

Reference: 19/01331/FUL	Site: Windy Ridge 251 Branksome Avenue Stanford Le Hope Essex SS17 8DF
Ward: The Homesteads	Proposal: Demolition of existing outbuildings and erection of 8no. dwellings including amenity space, vehicular parking/access roads, garages and landscaping; access to new properties from to Struan Avenue and Aldria Road.

Plan Number(s):		
Reference	Name	Received
3930_PL14	Existing Floor Plans	4th September 2019
3930_PL15	Existing Elevations	4th September 2019
3930_PL16	Existing Site Layout	4th September 2019
3930_PL10A	Elevations and Street Scene	12th December 2019
3930-PL12B	Elevations	27th September 2019
3930-PL13B	Site Layout/Block Plan	12th December 2019
3930_L01A	Location Plan	27th September 2019
3930_PL08B	Proposed Floor Plans (Plots 5 & 6 Type D)	8th October 2019
3930_PL04B	Proposed Floor Plans (Plots 7 & 8 Types B & D)	8th October 2019
3930_PL05C	Proposed Elevations (Plots 7 & 8 Types B & D)	8th October 2019
3930_PL09B	Proposed Elevations (Plots 5 & 6 Type D)	8th October 2019
3930-PL17A	Proposed Garage for No. 8	8th October 2019
3930_PL18	Elevations (street scene)	19th November 2019
3930_PL01F	Proposed Site Layout	12th December 2019
3930_PL06B	Proposed Floor Plans (Plots 1,2 3 & 4 Type C)	19th November 2019
3930_PL07B	Proposed Elevations (Plots 1,2, 3 &4 Type C)	19th November 2019

The application is also accompanied by:

- Design & Access Statement
- Air Quality Screening Assessment, 24 June 2019 (ref 15051AQ/T01/RJNT)
- Arboricultural Impact Assessment, 11th May 2019 (ref TPSarb9920419)

- Bat Survey Report, July 2019 (ref 6777/J001179)
- Ecology Walk-Over Survey, April 2019 (ref 6777/HAUD)
- Noise & Vibration Impact Assessment (ref MM1027/19098/First Issue)
- Highways Note, May 2019 (ref WIE15838)
- Flood Risk Assessment, November 2019 (ref 2396/RE/10-19/01)

Applicant: Margaret Carvery

Validated: 08.10.2019

Date of expiry: 14 January 2020
(Extension of time agreed with Applicant)

Recommendation: Refusal

This planning application is scheduled for determination by the Council’s Planning Committee because it has been called in by Councillors Halden, Massey and by the Chair of Planning, Cllr Kelly, to consider the matter of infill development (in accordance with Part 3 (b) Section 2 2.1 (a) of the Council’s constitution).

1.0 DESCRIPTION OF PROPOSAL

1.1 This application seeks planning permission to develop the rear garden area at the bungalow ‘Windy Ridge’ at no.251 Branksome Avenue and construct 8 semi-detached dwellings. Four of these dwellings would front directly on to Aldria Road and the remaining four dwellings proposed would form part of an extension to Struan Avenue. All dwellings would be two storeys in height. The dwellings would comprise 3 x three bedroom and 5 x four bedroom properties.

1.2 The table below summarises some of the main points of detail contained within the development proposal:

Site Area (Gross)	0.25 ha							
Height	All Two Storey							
Units (All)	Type (ALL)	1- bed	2- bed	3- bed	4- bed	5- bed	TOTAL	
	Houses	-	-	3	5	-	8	
Affordable Units	No on site affordable housing requirement							
Car parking	Houses: Total allocated: 2-3 spaces allocated (including garage) Total Visitor: 2 Total: 21							

Amenity Space	Minimum 101 sq.m Average 129 sq.m Maximum 162 sq.m
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2.0 SITE DESCRIPTION

2.1 The application site forms part of the rear garden of the corner plot bungalow, Windy Ridge, at 251 Branksome Avenue. This broadly rectangular-shaped site fronts both Aldria Road and Struan Avenue. The application site is within the Homesteads Ward in Stanford le Hope and there is residential development surrounding the site and the London to Southend railway line lies to the immediate northwest of the site.

3.0 RELEVANT PLANNING HISTORY

Application Ref.	Description of Proposal	Decision
71/00469/FUL	Extension	Approved
50/00235/FUL	Bungalow	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

4.2 PUBLICITY:

This application has been advertised by way of a site notice and individual neighbour notification letters. There have been three letters of objection. The objections raised are summarised as follows:

- Concern with the flow of construction traffic and disruption;
- Increased number of vehicles once development is complete;
- Increased traffic pressures;
- Refuse and fire trucks may have issues with access;
- Struan Avenue and Aldria Road already have inadequate parking;
- Excessive number of properties proposed;
- Not clear what is proposed for the host property at no. 251 Branksome Avenue;

- Large scale developments such as these are disruptive and a moratorium should be imposed before further development is approved at the site.

AIR QUALITY OFFICER:

- 4.3 No objection.

ARCHAEOLOGY ADVISOR:

- 4.4 No objection, subject to conditions.

CADENT GAS:

- 4.5 No objection, subject to an Asset Protection Agreement.

ENVIRONMENTAL HEALTH:

- 4.6 No objection, subject to conditions.

FLOOD RISK MANAGER:

- 4.7 No objection subject to conditions.

HEALTH AND SAFETY EXECUTIVE:

- 4.8 Do not advise against.

HIGHWAYS:

- 4.9 Further information required.

LANDSCAPE AND ECOLOGY ADVISOR:

- 4.10 No objection, subject to RAMS mitigation.

NETWORK RAIL:

- 4.11 No objection, subject to an Asset Protection Agreement.

5.0 POLICY CONTEXT

- 5.1 National Planning Policy Framework (NPPF)

The revised NPPF was published on 19th February 2019. The NPPF sets out the Government's planning policies. 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 chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

5. Delivering a sufficient supply of homes
11. Making effective use of land;
12. Achieving well-designed places;
15. Conserving and enhancing the natural environment;

5.2 National Planning Practice Guidance (NPPG)

In March 2014 the former 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. NPPG contains a range of subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application include:

- Air quality
- Design
- Determining a planning application
- Effective use of land
- Housing supply and delivery
- Use of planning conditions

5.3 Local Planning Policy: Thurrock Local Development Framework (2015)

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

Overarching Sustainable Development Policy:

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

Spatial Policies:

- CSSP1: Sustainable Housing and Locations

- CSSP3: Sustainable Infrastructure

Thematic Policies:

- CSTP1: Strategic Housing Provision
- CSTP19: Biodiversity
- CSTP22: Thurrock Design
- CSTP23: Thurrock Character and Distinctiveness

Policies for the Management of Development

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

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 began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

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. Principle of the development

- II. Design, Layout and Impact upon the Area
- III. Effect on Neighbouring Properties
- IV. Living Standards and Private Amenity Space
- V. Traffic Impact, Access and Car Parking
- VI. Landscape and Visual Impacts
- VII. Flood Risk and Drainage
- VIII. Environmental Health, Air Quality and Noise

I. PRINCIPLE OF THE DEVELOPMENT

- 6.2 The application site is within a residential area within The Homesteads which is identified as a Residential Precinct. Policy CSTP23 seeks to protect 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 This same policy then refers to Annexe A9 which is saved and is relevant as it links to Core Strategy Policy CSTP23. The Annexe restricts development which would harm the character of The Homesteads. This Annexe recognised the importance of retaining the original character of The Homesteads against further infilling and backland development. However, the Annexe also identifies a limited number of sites where development is acceptable.
- 6.5 The application site is identified in Annexe 9 as one where development in principle would be acceptable. Therefore, the principle of development is considered acceptable on this site, subject to compliance with relevant development management policies.

II. DESIGN, LAYOUT AND IMPACT UPON THE AREA

- 6.6 Paragraph 127 of the NPPF states that planning decisions should ensure that developments a) will function well and add to the overall quality of the area, not just for the short term but the lifetime of the development; are b) visually attractive as a result of good architecture, layout and appropriate and effective landscaping and c) are sympathetic to local character and history.

- 6.7 Policy CSTP22 of the Core Strategy states that development proposals must demonstrate high quality design founded on a thorough understanding of, positive response to, the local context.
- 6.8 Policy CSTP23 of the Core Strategy indicates the Council will protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place
- 6.9 Policy PMD2 of the Core Strategy requires all design proposals to respond to the sensitivity of the site and its surrounding, to optimise the potential of the site to accommodate development, to fully investigate the magnitude of change that would result from the proposals, and mitigate against negative impacts.
- 6.10 The proposed layout is naturally informed by the shape of the site and the orientation of the surrounding highway network. The primary concerns relating to the proposals emanate from the siting, mass and number of the dwellings proposed within the proposal and the resulting impact of this upon the character of the area and upon surrounding properties.
- 6.11 The application seeks to erect eight new residential properties to the rear of the host property at no. 251 Branksome Avenue. Plots 1 – 4 would front Aldria Road directly opposite the property at ‘Sherwood’. Plots 5 – 8 would be sited so as to continue the notional building lines with the existing residential pattern of development along Struan Avenue. Plot 8 is designed slightly different from the other properties along Struan Avenue and would have a detached garage along the western boundary.
- 6.12 The house type on plots 5-7 and would have a gabled roof form and would have a side addition which is setback and reduced in height compared to the main dwelling. Overall, the design, scale and massing of these three plots would be similar to the neighbouring properties along the eastern boundary. Plot 8 would have a hipped roof form but would be located in the western corner of the application site and would be the plot which would be most set back from the highway and public realm.
- 6.13 Plots 1-4, would appear the most visually prominent of all the plots proposed as these semi-detached dwellings would front Aldria Road and would be visible from Branksome Avenue and when approaching from Struan Avenue. It is therefore imperative that the detailed design, mass and scale of these four properties is carefully considered so as to not appear out of character or incongruous with the local context of the street scene.
- 6.14 The dwelling on the site as existing, Windy Ridge, is a modest bungalow with an eaves height of 3.1m. The proposal would result in Windy Ridge having a new rear garden depth of only 5.1m which is significantly less than the Council’s policy

expectations of 12m minimum depth. The agent was advised of concerns regarding the over dominant and overbearing impact to Windy Ridge; revised plans have been submitted on order to try to redress the impact of the significantly shortened rear garden depth and lack of space and separation between the main bungalow and the proposed development.

- 6.15 However, the two storey property at Plot 1 would have an eaves height of 4.5m and pitch roof height of 7.75m. The distance from the rear wall of Windy Ridge to the flank wall of Plot 1 would be 5.9m. The development would result in Windy Ridge having a significantly reduced private amenity space with a garden depth of 5.1m from the rear wall of the host property to the boundary that would be shared with Plot 1. Given the short garden depth to be retained by Windy Ridge it is considered that the dwelling type at Plot 1 would be harmful to the amenities of the occupiers of Windy Ridge by virtue of the proposed dwelling's height at nearly 8 metres, which would represent an overbearing mass and form of development abutting the north western boundary of Windy Ridge.
- 6.16 Additionally, there are concerns regarding the siting, mass and scale of Plots 1 to 4. As previously highlighted, Plots 1 to 4 would be two storey semi-detached dwellings which would be situated at the closest point 5.9m away from the flank of Plot 1; the mass, height and scale of these four dwellings would appear at odds with the appearance of the scale and height of the dwelling at Windy Ridge. Whilst some of the detailed design cues for the proposals have been taken from the surrounding residential development the overall mass, height and scale of this aspect of the development of Plots 1 to 4 would appear jarring against the appearance and design of Windy Ridge. The incongruity of Plots 1 to 4 in relation to Windy Ridge would be exacerbated by the flank wall of Plot 1, which would be highly visible from Branksome Avenue as the development would be separated by the single storey Windy Ridge and the resulting proposal would appear as a high, blank and inactive façade to the detriment of the appearance of the street scene in Aldria Road and character of the area.
- 6.17 The proposed layout would provide an acceptable amount of private amenity area for the proposed dwellings and overlooking distances between the private side of dwellings and the private side of neighbours would be acceptable. Notwithstanding, the level of private amenity space provision and overlooking distances, the above assessment indicates that as a result of the layout and quantum of development the proposal constitutes overdevelopment of the site. This is indicated by the overbearing impact, unusually close distance to and the forward building line of Plot 1 to Windy Ridge and the lack of adequate refuse storage provision and access arrangements, cycle storage and off street parking provision within the site.

- 6.18 On this basis, the proposal fails to demonstrate high quality design founded on a thorough understanding of, and a positive response to, the local context. Plots 1-4 would be at odds with the properties within the immediate locality and would fail to respond to the sensitivity of the site or positively contribute to the character of the area. The proposal would also be harmful to the neighbouring amenity of Windy Ridge. The proposal would therefore be contrary to Policies CSTP22, CSTP23, PMD1 and PMD2 of the Core Strategy and the NPPF.

III. EFFECT ON NEIGHBOURING PROPERTIES

- 6.19 The proposal would provide adequate minimum overlooking distances between private to private side windows complying with Council policy. Plots 5 – 8 would be positioned parallel to the flank wall of the property at Naticina, on Struan Avenue; this neighbouring property has no main living area windows to the flank wall and it is considered there would be limited impact in terms of overlooking, overshadowing or loss of privacy to the neighbouring property.
- 6.20 The flank wall of Plot 8 would be approximately 11 metres from the nearest properties to the western boundary along Willowhill. The properties to the western boundary are two storey and Plot 8, would also be a two storey property with no flank windows proposed. There would be limited overbearing or overlooking impact resulting from plot 8 to the neighbouring sites along the western boundary.

IV. PRIVATE AMENITY SPACE

- 6.21 The proposed garden sizes and depths would be similar to the existing dwellings to the eastern boundary and it is considered the private amenity spaces are consistent with the existing pattern of development and that they would be acceptable.
- 6.22 Notwithstanding this, Windy Ridge would be left with a garden depth of 5.1m with a two storey dwelling 5.9m away from its main rear wall. The quality of the private amenity space retained by Windy Ridge would be questionable and it is likely that this private garden space would be overshadowed by Plot 1 and is a further indicator the site would be overdeveloped. The proposal is considered contrary to PMD1 and PMD2 of the Core Strategy.

V. TRAFFIC IMPACT, ACCESS AND CAR PARKING

- 6.23 Windy Ridge, which fronts Branksome Avenue, would remain at the site with its own vehicle access and parking provision. There are no highway objections regarding parking access or provision at Windy Ridge.
- 6.24 The proposal would entail the creation of new vehicle accesses for the new dwellings via Aldria Road. The proposal also seeks to extend Struan Avenue and Aldria Road to accommodate Plots 5-8 and provide associated vehicle access to each plot and

the garage for Plot 8. The Council's Highways Officer has advised that should the extended road be offered up for adoption, further details would require relating to permeable surfacing and lighting details. If the application were to be recommended for approval, an appropriate planning condition would be added to secure the details should the road be offered up for adoption.

- 6.25 Turning to the provision of parking for the proposals, the three bedroom properties would each be provided with two parking spaces which would comply with Policy PMD8. The four bedroom properties would be provided three parking spaces however, the third space would be accessed at an angle and would therefore be awkward to use in reality. As a consequence, the Highways Officer has commented that there would be inadequate off street parking provision within the proposal and the occupiers of the four bedroom dwellings would park on the highway. Additionally, the two visitor spaces proposed on the new access road are not considered acceptable by the Highways Officer as they would, as a result of the inadequate parking provision made for the four bedroom dwellings, be highly likely to be used for parking provision for these four bedroom properties and not be available for visitors.
- 6.26 In light of the above, the level of off-street parking provision would be inadequate for the development proposed and would be likely to result in additional parking on the highway which would be to the detriment of the free flow and movement of traffic in the locality and pedestrian and highway safety. The proposal would consequently be considered to be contrary to Council Policies PMD2 and PMD8.

VI. LANDSCAPE AND VISUAL IMPACTS

- 6.27 The site includes several trees and a hedge to the northern boundary which would be retained. Based upon the information provided, the Council's Landscape and Ecology Advisor confirms that the development could be completed without adversely affecting the trees and hedge on site, subject to appropriate protection measures undertaken during construction. The Council's Landscape and Ecology Advisor therefore has no objection to the scheme subject to conditions.
- 6.28 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. FLOOD RISK AND DRAINAGE

- 6.29 A Flood Risk Assessment and Surface Water Drainage/Strategy has been submitted with the application. The Council's Flood Risk Manager has raised no objection to the development, subject to a number of conditions relating to a surface water drainage scheme, maintains plans/arrangements and yearly logs of the maintenance plans, were permission to be granted.

VIII. ENVIRONMENTAL HEALTH, AIR QUALITY AND NOISE

- 6.30 The Council's Environmental Health Officer advises that due to the proximity of the site to adjacent properties a condition should be added to restrict the hours of working and the submission of a Construction Environmental Management Plan (CEMP).
- 6.31 Plots 5-8 would have habitable rooms facing the railway line to the rear of the application site and as such, a Noise Survey has been submitted with the application. The Environmental Health Officer agrees that suitable glazing and vent treatments for the houses nearest the railway and a two metre noise barrier should be provided. Should the application be recommended for approval, a suitable condition would be added to ensure specific details are submitted to the Council to approve such details glazing / vent details of plots 5-8.
- 6.32 An Air Quality Assessment report was also submitted with the current application. The Air Quality Officer has no concern with the operational impact of the development in terms of air quality. No further concerns was raised in terms of air quality.

7.0 CONCLUSION

- 7.1 The development is acceptable in principle however the proposal would result in a particularly reduced rear garden depth for Windy Ridge and the siting of Plot 1 would result in an overbearing impact detrimental to the amenities of the occupiers of Windy Ridge. The siting, layout, mass, height and scale of Plots 1 to 4 would also appear highly prominent from Aldria Road and appear out of character and incongruous to the immediate locality and street scene.
- 7.2 There are further concerns regarding the provision of cycle storage and refuse storage and access which would amount to the overdevelopment of the site and the proposal would provide an inadequate number and access to off street parking for the development and would be likely to result in further on street parking on the highway to the detriment of highway safety. The proposal is therefore contrary to Policies CSTP22, CSTP23, PMD1, PMD2 and PMD8 of the Core Strategy.

8.0 RECOMMENDATION

- 8.1 The application is recommended for Refusal, for the following reasons:

1. The proposed development would, by virtue of the significantly reduced rear private garden area depth for Windy Ridge in relation to the siting, height and mass of Plot 1, be likely to result in an unacceptable overbearing impact upon the occupiers of Windy Ridge detrimental to their amenities. The proposal would consequently be contrary to Policy PMD1 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2019.
2. The proposed development would, by virtue of the siting, mass, detailed design, height, layout and scale of Plots 1 to 4, be likely to result in an incongruous development which would appear at odds with the appearance of Windy Ridge and be likely to be harmful to the character of the area and appearance of the street scene. The proposal would consequently be contrary to Policies CSTP22, CSTP23 and PMD2 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2019.
3. The proposed development would, by virtue of the unusually close distance to and the forward building line of Plot 1 to Windy Ridge, the layout, siting, mass, and height of Plots 1 to 4, the lack of adequate refuse storage provision and refuse access arrangements, cycle storage and off street parking provision within the site, amount to the overdevelopment of the site which would be harmful to the character and appearance of the immediate locality. The proposal would consequently be contrary to Policies CSTP22, CSTP23, PMD2 and PMD8 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2019.
4. The proposed development would, by virtue of the awkward access to off-street parking spaces for the four bedroom dwellings, result in an inadequate provision of off-street parking and be likely to result in the on-street parking of cars on the highway to the detriment of the freeflow and safe movement of traffic and pedestrian and highway safety. The proposal would consequently be contrary to Policies PMD2 and PMD8 of the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2019

Informatives

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 those with the Applicant/Agent. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is 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

