

**APPENDIX 1**

<b>Reference:</b> 20/00251/FUL	<b>Site:</b> 32 Lancaster Road Chafford Hundred Grays Essex RM16 6BB
<b>Ward:</b> South Chafford	<b>Proposal:</b> Demolition of existing double garage, subdivision of existing plot and the construction of a new detached dwelling, including off-street parking, private garden amenity space.

Plan Number(s):		
Reference	Name	Received
19-017-200-06	Proposed Site Layout	28th February 2020
19-017-205-05	Proposed Plans	28th February 2020
19-017-202-05	Proposed Plans	28th February 2020
19-017-203-04	Site Layout	28th February 2020
24010EA-01	Other	28th February 2020

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> <li>• Design and Access Statement</li> <li>• Planning Statement</li> <li>• Topographical Survey</li> </ul>	
<b>Applicant:</b> C/O Agent	<p><b>Validated:</b> 3 March 2020</p> <p><b>Date of expiry:</b> 31 July 2020</p> <p>Extension of time agreed by applicant</p>
<b>Recommendation:</b> Refusal	

This application is scheduled for determination by the Council’s Planning Committee because the application was called in by Cllr M. Fletcher, Cllr J. Potheary, Cllr. S Liddiard, Cllr S. Shinnick and Cllr S. Muldowney in accordance with Part 3 (b) 2.1 (d)(ii) of the Council’s constitution to consider the proposal on the grounds amenity and character of the area.

**1.0 DESCRIPTION OF PROPOSAL**

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- 1.1 The application seeks permission for the subdivision of an existing plot, demolition of the existing double garage and construction of a new 2-bedroom dwelling, including private amenity space and off-street parking. The dwelling would be two storey with a pitched roof and of a traditional design.
- 1.2 The application is a revised scheme following the refusal of application: 19/00783/FUL in September 2019.

**2.0 SITE DESCRIPTION**

- 2.1 The application site is a largely triangular shaped plot on the north-western side of Lancaster Road and is bordered to the west by a wooded area subject to a Tree Preservation Order (11/2000).
- 2.2 The site comprises a detached 4-bedroom property and a detached double garage. The land is within a residentially allocated area in the Core Strategy.

**3.0 RELEVANT HISTORY**

Application Reference	Description of Proposal	Decision
19/00783/FUL	Demolition of existing double garage, and subdivide existing plot to construct new dwelling, including associated development and off-street parking	Refused
19/01001/HHA	Two storey side extension.	Approved
00/00443/FUL	82 no. dwellings, parking and roads	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](http://www.thurrock.gov.uk/planning)

**PUBLICITY:**

- 4.2 This application has been advertised by way of individual neighbour notification letters and public site notice which has been displayed nearby. No comments have been received.

**4.3 ENVIRONMENTAL HEALTH:**

No objection subject to conditions.

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No objections.

**4.5 HIGHWAYS**

No objection subject to conditions.

**4.6 LANDSCAPE AND ECOLOGY**

No objection subject to conditions.

**5.0 POLICY CONTEXT****National Planning Guidance****5.1 National Planning Policy Framework (NPPF)**

The NPPF was published on 27 March 2012 and 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:

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

**5.2 Planning Practice 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 number of subject areas, with each area containing several subtopics. Those of

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particular relevance to the determination of this planning application comprise:

- Design
- Determining a planning application
- Housing supply and delivery
- Tree Preservation Orders and trees in conservation areas

**Local Planning Policy****5.3 Thurrock Local Development Framework (as amended) 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:

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations);

Thematic Policies:

- CSTP1 (Strategic Housing Provision)
- 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)

**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

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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 the 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****BACKGROUND**

6.1 In September 2019] an application (19/00783/FUL) was submitted, seeking planning permission for the demolition of the existing double garage and subdivision of the existing plot to construct new 3-bedroom dwelling. The application was refused for the following reason:

- 1 *The proposed new dwelling by reason of its siting, forward projection and scale would lead to cramped form of development within close proximity to the highway and would have an over-dominant and overbearing impact upon the street scene significantly forward of existing dwellings on this side of the road. As such the proposal would be out of character with the appearance of the streetscene. Furthermore, the proposal would result in insufficient private amenity space for both the proposed and existing dwelling, and a poor layout of private amenity space for the proposed dwelling, detrimental to the living conditions of future occupiers. For these reasons the proposal is considered to constitute overdevelopment and is therefore contrary to policies PMD1, PMD2, CSTP22, and CSTP23 of the adopted Thurrock Core Strategy and Policies for Development DPD (as amended) 2015 and the National Planning Policy Framework 2019.*

6.2 The current application has been submitted in an attempt to overcome the previous reason for refusal by reducing the depth and overall dimensions of the dwelling house to make it smaller.

The assessment below covers the following areas:

- I. Principle of the Development
- II. Design and Layout

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III. Traffic Impact, Access and Car Parking

IV. Impacts upon Amenity

V. Impact upon Ecology and Biodiversity

**I. PRINCIPLE OF THE DEVELOPMENT**

- 6.3 The site is located within a residential area and currently forms part of the residential curtilage of the existing property. There are no objections in principle to accommodating a dwelling on the site, subject to the development being in compliance with all relevant development management policies.

**II. DESIGN AND LAYOUT**

- 6.4 The National Planning Policy Framework (NPPF) emphasises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 6.5 Policy CSTP22 of the Core Strategy 2015 highlights the importance of good design and indicates that development proposals must demonstrate high quality design founded on an understanding of, and response to the local context.
- 6.6 Policy PMD2 of the Core Strategy 2015 requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.
- 6.7 The existing, single-storey garage is located further forwards towards the highway than the residential properties within the streetscene but this is seen as a subservient building to the property and is well screened by existing trees and vegetation.
- 6.8 The proposal would see the existing garage demolished and replaced with a two storey detached dwelling. The proposed dwelling would be located very close to the pavement which would be unusual on this side of Lancaster Road. The location of the dwelling would be at a point where the plot tapers considerably, meaning the dwelling would appear cramped on an uncharacteristically small plot. It is considered that the proposed dwelling by reason of its siting and scale would lead to cramped form of development within close proximity to the highway which would have an over-

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dominant and overbearing impact upon the street scene significantly forward of existing dwellings on this side of the road. As such the proposal would be out of character with the appearance of the streetscene.

- 6.9 Due to the irregular shape of the site, the proposed dwelling would have the majority of its private amenity space to its flank, on a non-private side of the dwelling. Where the space would be provided to the rear, it would be on average 3m deep. This layout would again be uncharacteristic within the wider area, appearing cramped, overdeveloped and out of keeping with the prevailing character of the area. Owing to the limited depth of the garden it is considered the proposal and would fail to ensure a suitable outdoor living environment for occupiers of the dwelling.
- 6.10 In light of the above, the proposal is contrary to policies CSTP22 and PMD2 of the adopted Core Strategy and the NPPF.

**III. TRAFFIC IMPACT, ACCESS AND CAR PARKING**

- 6.11 The current vehicle access would be used for accessing both the existing property and the proposed dwelling. The plans show sufficient off street parking provision for both the existing properties and the access arrangements are also acceptable, from a technical highway perspective.

The Council's Highways Officer has raised no objection to the proposal, but has recommended conditions, if permission were to be granted, requiring the parking area to be completed and sight splays provided prior to occupation. Therefore in respect of highways matters the proposal complies with policies PMD2, PMD8 and PMD9 of the Core Strategy.

**IV. IMPACTS UPON AMENITY**

- 6.12 The proposed dwelling would be sited a suitable distance from the nearest residential neighbour located on the opposite side of Lancaster Road such that there would not be a significant loss of light, overbearing impact or loss of privacy to neighbours.

**V. IMPACTS UPON ECOLOGY AND BIODIVERSITY**

- 6.13 The trees to the rear of the application site are covered by a Tree Preservation Order 11/2000. As such, the previous application (19/00783/FUL) was supported by an arboricultural method statement to which the Council's Landscape and Ecology consultant raised no objection, provided the approved method statement was adhered to and necessary root protection measures were secured through planning

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condition.

- 6.14 No such method statement has been provided to support the current application, however as recommended by the Council's Landscape and Ecology consultant, were permission to be granted an Arboricultural Method Statement and Landscape Scheme would need to be approved in writing by the Local Authority

**7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL**

- 7.1 The proposed dwelling would appear cramped on an uncharacteristically small plot, resulting in an over-dominant and overbearing impact upon the streetscene.
- 7.2 The proposed rear garden would be very shallow, appearing cramped and overdeveloped within the surrounding area.
- 7.3 Owing to this limited depth, and location of usable amenity space to the flank elevation, the proposal would result in an unsuitable habitable environment for future occupiers.

**8.0 RECOMMENDATION**

- 8.1 Refuse planning permission for the following reason(s):

1. The proposed new dwelling by reason of its siting, forward projection and scale would lead to a cramped form of development within close proximity to the highway and would have an over-dominant and overbearing impact upon the street scene significantly forward of existing dwellings on this side of the road. As such the proposal would be out of character with the appearance of the streetscene.

Furthermore, the proposal would result in a poor layout of private amenity space for the proposed dwelling, detrimental to the living conditions of future occupiers.

For these reasons the proposal constitutes overdevelopment and is contrary to policies PMD2 and CSTP22 of the Thurrock Core Strategy 2015 and the National Planning Policy Framework 2019.

**Positive and Proactive Statement**

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, 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:

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

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