

| | |
|-----------------------------------|---|
| Reference: 17/00521/FUL | Site: 6 Tennyson Avenue Grays Essex RM17 5RG |
| Ward: Grays Thurrock | Proposal: Conversion of existing 5 bedroom house to 2 one bedroom apartments and creation of two bedroom bungalow to rear (resubmission of 16/00361/FUL - Conversion of existing 5 bedroom house to 3 one bedroom apartments) |

| Plan Number(s): | | |
|------------------------|-------------------------------------|---------------|
| Reference | Name | Received |
| 1199 01 Rev P1 | Existing Floor Plans and Elevations | 18 April 2017 |
| 1199 02 Rev P4 | Proposed Floor Plans and Elevations | 18 April 2017 |

| | |
|--|---|
| The application is also accompanied by: - Design and Access Statement | |
| Applicant: Mr & Mrs Sherriff | Validated: 18 April 2017 Date of expiry: 28 July 2017 (Extension of time agreed with Applicant) |
| Recommendation: Approve, subject to conditions. | |

This application is scheduled for determination by the Council's Planning Committee because the previous application to which this proposal relates (16/00361/FUL) was determined by the Planning Committee.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission for the redevelopment of the existing 5 bedroom house into 2 x 1 bedroom apartments with shared private amenity to the rear and parking to the front. The development would not result in any changes to the external appearance of the house.
- 1.2 The existing annexe to the rear of the property would become an independent dwelling through the proposals, with its own private amenity area and undercroft car parking beneath the existing first floor side extension to the house.

1.3 A refuse area for all of the properties would be provided to the front of the house.

2.0 SITE DESCRIPTION

2.1 The site is located to the eastern end of Tennyson Avenue adjacent to Piggs Corner Residential Home. The site presently comprises a 5 bedroom house which has been extended. There is also a self-contained family annexe at the rear of the garden.

3.0 RELEVANT HISTORY

| Reference | Description | Decision |
|--------------|--|--|
| 16/00361/FUL | Conversion of existing 5 bedroom house to 3 one bedroom apartments | Refused and dismissed on appeal [reference APP/M1595/W/16/3157488] |
| 12/00537/NMA | Removal of window from bedroom to bathroom, and move skylight from bathroom to bedroom | Approved |
| 11/00343/HHA | Detached two bedroom family annexe in rear garden | Approved |
| 06/00037/FUL | Two storey side and rear extension and ground floor rear extension. | Approved |

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. Objections have been received from 13 different addresses raising the following concerns:

- Impact on character of the area;
- Accessibility;
- Increased traffic;
- Usability of the parking spaces;
- Overlooking;
- Increased noise and disturbance;
- Annexe building – use was conditioned for family only;

- Intensification of the site;
- Precedent;
- Proximity to Piggs Corner Residential Home;

4.3 THURROCK COUNCIL HIGHWAYS:

No objection.

5.0 POLICY CONTEXT

National Planning Policy Framework

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

6. Delivering a wide choice of high quality homes

7. Requiring good design

Planning Practice Guidance (PPG)

5.3 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:

- Design;
- Planning obligations and;
- The use of planning conditions.

Local Planning Policy

Thurrock Local Development Framework

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

Thematic Policies:

- CSTP22 Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness²

Policies for the Management of Development:

- PMD1: Minimising Pollution and Impacts on Amenity²
- PMD2: Design and Layout²
- PMD8: Parking Standards³
- PMD12: Sustainable Housing and Locations

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

Focused Review of the LDF Core Strategy

- 5.5 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. Thurrock Council adopted the Core Strategy and Policies for Management of Development Focussed Review: Consistency with National Planning Policy Framework on 28 January 2015.

Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a ‘Call for Sites’ exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken later this year.

6.0 ASSESSMENT

BACKGROUND

- 6.1 This application follows planning application 16/00361/FUL which was refused by the Council in May 2016 and subsequently dismissed on appeal by the Planning Inspectorate in January 2017. The appeal was dismissed because the Planning Inspector considered the parking arrangements to the rear of the house to be unacceptable. The Planning Inspector did not raise any objection to the principle of converting the house into flats or the annexe to the rear becoming an independent unit of living accommodation.
- 6.2 In an attempt to address the objections raised by the Planning Inspectorate the applicant has reduced the number of units by one and reconfigured the parking arrangements so that it does not utilise the rear garden.
- 6.3 The principal issues to be considered in this case are therefore:
1. Plan designation and principle of development
 2. Relationship of development with surroundings
 3. Infrastructure Improvements and Affordable Housing
1. PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT
- 6.4 The site is within the residential area of Grays and as set out above, the principle of development has been accepted through the appeal decision where the Planning Inspectorate raised no objection to the conversion of the house to flats or the annexe becoming an independent unit of living accommodation.
2. RELATIONSHIP OF DEVELOPMENT WITH SURROUNDINGS
- 6.5 In determining the appeal in 2016, the Inspector found the conversion of the house to flats to be compatible with the mixed character of the area. Accordingly, there are no objections to the application on this basis. The development is considered to comply with Policies PMD2 and CSTP22 of the Core Strategy and the relevant criteria in the NPPF.
- 6.6 The proposed flats would exceed the minimum internal floor standards required in Annexe 2 of the Local Plan. The development would also make appropriate provision for amenity space for the future occupiers of the flats. On the basis that 2 x 1 bedroom flats are proposed a minimum of 50sqm of usable private amenity space should be provided to meet policy standards. In this case, the proposals would provide 148 sqm of amenity space.
- 6.7 The annexe, which measures 62sq.m (integral) would be served by a private amenity area of 70 sq.m which is only marginally below the recommended minimum of 75sq.m. as set out in Annexe 2 of the Local Plan 1997. Given this very marginal shortfall, no objection is raised on this basis.

- 6.8 The previous application included parking spaces for the flatted units and the bungalow in the rear garden. These parking spaces have been removed in the current scheme. The spaces for the bungalow are shown in the undercroft of the main building at the front of the site. Accordingly, vehicle movements would no longer take place in the rear garden area, reducing the impact of the use of this building as a separate unit. This issue of vehicular noise and disturbance was key to the Inspector dismissing the appeal. The Council's Highway Officer has raised no objection to the parking arrangements. The proposal is therefore considered to have overcome the matters that the Inspector found to be unacceptable.

3. INFRASTRUCTURE IMPROVEMENTS AND AFFORDABLE HOUSING

- 6.9 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development; the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The proposal is for a small scale development and no infrastructure requirements have been identified arising from this development at this time. Accordingly, it is not considered necessary for an s.106 contribution in this instance.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

- 7.1 The proposal is considered acceptable as the issue upon which the Inspector dismissed the appeal has been addressed. The reduction of the proposal by one unit and reconfiguration of the parking has addressed the issue of parking within the rear garden and the resultant impact on neighbour amenity. In light of the foregoing, the additional unit to the rear that would be created is not considered to be objectionable.

8.0 RECOMMENDATION

Approve, subject to the following conditions:

Condition(s):

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 Purchase 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 |
| 1199 01 Rev P1 | Existing Floor Plans and Elevations | 18 April 2017 |
| 1199 02 Rev P4 | Proposed Floor Plans and Elevations | 18 April 2017 |

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

NO ADDITIONAL HARDSURFACING OR VEHICLE ACCESS

- Other than the hardsurfacing shown the approved plans, no additional hardsurfacing shall be carried out on site whatsoever, unless previously agreed in writing by the Local Planning Authority. In addition, vehicle parking shall not take place other than in the areas shown to the front of the building for 2 flats or in the undercroft for the bungalow. No vehicle movements beyond the rear of the main building shall take place.

Reason: In the interests of the privacy and amenity of adjacent occupiers in accordance with Policies PMD1 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development 2015).

REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

- Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D or E of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions shall be erected to the single storey dwelling hereby permitted.

Reason: In the interests of amenity and to ensure that the proposed development is satisfactorily integrated with its immediate surroundings in accordance with Policies PMD2 and PMD2 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development 2015

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Furthermore, Members of the planning committee took the decision to grant planning permission as the proposal has been considered acceptable.

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

