

<p><b>Reference:</b> 19/01206/FUL</p>	<p><b>Site:</b> Green House Robinson Road Horndon On The Hill Essex SS17 8PU</p>
<p><b>Ward:</b> Orsett</p>	<p><b>Proposal:</b> Construction of two detached 3 bedroom bungalows</p>

Plan Number(s):		
Reference	Name	Received
Un-numbered Plan	Proposed Plans	6th August 2019
Un-numbered Plan	Proposed Plans	6th August 2019
Un-numbered Plan	Location Plan	6th August 2019
Un-numbered Plan	Site Layout	6th August 2019

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> <li>- Supporting Planning Information (Aug 2019)</li> <li>- Village Survey</li> </ul>	
<p><b>Applicant:</b> Mr Martin Leyland</p>	<p><b>Validated:</b> 6 August 2019 <b>Date of expiry:</b> 6 November 2019 (Extension of Time as Agreed with Applicant)</p>
<p><b>Recommendation:</b> To Refuse</p>	

This application is scheduled for determination by the Council’s Planning Committee because the application was called in by Cllrs Van Day, Halden, Hebb, Jefferies and Johnson to consider issues relating to the current use of Green Belt planning policy relating to “Village Infill” in accordance with Part 3 (b) 2.1 (c) of the Council’s consultation.

**1.0 DESCRIPTION OF PROPOSAL**

1.1 Planning permission is sought for the construction of two detached 3-bedroom bungalows; each would measure approximately 230 sq.m. The proposal includes separate vehicular access and both dwellings would be well set back from the street frontage.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is approximately 30m wide and fronts onto Robinson Road. The site is generally flat and is within an area that includes buildings of sporadic spacing with varied design, scale and appearance. The site is located in the Green Belt.

## 3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
18/01131/PIP	Two Detached Bungalow	Refused: Appeal Dismissed
90/00872/OUT	Detached Bungalow	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 neighbour notification letters, press advert and public site notice which has been displayed nearby. The period for consultation in relation to the site notice advertising the application as a Departure from the Development Plan expires on 12th November 2019. A verbal update will be given to Members should any further comments be received.

Two letters have been received, one letter objecting to the proposal and one letter in support.

The reasons for objection are as follows:

- Planning permission should not be considered again following refusal and dismissal at appeal;
- Additional traffic;
- There are no kerbs as the lanes are un-adopted;
- Environmental pollution;
- Out of character;
- Harmful to the Green Belt;
- There are no Very Special Circumstances;
- Conflict with policies CSSP4 and PMD6
- There should be written assurance that future occupiers will not have the right to complain about the stables or any water drainage matters from the neighbouring property "The Meadows"
- The existing residents must be allowed to continue their existing lifestyles
- Planning permission was refused for two detached dwellings at 8 Robinson Road reference 16/00382/FUL a similar infill situation

Reasons for supporting the application:

- Tidying up the site

- More single storey dwellings are required for the increasing numbers retiring
- Other developments in Oxford and Robinson Road have made no difference in the amount of traffic using the road.

The following consultation responses have been received:

#### 4.3 HIGHWAYS:

No objections subject to conditions.

#### 4.4 LANDSCAPE AND ECOLOGY ADVISOR:

No objections subject to conditions.

### 5.0 POLICY CONTEXT

#### National Planning Guidance

##### National Planning Policy Framework (NPPF)

5.1 The revised NPPF was published on 24<sup>th</sup> July 2018 (and subsequently updated with minor amendments on 19<sup>th</sup> February 2019). The NPPF sets out the Government's planning policies. Paragraph 11 of the Framework expresses a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date<sup>1</sup>, granting permission unless:*
  - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>2</sup>; or*
  - ii *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

<sup>1</sup> *This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites ...*

<sup>2</sup> *The policies referred to are those in this Framework relating to: habitats sites and/or SSSIs, land designated as Green Belt, Local Green Space, AONBs, National Parks, Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change.*

Paragraph 2 of the NPPF 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.

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

## 5.2 Planning Policy Guidance

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
- Green Belt;

### **Local Planning Policy**

## 5.3 Thurrock Local Development Framework

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

Spatial Policies:

- CSSP4: (Sustainable Green Belt)

Thematic Policies

- CSTP19: (Biodiversity)
- CSTP22: (Thurrock Design)

Policies for the Management of Development:

- PMD1: (Minimising Pollution and Impacts on Amenity)
- PMD2: (Design and Layout)<sup>2</sup>
- PMD6: (Development in the Green Belt)
- PMD8: (Parking Standards)
- PMD9: (Road Network Hierarchy)

## 5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on

an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council consulted on an 'Issues and Options (Stage 2 Spatial Options and Sites)' document

## 5.5 Thurrock Design Strategy

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

## 6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Development Plan designation & principle of development
- II. Design and Appearance
- III. Impact on Amenity
- IV. Traffic Impact, Access and Car Parking
- V. Impact Upon Ecology and Biodiversity

### Background

6.2 In 2018 a Permission in Principle application (ref. 18/01131/PIP) was submitted for the construction of two detached 3 to 4-bedroom bungalows on the front part of the site, located on the south side of Robinson Road. This application was refused for the following reason:

*"The proposed development constitutes inappropriate development with reference to paragraph 143 of the NPPF and would therefore be by definition harmful to the Green Belt. It is also considered that the proposed development would harm the openness of the Green Belt. The identified harm to the Green Belt is not clearly outweighed by other considerations or any Very Special Circumstances. The proposals are therefore contrary to Chapter 13 of the NPPF and Policies CSSP4 and PMD6 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended) 2015."*

6.3 The subsequent appeal was dismissed, with the Inspector concluding that:

*"The proposed development would, by definition, be harmful to the Green Belt, harm which the Framework indicates should be given substantial weight."*

6.4 The Inspector in considering the appeal stated that:

*"there are not the very special circumstances necessary to justify inappropriate development in the Green Belt and the proposed development would conflict with Policies CSSP4 and PMD5 of the LDF and the advice in the Framework as the proposal would not maintain and/or protect the Green Belt. Therefore, for the reasons given I conclude that the appeal should fail."*

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

The site is identified on the Core Strategy Proposals Map as being within the Green Belt where policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that the Council will 'maintain the purpose function and open character of the Green Belt in Thurrock', and Policy PMD6 states that the Council will 'maintain, protect and enhance the open character of the Green Belt in Thurrock'. These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the Green Belt.

6.6 In considering the principle of the development within the Green Belt the following assessment needs to be made.

- i. Whether the proposals constitute inappropriate development in the Green Belt;
- ii. The effect of the proposals on the open nature of the Green Belt
- iii. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development.

*i. Whether the proposals constitute inappropriate development in the Green Belt*

6.7 Chapter 13 (Protecting Green Belt land) of the NPPF sets out national planning policies for the Green Belt. Paragraph 133 within Chapter 13 states that the "Government attaches great importance to Green Belts" and that the "fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence." Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Paragraph 145 sets out a limited number of exceptions to this.

6.8 The proposals do not meet any of the exceptions set out in the NPPF.

6.9 The applicant considers the proposal represents limited infilling in a village and as such it represents an exception to Green Belt policy.

6.10 However, in the recent appeal decision the Inspector stated that:

*"Whilst there is existing residential development along Robinson Road, I do not consider this location to have the characteristics of a village, therefore **I do not consider the site would constitute infilling within a village.** As such the proposal would not fall within the exception criteria and therefore the proposal, by definition, would be inappropriate development." (para 8)*

6.11 Paragraph 143 of the NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in "very special circumstances". Paragraph 144 goes on to state that, 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”.*

6.12 Development plan policy, as expressed in the adopted Thurrock Core Strategy and Policies for the Management of Development (2015) is consistent with national policy on Green Belt matters. Core Strategy policy CSSP4 sets out the objective of maintaining the purpose, function and open character of the Green Belt. In order to implement this policy, the Council will:

- maintain the permanence of the boundaries of the Green Belt;
- resist development where there would be any danger of coalescence; and
- maximise opportunities for increased public access, leisure and biodiversity.

6.13 In addition, Core Strategy policy PMD6 states that, inter-alia, planning permission will only be granted for new development in the Green Belt provided it meets as appropriate the requirements of the NPPF.

6.14 In light of the above it is not considered that the proposal represents a “village infill” as set out in the NPPF and the proposal is required to comply with the relevant policies relating to the Green Belt and other policies of the Core Strategy. In this respect the proposal is considered to be inappropriate development in the Green Belt, which would adversely affect the openness of the Green Belt. Consequently, it can be concluded that the proposals constitute inappropriate development in the Green Belt.

*ii. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it*

6.15 Having established that the proposals are inappropriate development, 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.

6.16 As noted above paragraph 133 of 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 being described as their openness and their permanence. Although there are some buildings on the site these are stables and buildings that would be expected to be found in the countryside. The proposals would comprise a substantial amount of new built development closer to the road area which is open. Therefore, it is considered that the development proposed would significantly reduce the openness of the site. As a consequence the loss of openness, which is contrary to the NPPF, should be accorded substantial weight in the consideration of this application.

6.17 Paragraph 133 of the NPPF sets out the five purposes which the Green Belt serves as follows:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns from merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;

- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.18 In response to each of these five Green Belt purposes:

*(a) to check the unrestricted sprawl of large built-up areas*

The NPPF does not provide a definition of the term “*large built-up areas*”. However, at a wide geographical scale, the site is located outside of any of the major settlements in the Borough and in these circumstances the proposals would arguably have no impact upon the purpose of the Green Belt in checking the unrestricted sprawl of large built-up areas.

6.19 *(b) to prevent neighbouring towns from merging into one another*

The NPPF does not provide a definition of the term “*towns*”. Horndon on the Hill could not be considered to be a town due to its size and the settlement is distant from any other. Therefore, the proposals would impact on this purpose of the Green Belt in preventing neighbouring towns from merging into one another.

6.20 *(c) to assist in safeguarding the countryside from encroachment*

With regard to the third Green Belt purpose, the proposal would involve built development on what is currently open land. The term “*countryside*” can conceivably include different landscape characteristics (e.g. farmland, woodland, marshland etc.) and the site clearly comprises “*countryside*” for the purposes of applying the NPPF policy test. It is considered that the proposals would constitute an encroachment of built development into the countryside at this location, causing harm to the third purpose for including land in the Green Belt.

6.21 *(d) to preserve the setting and special character of historic towns*

The proposal is of limited enough scale such that the proposals do not conflict with this defined purpose of the Green Belt.

6.22 *(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land*

In general terms, the development of two new dwellings could occur in the urban area and in principle, there is no spatial imperative why Green Belt land is required to accommodate the proposals. With no detailed case put forward it is considered that the harm to this purpose of the Green Belt is significant.

6.23 In light of the above analysis, it is considered that the proposals would, be contrary to some of the purposes of including land in the Green Belt. As noted above, there would be in-principle harm by reason of inappropriate development and harm by reason of loss of openness. Substantial weight should be afforded to these factors.



iii. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development

- 6.24 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. However, some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace').
- 6.25 However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision-taker.
- 6.26 The details submitted by the applicant to accompany the application sets out the applicant's case for the proposals on the following basis:
1. The proposal represents limited infilling in a village; and
  2. Self-build and Custom Housebuilding Act, 2015

**The applicant's case:**

1. *The proposal represents limited infilling in a village.*

6.27 Consideration

*The applicant states the development represents limited infilling in a village and as such the proposal qualifies for an exemption to Green Belt policy. In support of this assertion the applicant undertook a survey of homes in Oxford and Robinson Road which was signed by 9 people stating that they feel that where they live is part of Horndon on the Hill.*

- 6.28 It is not considered that a village is defined by whether or not people feel part of a settlement. There must be actual physical characteristics to a location which define it as such. In this case it is clear that this site is not located within a village. In addition, the site is not part of an Established Residential Frontage as defined in the Core Strategy. Indeed, in the Inspector's recent decision letter he clearly states at paragraph 8 that:

*"Oxford Road that then becomes Robinson Road leads from the settlement of*

*Horndon on the Hill. The appeal site relates to a parcel of land at the south of Robinson Road. Unlike the compact development at Horndon on the Hill that is set around a formalised street pattern, the development along Robinson Road is relatively sporadic and Robinson Road itself is narrowed and hosts attributes of a country lane. Whilst there is existing residential development along Robinson Road, I do not consider this location to have the characteristics of a village, **therefore I do not consider the site would constitute infilling within a village.** As such the proposal would not fall within the exception criteria and therefore the proposal, by definition, would be inappropriate development.”*

6.29 Accordingly, on this basis of the Inspector’s clearly drawn position this matter is afforded no weight in the consideration of the application.

## 2. Self-build and Custom Housebuilding Act, 2015

### 6.30 Consideration

*The applicant has also referred to the Self-build and Custom Housebuilding Act, 2015 in support of the proposals which expresses the government’s desire to encourage self-builders and the aim to free up small parcels of land.*

6.31 This act does not provide an exemption from Green Belt Policy. The provision of custom-build homes is a specific market area which government guidance seeks to develop and it is acknowledged that the Core Strategy does not presently provide any sites specifically for this purpose.

6.32 The Council is currently preparing a new Local Plan which will take into account this type of housing as part of the allocations. It is not clear whether the developer has considered any other sites prior to putting this one forward and it appears the proposal is purely an opportune case, being within his ownership.

6.33 Despite the government drive to encourage varied forms of housing it is considered that this matter can be attributed little weight in the determination of the application given the apparent lack of detailed consideration by the applicant and the limited contribution it would make towards housing supply.

### 6.34 **Green Belt conclusions**

Under the heading of Green Belt considerations, it is concluded that the proposals comprise inappropriate development. Consequently, the development would be harmful in principle and would reduce the openness of the Green Belt. Furthermore, it is considered that the proposals would cause some harm to the role which the site plays in fulfilling the purposes for including land in the Green Belt. In accordance with policy, substantial weight should be attached to this harm. With reference to the applicant’s case for very special circumstances, an assessment of the factors promoted is provided in the analysis above. However, for convenience, a summary of the weight which should be placed on the various Green Belt considerations is provided in the table below:

<b>Simplified Summary of Green Harm and applicant’s case for Very Special Circumstances</b>			
<u>Harm</u>	<u>Weight</u>	<u>Factors Promoted as Very Special Circumstances</u>	<u>Weight</u>
Inappropriate development	Substantial	The site represents an In-fill in a Village	No weight
Reduction in the openness of the Green Belt		Provision of custom-building housing	Little weight
Conflict (to varying degrees) with a number of the purposes of including land in the Green Belt			

6.35 Within the table above, neither of the 2 factors promoted by the applicant can be assessed as attracting any degree of ‘positive’ weight in the balance of considerations. As ever, in reaching a conclusion on Green Belt issues, a judgement as to the balance between harm and whether the harm is clearly outweighed must be reached. In this case there is harm to the Green Belt with reference to inappropriate development, loss of openness and conflict with a number of Green Belt purposes. A number of factors have been promoted by the applicant as comprising the ‘very special circumstances’ required to justify inappropriate development and it is for the Committee to judge:

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

6.36 Taking into account all Green Belt considerations, Officers are of the opinion that in this case the identified harm to the Green Belt is not clearly outweighed by the accumulation of factors described above, so as to amount to the very special circumstances justifying inappropriate development.

**II. DESIGN AND APPEARANCE**

6.37 Section 12 of the NPPF “achieving well designed places” states that good design is a key aspect of sustainable development; creating better places in which to live and work and helping make development acceptable to communities. Policies CSTP22 and CSTP23 respectively state that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response, to the local context and that the Council will protect, manage and enhance the character of Thurrock to ensure quality and sense of place. This emphasis on character is echoed in policy PMD2 which requires that proposals respond to the sensitivity of the site and its surroundings.

6.38 The proposed bungalows would be detached with a staggered frontage and would be set well back from the front edge of the site. The buildings would be rectangular in shape with a double gable style roofing to the front section with a rectangular box

shaped roofing section immediately behind the front gabled section.

- 6.39 The design and appearance of the proposed bungalows would appear unduly bulky with a roof design which is poorly articulated.
- 6.40 It is considered that the design and appearance of the proposed bungalows would be out of keeping with the character of the area which is made up of detached buildings of varied design. Notwithstanding the varied nature of buildings along Robinson Road and its surroundings, the proposed design of the two bungalows with their rectangular and bulky roofing are not considered to be of good design and would not contribute to local distinctiveness or respond satisfactorily to the sensitivity of the site and its surroundings. Thus, the proposal would fail to comply with the requirements of Policies CSTP22, CSTP23 and PMD2.

### III. IMPACT ON AMENITY

- 6.41 Policy PMD1 states that development will not be permitted where it would cause or is likely to cause unacceptable effects on considerations that include requires that include an invasion of privacy, visual intrusion or a loss of light.
- 6.42 The proposed dwellings would be well separated from the nearest residential dwelling to the west of the site by some 30m. It is not considered that the proposed development would have any significant impact on the amenities of neighbouring occupiers. The proposal would not result in any loss of privacy, visual intrusion or loss of privacy. Thus, in this respect the proposal would comply with the requirements of policy PMD1 of the Core Strategy.

### IV. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.43 Policy PMD8 and PMD9 require that all development complies with the Council's car parking standards which require 2 parking spaces per dwelling that include up to 3 bedrooms.
- 6.44 A car parking layout has not been provided as part of this proposal, however, the site has the capacity to accommodate the required car parking provision. On the basis of this the Highway Officer has raised no objections subject to relevant conditions.
- 6.45 Concerns raised about additional traffic generation are not considered to be of sufficient weight on which to oppose the application on traffic grounds as the proposals would not give rise to significant traffic movements from to and from the two new dwellings.

### V. IMPACT ON ECOLOGY AND BIODIVERSITY

- 6.46 Policies CSTP19 and PMD7 encourages development proposals to include measures to contribute positively to the overall biodiversity in the Borough and to retain any biodiversity habitat or geological interests.
- 6.47 No proposals have been presented that would contribute to the achievement of biodiversity at the site, or indicating which trees are proposed for retention or

removal. However, if the proposal were acceptable appropriate details and measures could be secured by condition requiring details of retained trees and hard and soft landscaping which would assist in addressing the issues raised by the by the landscape and ecology advisor.

- 6.48 The Landscape and Ecology advisor has commented on the ecological impacts of the proposed development. The application site falls within the Zone of Influence (Zoi) of the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), as relevant development. Without mitigation the proposed development is likely to have a significant effect on the Thames Estuary and Marshes Special Protection Area. It is therefore considered that a proportionate financial contribution in line with Essex Coast RAMS should be made to contribute towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy if permission were to be granted.
- 6.49 The mitigation strategy involves a tariff for each residential unit which is approximately £122.30 per unit to mitigate the in-combination effects of recreational disturbance on the Special Protection Area. As the application is being recommended for refusal, in principle and for matters of detail, is it not considered to be appropriate to require the applicant to go to the expense of completing a legal agreement to secure the contributions at this time.

## **7.0 CONCLUSIONS AND REASON FOR REFUSAL**

- 7.1 The proposed development represents an inappropriate form of development within the Green Belt which would be harmful by definition. The development would have an urbanising effect on this rural location resulting in harm from the proposed buildings and associated hard surfacing which would add to the inappropriate nature of the proposal. The principle of the development has been considered previously by the Planning Inspectorate at appeal and has been found to be unacceptable. The applicant has not presented any factors that would amount to the very special circumstances required to clearly overcome or outweigh the in principle harm and other harm to the openness that would result from the proposed development as identified in this assessment and as such the development is contrary to section 13 of the NPPF and policies CSS4 and PMD6 of the LDF Core Strategy.

## **8.0 RECOMMENDATION**

- 8.1 Refuse the application for the reasons given in this report and delegate authority to the Assistant Director – Planning, Transport and Public Protection to refuse planning permission subject to the following:

**Refusal** for the following reasons:

- 1 The proposed development constitutes inappropriate development with reference to paragraph 145 of the NPPF and would therefore be by definition harmful to the Green Belt. It is also considered that the proposed development would harm the openness of the Green Belt. The identified harm to the Green Belt is not clearly outweighed by other considerations or any very special circumstances. The proposals are therefore contrary to Chapter 13 of the NPPF and Policies CSSP4 and PMD6 of the adopted

Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended) 2015.

- 2 The proposed design with its uncharacteristic roofing would appear unduly bulky, and as such the proposal would fail to comply with section 12 of the NPPF “achieving well designed places” and Policies CSTP22, CSTP23 and PMD2 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD (as amended) 2015.

**Informative(s):-**

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing with the Applicant/Agent. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

**Documents:**

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

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