.36 Therefore, given the above, the proposal would be considered harmful to the character and appearance of the street scene and would appear as an incongruous dwelling that would be harmful to visual amenity of the area contrary to policies PMD1, PMD2, CSTP22, CSTP23 and the NPPF.

III. RESIDENTIAL AMENITY

- 6.37 The proposal would provide a suitable residential environment for future occupiers given the gross internal floor area would be in excess of the minimum requirements as set out in the nationally described space standards, all habitable rooms would be served by openings providing an adequate level of light, and that built in internal storage areas would be adequate. No objection is raised under this heading.

IV. EFFECT ON NEIGHBOURING PROPERTIES

- 6.38 The property to the north of the site, Laguna, sits within close proximity of the shared boundary and benefits from an opening along the south flank which faces towards the application site. However, the window closest to the boundary are obscure glazed and appear to serve a non-habitable room, indicating that this should be given less projection than if they were serving primary accommodation.
- 6.39 The part of the proposed dwelling that is closest to the neighbouring dwelling at Laguna would be single storey and have little effect on light, outlook and privacy, however, it is acknowledged that the proposal would extend closer to the boundary than existing. Whilst the built form at this point would be larger than currently experienced, the proposal would not extend substantially beyond the front and rear building lines of this neighbour and a reasonable space between dwellings would be retained. Therefore, whilst some overshadowing would be experienced within the plot of that neighbouring dwelling, the proposal would not result in significant loss of light or loss of privacy whereby a refusal on these grounds would be justifiable.
- 6.40 The proposal would not result in unacceptable harm upon the amenity of the neighbouring occupier to the south of the site at Lynfield given the separation from the shared boundary.
- 6.41 Whilst the footprint of the proposal would be increased, the rearward projection would be in line with the existing, and whilst this would contain a two storey element, the outlook would not afford increased levels of overlooking upon either

adjacent neighbouring sites.

V. TRAFFIC IMPACT, ACCESS AND PARKING

- 6.42 The proposed site layout indicates that four parking spaces would be provided to the front of the site accessed via the existing crossover. The Council's Highways Officer has been consulted and raised no objections given the parking provision would be in excess of the minimum requirements for a property with four bedrooms. In addition, the Council's Highways Infrastructure Officer has been consulted and has no comment to make given the existing crossover would remain in use and no other is proposed at the site.

VI. OTHER MATTERS

- 6.43 The Council's Environmental Health Officer has been consulted and raised no objections to the proposal, subject to conditions restricting demolition and construction hours on site, and stating that no bonfires shall take place on the site during demolition or construction. These conditions would be reasonable given the residential properties adjacent to the site, and could be included, should permission be granted.
- 6.44 The Council's Landscape and Ecology Advisor has been consulted in relation to the proposal, and notes that existing trees and shrubs within the frontage of the site have been removed. None were protected and as such no objection has been raised to their removal. The planning statement refers to landscaping at the site, but no specific details have been provided. Should permission be granted, the agreement of a landscaping scheme can be addressed through planning conditions.
- 6.45 The site is located within the Essex Coast RAMS Zone of Influence. However, as the proposal would be in lieu of the existing dwelling there would be no net gain in the number of properties at the site, and the mitigation tariff would not be applicable.
- 6.46 The neighbour objection received highlights several concerns which have partly been addressed in the above assessment. However, for clarity, the concerns not addressed above are set out below:
- 6.47 Planning history for the adjacent properties has been reviewed and noted. However, each application is to be considered on its own planning merits and it is not considered that those other decisions should be determinative in this case. Likewise, whilst other developments close to the site are noted, those decisions are not considered to be directly relevant to this application. Moreover, whilst there are no records of any planning permission being granted for the original dwelling at the site, it is clear that a dwelling has existed for sufficient time for it to be the established use of land.
- 6.48 Whilst the effect of the construction process can be mitigated through conditions, it is inevitable that development will cause some temporary upheaval or disturbance

but this would not be a reasonable reason to refuse planning permission. The effect on school place provision would also not be a reasonable reason for the refusal of this application, the effect on surface water drainage would not be at a level that would justify the refusal of the application and, as a second vehicular access at the site has not been proposed this is not a proposal that should be considered under the terms of this application.

- 6.49 The content of the letter of support is also noted but it is not considered that the benefits that have been suggested would outweigh the harm that has been set out above.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposals represent inappropriate development in the Green Belt, and would lead to a loss of openness that would harm the Green Belt. Substantial weight should be attached to this harm, in the balance of considerations. It is concluded that, the benefits of the development do not clearly outweigh harm. As a consequence, the application is recommended for refusal.
- 7.2 The design, appearance and scale of the proposal would have an unacceptable impact upon the visual appearance of the immediate locality, in terms of its increased bulk and poorly related design. This would be contrary to policy and considered unacceptable.

8.0 RECOMMENDATION

- 8.1 Refuse planning permission for the following reasons:

- 1 The proposal would, by reason of its scale, mass, height and footprint, represent inappropriate development in the Green Belt which is, by definition, harmful. The proposal would also cause a reduction in the openness. Very special circumstances have been put forward and the identified harm to the Green Belt is not clearly outweighed by other considerations so as to amount to the very special circumstances required to justify inappropriate development. 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.
- 2 The proposal would, by virtue of its design, scale, bulk and increased height, result in an unsympathetic dwelling which poorly integrates with the character and appearance of the immediate street scene resulting in an incongruous and discordant development. The development is therefore contrary to Policies CSTP22, CSTP23, PMD1 and PMD2 of the adopted the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 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 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:

www.thurrock.gov.uk/planning

