

<p><b>Reference:</b> 16/00729/OUT</p>	<p><b>Site:</b> Land Adjacent Martins Farmhouse Church Lane Bulphan Essex</p>
<p><b>Ward:</b> Orsett</p>	<p><b>Proposal:</b> Development of 52 assisted living apartments (in 4 blocks) with cafe/restaurant facilities, separate building housing convenience store and doctors surgery with living accommodation above, separate dwelling for doctor, separate building for changing rooms/ club room with outdoor sports pitch and ancillary parking and landscaping with two access points to Church Lane (Outline application with all matters reserved)</p>

Plan Number(s):		
Reference	Name	Received
112	Location Plan	23rd May 2016
113	Block Plan	23rd May 2016
114	Floor Layout	23rd May 2016
115	Elevations	23rd May 2016
116	Elevations	23rd May 2016

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> <li>- Design and Access Statement</li> <li>- Flood Risk Assessment</li> <li>- Planning Statement</li> </ul>	
<p><b>Applicant:</b> Mr D. MacDonald</p>	<p><b>Validated:</b> 30 June 2016 <b>Date of expiry:</b> 29 September 2016</p>
<p><b>Recommendation:</b> To Refuse</p>	

The application has been scheduled for determination by the Council's Planning Committee because a recent proposal for a similar development on the same site was considered by Members.

**1.0 DESCRIPTION OF PROPOSAL**

1.1 This application seeks planning permission for the development of the site for a 52 assisted living units and associated development. The application has been submitted in outline form, with all matters reserved.

1.2 The indicative plans submitted with the application illustrate the following parameters:

- Two access from Church Lane [one to the northern end of the site and one in the centre of the site];
- Assisted living units within four blocks; two separate from one another and two linked by a single storey building;
- A detached building providing a convenience store ground floor level and a doctors surgery with a separate flat at first floor level;
- A detached dwellinghouse to provide accommodation for a doctor;
- A detached building providing changing facilities and clubroom for outdoor sports;
- A sports pitch to provide an all-weather surface for hockey, football and tennis;
- 44 dedicated car parking for the clubhouse building, 10 spaces for the shop / doctors surgery and 50 spaces for the residential element of the development.

**2.0 SITE DESCRIPTION**

2.1 The application site is an approximately L -shaped area of land on the eastern side of Church Lane, close to where it joins Parkers Farm Road.

2.2 The site lies to the south of Martin’s Farm. The site lies outside of the village of Bulphan on an agricultural field. The site is in the Green Belt.

**3.0 RELEVANT HISTORY**

Reference	Description	Decision
60/00297/FUL	Residential	Refused
68/00042/FUL	House, Garages	Refused
14/01063/FUL	Erection of 5 dwellings	Refused
15/00092/OUT	Erection of 50 bed care home (Outline application with matters of Access, Appearance, Layout and Scale being sought)	Refused

**4.0 CONSULTATIONS AND REPRESENTATIONS**

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

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

PUBLICITY:

4.2 This application has been advertised by way of individual notification letters and the display of public site notices. A press notice has also been publicised. At the time of drafting this report, ten responses had been received objecting to the proposals on the following grounds:

- MUGA facilities already exist in the village;
- A new shop is already to be provided in the village;
- Principle of development in the Green Belt;
- Not a suitable road for development;
- Not an appropriate location for such a development;
- Noise pollution and access during construction;
- Increased noise activity when constructed;
- Development is outside the village envelope;
- Impact of vehicle movements on the village;
- Lack of suitable public transport;
- The site is in close proximity to Thurrock Airfield;
- The application is for outline consent only and the eventual type and density if therefore unknown;
- Parkers Farm Road is very narrow and is used, especially by cyclists;
- Site is on a flood plain.

A letter from the local Ward Councillor has also been received making the following comments:

- Site is Green Belt;
- Development will be visible across the fields to Orsett;
- There is already an approved scheme for village shop;
- The site is down a narrow country road;
- Access for emergency services would be difficult;
- An isolated location for assisted living units;
- Extra traffic movements associated;
- Will destroy the street scene and the ambience of Bulphan;
- Height of the buildings is too great.

One letter of support has been received raising no objections provided that the Council are satisfied the road is adequate to handle the extra volumes of traffic.

ENVIRONMENT AGENCY:

4.3 No objections.

ENVIRONMENTAL HEALTH:

4.4 No objections (conditions recommended).

FLOOD RISK MANAGER:

4.5 Objection (lack of detailed information).

HIGHWAYS:

4.6 Objection (principle and detailed reasons for refusal).

LANDSCAPE AND ECOLOGY OFFICER:

4.7 Objection (landscape impact).

HEALTH AND WELLBEING GROUP:

4.8 No reason to support the proposals.

NHS ENGLAND:

4.9 No objections (subject to developer contributions)

## 5.0 POLICY CONTEXT

### 5.1 National Planning Policy Framework

The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

5.2 Annex 1 makes clear that Development Plan policies should not be considered out-of-date simply because they were adopted prior to publication of the Framework. It also sets out how decision-takers should proceed taking account of the date of adoption of the relevant policy and the consistency of the policy with the Framework. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

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

4. Promoting sustainable transport

7. Requiring good design

8. Promoting healthy communities

9. Protecting Green Belt land

10. Meeting the challenge of climate change, flooding and coastal change

11. Conserving and enhancing the natural environment

5.4 Detailed below are in an extracts from the NPPF with regards to housing need and Green Belt Policy;

5.5 'Do housing and economic needs override constraints on the use of land, such as Green Belt?

*The National Planning Policy Framework should be read as a whole: need alone is not the only factor to be considered when drawing up a Local Plan.*

*The Framework is clear that local planning authorities should, through their Local Plans, meet objectively assessed needs unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when*

*assessed against the policies in the Framework taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to sites protected under the Birds and Habitats Directives, and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park or the Broads; designated heritage assets; and locations at risk of flooding or coastal erosion.*

*The Framework makes clear that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan'. (Paragraph: 044Reference ID: 3-044-20141006)*

## 5.6 Planning Practice Guidance (PPG)

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 sub-topics. Those of particular relevance to the determination of this planning application comprise:

- Climate change
- Conserving and enhancing the historic environment
- Design
- Determining a planning application
- Natural Environment
- Planning obligations
- Use of Planning Conditions
- Water supply, wastewater and water quality

## 5.7 Local Planning Policy

### Thurrock Local Development Framework

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

#### SPATIAL POLICIES

- CSSP1: Sustainable Housing and Locations
- CSSP3: Sustainable Infrastructure
- CSSP4: Sustainable Green Belt
- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock<sup>1</sup>

#### THEMATIC POLICIES

- CSTP1: Strategic Housing Provision
- CSTP22: Thurrock Design
  
- CSTP23: Thurrock Character and Distinctiveness<sup>2</sup>
- CSTP25: Addressing Climate Change<sup>2</sup>
- CSTP26: Renewable or Low-Carbon Energy Generation<sup>2</sup>
- CSTP33: Strategic Infrastructure Provision

#### POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1: Minimising Pollution and Impacts on Amenity<sup>2</sup>
- PMD2: Design and Layout<sup>2</sup>
- PMD6: Development in the Green Belt<sup>2</sup>
- PMD8: Parking Standards<sup>3</sup>
- PMD9: Road Network Hierarchy
- PMD10: Transport Assessments and Travel Plans<sup>2</sup>
- PMD12: Sustainable Buildings<sup>2</sup>
- PMD16: Developer Contributions<sup>2</sup>

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

#### 5.8 Focused Review of the LDF Core Strategy

This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes.

#### 5.9 Draft Site Specific Allocations and Policies DPD

This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The application site has no allocation within either of these draft documents. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination where their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

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

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

## **6. ASSESSMENT**

### PROCEDURAL MATTERS

With reference to process, this application has been advertised as being a major development and as a departure from the Development Plan. Any resolution to grant planning permission would need to be referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009 with regard to the proposed quantum of development within the Green Belt. The Direction allows the Secretary of State a period of 21 days (unless extended by direction) within which to 'call-in' the application for determination via a public inquiry. In reaching a decision as to whether to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies.

#### 6.1 The principal issues to be considered in this case are:

- I. Plan designation and principle of development
- II. Harm to Green Belt and other harm
- III. Whether the harm to the Green Belt, and any other harm is clearly outweighed by other considerations, so as to amount to very special circumstances
- IV. Highways and access
- V. Design and layout, relationship of development with surroundings and amenity impacts
- VI. Flood and drainage

#### I. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

#### 6.2 The application site is located within the Green Belt. Policy PMD6 applies and states that permission will not be given, except in very special circumstances, for the construction of new buildings, or for the change of use

of land or the re-use of buildings unless it meets the requirements and objectives of National Government Guidance. Paragraph 89 of the NPPF states that *'a local planning authority should regard the construction of new buildings as inappropriate in Green Belt'*. The NPPF sets out a limited number of exceptions however the construction of an assisted living scheme and associated development does not fall into any of the exceptions. Consequently it is a straightforward matter to conclude that the proposal constitute inappropriate development in the Green Belt.

- 6.3 Paragraph 87 of the NPPF states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 88 goes on to state *'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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'*.

## II. HARM TO GREEN BELT AND 'OTHER' HARM

- 6.4 Having established that the proposal constitutes inappropriate development in the Green Belt, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether there is any other harm to the Green Belt and the purposes of including land therein.
- 6.5 At paragraph 79, the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 6.6 With regards the impact on openness, the proposals would comprise a substantial amount of new building in an area which is entirely free from built development. It is considered that the amount and scale of development proposed would considerably reduce the openness of the site. It is considered that the loss of openness, which is contrary to the NPPF, should be accorded significant weight in consideration of this application.
- 6.7 Paragraph 80 of the NPPF sets out five purposes which the Green Belt serves:
- i. to check the unrestricted sprawl of large built-up areas;
  - ii. to prevent neighbouring towns from merging into one another;
  - iii. to assist in safeguarding the countryside from encroachment;
  - iv. to preserve the setting and special character of historic towns; and
  - v. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.8 It is considered that the development proposed would be contrary to purposes (iii), and (v) detailed at paragraph 80 of the NPPF. In addition, there would be substantial harm by reason of loss of openness.



### III. WHETHER THE HARM TO THE GREEN BELT, AND ANY OTHER HARM IS CLEARLY OUTWEIGHED BY OTHER CONSIDERATIONS, SO AS TO AMOUNT TO VERY SPECIAL CIRCUMSTANCES

6.9 The Planning Statement submitted with the application contains the applicant's case in favour of the proposed development. The applicant sets out the following in support of the proposals:

- (i) The significant need for older persons housing which is not provided for elsewhere in the Borough;
- (ii) The design is simple and with a simple pallet of materials and large areas of landscaping.

6.10 The matters are analysed below:

(i) The significant need for older persons housing which is not provided for elsewhere in the Borough;

6.11 The Council's Health and Wellbeing Housing and Planning Advisory Group (HWBHPAG) advise that the site is relatively isolated and given the availability of land to meet the housing needs of older adults elsewhere in the Borough there is no reason to support the development of the site for this purpose. Accordingly, in the absence a demonstrable need for this type of development in this location, this factor can be attributed very little weight in favour of the development.

(ii) The design is simple and with a simple pallet of materials and large areas of landscaping

6.12 The buildings housing the assisted living units are bulky and dominate the centre of the site. The design of the buildings is monotonous and unduly 'urban' in design terms, failing to reflect the rural character of the wider location. In addition, large areas of the site are shown to be laid out for parking and hard surfacing. This provides no weight in favour of the development.

6.13 In conclusion under this heading, the development of the site constitutes inappropriate Green Belt development. The development is therefore harmful by definition and substantial weight should be attributed in this regard. The matters put forward by the applicant do not clearly outweigh the harm that would be caused and as such do not represent very special circumstances. As such, it is considered that the proposal is contrary to PMD6 of the Core Strategy and guidance contained in the NPPF and PPG.

### IV. HIGHWAYS AND ACCESS

6.14 Parkers Farm Road is categorised as a Level 2 Rural Road where an intensification of use would normally only be accepted for small scale uses, permissible within the Green Belt. In addition, the road is a typical country lane, with no designated footpaths on either side of the road. The road edge is defined by the highway verge or hedgerow on both sides of the road. The road

is primarily used by agricultural vehicles.

- 6.15 The Council's Highway officer objects to the principle of intensifying the use of the central access of the site and the provision of a new access to the northern side of the site. The proposal is considered to be contrary to LDF CS Policy PMD9 in this regard.
- 6.16 The proposed northern access is adjacent to Martins Farm and visibility to the north is limited. This land lies outside of the control of the applicant and the Council's Highway Officer is not satisfied that appropriate visibility splays could be achieved. The applicant has failed to demonstrate how access could be safely achieved, contrary to LDF CS Policy PMD2. In addition the HWBHPAG have raised concern that residents would be reliant upon the private motor car, there being no footpaths to support or encourage pedestrian trips.
- 6.17 Finally, the application proposes facilities [such as a doctor's surgery, shop and clubhouse] which would attract visitors from the wider area, potentially resulting in high volumes of traffic. The applicant has not detailed the number of employees expected on the site or taken into account the potential for the increased trips associated with visitors. As the application does not detail the number of staff members it is not possible to indicate whether adequate parking provision is being made on site. Accordingly the proposal also fails to comply with highways requirements on the basis of a lack of information relating to staff numbers, contrary to LDF CS Policy PMD8.

#### V. DESIGN, LAYOUT, RELATIONSHIP OF DEVELOPMENT WITH SURROUNDINGS AND AMENITY IMPACTS

- 6.18 LDF CS Policy PMD2 requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.
- 6.19 LDF CS Policy CSTP22 of the Core Strategy indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.
- 6.20 Section 7 of the NPPF sets out the need for new development to deliver good design. Paragraph 57 specifies that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic consideration.
- 6.21 The application has been submitted in outline form with all matters reserved; however it is important nonetheless to consider the design and layout parameter plans accompanying the application. The 4 main buildings proposed for the assisted living apartments are two storey blocks. These are proposed to be located more to less within the centre of the site, two running north to south and two running east to west. The illustrative plans suggest a design that is of a style more normally associated with regimented design forms found in urban

areas. The design and appearance of these buildings is therefore considered to be wholly unacceptable for the proposed location. In addition the single storey link between two of the main buildings is poorly articulated.

- 6.22 Illustrative design details for the other buildings have not been provided, other than indications of the storey heights of these buildings. No specific comments are therefore raised on the design of these buildings.
- 6.23 The Council's Landscape Advisor has been consulted on the proposal. He notes that the whole field is bounded by hedges but that they are not in a good condition and provide little screening across the site. He further advises that the site lies within the Bulphan Fenlands landscape character area which is defined in the Thurrock Landscape Capacity Study as an open and exposed rural landscape. The Advisor warns that there would be little opportunity to mitigate the visual impacts of the scheme due to the location of the buildings and their extent, orientation, layout and location within the site. The Bulphan Fenlands would be significantly adversely impacted upon by development of this size and design.
- 6.24 Accordingly, it is considered that the development would have a significant adverse impact on the local landscape character.

## VI. FLOOD AND DRAINAGE

- 6.25 LDF CS Policy PMD15 relates to flood risk and indicates that the management of flood risk should be considered at all stages of the planning process. The policy also states that in accordance with the Water Resources Act 1991 the prior written consent of the Environment Agency will be required for proposed works or structures, in, under, over or within 9 metres of the top of the bank of a designated main river.
- 6.26 The site lies within Flood Risk Zone 2. In addition the site lies adjacent to a watercourse. The Council's Flood Risk Manager indicates that the applicant has failed to provide adequate details of a surface water strategy in their submitted Flood Risk Assessment as required by the NPPF. Accordingly, at this time the Council cannot be satisfied that a suitable solution drainage solution exists and that the proposal would be able to mitigate its impact on the local area or that existing surface water issues have been fully considered.
- 6.27 The proposal is therefore contrary to Policy PMD15 as the Council cannot be satisfied at this time that the proposal would not lead to increased flooding of the area.

## 7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposals would comprise a substantial amount of new building on a rural site which is entirely free from built development. The development proposed does not fall within any of the exceptions set out in Policy PMD6 or the NPPF and as a consequence, the proposal constitutes inappropriate development in the Green Belt, which is harmful by definition. The loss of openness, which is contrary to the NPPF, should be afforded significant weight in consideration of this application.

- 7.2 Having established the nature and extent of the harm to the Green Belt the key consideration is whether this harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the inappropriate development. In this case, the applicant has promoted a number of considerations which have been considered in detail above. In light of the analysis contained within this report it is concluded that the benefits of the scheme do not clearly outweigh the harm that would be caused.
- 7.3 Furthermore, the proposal raises concern in relation to highways safety due to the formation of a number of new accesses, contrary to Policy PMD9 of the Core Strategy. Furthermore, the site lies within Flood Risk Zone 2 and the site is at high risk of flooding due to the adjacent watercourse. The applicant has failed to address how the risk of flooding from this source would be mitigated or how site drainage and run off would be managed. The proposal is contrary to Policy PMD15 in this regard.
- 7.4 Additionally, the development would have a significant adverse impact upon the Bulphan Fenlands, contrary to Policy PMD2 and CSTP22.
- 7.5 There is also concern in relation to scale, design and overall appearance of the development which fails to meet the high standards of design that would be required and the impact of the large structures on the character and appearance of the area.

## 8.0 RECOMMENDATION

To Refuse for the following reasons:

Reason(s):

- 1 The application site is located within the Green Belt as defined within the Thurrock Local Development Framework, Core Strategy. Policy PMD6 applies and states that permission will not be given, except in very special circumstances, for the construction of new buildings, or for the change of use of land or the re-use of buildings unless it meets the requirements and objectives of National Government Guidance.

The NPPF (at paragraph 89) sets out the forms of development which may be acceptable in the Green Belt. The proposed development does not fall within any of the appropriate uses for new buildings set out by the NPPF and Policy PMD6. Consequently, the proposals represent “inappropriate development” in the Green Belt and are a departure from development plan policy. Paragraph 87 of the NPPF sets out a general presumption against inappropriate development within the Green Belt and states that such development should not be approved, except in very special circumstances. Paragraph 87 also states that inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The information put forward by the applicant has been considered. However, these matters, neither individually nor taken together, are considered to constitute the very special circumstances necessary to allow a departure from policy being made in this instance. The proposals are therefore contrary to Policy PMD6 of the Core Strategy and guidance in the NPPF in principle.

Notwithstanding the in-principle harm identified above, by reason of the mass, bulk and serious incursion into open land, the proposals are also harmful to the character and openness of the Green Belt at this point, contrary to Policy PMD6 of the Core Strategy and criteria within the NPPF.

- 2 Policy PMD9 of the Thurrock Local Development Framework Core Strategy states that the Council will only permit the development of new vehicular accesses or increased use of existing accesses onto the road network where, amongst other things, there is no possibility of a safe access being taken from an existing or lower category road, the development minimises the number of accesses required and the development makes a positive contribution to road safety or road safety is not prejudiced. Development onto Level 2 Rural Road will only be permitted where they are small scale developments that are permissible in the Green Belt.

Policy PMD2 of the Thurrock Local Development Framework Core Strategy indicates that all development should allow safe and easy access while meeting appropriate standards.

Policy PMD8 requires off street parking to be provided to meet the Council's standards.

The intensified use of an access onto Parkers Farm Road is objectionable in principle as it does not make a positive contribution to road safety; and the provision of a new access is also considered unacceptable; the proposal is contrary to Policy PMD9 in this regard.

The proposed northern access is adjacent to Martins Farm and visibility to the north is limited. This land lies outside of the control of the applicant and the Council is not satisfied that appropriate visibility splays could be achieved. The applicant has failed to demonstrate how access could be safely achieved via either access and the proposal is contrary to Policy PMD2 in relation to appropriate design and layout.

The applicant has also failed to provide details of disabled spaces, the number of staff that would be working at the premises, or how these staff would travel to the site. Without this information the Council cannot be satisfied that the level of parking provision on the site would be acceptable. The proposal is therefore contrary to Policy PMD8 in this respect.

- 3 Policy PMD15 of the Core Strategy relates to Flood Risk and indicates that the management of flood risk should be considered at all stages of

the planning process.

The site lies within Flood Risk Zone 2 and the site is at high risk of flooding due to the adjacent watercourse. The applicant has failed to address how the risk of flooding from this source would be mitigated or how site drainage and run off would be managed. The proposal is contrary to Policy PMD15 in this regard.

- 4 Policy PMD2 of the Core Strategy requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.

Policy CSTP22 of the Core Strategy indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.

Section 7 of the NPPF sets out the need for new development to deliver good design. Paragraph 57 specifies that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic consideration.

The application site lies within the Bulphan Fenlands Landscape which is characterised and defined by its open character and exposed agricultural nature.

- i) The proposed development by reason of its location within open Fenland landscape would have a significant impact on the open local landscape character. In addition, by reason of their height, location, mass and layout the proposed buildings would have significant harmful effects that could not be mitigated. Accordingly in principle, and mass and layout terms the proposal would have a harmful impact on local landscape character contrary to the above policies and guidance.
- ii) Furthermore, the indicative elevations submitted illustrate a design approach which would be wholly unacceptable for the rural location in which they would be located. Accordingly the proposal would have a detrimental impact on the character and visual amenities of the area, contrary to the above policies and guidance.

**Documents:**

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

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

