

Reference: 18/01442/FUL	Site: Land At Bridge Court Bridge Road Grays Essex
Ward: Grays Riverside	Proposal: Construction of 2 no. studio and 2 no. one bed residential units over existing car parking

Plan Number(s):		
Reference	Name	Received
1000 Rev B	Site Location Plan	5 October 2018
1001 Rev B	Existing Site Layout	5 October 2018
1005 Rev B	Proposed Site Layout	5 October 2018
1009 Rev C	Proposed Plans	16 November 2018
1010 Rev B	Proposed First Floor Plans	5 October 2018
1011 Rev B	Proposed Roof Plans	5 October 2018
1030 Rev B	Proposed North and South Elevations	5 October 2018
1031 Rev B	Proposed East and West Elevations	5 October 2018
1041 Rev B	Proposed Floor Plans, Elevations and Sections - Blocks 1 and 3 (Units 1 and 4)	5 October 2018
1042 Rev B	Proposed Floor Plans, Elevations and Sections - Block 2 and 3 (Units 2 and 3)	5 October 2018

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> - Design and Planning Statement 	
Applicant: Ova Build	<p>Validated: 5 October 2018</p> <p>Date of expiry: 11 January 2018 (Extension of time agreed with applicant)</p>
Recommendation: Refuse	

This application is scheduled for determination by the Council's Planning Committee because the application was called in by Cllr. J. Potheary, Cllr. M. Kerin, Cllr. M. Fletcher, Cllr. B. Okunade and Cllr. T. Fish to consider issues regarding loss of privacy, loss of light, parking, highways safety, design and character in accordance with Part 3 (b) 2.1 (c) of the Council's constitution.

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission for three two storey buildings containing flats located on the car park to the rear of Bridge Court. The layout of the buildings is for living accommodation at first floor level with parking at ground level. Blocks 1 and 3 would contain 2 x one bed flats whilst block 2 would contain 2 x studio flats. The buildings would be positioned adjacent to the northern boundary of the site which abuts 11 Bradbourne Road and Grays Pentecostal Church.

1.2 The buildings would be of mansard roof design and the two one bedroom units would have a front facing roof terrace which would overlook the car park. The properties would be accessed by external staircases between the buildings.

2.0 SITE DESCRIPTION

2.1 The site is an unmarked private car park which is leased by the residents in Bridge Court. The site is accessed from Bradbourne Road and is adjacent to Saxon Court.

3.0 RELEVANT HISTORY

3.1 None relevant.

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 This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. At the time of writing there have been 32 objections received. The issues raised can be summarised as follows:

- Effect to existing parking
- No parking for proposed units
- Additional traffic
- Overlooking
- Out of Character

- Noise
- Design
- Loss of Amenity

4.3 ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

4.4 HIGHWAYS:

Recommend refusal.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

5.1 The NPPF was published on 27 March 2012 and amended on 24 July 2018. Paragraph 10 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 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
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places

Planning Policy Guidance

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 a range of 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
- Use of Planning Conditions
- Viability

Local Planning Policy

Thurrock Local Development Framework (as amended) 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

- CSSP1 (Sustainable Housing and Locations)

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD8 (Parking Standards)³
- PMD9 (Road Network Hierarchy)

[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].

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.

Thurrock Design Strategy

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

6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Principle of the Development
- II. Design and Layout
- III. Traffic Impact, Access and Car Parking
- IV. Amenity

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The site is within a residential area in Grays which has no specific designation within the Core Strategy. The site presently comprises a private car park for the adjacent flats. Therefore, the principle of further residential use of this site is considered acceptable subject to other policy criteria being met.

II. DESIGN AND LAYOUT

6.3 The NPPF focuses on the importance of good design. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

6.4 Policy PMD1 of the Core Strategy states that development will not be permitted where it would have an unacceptable impact on the amenity of neighbouring occupiers.

6.5 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.

6.6 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.

6.7 The applicant's approach is based upon utilising relatively small open space within the urban area; in this case, the proposal would occupy and be built over part of an existing car park. Whilst the utilisation of windfall sites within the urban area is to

be encouraged in line with policy CSSP1, in this instance the proposal would have a particularly awkward relationship with surrounding buildings. Its layout would fail to respect the existing urban form and would appear as a particularly cramped and contrived form of development, out of character with the more uniform layout of surrounding developments. Therefore it is considered that the siting and layout of the proposal would result in an incongruous, cramped and contrived form of a development which would appear significantly out of character for the area.

- 6.8 In terms of scale and design the units would be 6.1m in height to the roof ridge and have a relatively simple modern appearance. The design and finish of the buildings is unusual within the context of the surrounding development and in combination with the layout would appear incongruous within this area. Therefore the design and appearance of the proposed units would appear significantly out of character in the street scene and the general character of the area.
- 6.9 The proposed studio flats would have an internal floorspace of approximately 35 square metres. This internal floorspace would fail to meet the nationally described space standards (39 sqm) or the standards for one bed units as set out in Annex 2 of the Local Plan (45 sqm). As a result the accommodation would fail to provide a suitable internal living environment for future occupiers, harmful to their amenity. Again this is indicative of a cramped form of development and the overdevelopment of the site. The one bedroom units at approximately 83sqm would comply with the standards in Annex 2 of the Local Plan. However, as a whole the proposal would fail to provide suitable amenity for future occupiers.
- 6.10 Annex 2 of the Local Plan requires 25 square metres of amenity space per one bedroom flat. The only amenity space which would be provided would be small (17 sqm) terraces for the one bed flats. Whilst the units would be located in relatively close proximity to Grays Town Centre and local services and facilities it is considered that the lack of amenity space, particularly for the studio flats is unacceptable in this location. As a result the proposal would fail to provide a suitable living environment for the future occupiers of the flats, again demonstrating the cramped nature of the proposal.
- 6.11 The proposal is considered out of character within the surroundings, with a design and layout which are not acceptable. It would also fail to provide a suitable residential environment for future occupiers. The proposal is considered to contravene the NPPF and policies CSTP22, PMD1 and PMD2 of the Core Strategy.

III. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.12 Policy PMD2 of the Core Strategy indicates that all development should allow safe and easy access while meeting appropriate standards.
- 6.13 Policy PMD8 of the Core Strategy requires all development to provide a sufficient level of parking.

- 6.14 Policy PMD9 of the Core Strategy requires all development to not adversely impact existing access points.
- 6.15 The proposal is to build the units over the present car park located on the site. This would mean that some of the present spaces, which are on long term leases to residents within Bridge Court, have to be repositioned. This is a private civil matter and would need agreement of all the leaseholders. With regard to the planning implications of the moving of these car parking spaces, it is considered that the revised parking is not acceptable as it is unworkable. The two replacement spaces in the north-eastern corner of the site would very difficult to access. The Council's Highway Officer has raised an objection on this basis.
- 6.16 In terms of numerical provision, the Council's draft parking standards require 1 space per dwelling with an additional 0.25 spaces per dwelling for visitors in this location. The requirement for a four flat development would be five spaces and the current proposal would not provide any parking. The absence of parking alongside the unacceptable changes to the current parking arrangements would result in an inadequate level of parking provision for the future occupiers of the development and the existing residents at Bridge Court. This is likely to result in an increase in on street parking where there are already significant pressures. The Council's Highway Officer has raised an objection on this basis also. The proposal is therefore in direct conflict with policy PMD8.

V. AMENITY

- 6.17 Policy PMD1 of the Core Strategy states that development will not be permitted where it would have an unacceptable impact on the amenity of neighbouring occupiers.
- 6.18 The effect of the proposal upon 11 Bradbourne Road would be particularly unacceptable. The proposed buildings would be 6.1 metres high and positioned in close proximity to the side boundary with this neighbour. They would project along the entire length of this boundary resulting in a significant impact upon both the rear facing windows and the private amenity space of this neighbour. Therefore it is considered that this neighbour would suffer from a significant overbearing impact and loss of light, harmful to their amenity.
- 6.19 Block 3 would be just 6 metres from the rear of Bridge Court. The flats at the northern end of Bridge Court would be particularly affected as there would be a new building in close proximity to their windows which would appear overbearing and harm visual amenity.
- 6.20 The proposal would incorporate external roof terraces on blocks 1 and 3 which would provide some views towards the rear windows at Bridge Court and the side and rear of Saxton Close. There are also external staircases proposed to access the properties which would allow additional views to the front and rear of the building. These would have a particular impact upon the rear garden of 11 Bradbourne. Whilst it is acknowledged that there is already a degree of mutual overlooking in the area it is considered that the proposal would provide additional

direct views towards windows and private amenity space of surrounding properties resulting in a loss of privacy, harmful to the amenity of these neighbours.

- 6.21 The proposal would have an unacceptable impact on the amenity of neighbouring occupiers as the new buildings would result in an overbearing impact, loss of light and loss of privacy. Therefore, the proposal would be contrary to policy PMD1 of the Core Strategy.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposal is considered unacceptable as it would appear as an incongruous, cramped and contrived form of development, significantly out of character for the area. This is reflected in the inadequate internal and external space for future occupiers which would fail to provide a suitable living environment for these occupiers. The proposal would also result in a significant adverse impact upon the amenity of nearby properties by reason of loss of light, overbearing impact and loss of privacy. The proposed reconfiguration of the car park is not considered workable and the proposal offers no parking for the proposed units resulting in an unacceptable level of parking provision. The absence of car parking would create pressure on existing parking spaces and likely result in vehicles parking on street to the detriment of highway safety and efficiency. The proposal would make a small contribution towards housing in the Borough within the urban area but this benefit would not outweigh the harm identified.

8.0 RECOMMENDATION

- 8.1 Refuse for the following reasons:

- 1 The proposed development, by reason of its siting, scale and unsympathetic design would result in an incongruous, cramped and contrived form of development detrimental impact to the character and appearance of the street scene and surrounding area, contrary to the National Planning Policy Framework 2018 and Policies PMD1, PMD2, and CSTP22 of the Core Strategy 2015.
- 2 The proposed development, by reason of the inadequate internal size of the studio flats and the lack of sufficient private amenity space would result in an unsuitable living environment which would be harmful to the amenity of future occupiers contrary to Annex 2 of the Borough Local Plan 1997 and policy PMD1 of the Core Strategy 2015.
- 3 The proposed development, by reason of its siting, scale and the position of external terraces and stairways would result in a significant loss of light, overbearing impact and loss of privacy to the surrounding residential properties, harmful to the amenity of the occupiers of these properties. Therefore, the proposal is contrary to policy PMD1 of the Core Strategy 2015.
- 4 The proposed development, by reason of the changes to the existing parking layout and the lack of additional spaces for the proposed flats would result in an unacceptable level of parking provision for the existing occupiers of Bridge Court

and future occupiers of the proposal. This would result in additional on street parking pressure in an area that is already oversubscribed harmful to the amenity of existing residents and highway safety. Therefore, the proposal contravenes policies PMD2 and PMD8 of the Core Strategy 2015.

Informative

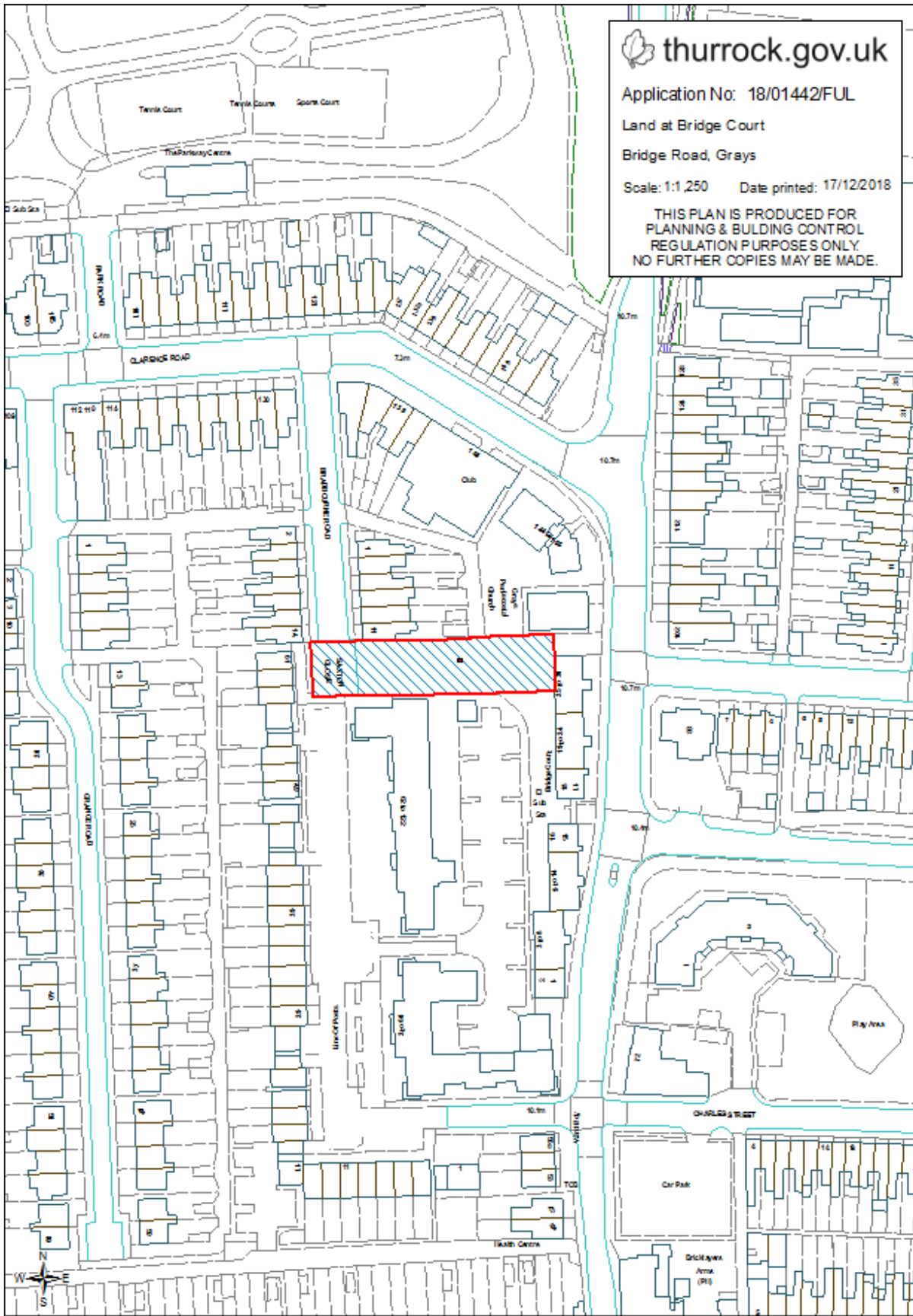
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal. The Local Planning Authority is willing to liaise with the Applicant/Agent to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Documents:

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

www.thurrock.gov.uk/planning



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Land at Bridge Court
Bridge Road, Grays
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