

Reference: 19/00269/FUL	Site: 53 - 55 Third Avenue Stanford Le Hope Essex
Ward: The Homesteads	Proposal: Nine dwellings with associated access road, hardstanding, landscaping and bike stores following the demolition of two existing detached bungalows.

Plan Number(s):		
Reference	Name	Received
P14	Proposed Cycle Store	20th February 2019
P15	Existing Plans No.53 Third Avenue	20th February 2019
P16	Existing Plans No.55 Third Avenue	20th February 2019
P1 Rev A	Location Plan	20th February 2019
P2 Rev B	Existing Block Plan	20th February 2019
P3 Rev H	Proposed Block Plan	15th May 2019
P4 Rev B	Proposed Plans Plot 1	20th February 2019
P5 Rev B	Proposed Plans Plot 2	20th February 2019
P6 Rev A	Proposed Plans Plot 3	20th February 2019
P7 Rev B	Proposed Plans Plot 4	20th February 2019
P8 Rev C	Proposed Plans Plot 5	20th February 2019
P9 Rev B	Proposed Plans plots 6-9	20th February 2019

The application is also accompanied by: - Arboricultural Report - Highways Note - Technical Note (Highways)	
Applicant: Mr D Darby	Validated: 20 February 2019 Date of expiry: 10 June 2019 (Extension of time agreed with applicant)
Recommendation: Refuse	

This application is scheduled for determination by the Council's Planning Committee because a similar application (reference 18/01228/FUL) was previously

due to be determined by the Planning Committee but was withdrawn before the meeting.

1.0 BACKGROUND AND DESCRIPTION OF PROPOSAL

1.1 The key elements of the proposals are set out in the table below:

Site Area (Gross)	0.29 ha						
Height	8.2 - 8.7m ridge height						
Units (All)	Type	1- bed	2- bed	3- bed	4- bed	5- bed	TOTAL
	Houses	0	0	2	5	2	10
Car parking	Houses: 9 Total allocated: 18 spaces (Average of per unit – 2) Total Visitor: 2 spaces (Average per unit – 0.2) Total: 20						
Amenity Space	Minimum: 93 sq.m Average: 111.2 sq.m Maximum: 143 sq.m						
Density	31 units per ha						

1.2 This is an application for planning permission for nine detached dwellings with associated access road, hardstanding, landscaping and bike stores following the demolition of two existing detached bungalows.

1.3 This is an amended scheme following the withdrawal of previous application 18/01228/FUL. In relation to the previous application, the primary change is a reduction in the number of units from 10 to 9. The siting of the proposed dwellings has also been amended, this is most noticeable along the Third Avenue frontage where these now have a similar set back to existing dwellings on this part of the road. The design of the dwellings has also been amended with the previous pitched roof design replaced with a hipped roof. The previously proposed dormers have now been omitted.

- 1.4 The proposal would be made up of 2 three bed units, 5 four bed units and 2 five bed units. Three of the dwellings would be positioned in a similar area to the existing bungalows facing onto Third Avenue. There would be an access road which would be located between Plots 2 and 3 which would provide access to the remaining plots to the rear. Two dwellings would be located on either side of this access road with the final four dwellings, made up of two semi-detached pairs, sited at the end of the access road towards the rear of the site. Parking areas would be provided to the front or side of all the units.

2.0 SITE DESCRIPTION

- 2.1 The application site relates to two separate plots of land both of which contain detached bungalows with rooms in the roof. These dwellings are to the south west side of Third Avenue which is within a residential area of Stanford-le-Hope. Both existing dwellings benefit from large rear gardens which back onto a block of garages located off Rose Valley Crescent. The site has a total area of 0.29 hectares and is surrounded to the side and rear by residential dwellings, garages and gardens.
- 2.2 The site is within the Homesteads ward within Stanford-le-Hope. This is a designated residential precinct which is identified as being an area where character is a key issue. The Homesteads ward is identified as being intensively developed in the past and therefore proposals for backland development must be very carefully considered.
- 2.3 The site is approximately 800m from the central shopping area in Corringham and 1.7km from the centre of Stanford-le-Hope and 2km from the station. There are protected (TPO) trees towards the front boundary of the site.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The relevant planning history is as follows:

Reference	Description	Decision
18/01228/FUL	Ten detached dwellings with associated access road, additional access, hardstanding, landscaping and bike stores following the demolition of two existing detached bungalows.	Withdrawn

4.0 CONSULTATION AND REPRESENTATIONS

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

4.2 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. 18 letters of objection were received in relation to this application. The issues raised can be summarised as follows:

- Loss of light;
- Loss of privacy;
- Loss of view;
- Air/Light/Noise Pollution;
- Noise from construction;
- Traffic/parking from construction;
- Damage to nearby buildings;
- Flood risk and surface water;
- Access to the site;
- Parking;
- Traffic;
- Highway safety;
- Refuse collection;
- Emergency service access;
- Overdevelopment in the Homesteads area;
- Impact upon the character of the area;
- Contrary to policy;
- Loss of green space;
- Impact on community facilities;
- Impact on drains;
- Impact on infrastructure;
- Removal of trees;
- Impact on TPO trees;
- Impact on ecology;
- Similar application in the area refused;
- Lack of need for dwellings of this size;
- Lack of affordable housing contribution;
- Precedent for development.

4.3 ANGLIAN WATER:

No comment. Below threshold for response.

4.4 ENVIRONMENTAL HEALTH:

No objection subject to conditions.

4.5 HIGHWAYS:

No objection subject to conditions and s106 agreement.

4.6 HOUSING:

No comment. Below threshold for affordable housing.

4.7 LANDSCAPE AND ECOLOGY ADVISOR:

No objection subject to conditions and RAMS contribution.

5.0 POLICY CONTEXT

5.1 National Planning policy Framework

The NPPF was published on 27 March 2012 and most recently amended on 19 February 2019. 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:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

5.2 Planning Policy Guidance

In March 2014 the Department for Communities and Local Government (now known as Ministry of Housing, Communities and Local Government) 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
- Flood Risk and Coastal Change
- Planning obligations
- Transport evidence bases in plan making and decision taking
- Travel plans, transport assessments and statements in decision-taking
- Tree Preservation Orders and trees in conservation areas
- Use of Planning Conditions

5.3 Local Planning Policy

5.4 Thurrock Local Development Framework (2015)

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

OVERARCHING SUSTAINABLE DEVELOPMENT POLICY

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)

THEMATIC POLICIES

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

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD8 (Parking Standards)³
- PMD9 (Road Network Hierarchy)
- PMD10 (Transport Assessments and Travel Plans)²
- PMD15 (Flood Risk Assessment)²
- PMD16 (Developer Contributions)²

RETAINED POLICIES FROM LOCAL PLAN 1997

- H11 (Infill Development: Backland Development and Residential Precincts)

[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

- 5.5 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. The Council consulted on an Issues and Options (Stage 2 Spatial Options and Sites) document earlier this year.

Thurrock Design Strategy

- 5.6 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 material considerations for this application are as follows:

- I. Principle of the development
- II. Design and Layout and Impact upon the Area
- III. Traffic Impact, Access and Car Parking
- IV. Flood Risk and Drainage
- V. Effect on Neighbouring Properties
- VI. Ecology and Landscaping
- VII. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The site is identified in the Adopted Interim Proposals Map accompanying the LDF Core Strategy (2011) and Focused Review (2015) as part of the Homesteads Ward. Core Strategy Policy CSTP23 protects residential precincts such as The Homesteads where the original spacious pattern of development has been eroded by significant infilling and backland development.
- 6.3 Policy H11 of the Thurrock Borough Local Plan 1997 is not a saved policy but provides a good background to the situation – that the Homesteads ward was the subject of rapid house building in the 1960-1980s, which dramatically altered the

character of the area. Specifically, the Homesteads ward has suffered with extensive infilling and subdivision of large private gardens.

- 6.4 The policy then refers to Annexe A9 which is saved and relevant as it links to Core Strategy Policy CSTP23. The Annexe restricts development which would harm the character of The Homesteads.
- 6.5 In accordance with the above, the Council has strived to protect the spacious plots that characterise the Homesteads ward. The current plots are spacious with large rear gardens which contribute towards the identified special character of the area. The proposal would result in 9 dwellings on the site including a significant amount of backland development which would encroach into a large area of open garden space to the rear of properties on Third Avenue and Rose Valley Crescent. This leads to an in principle objection to development which would result in an intensive backland development which would specifically conflict with the aims to protect remaining spacious plots within this area. Policies PMD2 and CSTP22 seek to protect the character of an area and contribute to the positive sense of place through the application of high quality design and the proposal would therefore be contrary to these policies as well as CSTP23.

II. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.6 The proposed dwellings would be of a relatively uniform traditional hipped roof design. There is some variation in the appearance of the dwellings as a number include two storey front and rear projections. There is also variation in the materials to be used with a mix of facing brick and weatherboarding along with tiled roofs. The eaves and ridge height of the dwellings would be relatively similar across the proposed development with a maximum ridge height of approximately 8.7m. There is some variation in the scale and bulk which is primarily due to the differing width of some of the buildings and the extent of the various front and rear projections.
- 6.7 There are a mix of house types and designs in the area including detached, semi-detached and terraced properties. These are generally of traditional design with hipped or pitched roofs and follow a relatively uniform forward building line. The proposal includes three detached dwellings located along the frontage with Third Avenue. In considering the previous application there were concerns that these would project forward of the building line on this side of Third Avenue. In conjunction with the bulk and mass of these buildings it was considered this would appear overly dominant and incongruous in the street scene resulting in significant harm to its character. The amended scheme has set this row of properties further back in the street scene in order to correspond with the existing building line. The mass and bulk of the buildings has also been reduced primarily through

amendments to the roof design. As a result it is considered that in isolation the appearance within the immediate street scene would not be unacceptable.

- 6.8 However, in addition to the properties along the Third Avenue frontage there would be a central access road between plots 2 and 3 which would provide access to the six dwellings located within what is currently garden space for the existing dwellings. Two dwellings would be located alongside the access road with a further four located at the end of this road towards the rear of the site. Whilst these dwellings would not be immediately visible in the street scene they would encroach into an area of land which is currently open and forms part of the general open character to the rear of properties on this particular part of Third Avenue. Whilst it is acknowledged that some areas of garden space has previously been encroached upon this is identified as a specific issue in policy H11 and renders these remaining open areas even more important. The proposal would introduce dwellings of significant scale and mass within a cramped layout resulting in the overdevelopment of the site. The requirement for access and parking would exacerbate this issue resulting in an area that is dominated by significant amounts of hardstanding around the proposed buildings. Therefore, as a result of the siting and extent of the development it is considered that the proposal would result in the overdevelopment of the site, appearing as an incongruous features within an open area which makes an important contribution to the character of the Homesteads ward.
- 6.9 Given the above the proposal is considered to result in a significant adverse impact upon the general character of the area contrary to policies PMD2, CSTP22 and CSTP23 and the National Planning Policy Framework 2018.
- 6.10 Each dwelling would be of a sufficient size to provide a suitable living environment for future occupiers. There would be suitable levels of privacy for future occupiers.

III. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.11 The proposal would utilise three existing vehicular crossovers in order to provide access to the parking areas of plots 1 and 3 and the access road which would be created towards the centre of the site. Access to Plot 2 would be via a side access onto the central access road. The Council's Highway Officer has raised no objection to the scheme but has suggested that a financial contribution should be sought from the developer to fund a Traffic Regulation Order (TRO) which could be used to introduce measures to prevent vehicles parking obstructing the access points. Subject to a legal agreement securing a financial contribution towards a TRO in the location, no objection is raised and the proposal is considered acceptable with regards to highway safety and capacity.

- 6.12 The proposal includes a total of 18 allocated parking spaces along with 2 visitor spaces. The site is identified as being within an area of medium accessibility, as set out in the Council's Draft Parking Standards, due to its relative proximity to Corringham Town Centre. In such locations there is a requirement for 1.5 to 2.0 spaces per dwelling with 0.25 spaces per dwelling provided as visitor or unallocated spaces. The standards also state that for houses for 4 or more bedrooms an additional parking space will be permitted which would take these houses up to 3 spaces although it is not indicated that this is a requirement.
- 6.13 The proposal would provide two allocated spaces per dwelling. Seven of the dwellings would have 4 or more bedrooms which would trigger the allowance for an additional parking space for each of these units. However, the guidance within the parking standards only indicates that this would be permitted and not that it is a specific requirement. With regards to the visitor/unallocated parking the proposal would provide 2 parking spaces which equates to 0.22 spaces per unit which is marginally below the requirement of 0.25 spaces. The Council's Highway Officer has raised no objection to this level of provision and it follows that there is insufficient grounds to substantiate a refusal based on a lack of visitor parking. Therefore whilst the concerns of residents regarding parking are noted it is considered, in this instance that the level of parking provision would be acceptable and therefore the proposal complies with the requirements of policy PMD8.
- 6.14 With regards to cycle and refuse storage there is adequate space indicated for these to the side and rear of the proposed dwellings. Details of the cycle storage have been provided with the application and it is considered that these would be appropriate and provide the necessary level of storage for each dwelling.
- 6.15 Information has been provided with the application in relation to refuse collection including a swept path analysis which demonstrates that a refuse vehicle could access the site. This would allow for refuse collection to be from the front of each property which is considered to be appropriate.

IV. FLOOD RISK AND DRAINAGE

- 6.16 The application does not constitute a major application for the purposes of considering the drainage implications. However the principle of a suitable surface water drainage strategy was established in the consideration of a previous application. Given the proposal results in a similar level of built form along with the concerns raised by residents regarding surface water in the area it would be appropriate to impose a condition on any permission requiring the submission of the final details of a surface water drainage scheme.

V. EFFECT ON NEIGHBOURING PROPERTIES

- 6.17 Plots 1-3 would be in a relatively similar location to the existing properties on the site. They would not breach the 60 or 45 degree angles to the nearest front or rear facing habitable room windows of the neighbours. Whilst it is acknowledged that there would be some additional views to the rear at a high level this is not unusual in an urban residential environment and given the level of existing mutual overlooking would not result in a significant loss of privacy from these dwellings. These plots do include side facing windows at first and second floor level which could overlook neighbouring properties. However, these windows serve non-habitable rooms and could be conditioned to be obscure glazed in order to restrict any overlooking.
- 6.18 Plot 4 would be sited away from the rear boundary of No.1 Rose Valley Crescent. Given the separation distance between Plot 4 and the rear of No.1 it is not considered that this would result in an overly dominant or overbearing impact upon this neighbour.
- 6.19 Plots 5 would be sited towards the south east side of the site although it would be set off this boundary by a minimum of 8.5m. Whilst it would be visible from neighbouring properties, particularly number 51A Third Avenue, it is considered that this retained separation distance is sufficient to ensure that there is no significant loss of light or overbearing impact upon this neighbour. With regards to privacy this plot only has one window at first floor level in the rear elevation facing this neighbours garden. This would serve a non-habitable room and therefore could be conditioned to be obscure glazed to ensure there is no significant overlooking.
- 6.20 Plots 6 to 9 are located to the rear of the site a significant distance from the neighbours on Third Avenue. Plot 9 would be set in from the boundary with No.51a. It would also be of hipped roof design and the previously proposed dormers have been omitted. Given the separation distance to the boundary along with the fact that the primary impact would be towards the rear of this neighbours garden it is considered there would not be an overly dominant or overbearing impact upon this neighbours garden space.
- 6.21 With regards to the impact of Plot 9 on privacy the proposal includes side facing windows at first floor level which could be conditioned to be obscure glazed and fixed shut. There would be some views from the front facing windows of Plot 9 towards No.51A, however given the angle and distance of these views it is considered that this would not result in a significant loss of privacy.
- 6.22 In terms of Plot 6 this would be separated from the nearest neighbours on Rose Valley Crescent by an access road and given the retained separation distance of approximately 16.7m to the rear of this neighbour it is considered that there would not be a significant loss of light or overbearing impact upon these neighbours. Plot 6 does include a side facing windows facing these neighbours, however this could

be conditioned to be obscure glazed and fixed shut in order to ensure there is no significant loss of privacy.

- 6.23 To the rear of the site is a block of garages and it is considered that given the separation distance to the nearest properties beyond there would not be a significant loss of light, overbearing impact or loss of privacy to neighbours to the rear.
- 6.24 The proposal would result in an increase in vehicular movements to and within the site. There would also be some additional disturbance due to the siting of properties within a currently open area. However, whilst it is acknowledged that this would impact upon neighbours it is considered that this would be compatible with the residential use of the surrounding area. As such this would not represent a reason for refusal.

VI. ECOLOGY AND LANDSCAPING

- 6.25 There are two trees which are subject to Tree Preservation Orders (TPO) located within the front gardens of the existing properties. Both are mature Oaks; while it is noted that the tree at No.53 is smaller and has been subject to works in the past both significantly contribute to the amenity of the street scene. The Council's Landscape and Ecology Advisor was consulted on the application and noted that the proposed dwellings have been repositioned further from these trees than the previous application. He also noted that the arboricultural report contains a number of measures to reduce adverse impacts on the trees. As a result he advised that the proposal should not further affect the trees provided the measures outlined in the report were undertaken. Therefore a condition would be recommended on any planning permission requiring compliance with the arboricultural method statement, including ensuring adequate supervision of any works within the RPA.
- 6.26 The site is within the Essex Coast RAMS zone of influence and therefore it would be necessary for the LPA to secure a contribution towards mitigation of the effects of recreational disturbance on Thames Estuary and Marshes SPA. In the event that the application were being recommended favourably such a contribution could be secured via an appropriate legal agreement.

VII. OTHER MATTERS

- 6.27 Policy PMD16 states 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 Policy states that the Council will seek to ensure that development proposals contribute to the delivery of strategic infrastructure to enable the cumulative impact

of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.

- 6.28 It is not possible to secure any planning contributions or affordable housing provision in this instance because the proposal falls short of the central government threshold of 10 units or more. The Council's Highway Officer has stated a contribution would be necessary towards a Traffic Regulation Order (TRO) to introduce the waiting or parking restrictions around the entrance to the site. This would be necessary in relation to the proposal given the concerns around the safety of the access if parking were to occur immediately next to the access point. In the event that planning permission were to be granted a legal agreement would be necessary to secure a contribution towards the TRO. Given the other concerns regarding the proposal the legal agreement has not been sought in this instance.
- 6.29 Concerns regarding the impact of construction works are noted. Whilst this would not represent a reason for refusal it is considered that if planning permission were to be granted it would be appropriate to impose a condition regarding a Construction Environmental Management Plan in order to limit the level of disturbance to neighbours during construction works.
- 6.30 Issues over the loss of a view, damage to the highway/drains/nearby buildings are not material planning considerations.
- 6.31 The previous removal of unprotected trees, whilst regrettable would not have required permission and cannot be taken into account in the determination of this application.
- 6.32 Concerns have been raised regarding the setting of a precedent for development in the area. Every application is considered on its own merits against relevant planning policy and therefore the determination of this application would not necessarily set a precedent. The development would however permanently erode two large plots within the Homesteads, as discussed above.
- 6.33 Concerns have been raised regarding the impact upon drains, however Anglian Water advised on the previous application for 10 dwellings that there is adequate capacity to accommodate the development.
- 6.34 Whilst comments regarding the impact upon community facilities and infrastructure are noted it is considered that a scheme of this size is unlikely to have a significant additional impact. The proposal would fall below the threshold for a contribution towards infrastructure and therefore it would be unreasonable to impose such a requirement on any planning permission.

- 6.35 Comments have been raised regarding the impact upon ecology on the site and the impact that clearance works have had. Again whilst this clearance work may be regrettable there is nothing in planning terms to prevent this being carried out prior to an application being made. In addition the Council's Landscape and Ecology Advisor has raised no objection to the proposal on ecology grounds.

7.0 CONCLUSIONS AND REASONS FOR REFUSAL

- 7.1 The proposed development would result in the intensive development of a site within the Homesteads Ward. Policy CSTP23 protects the particular character and overdevelopment of sites within such identified residential precinct particularly when a proposal relates to backland development. The current plots are spacious with large rear gardens which contribute towards the identified special character of the area. The proposal would therefore encroach into a large area of open garden space to the rear of properties on Third Avenue and Rose Valley Crescent. This leads to an in principle objection to development of the site due to the adverse impact it would have upon the special character of the Homesteads Ward contrary to policy CSTP23.
- 7.2 In addition to the in principal objection to the intensive development of the Homesteads Ward the proposal would also result in the over development of the site and have a significant adverse impact upon the general character of the area. As a result the proposal would be contrary to policies CSTP22 and PMD2 of the Core Strategy and the NPPF.

8.0 RECOMMENDATION

- 8.1 Refuse for the following reason:

- 1) The proposed development, by reason of the subdivision and overdevelopment of these existing generous residential plots in the Homesteads Ward, an area in which spacious gardens are a particularly valuable character trait, would result in a significant adverse impact upon this identified character area. The proposal thereby conflicts with the aims and intentions of policies CSTP22, CSTP23 and PMD2 of the Core Strategy 2015.

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to liaise with the Applicant/Agent to discuss the best

course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Documents:

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

<http://regs.thurrock.gov.uk/online-applications>

