

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

Planning Committee

The meeting will be held at **6.00 pm** on **22 September 2022**

Committee Room 2, Civic Offices 3, New Road, Grays, Essex, RM17 6SL.

Membership:

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

Steve Taylor, Campaign to Protect Rural England Representative

Substitutes:

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

Agenda

Open to Public and Press

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

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

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7 Public Address to Planning Committee

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

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Queries regarding this Agenda or notification of apologies:

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

Agenda published on: **14 September 2022**

Information for members of the public and councillors

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

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

Helpful Reminders for Members

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

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

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



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

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

Disclosable Pecuniary Interests shall include your interests or those of:

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

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

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

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

Pecuniary

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

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

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

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

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

Non- pecuniary

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



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

Our Vision and Priorities for Thurrock

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

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

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

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

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

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

Apologies: Councillors Paul Arnold, James Thandi and Sue Shinnick

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

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

23. Minutes

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

24. Item of Urgent Business

There were no items of urgent business.

25. Declaration of Interests

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

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

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

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

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

27. Planning Appeals

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

RESOLVED:

That the report be noted.

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

The report was presented by the Principal Planning Officer.

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

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

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

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

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

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

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

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

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

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

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

Against: (0)

Abstained: (0)

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

The report was presented by the Senior Planning Officer.

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

Speaker statements were heard from:

- Statement of Support: Councillor Barry Johnson, Ward Member

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

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

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

Against: (0)

Abstained: (1) Councillor Susan Little

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

The report was presented by the Principal Planning Officer.

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

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

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

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

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

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

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

Against: (0)

Abstained: (1) Councillor Tom Kelly (Chair)

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

The report was presented by the Principal Planning Officer.

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

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

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

Against: (0)

Abstained: (0)

The meeting finished at 8.13 pm

Approved as a true and correct record

CHAIR

DATE

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

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

Executive Summary

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

1.0 Recommendation(s)

1.1 To note the report.

2.0 Introduction and Background

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

3.0 Appeals Lodged:

3.1 Application No: 22/00809/CLEUD

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

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

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

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

Proposal: Formation of new vehicular crossover to access the highway

4.0 **Appeals Decisions:**

The following appeal decisions have been received:

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

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

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

Appeal Decision: Appeal Dismissed

4.1.1 The Inspector considered the main issues to be:

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

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

4.1.2 The Inspector considered that the appellant had failed to demonstrate that the proposal would not have a net adverse impact on trees or biodiversity.

Accordingly, there would be a conflict with Policy PMD2 of the Core Strategy

which seeks to secure development proposals that have followed a full investigation of the magnitude of change, protect features of landscape and wildlife value, such as woods and hedges and mitigates negative impacts. There would also be a conflict with Policy PMD7 of the Core Strategy which requires developers to submit a detailed justification, including ecology surveys where appropriate, when there would be biodiversity loss. The conflict carried significant weight because the policies are consistent with the National Planning Policy Framework.

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

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

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

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

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

4.1.6 The full appeal decision can be found online.

4.2 Application No: 21/01611/FUL

Location: 50 Giffordside, Chadwell St Mary RM16 4JA

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

Appeal Decision: Appeal Dismissed

4.2.1 The Inspector considered the main issue to be the effect of the development on the character and appearance of the area.

4.2.2 The Inspector considered the irregular footprint of the proposed dwelling, featuring a dog leg to the flank wall would mean the dwelling would be noticeably wider at the front than the rear and would therefore be at odds with the simple architectural form of the buildings on Giffordside. The proposal would also be highly prominent from an adjacent footpath.

4.2.3 The proposal was therefore considered to be harmful to the character and appearance of the area, contrary to Policies PMD2 and CSTP22 of the Core Strategy. The Inspector accordingly dismissed the appeal.

4.2.4 The full appeal decision can be found online.

4.3 Application No: 21/01734/FUL

Location: 6 Elm Terrace, Grays RM20 3BP

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

Appeal Decision: Appeal Dismissed

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

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

4.3.2 The Inspector noted that the proposed ground floor window to the front elevation would appear overly large, extending up to the boundary on one side and abutting the front door on the other. This would not reflect the rhythm and pattern of the fenestration withing the wider terrace and would present a poor façade to the street scene.

4.3.3 Furthermore, the Inspector noted the plans did not show the position of the adjoining tree which currently has branches that overhang the existing single storey extension. The Inspector concluded that the proposal would have a harmful impact on the character and appearance of the host property and the wider area. It would thereby conflict with Policies PMD2, CSTP22 and CSTP23 of the Core Strategy.

(b) Whether sufficient parking would be provided

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

4.3.5 The full appeal decision can be found online

4.4 Application No: 21/02043/HHA

Location: 9 Langthorne Crescent, Grays RM17 5XA

Proposal: Part first floor side extension

Appeal Decision: Appeal Allowed

- 4.4.1 The Inspector considered that the main issue was the effect on the character and appearance of the host property and wider street scene.
- 4.4.2 The Inspector noted that the appeal property, and those along the northern side of the road, have large projecting front gables with bay windows beneath which provide distinctive and prominent features in the street scene. The Inspector considered whilst the design and appearance of the original semi-detached properties in the row within the appeal site is located has a relatively uniform and distinctive appearance, the layout of the dwellings varies considerably such that there is no similar uniformity to the gaps between the semi-detached pairs.
- 4.4.3 The Inspector concluded that whilst it would reduce the visual gap between Nos 7 and 9 at first floor level, the extension would not have an unacceptable harmful impact given the lack of uniformity withing the wider streetscene and the limited view from which it would be apparent, and it would thereby accord with Policies PMD2, CSTP22 and CSTP23 of the Core Strategy.
- 4.4.4 The full appeal decision can be found online.

4.5 Application No: 21/01886/HHA

Location: 13 Arisdale Avenue, South Ockendon RM15 5AS

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

Appeal Decision: Appeal Allowed

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

(b) highway safety.

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

4.5.4 The full appeal decision can be found online.

4.6 Application No: 21/01979/HHA

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

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

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

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

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

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

4.6.4 The full appeal decision can be found online.

4.7 Application No: 21/00646/FUL

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

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

Appeal Decision: Appeal Dismissed

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

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

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

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

(b) highway safety

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

4.7.5 The full appeal decision can be found online.

5.0 APPEAL PERFORMANCE:

	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	
Total No of Appeals	7	3		2	1	7							13
No Allowed	4	1		0	0	5							10
% Allowed	57.14%	33.33%		0%	0%	71%							77%

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

6.0 Consultation (including overview and scrutiny, if applicable)

6.1 N/A

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

7.1 This report is for information only.

8.0 Implications

8.1 Financial

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

There are no direct financial implications to this report.

8.2 Legal

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

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

Costs are not automatically awarded to the successful party on planning appeals but sometimes, particularly following an inquiry, the parties involved will seek to recover from the other side their costs incurred in pursuing the appeal and an award of costs may be made..

8.3 Diversity and Equality

Implications verified by: **Natalie Smith**
**Strategic Lead Community Development
and Equalities**

There are no direct diversity implications to this report.

8.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

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

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

10. Appendices to the report

- None

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Agenda Item 8

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

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

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

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

1.0 DESCRIPTION OF PROPOSAL

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

2.0 SITE DESCRIPTION

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

3.0 RELEVANT HISTORY

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

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

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. No written comments have been received.

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

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

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

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

National Planning Practice Guidance (NPPG)

5.2 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was

launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

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

Local Planning Policy: Thurrock Local Development Framework 2015

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

Spatial Policies:

- CSSP4 (Sustainable Green Belt)

Thematic Policies:

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

Policies for the Management of Development:

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

5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an ‘Issues and Options (Stage 1)’ document and simultaneously undertook a ‘Call

for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

5.5 Thurrock Design Strategy

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

5.6 Thurrock Residential Alterations and Extensions Design Guide (RAE)

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

6.0 **ASSESSMENT**

Background

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

- 1 *The proposal would, by reason of its scale and footprint, be in exceedance of the two reasonable sized room allowance relative to the original dwelling at the site. The development would therefore result in a disproportionate addition to the original dwelling constituting inappropriate development in the Green Belt which is, by definition, harmful. The proposal would also cause a reduction of openness. No very special circumstances have been provided which would clearly outweigh the harm to the Green Belt. The proposal is therefore contrary to Policy PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development 2015, the Residential Extensions and Alterations Supplementary Planning Document 2017 and the National Planning Policy Framework 2021.*

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

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

I. THE PRINCIPLE OF DEVELOPMENT IN THE GREEN BELT

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

Inappropriate Development

- 6.8 Policy PMD6 of the Core Strategy states that planning permission will only be granted for new development in the Green Belt provided it meets, as appropriate, the requirements of the NPPF, other policies in this DPD, and the following criteria that is specific to extensions
- i. *The extension of a building must not result in disproportionate additions over and above the size of the original building. In the case of residential extensions this means no larger than two reasonably sized rooms or any equivalent amount.*
- 6.9 It is considered relevant to highlight that the policy refers to the ‘original building.’ The definitions section of that policy states that original building *“means in relation to a building existing on 1st July 1948, as existing on that date, and in relation to a building built on or after 1st July 1948, as so built. Any building which is itself a replacement building will not be considered to be an original building for the purposes of this policy and the acceptability or otherwise of any proposals for further extension or replacement will be judged by reference to the ‘original building’ which preceded it. If the exact size of this previous building is unknown the redevelopment of a replacement dwelling will be limited to a like for like replacement.”* From this basis the consideration of the acceptability of extensions should be based on the original dwelling and not any replacement dwelling.
- 6.10 The NPPF includes similar policy guidance and the abovementioned policy is, therefore, considered to be consistent with the relevant national guidance. Paragraph 149 of the NPPF states that the erection of new buildings should be regard as being inappropriate. An identified exception to this is the *“the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.”*
- 6.11 As set out above, the Core Strategy provides the Council’s adopted interpretation of what extensions do not constitute inappropriate development, this is the two reasonably sized room limit. Before being adopted, this policy definition would have been examined and found acceptable by the Planning Inspectorate and sufficient Councillors for it to be adopted.

- 6.12 In order to calculate the two reasonable sized room allowance the original dwelling and associated buildings considered as original are taken into consideration. The floor space occupied by what is considered as a habitable space original to the site is combined and then divided by the number of habitable floor rooms measured and multiplied by two in order to calculate the two reasonable sized rooms allowance as set out in policy PMD6. Any existing development within the curtilage not considered as original to the site would be subtracted from the two reasonable sized room allowance along with the increase in floor space detailed within the current proposal. This calculation is carried out in order to ascertain whether the proposal would be within the limitations of the two reasonable sized room allowance considered as the limitations of proportionate development within the Green Belt.
- 6.13 Whilst site planning history would indicate the garage and first floor bedroom directly above may not be original to the current dwelling this cannot be either confirmed or refuted definitively as supporting information has not been provided. In addition, Building Control records indicate a single storey rear extension to the rear of the kitchen was constructed in 1999 and would therefore not be considered as original. It is also considered that the front porch addition is not original to the host dwelling. All of these additions will be subtracted from the two reasonable sized rooms allowance permitted under policy PMD6 of the Core Strategy.
- 6.14 Furthermore, whilst the host dwelling was constructed with two original flat roof box dormers to the rear, these have been enlarged over a period of time and are no longer in their original form. Internal floor areas have increased as a result of the enlargement of these dormers and will also be taken into consideration.
- 6.15 Based on what is considered the original footprint of the host dwelling, the original floor space would allow for extensions up to an increased floor area of 35 square metres. It is acknowledged both the front porch and rear extension exist through previous development and, when combined with the garage and first floor extension directly above, this equates to an increase in floor area of just over 66 square metres and is without considering the increase in floor area gained as a result of the historic evolution of the flat roof box dormer extension sited within the rear roof slope.
- 6.16 Consequently, the evidence available demonstrates that the original dwelling at the site has already been extended beyond its limit. This point appears to have been accepted by the applicant who, at point 2.0 of the submitted Planning Statement sets out that the Council would have already allowed development that exceeds the two reasonably sized room limit to enable the dwelling that now exists to be built.

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

	Internal Floor Area	Combined Total Floor Areas	Percentage Increase on Original Floor Area	External Footprint
Assumed 'original' Property	90.37 sq. m	90.37 sq. m	N/A	103.44 sq. m
Single Storey Rear Extension (80/00852/FUL)	17.70 sq. m	108.07 sq. m	19.6%	125.18 sq. m
Rooms in Roof (80/01068/FUL)	76.21 sq. m	184.28 sq. m	104%	125.18 sq. m
Garage and Room in Roof (81/00246/FUL)	46.98 sq. m	231.26 sq. m	156%	158.67 sq. m
Dormer Alterations (99/00432/FUL)	6.18 sq. m	237.44 sq. m	162.7%	158.67 sq. m
Porch Addition	3.31 sq. m	240.75 sq. m	166.4%	162.7 sq. m

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

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

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

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

Openness and Purposes of the Green Belt

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

6.25 The NPPF sets out 5 purposes of the Green Belt at paragraph 138. The proposal would not conflict with these purposes of the Green Belt, but this is a separate consideration to whether the proposal represents inappropriate development and the effect on openness and, as such, does not give reason to reach a different conclusion in those respects.

Very Special Circumstances

- 6.26 As detailed above, the proposed development represents inappropriate development within the Metropolitan Green Belt. Paragraph 147 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and that it should not be approved except in very special circumstances. The NPPF also states "When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt". Paragraph 148 states that Very Special Circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 6.27 Although a planning statement has been submitted supporting the application the contents do not set out any matters that the applicant is specifically advancing as material considerations. The applicant has provided a version of the site history which has been taken into consideration above, but this is not a very special consideration in any respect and does not represent a reason to disregard national and local policies as has been requested or suggested. The following matters are points that have been raised by the applicant and will be treated as other material consideration that are being advanced for this purpose, although that has not been clearly clarified.
- 6.28 The applicant has identified that an extension at Oak Cottage, Oxford Road was allowed at appeal. The Inspector in that case considered that the method of calculating the two reasonably sized room limit should be taken as a guide only and was not a fixed methodology. From this basis, the Inspector concluded that developments that exceeded the limits calculated by the Council by just 9 square metres was not disproportionate and would have a minimal effect. As is widely established, each planning case should be considered on its own merits and as such that decision is not determinative as to how this application should be considered. In any case, the development hereby proposed and the circumstances of this site appear to be wholly different with the overall increase of floorspace in this case being much larger. That decision should therefore carry no weight in this case.
- 6.29 The applicant has suggested that, if the dormers were removed, a whole floor could be added under the terms of permitted development rights. It is presumed that the applicant is referring to the permitted development rights set out at Class AA of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. However, utilising those permitted development rights would be subject to a prior approval application being submitted and found to be acceptable and in accordance with all the relevant limitations and conditions. No such application has been received, therefore it is not certain that such a

development would comply with the limitations or be approved. As such, this cannot be afforded any weight as a fallback position and no weight towards the identification of very special circumstances.

- 6.30 The applicant has identified that the site is near to the village of Horndon-on-the-Hill which is not in the Green Belt and that the same restrictions do not apply to those properties. This is correct but is not a very special circumstance and it is considered that the development should be required to accord with the designations that are applicable to that site rather than those which are applicable to other sites. This factor is therefore afforded no weight.
- 6.31 The applicant has stated that images have been prepared to demonstrate that the proposal would have a little effect. These have not been received but in any case, for the reasons set out above, this is not agreed and would not represent a very special circumstance. This factor is therefore afforded no weight.
- 6.32 The corner plot setting is advanced as a reason for allowing a larger development as it would provide a frontage to face both stretches of the road. This is not a special consideration as there are many dwellings that sit at junctions or at bends in a road. For the reasons set out below, it is considered that the design is acceptable. However, being acceptable is a minimum requirement rather than a special circumstance and, as such, this is afforded no weight towards the identification of Very Special Circumstances.
- 6.33 The presence of dormers at neighbouring properties is highlighted. Again, for the reasons set out below, it is considered that the design is acceptable. However, being acceptable is a minimum requirement rather than a special circumstance and, as such, this is afforded no weight towards the identification of Very Special Circumstances.
- 6.34 Notwithstanding the comments of the applicant, the undertaking of amendments to a previously refused scheme is to be expected and is not, in itself, a reason to reach a different decision if the development remains contrary to adopted policies. As such, this is afforded no weight towards the identification of Very Special Circumstances.
- 6.35 Therefore, no 'very special circumstances' have been put forward by the applicant and, for the reasons set out above, the harm caused would not be outweighed by any other circumstances. Consequently, the application would be contrary to the RAE, Policy PMD6 and the NPPF in principle.

Overall Assessment

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

i. the weight to be attributed to these factors;

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

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

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

6.38 As demonstrated in the table above, it is considered that the applicant has not advanced any factors which would, individually or cumulatively, amount to very special circumstances that could overcome the harm that would result by way of inappropriateness and the harm to openness that has been identified in the above

assessment. There are no planning conditions that could be used to make the proposal acceptable in planning terms. The proposal is clearly contrary to Policies CSSP4, PMD2 and PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2021.

II. DESIGN, LAYOUT AND CHARACTER IMPACT

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

regards to scale, bulk, design and appearance has been suitably overcome and the proposal would be in accordance with policies CSTP22, CSTP23 and PMD2 of the Core Strategy.

III. IMPACT ON NEIGHBOURING AMENITY

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

IV. ACCESS AND CAR PARKING

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

7.0 CONCLUSIONS AND REASON FOR REFUSAL

- 7.1 By virtue of the pre-existing development that has occurred at the site, the built form at the application site is considered to have reached the limit of development that is appropriate given the Green Belt restrictions that are applicable. When considered cumulatively in addition to the previous developments that have occurred, the proposal would be far in excess of the two reasonable sized rooms allowance set out in policy PMD6 of the core strategy. The proposal would, therefore, cause the resultant dwelling to be disproportionately larger than the original building and represent inappropriate development in the Green Belt. The proposal would also cause a small loss of openness. The harm arising in these respects is required to be afforded significant weight and, in this case, has not been outweighed by other material considerations that represent the very special circumstances required to enable such development. The development is therefore unacceptable and contrary to policies CSSP4 and PMD6 of the Core Strategy and the guidance set out in the NPPF and the RAE.

8.0 RECOMMENDATION

- 8.1 Refuse planning permission for the following reason:

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

Informative:

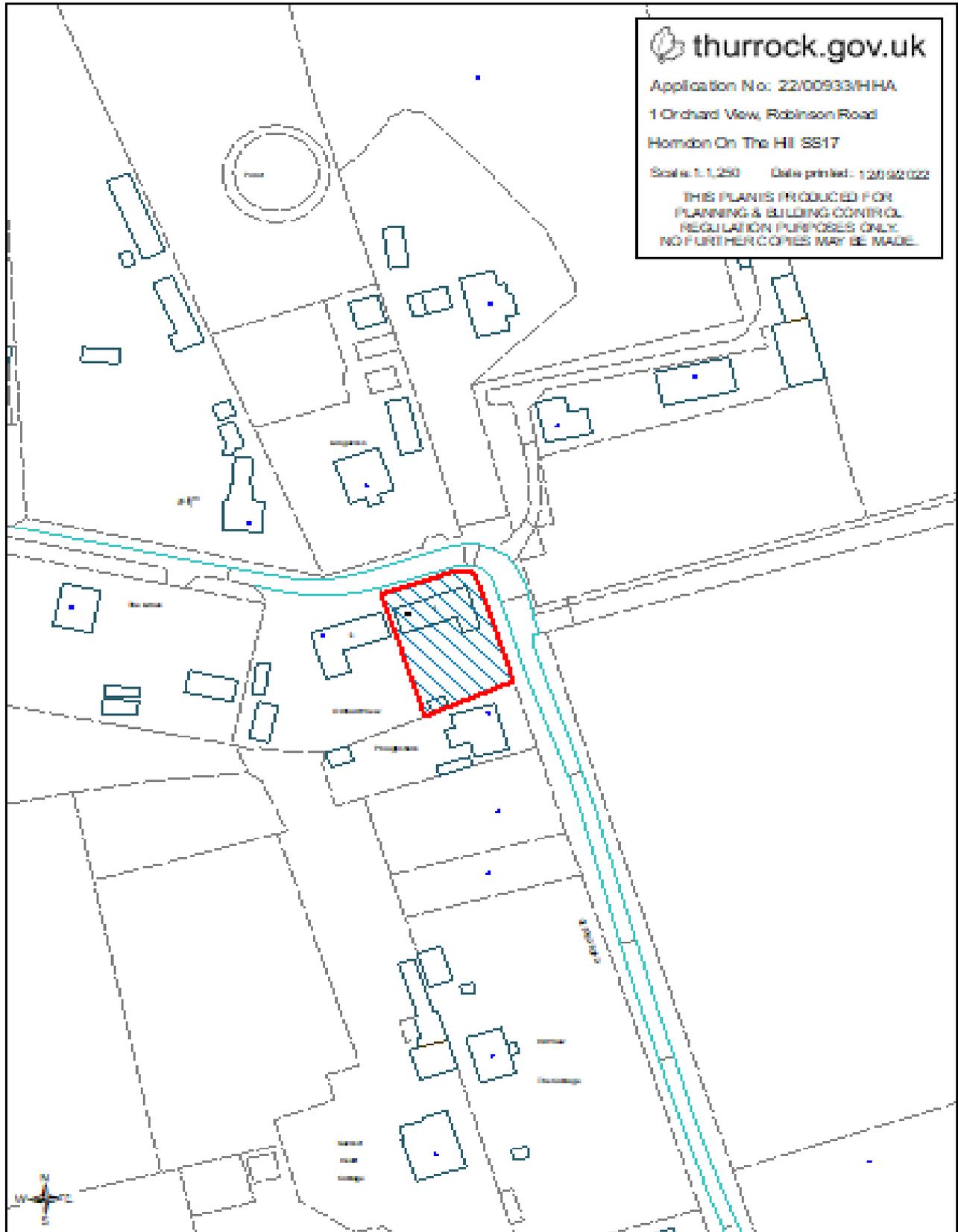
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

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

Documents:

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

www.thurrock.gov.uk/planning



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Agenda Item 9

Planning Committee 22 September 2022	Application Reference: 22/00884/TBC
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Reference: 22/00884/TBC	Site: Thurrock Council Civic Offices New Road Grays Essex RM17 6SL
Ward: Grays Riverside	Proposal: Installation of a new entrance doorway to the front of the CO2 building with associated access ramp and steps. Window to be installed within the rear elevation.

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

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

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

1.0 DESCRIPTION OF PROPOSAL

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

2.0 SITE DESCRIPTION

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

3.0 RELEVANT HISTORY

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

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

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

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

PUBLICITY:

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

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

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

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

4. Decision making
12. Achieving well-designed places

National Planning Practice Guidance (NPPG)

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

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

Local Planning Policy

Thurrock Local Development Framework (as amended) (2015)

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

THEMATIC POLICIES

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

POLICIES FOR MANAGEMENT OF DEVELOPMENT

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

Thurrock Local Plan

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

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

Thurrock Design Strategy

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

6.0 ASSESSMENT

- 6.1 The assessment below covers the following areas:

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

I. PRINCIPLE OF DEVELOPMENT

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

II. DESIGN OF DEVELOPMENT AND RELATIONSHIP WITH SURROUNDINGS

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

III. AMENITY IMPACTS

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

7.0 CONCLUSIONS

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

8.0 RECOMMENDATION

8.1 Approve, subject to conditions.

TIME LIMIT

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

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

PLANS

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

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

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

MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION

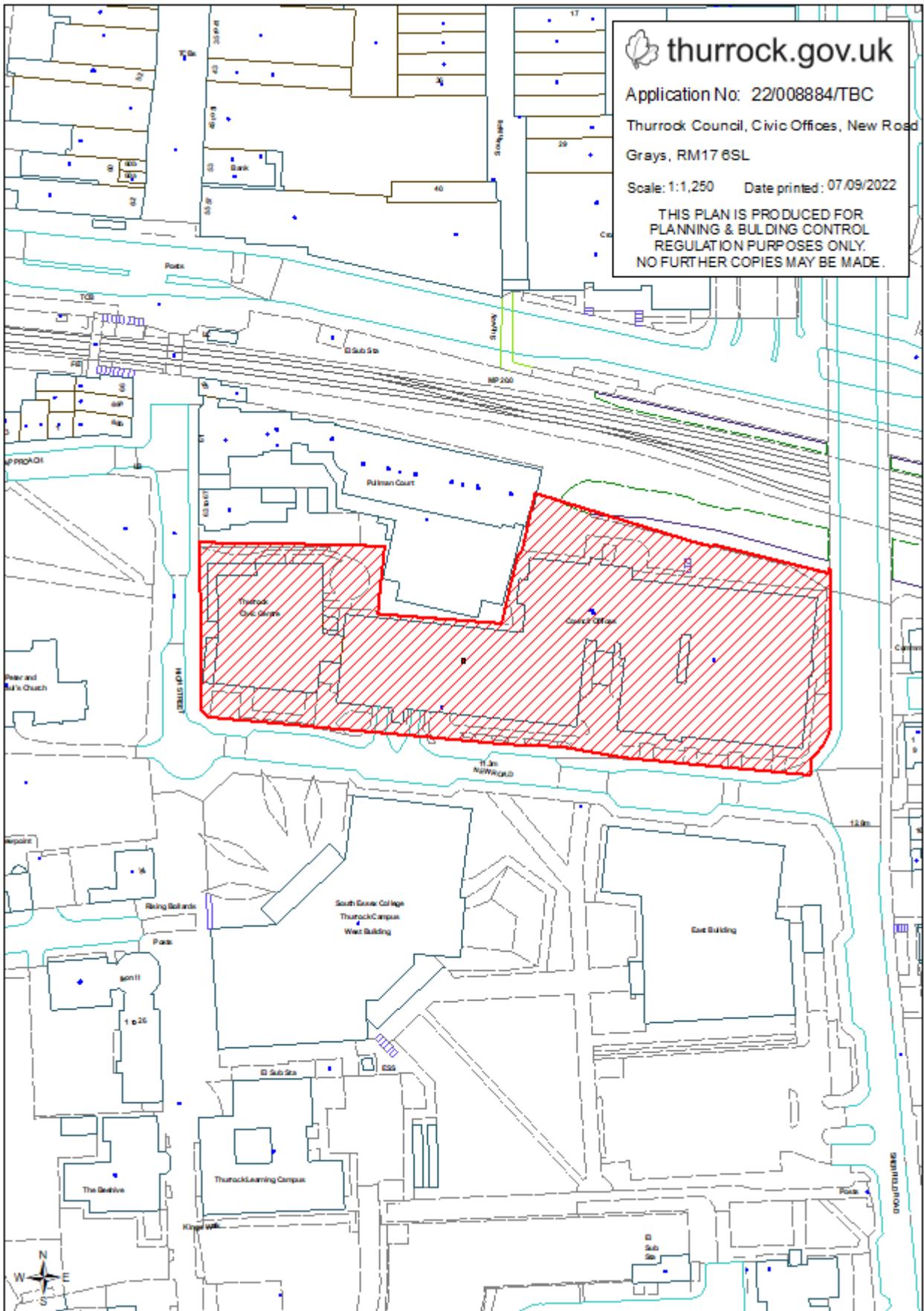
- 3 The materials to be used on the external surfaces of the development hereby permitted shall be implemented as detailed within the application.

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

Documents:

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

www.thurrock.gov.uk/planning



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