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| <p>Reference: 21/00243/FUL</p> | <p>Site: Wick Place Cottage Brentwood Road Bulphan Essex RM14 3TJ</p> |
| <p>Ward: Orsett</p> | <p>Proposal: Demolition of existing outbuildings, replacement of former smithy to create new dwelling and erection of new dwelling, including associated development and access.</p> |

| Plan Number(s): | | |
|-----------------|---------------------|--------------------|
| Reference | Name | Received |
| 560001 | Proposed Plans | 16th February 2021 |
| 560002 | Proposed Elevations | 16th February 2021 |
| 560003 | Existing Plans | 16th February 2021 |
| 560004 | Proposed Plans | 16th February 2021 |
| 560005 | Site Layout | 16th February 2021 |
| 560006 | Location Plan | 16th February 2021 |
| 560007 | Proposed Plans | 16th February 2021 |
| 560008 | Proposed Plans | 16th February 2021 |
| 560009 | Proposed Plans | 16th February 2021 |

The application is also accompanied by:

- Cover Letter
- Arboricultural Impact Assessment
- Design & Access Statement
- Planning Support Statement

Applicant:
Mr G Pinkerton

Validated:
17 February 2021
Date of expiry:
14 June 2021
**(Extension of Time
as agreed by applicant)**

Recommendation: Refuse

This application is scheduled for determination by the Council’s Planning Committee because the application was called in by Cllr R Gledhill, Cllr J Halden, Cllr S Hebb, Cllr A Jefferies and Cllr B Johnson in accordance with Part 3 (b) 2.1 (d)(ii) of the Council’s constitution to examine the impact on the Green Belt.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks planning permission to demolish a number of existing buildings and replace the former smithy with a residential dwelling and the erection of additional new chalet-bungalow dwelling.
- 1.2 The proposal includes subdivision of the existing plot into 3 separate residential units, associated vehicular access and hardstanding.

2.0 SITE DESCRIPTION

- 2.1 The application site is a detached residential dwelling on the eastern side of Brentwood Road. In addition to the 5-bedroom dwelling, the site hosts 4 outbuildings, namely the former smithy, a 3-bay garage, a stables and a small outbuilding directly adjacent to the highway.
- 2.2 The application site lies within the Metropolitan Green Belt within an area characterised by rural, residential properties. This section of Brentwood Road runs directly parallel to the A128.

3.0 RELEVANT PLANNING HISTORY

| Application Reference | Description of Proposal | Decision |
|-----------------------|--|----------|
| 98/00641/FUL | Proposed conservatory extension | Approved |
| 17/00030/CLOPUD | Proposed development of swimming pool house for use incidental to the enjoyment of the dwelling house. | Approved |
| 17/00032/CLOPUD | Proposed development of two storey rear extension. | 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 individual neighbour notification letters, press advert and public site notice which has been displayed nearby. Eleven

comments have been received in total. Ten comments have been received in support of the application on the following grounds:

- Much needed amenity
- Restoration of the former smithy
- Local history
- Enhanced street view
- Housing provision
- Sympathetic design
- Landscaping
- Tidying waste ground
- Ecological enhancements
- Sustainability aspirations

One comment objecting to the application on the following grounds:

- Inappropriate development in the Green Belt.
- Urbanisation of an open site
- Lack of Very Special Circumstances
- Impact on ecology, particularly bats

4.3 ENVIRONMENTAL HEALTH

No objections, subject to conditions.

4.4 HIGHWAYS

Further information required.

4.5 LANDSCAPE AND ECOLOGY:

No objections, subject to conditions and financial contributions.

5.0 POLICY CONTEXT

National Planning Policy Framework (NPPF)

5.1 The revised NPPF was published on 19 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:

4. Promoting sustainable transport
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places
13. Protecting Green Belt land

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:

- Design: process and tools
- Determining a planning application
- Housing and economic needs assessment
- Housing: optional technical standards
- Use of Planning Conditions

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

The "Core Strategy and Policies for Management of Development" was adopted by Council on the 28 February 2015. The following policies apply to the proposals:

SPATIAL POLICIES

- CSSP1 (Sustainable Housing and Locations)
- CSSP4 (Sustainable Green Belt)

THEMATIC POLICIES

- CSTP1 (Strategic Housing Provision)
- CSTP22 (Thurrock Design)

- CSTP23 (Thurrock Character and Distinctiveness)

POLICIES FOR MANAGEMENT OF DEVELOPMENT

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- 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 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 Procedure:

With reference to procedure, this application has been advertised (inter-alia) as being a departure from the Development Plan. Should the Planning Committee resolve to grant planning permission, the application will first need to be referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009. The reason for the referral as a departure relates to provision of buildings where the scale and nature of the development would have a significant impact on the openness of the GB and therefore the application will need to be referred under paragraph 4 of the Direction (i.e. Green Belt development). The Direction allows the Secretary of State a period of 21 days within which to 'call-in' the application for determination via a public inquiry. In reaching a decision as to whether

to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies.

6.2 The assessment below covers the following areas:

- I. Principle of the Development
- II. Design and Layout
- III. Neighbouring Amenity
- IV. Living Environment
- V. Traffic Impact, Access and Car Parking
- VI. Impact Upon Ecology and Biodiversity
- VII. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

6.3 Under this heading, it is necessary to refer to the following key questions:

1. Whether the proposals constitute inappropriate development in the Green Belt;
2. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and
3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances (VSC) necessary to justify inappropriate development.

1. Whether the proposals constitute inappropriate development in the Green Belt

6.4 The site is identified on the Core Strategy Proposals Map as being within the Green Belt where policies CSSP4 and PMD6 apply. Policies CSSP4 and PMD6 state 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 to accord with the requirements of the NPPF.

6.5 Paragraph 133 within Chapter 13 of the NPPF states that the Government attaches great importance to GBs 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 143 of the NPPF states 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 local planning authorities should ensure that *“substantial weight”* is given to any harm to the GB and that Very Special Circumstances will not exist unless the potential harm to the GB by way of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 145 of the NPPF states the construction of new buildings in the GB is

inappropriate, with a limited number of exceptions. The applicant has submitted a Planning Statement and, with reference to proposed new buildings in the GB, the applicant maintains that paragraph 145 is relevant.

6.6 The applicant suggests that the following exception to Green Belt development applies:

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

6.7 The NPPF defines Previously Developed Land as “*Land which is or was occupied by a permanent structure, including the curtilage of the developed land*” and specifies that “*it should not be assumed that the whole of the curtilage should be developed*”.

6.8 Within the curtilage of the existing dwelling at Wick Place Cottage, much of the land to the north remains undeveloped, as such not only does this area fall beyond the definition of “previously developed land”, the addition of a dwelling in this location would also have a greater impact on the openness of the Green Belt than the existing development.

6.9 In light of the above, the proposals do not fall within any of the exceptions to inappropriate development as defined in paragraph 145 of the NPPF. Consequently, the proposal comprises inappropriate development in the Metropolitan Green Belt, which is harmful by definition with reference to the NPPF and Core Strategy Policies PMD6 and CSSP4. In accordance with the NPPF (para. 144), substantial weight should be given to this harm.

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

6.10 Having established that the proposal would represent 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.

6.11 Paragraph 134 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.

In response to each of these five purposes:

a. to check the unrestricted sprawl of large built-up areas

- 6.12 The site is situated at in a small area of housing along Brentwood Road, between Bulphan and Orsett. For the purposes of the NPPF, the site is considered to be outside of any 'large built up areas'. It would not therefore result in the sprawling of an existing built up area, but it would nonetheless represent the addition of new urban form on the site.

b. to prevent neighbouring towns from merging into one another

- 6.13 The site is situated away from nearby towns and therefore would not result in the confluence of any towns. Therefore the development would not conflict with this Green Belt purpose.

c. to assist in safeguarding the countryside from encroachment

- 6.14 With regards to the third Green Belt purpose, the proposal would involve built development on part of what is currently an open and undeveloped part of the site. The proposed development would spread the built form across the site where there is currently no built form. It is important to note that the scale of the development proposed, despite the replacement of an existing building, would result in 2 additional dwellings, associated hardstanding and vehicle access. It is therefore considered that the proposal would constitute an encroachment of built development into the countryside in this location and would constitute material harm to the open character of the Green Belt. The development would consequently conflict with this purpose.

d. to preserve the setting and special character of historic towns

- 6.15 As there are no historic towns in the immediate vicinity of the site, the proposals do not conflict with this defined purpose of the Green Belt.

e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

- 6.16 In general terms, the development could occur in the urban area and, in principle; there is no spatial imperative why Green Belt land is required to accommodate the proposals. The addition of 2 dwellings with associated hardstanding/vehicle accesses is inconsistent with the fifth purpose of the Green Belt.

- 6.17 In light of the above analysis, it is considered that the proposals would be contrary to purposes (c) and (e) of the above listed purposes of including land in the Green Belt. Substantial weight should be afforded to these factors.

3. 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

- 6.18 The northern area of the application site currently features no built form. It is necessary to consider the extent of the built form to be introduced at the site and the matter of harm to the Green Belt. By nature of the fact the site is void of built form, the conversion of the existing smithy and the erection of a third dwelling combined with the subdivision, additional hardstanding and associated residential paraphernalia would inherently harm the open character of the Green Belt. The amount of hardstanding and volume of structures would inevitably increase. Evidently, the matter of harm to the Green Belt is significant by reason of the extent of built form introduced to the site.
- 6.19 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'). 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.
- 6.20 With regard to the NPPF, paragraph 143 states 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*".
- 6.21 The applicant has put forward the following case for very special circumstances within the Planning Statement submitted with this application:

1. Permitted Development fall-back

6.22 The applicant’s chief argument is focused upon the ‘Permitted Development fall-back’ position, i.e. that a larger, more obtrusive scheme could be constructed without the need for planning permission, making the proposal more acceptable.

Consideration

6.23 It is recognised that Lawful Development Certificates have been granted in relation to a two-storey rear extension (17/00032/CLOPUD) and a particularly large outbuilding enclosing a swimming pool (17/00030/CLOPUD). The Applicant’s submitted Planning Supporting Statement outlines the existing and proposed volumes and footprints. It is noted that if the proposed development granted under the Lawful Development Certificates is included within the assessment the difference between the existing and lawful development volumes and footprints, in comparison to the proposed development, is significantly reduced. However, these additional developments that were granted more than 3 years ago have not been implemented and do not exist. An assessment of the existing and proposed volumes and footprints is outlined below:

| Existing Development | Volume (m³) | Footprint (m²) |
|---|-------------------------------|----------------------------------|
| Existing Former Smithy Building (Outbuilding 1) | 382.3 | 93.4 |
| Existing Outbuilding 2 | 124.9 | 44.2 |
| Existing Outbuilding 3 | 42.4 | 17.3 |
| Existing Outbuilding 4 | 88.3 | 34.3 |
| Total | 637.9 | 189.2 |

| Proposed Development | | |
|-----------------------------|---------------|--------------|
| Converted Smithy Dwelling | 579.9 | 115.6 |
| New Dwelling | 530.4 | 115.6 |
| Total | 1110.3 | 231.2 |

| | | |
|------------------------------|---------------|----------------|
| Difference | +472.4 | +42 |
| Percentage Difference | +74% | +22.19% |

6.24 It is also noted that these figures do not include the additional hardstanding required for off-street parking. Furthermore, there would be additional fencing and accoutrements associated with subdivision of the site and two additional residential dwellings which do not factor into these figures.

6.25 The Planning Supporting Statement submitted with the application refers to the Permitted Development allowances set out in the General Permitted Development Order 2018 (GPDO) which apply to dwellings within the Green Belt. The applicant contends that if only existing development is considered and the permitted development is not given appropriate weight, an incentive is created for developers to implement permitted development just to propose its demolition as part of a redevelopment proposal. The applicant argues that such an incentive would be

contrary to the principles of sustainability that the planning system should seek to adhere.

- 6.26 Whilst the allowances within the GPDO and any Lawful Development Certificates granted on the site are material considerations, the effect of this is only to grant permission for development within the Green Belt within the limitations set out therein. These allowances do not alter the duty to determine applications in accordance with development plan policies unless material considerations indicate otherwise. In the case of policy PMD6 the intention is to ensure that development and any extensions and alterations to existing buildings do not materially impact upon the open character of the Green Belt. Therefore the allowances in the GPDO do not alter the presumption against inappropriate development in the Green Belt. (This interpretation was supported by the Planning Inspectorate in the dismissing the appeal on application ref 09/00638/FUL Appeal ref: APP/M1595/A/10/2135462/NWF at Manor House Farm, Brentwood Road, Bulphan). It should also be noted that the updated NPPF published in 2019 maintains the same approach in terms of inappropriate development within the Green Belt.
- 6.27 In concluding the above, whilst the GPDO and Lawful Development Certificate decisions are a material consideration these do not override the policies set out in the development plan and the presumption against inappropriate development in the Green Belt. Therefore, as has already been established above, in terms of the development plan the proposals represent inappropriate development in the Green Belt. Accordingly, in light of the above, the PD fall-back should be given very limited weight in the assessment of the proposals.

2. Lack of a five year housing land supply and small sites benefits

- 6.28 The applicant has put forward that the LPA cannot currently demonstrate a five year housing land supply, or the required 20% buffer and that the development would make a contribution of 2 dwellings. The applicant therefore considers that significant weight should be afforded to this factor.
- 6.29 The applicant has also highlighted that the NPPF outlines that small and medium sized sites can make an important contribution to meeting the housing contribution, and can be built out quickly. They consider that great weight should be afforded to this factor.

Consideration

- 6.30 Given that both these cases relate to provision of housing, they will be considered as a joint justification.

6.31 The issue of housing land supply has been considered by the Committee regularly for planning applications within the Green Belt. The housing land supply consideration carries significant positive weight for planning applications within the Borough. The site would provide only a small benefit to that housing land supply and the NPPF presumption in favour of sustainable development (para. 11) is only engaged for sites or locations with a Green Belt designation after they have been shown to satisfy Green Belt tests (either of being appropriate development or demonstrating VSC). If Green Belt policy provides a clear reason for refusing permission, there is no scope for the presumption to apply. It is clear from the NPPF (para. 133) that the permanence of the Green Belt is one of its essential characteristics, and this is inevitably eroded if Green Belt land is released to meet a shortfall in the five year housing supply or affordable housing needs, and in that context it is considered that the contribution of the proposals towards five year housing land supply is not a sufficiently strong factor to justify a departure from normal planning policies.

3. Ecological Benefits

6.32 The applicant suggests that the proposal provides an opportunity to secure ecological enhancements through landscaping and biodiversity features.

Consideration

6.33 Policy PMD7 seeks to ensure that any significant biodiversity habitat is enhanced. The NPPF also highlights the need to conserve and enhance the natural environment. As such ecological enhancements should be a given in any proposal. In any case, the application site has been assessed as having little ecological value.

6.34 Accordingly, this factor is afforded no weight in the consideration of the proposal.

4. Design Benefits

6.35 The applicant suggests that the proposal will replace existing poor quality outbuildings with a well-designed development.

Consideration

6.36 The Council's Design Strategy and Residential Alterations and Extensions guide put good design at the heart of all development proposals. The NPPF also highlights good design as being indivisible from good planning. Good design should be a given in any proposal.

6.37 Accordingly, this factor is afforded no weight in the consideration of the proposal.

6.38 A summary of the weight which has been placed on the various Green Belt considerations is provided below;

| Harm | Weight | Factors Promoted as Very Special Circumstances | Weight |
|---|---------------|---|---------------------|
| Inappropriate development | Substantial | PD Fallback | Very limited weight |
| | | Ability to positively contribute towards housing land supply; small sites benefit | Significant weight |
| Reduction in the openness of the Green Belt | | Ecology enhancements | No weight |
| Conflict (to varying degrees) with a number of the purposes of including land in the Green Belt – purposes c and e. | | Design benefits | No weight |

6.39 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 both inappropriate development and loss of openness. However, this is not considered to be the full extent of the harm; the other harm is considered further in this report. Several factors have been promoted by the applicant as ‘Very Special Circumstances’ and the matter for judgement is:

- 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 combines at this location to comprise ‘very special circumstances’.

6.40 Where a proposal represents inappropriate development the applicant must demonstrate Very Special Circumstances which clearly outweigh the harm to the Green Belt. The applicant has not advanced factors which would amount to very special circumstances that could overcome the harm that would result by way of inappropriateness and the other harm identified in the assessment. There are no planning conditions which could be used to make the proposal acceptable in planning terms. The proposal is clearly contrary to Policies CSSP4, and PMD6 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.

II. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.41 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.
- 6.42 Policy CSTP22 of the Core Strategy indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context.
- 6.43 The proposal would subdivide the existing plot into three, including changes to the existing former smithy building and the formation of a brand new building. As a result, the existing plot would become three residential dwellings. There would also be an increase in hardstanding and two additional accesses to Brentwood Road.
- 6.44 The proposal would therefore result in a somewhat more densely packed residential development within an area where the immediate locality has a rural character with a sporadic layout and generously sized plots. Whilst it may not be considered that the proposal would appear so out of character as to warrant recommending refusal for this reason, the development would still be objectionable in principle.

III. NEIGHBOURING AMENITY

- 6.45 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:
- 6.46 *“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.”*
- 6.47 Policy PMD1 reinforces the emphasis on the protection of amenity. It seeks to ensure that development does not cause, among other things, invasion of privacy, loss of light or visual intrusion.
- 6.48 Given the location and orientation of the former smithy building and proposed dwelling relative to the adjacent residential properties, it is not envisaged that the proposal would result in overshadowing of and loss of light, or overlooking to the nearby properties.
- 6.49 The subdivision of the site would result in increased movements and noise in contrast with the existing single residential unit, however, the Highway Officer raises no objections.

- 6.50 There would be no significant or adverse impact upon neighbouring amenity as a result of the proposed development, in accordance with policy PMD1.

IV. LIVING ENVIRONMENT

- 6.51 With regard to the standard of accommodation for future occupiers, the proposed floor areas and external amenity space provided for the existing dwelling and both of the additional dwellings would comply with Council standards and there would be sufficient natural light to each; as such it is considered that the standard of accommodation would be acceptable.

V. TRAFFIC IMPACT AND CAR PARKING

- 6.52 This development is located in a medium accessibility area.
- 6.53 Thurrock Draft Parking Standards state that 2-3 bedroom dwellings in a low accessibility area are required to provide 2 off street parking spaces and 4+ bedrooms are required to provide 3 off street spaces.
- 6.54 The plans submitted sufficient off-street parking spaces for the two proposed dwellings however provision for the existing dwelling falls short of this standard, similarly access to parking for the existing dwelling would result in the loss of the existing hedgerow and front lawn.
- 6.55 Notwithstanding the in principle objections, the application as submitted would be acceptable in respect to highway matters subject to conditions relating to the parking layout and access details.

VI. IMPACT UPON ECOLOGY AND BIODIVERSITY

- 6.56 The majority of the application site is currently maintained as garden and has limited ecological value.
- 6.57 A neighbour objection has been received in regards to bats. It is noted that one of the buildings does contain loose tiles and other features that have potential for roosting bats, and there are hedgerows and other features that could be used by commuting bats although the surrounding habitat is not optimal for bats. Were permission to be granted, it would be considered proportionate therefore to condition the production of a bat survey which can be used to confirm presence / likely absence of bats within the site.
- 6.58 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 £127.30 per additional dwelling. This scheme would result in a net increase of 2 units; therefore, were permission to be granted, it would be necessary for the LPA to apply a tariff of £254.60 in order to fund works to mitigate the in-combination effects of recreational disturbance on SPA.

VII. OTHER MATTERS

- 6.59 Comments have been received in support of the application and which reference a larger development permitted nearby. Each application is determined upon its own merits. Whilst it is noted that there is a more densely populated development to the north-west, this area is enclosed by physical boundaries, namely the A128 and Brentwood Road. As such it does not form part of the more rural area situated immediately to the east of Brentwood Road.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposal would result in the replacement of the existing smithy, the erection of a new residential dwelling to the north of Wick Place Cottage and subdivision of the existing plot resulting in a total of three dwellings on the site.
- 7.2 Although the application site is considered residential curtilage, the siting of the proposed dwellings does not constitute Previously Developed Land. Thus, where a proposal represents inappropriate development the applicant must demonstrate Very Special Circumstances which clearly outweigh the harm to the Green Belt. In this case it is not considered that the arguments for very special circumstances outweigh the in principle harm as well as the actual harm to the openness of the Green Belt.
- 7.3 The proposal is clearly contrary to Policies CSSP4, PMD2 and PMD6 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.

8.0 RECOMMENDATION

- 8.1 Refuse planning permission for the following reason:
- 1 The application site is located within the Green Belt, as identified on the Policies Map accompanying the adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development (2015). National and local planning policies for the Green Belt set out within the NPPF and Thurrock Local Development Framework set out a presumption against inappropriate development in the Green Belt. The proposals are considered to constitute inappropriate development with

reference to policy and would by definition be harmful to the Green Belt. It is also considered that the proposals would harm the openness of the Green Belt and would be contrary to purposes c) and e) of the Green Belt, as set out by paragraph 134 of the NPPF. It is considered that the identified harm to the Green Belt is not clearly outweighed by other considerations so as to amount to the very special circumstances required to justify inappropriate development. The proposals are therefore contrary to Part 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 (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 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

