

Reference: 20/01053/FUL	Site: 63 Wharf Road Stanford Le Hope Essex SS17 0DZ
Ward: Stanford Le Hope West	Proposal: Demolition of existing dwelling to form access to, and erection of, seven (7) retirement bungalows with parking and amenity space to the rear of Wharf Road

Plan Number(s):		
Reference	Name	Received
206-100(1)	Existing Site Plan	12 th August 2020
206-200(1)	Site, Location and Layout Plans	12 th August 2020
206-201(1)	Proposed Floor & Roof Plans and Elevations	12 th August 2020

The application is also accompanied by: - Design and Access Statement	
Applicant: Mr M James	Validated: 14 August 2020 Date of expiry: 26 October 2020 (Extension of Time agreed with Applicant)
Recommendation: To Refuse	

This application is scheduled for determination by the Council's Planning Committee because it has been Called In by Councillors Hebb, Piccolo, Halden, Watkins and Huelin (in accordance with Part 3 (b) 2.1 (c) of the Council's constitution) to enable Members to assess any potential loss of amenity to the local area.

1.0 DESCRIPTION OF PROPOSAL

1.1 The application seeks permission to construct seven (7) age restricted dwellings, consisting of 6 x 2 bedroom semi-detached bungalows and 1 x 2 bedroom detached wheelchair accessible dwelling. There would be provision for 12 car spaces (including 1 dedicated disabled space for the wheelchair accessible dwelling). The development would be accessed from Wharf Road, with the existing dwelling at No 63 proposed to be demolished to create the new access road.

2.0 SITE DESCRIPTION

2.1 The application site is an overgrown rectangular piece of land behind a row of detached and semi-detached houses on the eastern side of Wharf Road. The site abuts the playing field of Stanford le Hope Primary School to the east and the rear gardens of No 2 Warrene Close to No 53 Wharf Road to the north. To the south are residential dwellings fronting Grove Road.

3.0 RELEVANT PLANNING HISTORY

Application Reference	Description of Proposal	Decision
08/01054/FUL	Erection of 8 semi-detached retirement bungalows and associated car parking [on land To Rear Of 57-71 And 57 Wharf Road utilising a different access point on Wharf Road]	Recommended for refusal to Planning Committee 8 January 2009. Members resolved to approve subject to completion of s106 Agreement, which was never signed. Application subsequently withdrawn.
08/00397/FUL	Demolition of No. 67 Wharf Road to create and access road to land to the rear, and the erection of eight (8) semi-detached retirement bungalows	Refused (on grounds of unsatisfactory layout and design and lack of financial contributions to provide the requisite health and other infrastructure)
88/00379/OUT	Four no semi-detached chalets	Refused. Subsequent appeal dismissed. This proposal sought to create an access to the site via the removal of part of no. 67 Wharf Road. The Inspector considered the proposal to be an undesirable backland development, likely to lead to negative impact via disturbance and noise upon no. 65 and 67 Wharf Road, and the changes to no. 67 would have a detrimental impact upon the appearance of the street scene
THU/439/64	Outline permission for 2 bungalows	Refused - undesirable backland development, causing overlooking and suffering from overlooking,

		and inadequate vehicular arrangements via unmade access between 71 and 81 Wharf Road)
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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 individual neighbour notification letters and public site notice which has been displayed nearby.

Fourteen (14) representations were received from nearby occupiers – all raising objections to the proposed development on the following grounds:

- Inadequate and unsatisfactory access to the site
- Additional traffic
- Environmental pollution
- Excessive noise and disturbance
- Lack of parking for visitors/ carers
- Lack of privacy for the existing and proposed dwellings
- Loss of trees detrimental to the visual amenity of the area
- Loss of habitats and species
- Detrimental to the character and appearance of the area

4.3 ENVIRONMENTAL HEALTH OFFICER:

Recommend the imposition of conditions to control the hours of construction and the submission of CEMP for approval.

4.4 ESSEX COUNTY COUNCIL ARCHAEOLOGY:

The Essex Historic Environment Record shows that the proposed development lies in a sensitive area of historic landscape. The imposition of pre-commencement conditions is therefore recommended.

4.5 ESSEX COUNTY COUNCIL FLOOD RISK ADVISOR:

Holding objection issued subject to the provision of further information for assessment including Drainage Strategy.

4.6 ESSEX POLICE:

Recommends that the developer seeks to achieve the relevant Secured by Design accreditation.

4.7 HIGHWAYS:

There are concerns with the construction of a new access relating to the classification of the road; and concerns in respect of the width of the access road. The proposed access is also a potential safety hazard and conflict point with Cabborns Crescent, also vehicular crossovers that are in close proximity to the proposed access. Further concerns also expressed in respect of the proposed pedestrian access arrangements.

4.8 LANDSCAPE AND ECOLOGY ADVISOR:

Recommend Refusal

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

The NPPF was published on 27 March 2012 and amended on 24 July 2018 and again on 19 February 2019. Paragraph 11 of the National Planning Policy Framework sets out a presumption in favour of sustainable development. Paragraph 47 applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. 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:

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
15. Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

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

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations)

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)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD16 (Developer Contributions)

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.

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 proposal raises the following issues:

- I. Principle of the Development
- II. Design, Layout and Impact upon the Character and Appearance of the Area
- III. Traffic Impact, Access and Car Parking
- IV. Impact on the Amenity of Neighbours
- V. Internal and External Amenity Area
- VI. Biodiversity and Ecological Impact
- VII. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The application site has no specific land use designation in the prevailing Development Plan and lies outside the Green Belt. It lies within an established residential area where residential development could be considered acceptable in principle subject to consistency with the provisions in the NPPF and conformity with the relevant provisions in the Development Plan and adopted standards.

II. DESIGN, LAYOUT, CHARACTER AND APPEARANCE

6.3 Policy PMD2 of the Core Strategy requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.

6.4 Policies CSTP22 and CSTP23 of the Core Strategy indicate that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.

6.5 It is proposed to develop a narrow, rectangular strip of land behind a row of detached and semi-detached bungalows and dwellinghouses. In essence a cul-de-sac would be created between the existing dwellings fronting Wharf Road and the school playing fields serving the Stanford le Hope Primary School. Although the design and detailing of the proposed dwellings are satisfactory, the layout of the development bears no relationship with the spatial pattern of the surrounding developments at Wharf Road, Wharf Close and Warrene Close, where every dwelling has a street

presence. There are no similar examples of the type of development proposed in the vicinity of the site. Furthermore, the site coverage of the proposed buildings relative to the plot sizes significantly exceeds that of the neighbouring plots – resulting in a cramped and contrived form of development.

- 6.6 In the light of the foregoing, it is considered that the proposed backland development, by reason of its layout, scale and siting would be incongruous and out of keeping with the locality and would be detrimental to the character and appearance of the area, in contravention of Core Strategy policies PMD2, CSTP22 and CSTP23 and inconsistent with the provisions in the NPPF and Thurrock Design Strategy.

III. TRAFFIC IMPACT, ACCESS AND PARKING

- 6.7 The application site lies within a medium accessibility area and is a relatively short walk from the train station and local facilities and services. The proposal would make provision for 12 car spaces, which would be in accordance with policy PMD8.
- 6.8 Core Strategy policy PMD9, amongst other matters, seeks to ensure that new development does not prejudice road safety. Wharf Road is a level 2 Urban Road and is used frequently by Heavy Goods Vehicles to access the Stanhope Industrial Estate and a new access is proposed following the demolition of an existing dwelling to serve the development. The Council's Highways Officer has expressed concern about the proposed access particularly when considering the classification of the road. The proposed access would not be wide enough and could not accommodate 2 vehicles passing side by side. A suitable and adequate access arrangement would be a necessity at this location to prevent awkward reversing manoeuvres back onto the highway. Furthermore, there is a potential safety hazard and conflict point with the vehicular access to Cabborns Crescent on the opposite side of Wharf Road.
- 6.9 The proposals show a pedestrian access to the southern side of the site but not the northern side.
- 6.10 In the light of the foregoing, the proposed access arrangement would be inadequate and unsatisfactory and would be likely to give rise to conditions interfering with the free flow of traffic and undermine highway safety, contrary to Core Strategy policy PMD9.

IV. IMPACT ON THE AMENITY OF NEIGHBOURS

- 6.11 Section 12 of the NPPF refers to design and the standard of amenity. Paragraph 127 paragraph f) states among other things that planning policies and decisions should ensure that developments: "Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users." Policy PMD1 reinforces the emphasis on the protection of amenity. It seeks to ensure that development does not cause, among other things, noise and disturbance, invasion of privacy, loss of light or visual intrusion.
- 6.12 The proposed dwellings would be bungalows with no habitable accommodation at the upper level.

- 6.13 The contrived layout of the proposed development means that the proposed dwellings would be close to the common boundary with the neighbouring properties fronting Wharf Road; in some cases the rear garden depths of the proposed bungalows would be as little as 5m. In the expectation that boundary treatments will be in place and in close proximity of the front elevations of the proposed houses, the proposed dwellings would, as a consequence, have poor visual outlook. Furthermore, the vehicular movements close to the neighbouring properties would generate noise and disturbance that would adversely affect the living conditions of the neighbours, contrary to policy PMD1 of the Core Strategy.

V. INTERNAL AND EXTERNAL AMENITY AREA

- 6.14 NPPF provisions and policy PMD1 also seek satisfactory living standards for residential occupiers. The internal layout of the 7 dwellings complies with both Thurrock and National Space Standards. However, the rear gardens of the properties would be a little over 5m, meaning that the gardens would be so small that they would not allow a usable amenity space for potential occupiers. The sub-standard provision would fail to ensure a suitable living environment for potential future occupiers and lends credence to the conclusion that the proposal would be an undesirable overdevelopment of the site contrary to the above policy and guidance in the NPPF.

VI. BIODIVERSITY AND ECOLOGICAL IMPACT

- 6.15 The NPPF seeks positive improvements in the quality of the natural environment, moving from a net loss of bio-diversity to achieving net gains for nature. It further states that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Amongst other matters, Core Strategy policy PMD7 requires an assessment of what species and habitat would be lost or adversely affected as a result of development (including an ecological survey where appropriate - to enable the Council to determine an application which would result in a loss of biodiversity or geological value.
- 6.16 The site has been unmanaged for many years and comprises a mix of scrub and long grass with a mature hedge along the rear boundary with the adjacent school playing field. No Preliminary Ecological Assessment (PEA) has been provided with the application to determine the ecological value of the site. Residents have reported reptiles within the site and bats foraging over it. The site would also be suitable for nesting birds. Without the PEA it is not possible to determine the value of the habitat on site. No mitigation has been proposed for the loss of habitat.
- 6.17 It is clear from the proposed siting of the bungalows within 2m of the boundary to the north east that the existing hedge would need to be removed. This has not been addressed in the Design and Access Statement accompanying the application and no assessment has been made of the hedge. Its removal would open up views over the school playing field. These would be difficult to screen even with fencing due to the close proximity of the proposed dwellings to the boundary. Given the lack of ecological surveys and any opportunities for appropriate mitigation and the need to remove the perimeter hedge, which has not been addressed, the Council's

Landscape and Ecology Advisor recommends refusal and the proposal is in conflict with policy PMD7 of the Core Strategy and the relevant NPPF provisions.

- 6.18 The site is within the Essex Coast RAMS Zone of Influence and the proposed development falls within the scope of the 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. To avoid the developer needing to undertake their own individual Habitat Regulations Assessment the Essex Local Planning Authorities within the Zones of Influence have developed a mitigation strategy to deliver the necessary mitigation to address mitigation impacts to be funded through a tariff applicable to all new additional dwellings. The current tariff is £125.58 per additional dwelling. This scheme would result in a net increase of 6 units; therefore it would be necessary for the LPA to apply a tariff of £753.48 for in order to fund works to mitigate the in-combination effects of recreational disturbance on SPA.
- 6.19 In the absence of any signed obligation or undertaking to address the mitigation of the impacts, the proposal is contrary to policy PMD16 of the Core Strategy.

VII. OTHER MATTERS

- 6.20 The Council's Flood Risk Advisor has placed a holding objection on the application because no drainage information has been submitted therefore there may be an increased risk of flooding associated with the site. The application is for a proposal which is classified as minor development and is not within an area where there is an identified risk of surface water flooding. In such instances the Lead Local Flood Authority is not required to be consulted on surface water drainage. In addition to this the site lies in an area which is classified as having very low risk of flooding and in the circumstance, neither a flood risk assessment nor a drainage strategy is required for this application.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposals would result in harm to the character and appearance of the area, the living conditions of existing occupiers surrounding the site and future occupiers of the dwellings.
- 7.2 The proposal would also be harmful to highways and pedestrian safety due to an inadequate access point to Wharf Road and unsuitable pedestrian access.
- 7.3 Additionally, the application submission is lacking in ecological surveys and any opportunities for appropriate mitigation, including a signed obligation and or an undertaking.
- 7.4 The proposal is therefore recommended for refusal.

8.0 RECOMMENDATION

To Refuse for the following reasons:

Reason(s):

1. The proposed development would, by reasons of its layout, scale and siting, be an undesirable overdevelopment of the site, which detracts from and would be out of keeping with the prevailing character and appearance of the surrounding area, in contravention of policies CSTP22, CSTP23 and PMD2 of the Thurrock LDF Core Strategy and Policies for the Management of Development (2015) and the provisions within Chapter 12 of the National Planning Policy Framework 2019.
2. The proposed access arrangement is inadequate and unsatisfactory and fails to provide safe and appropriately sized access. Furthermore, its location in close proximity to access to Cabborns Crescent represents a potential safety hazard and point of conflict. Therefore, its layout, siting and design would be likely to give rise to conditions prejudicial to pedestrian and highway safety, contrary to policy PMD9 of the LDF Core Strategy 2015.
3. The proposed development would, by reasons of its layout and scale, result in a poor visual outlook for its future occupiers and its insufficient private amenity space would be provided resulting in a poor standard of accommodation for future occupiers. Furthermore, the expected traffic generation would result in noise and disturbance, detrimental to the living conditions and amenity of the existing adjoining occupiers contrary to section 12 of the National Planning Policy Framework 2019 and policies PMD1 and PMD9 of the LDF Core Strategy 2015.
4. No Preliminary Ecological Assessment (PEA) has been provided with the application to determine the ecological value of the site. Without the PEA it is not possible to determine the value of the habitat on site and no mitigation has been proposed for the loss of habitat. Furthermore, it is clear from the proposed siting of the bungalows within 2m of the boundary that the existing hedge would need to be removed. Given the lack of ecological surveys and any opportunities for appropriate mitigation and the need to remove the perimeter hedge, which has not been addressed, the proposal is in conflict with policy PMD7 of the adopted LDF Core Strategy 2015 and the relevant NPPF provisions.
5. The site is within the Essex Coast RAMS Zone of Influence and the proposed development falls within the scope of the 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. In the absence of any signed obligation or undertaking to address the mitigation of the impacts, the proposal is contrary to policy PMD16 of the adopted LDF Core Strategy 2015.

