

<p>Reference: 20/01761/FUL</p>	<p>Site: Windy Ridge 251 Branksome Avenue Stanford Le Hope Essex SS17 8DF</p>
<p>Ward: The Homesteads</p>	<p>Proposal: Demolition of existing bungalow and outbuildings to erect of 9no. dwellings including amenity space, vehicular parking/access roads, garages and landscaping.</p>

Plan Number(s):		
Reference	Name	Received
2446_02	Existing Location & Block Plan	11th June 2021
2446_04F	Proposed House Type A	11th June 2021
2446_05B	House Type B - Plans	11th June 2021
2446_07D	House Type Chalet - Plans	11th June 2021
2446_08D	Proposed Street Elevations	11th June 2021
2446_09C	Proposed Views	11th June 2021
2446_10D	Proposed 3D Aerial View	11th June 2021
TS20-501-1	Topographical Survey	18th December 2020
2446_13	Proposed Roof Plan	7th July 2021
2446_03Q	Proposed Site Layout	11th June 2021
2446_03Q	Proposed Site Layout	11th June 2021
2446_20	Existing Bungalow Elevations; Existing Outbuilding Elevations	6 th August 2021

The application is also accompanied by:

- Air Quality Screening Assessment, ref 15051AQ/T01/RJNT, dated 24 June 2019
- Bat Survey Report by Betts Ecology and Estates, ref 6777/J001179, dated July 2019
- Construction Logistics Plan by Pulsar Transport Planning, December 2020
- Transport Statement by Pulsar Transport Planning, R01-AH-Branksome Avenue Transport Statement 201215, issue 2, dated 15th December 2020
- Technical Note by Pulsar Transport Planning, ref 20097/N01, dated 18th February 2021
- Design And Access Statement, ref 2446 Rev B, dated December 2020
- Ecology Walk Over Survey, Betts Ecology and Estates, ref 6777/HAUD

- Flood Risk Assessment and Surface Water Drainage/SUDS Strategy by Evans Rivers and Coastal, ref: 2396/RE/10-19/01 Rev A, dated December 2020
- Noise & Vibration Impact Assessment by Spectrum Planning, ref MM1314/19098/First Issue, dated 14/12/2020
- Arboricultural Impact Assessment and Preliminary Method Statements by Tree Planning Solutions
- Appendix 1 Tree survey and explanatory notes, by Tree Planning Solutions
- Masterplan Design Evolution (plan no 2446_12C)
- Masterplan Comparison (plan no 11 A)
- Summary of Design changes, titled 'Refused Scheme'

Applicant:

Mr Michael O'Connell
Jaycode Developments Ltd

Validated:

14 January 2021

Date of expiry:

11 March 2021

Extension of Time (as agreed with applicant):

23 August 2021

Recommendation: Approval subject to conditions and s.106 agreement

This planning application is scheduled for determination by the Council's Planning Committee because it has been called in by Councillors Cllr G Collins, Cllr J Halden and by the Chair of Planning, Cllr T 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 BRIEF SUMMARY

1.1 This application is a resubmission of a similar refused application (ref 19/01331/FUL) for the demolition of the existing outbuildings and to erect 8no new dwellings in the rear garden of Windy Ridge, Branksome Avenue. The previous application sought to retain the existing dwelling, whereas the current revised scheme seeks to demolish the existing dwelling/outbuilding and replace with a chalet bungalow in its place fronting Branksome Avenue.

The replacement chalet would be sited further forward of the existing bungalow, but the building line would be consistent with the adjacent dwelling at 249 Branksome Avenue. In total, 9 dwellings are proposed to be erected on the plot at Windy Ridge.

2.0 DESCRIPTION OF PROPOSAL

2.1 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	-	-	4	5	-	09
Affordable Units	No on site affordable housing requirement						
Car parking	Houses: Total allocated: 2-3 spaces allocated (including some garages) Total Visitor: 2 Total: 23						
Amenity Space	Minimum 85 sq.m Maximum 184 sq.m <u>Garden depths</u> Minimum 6.9 m Maximum 16.27 m						

3.0 SITE DESCRIPTION

3.1 The application site is broadly rectangular-shaped and fronts Aldria Road, Struan Avenue and Branksome Avenue. The application site is within the Homesteads Ward in Stanford le Hope and there is residential development surrounding the site. The London to Southend railway line lies to the immediate northwest of the site.

4.0 RELEVANT HISTORY

Application Ref	Description of Proposal	Decision
19/01331/FUL	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.	Refused
71/00469/FUL	Extension	Approved
50/00235/FUL	Bungalow	Approved

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters and a public site notice, which has been displayed nearby.

A total of 23 representation have been received raising the following concerns:

Highways/Parking/Access

- Additional Traffic;
- Access to the site;
- Not sufficient car parking provision;
- Branksome Avenue is a busy road due to speed restrictions on Southend Road and main route for children/students going to school;
- Safety concerns resulting from increased vehicles and parking;
- Access and egress to properties opposite side of Branksome Avenue will be impossible;
- Road not wide enough for parking on each side;
- Increased CO2 emissions from increased amount of cars;
- Road is already used as a cut through;

Loss of Amenity:

- Possible Excessive Noise;
- Environmental Pollution;
- Litter Smells;
- Loss of Amenity;
- Materials(s) unacceptable;
- Out of character/including building heights;
- Overlooking Property;
- Should have less than 9 dwellings proposed/Oversized development/cramped;
- Overbearing development/loss off sunlight;

- Overlooking Property;
- Inconsiderate development considering the approved development at Orchard Close
- Existing building works in progress, additional construction disturbance;
- Concerns with the 'tall trees' along the rear boundary of proposed properties; these will block out light and views of Langdon Hills Countryside, what are the maximum height of the trees, loss of views;
- Trees will damage existing fences and existing/proposed houses;
- Loss of privacy from rear of the properties, proposed looking into rear gardens of Willow Hill;
- Insufficient garden space, better garden spaces will help water drainage in the area, as extra buildings may contribute to flooding;
- Heights of new houses in Aldria Road contradicts the existing houses in Willow Hill and the existing bungalow which is being replaced with a chalet bungalow;
- Proximity of trees to house could damage homes and affect house insurance;
- Potential for properties to be extended create further overlooking;

Impact resulting from development

- Land provides important habitat for wildlife;
- Destroying an important area of Green Infrastructure;
- Contrary to local and national guidelines to resisting infill building and development of residents gardens;
- Gardens are consistently water logged in wet conditions and the flood risk manager has raised concerns;

Non-material considerations

- Loss of a bungalow for older generations;
- Failure of council representative to visit site at weekends
- Added waste would also be a concern due to cut backs;
- Loss of housing price values;
- Covenants on Windy Ridge that restrict what can be built on the land

- A covenant is in place for a reason at the property that only one house can be built on the land and that the frontage of any building shall be closer than 20 feet from the adjoining road/nor trees be cut down or any earth moved;
- Plans should be overturned for same reasons as before;
- Loss of views
- Sale of alcohol causing disturbance;
- Loss of this property at Windy Ridge provides a loss of local history;

5.2 CONSULTATION RESPONSES:

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

ANGLIAN WATER:

No comment made.

ARCHAEOLOGY ADVISOR:

No objection.

CADENT GAS

No objection, advisory comments.

ENVIRONMENTAL HEALTH OFFICER:

No objection, subject to conditions;

FLOOD RISK MANAGER:

No objection, subject to conditions.

PUBLIC RIGHT OF WAY

No comment made.

HIGHWAYS:

No objections, subject to conditions.

NETWORK RAIL:

No objection, subject to conditions.

LANDSCAPE AND ECOLOGY

No objections, subject to conditions and RAMS mitigation.

6.0 POLICY CONTEXT

6.1 National Planning Policy Framework (NPPF)

The revised NPPF was published on 24th July 2021. The NPPF sets out the Governments' planning policies. Paragraph 11 of the Framework expresses a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date¹, granting permission unless:*
- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed²; or*
 - ii *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

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

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

The assessment of the proposals against the development plan set out below refers to a number of policies, reflecting the nature of the proposals.

As the proposals comprises of a residential development, paragraph 11(d) is relevant to a degree in respect of the five-year supply of deliverable housing. The Councils' most recently published figure for housing land supply (July 2016) refers to a supply of between 2.5 to 2.7 years and it is to be expected that this figure has reduced as completions on large development sites has progressed. Accordingly, as residential development is proposed, the 'tilted balance' in favour of granting permission is engaged (subject to paragraph 11 (d) (i) and (ii)).

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;
8. Promoting healthy and safe communities;
9. Promoting sustainable communities;
11. Making effective use of land;
12. Achieving well-designed places;
14. Meeting the challenge of climate change, flooding and coastal change;

6.2 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
- Determining a planning application
- Effective use of land
- Fees for planning applications
- Flood risk and coastal change
- Healthy and safe communities
- Housing supply and delivery
- Noise
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking
- Travel Plans, Transport Assessments and Statements

- Use of planning conditions

6.3 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
- CSTP18: Green Infrastructure
- CSTP19: Biodiversity
- CSTP20: Open Space
- CSTP21: Productive Land
- 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

6.4 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.

6.5 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.

7.0 **ASSESSMENT**

7.1 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, Ecology and Visual Impacts
- VII. Flood Risk and Site Drainage
- VIII. Environmental Health, Air Quality and Noise
- IX. Other Matters

7.2 I. PRINCIPLE OF THE DEVELOPMENT

The application site is within a residential area which forms part of The Homesteads and which is identified as a Residential Precinct in the Core Strategy. 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.

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.

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.

Land to the rear of Windy Ridge is identified in Annexe 9 as one where development in principle would be considered acceptable, subject to compliance with relevant development management policies. This application seeks to develop the Windy Ridge site in its entirety though and the footprint of Windy Ridge and the front garden are not specifically covered by Annexe 9.

Notwithstanding the above, the development proposed fronting Branksome Avenue does not seek to increase the quantum of residential units within the curtilage of plot one. A replacement dwelling is proposed with a modest garage to the rear of plot 1. Therefore, as a whole, the development is considered acceptable in principle, subject to compliance with the development management policies.

II. DESIGN, LAYOUT AND IMPACT UPON THE AREA

As set out above, this application follows an earlier application submitted in 2019, which was refused. The reasons for refusal are set out below:

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.

In order to overcome the 4 reasons for refusal of the 2019 application, the applicant has extended the red line of the application to include the bungalow at Windy Ridge and the current scheme effectively seeks permission for redevelopment of the whole site. By extending the red line boundary of the site, including the Windy Ridge bungalow and redeveloping whole site, addresses the first two reasons for refusal.

Some of the key relevant policies are outlined below:

Chapter 11 of the NPPF refers to making effective use of land and Paragraph 124 (d) talks to the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change. This section is helpful guidance where assessing infill development on garden land.

Additionally, Chapter 12 of the NPPF, Achieving Well-Designed Places, refers specifically to the creation of high-quality buildings, good design and local character. In paragraph 127 of Chapter 12 the NPPF states, 'Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics.'

Paragraph 130 goes on to state 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, including the surrounding built environment and landscape setting, while not prevailing or discouraging appropriate innovation or change (such as increased densities).

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

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.

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.

Design

The application proposes 3 house types, which mainly reflect the neighbouring properties to the front, rear and the eastern boundary of the application site. The chalet dwelling proposed to the front of the site effectively takes design references from 249 Branksome Avenue, in that the roof accommodation is proposed with a side facing gable roof with a flat roof dormer on the roofslope. Generally, the properties along the northern side of Branksome Avenue are single storey or chalet types with one and half storeys.

The third reason for refusal from the 2019 application cited the 'forward building line' of plot 1 (effectively plot 2 in the current scheme) to the Windy Ridge property. In the current scheme, the distance from the rear wall of the replacement dwelling, at plot 1, to the flank wall of the single storey rear addition is 8.5m, which is considered to be an appropriate level of separation.

The replacement dwelling of Windy Ridge, fronting Branksome Avenue, would be of similar scale but of heavier massing, particularly in the roof, to accommodate the additional rooms. The overall design and scale of plot 1 (as a one and a half storey, 6.7 metres pitch height 4 bed dwelling) is considered acceptable, even with the building being brought forward of the existing building line at the site. Therefore, the impact of the dwelling at plot 2 to the dwelling at plot 1 is regarded as acceptable and addresses the third reason for refusal.

Plots 2-5 are proposed to front Aldria Road and would all be of consistent design (house type A), which would comprise of a front facing gable end dwelling with two storey side addition that houses a garage which is setback from the front building line. A part single storey addition is proposed to the rear of the site, but overall the side and rear additions are considered subservient which reduces the overall massing of the development. Furthermore, it is evident plots 2-5 have taken design

cues from the property on the opposite side of Aldria Road and seek to respond to the sensitivity of the site and its surrounding.

Towards the rear of the site, Struan Avenue would be extended to create a new access road to accommodate plots 6-9. The development along Struan Avenue would comprise semi-detached properties and the proposed dwellings would take design cues from properties along Struan Avenue, in that 2 semi-detached dwellings would be of similar scale to the adjacent properties. The fenestration to the front would be similar to the adjacent properties at Naticina and Waycliff Pandora, however, the scale of the windows appear smaller to the front and rear of the properties, proposed compared with the neighbouring dwellings, but this is not considered detrimental to the design or to the amenity of potential occupants of the dwellings.

Specific comments have been received from residents regarding the development being out of character and, more specifically, that the heights of the dwellings would not be in keeping with the immediate locality. For the reasons outlined above, Officers consider the development has been sensitively designed with appropriate architectural references. With regard to the height of the proposed buildings, the street elevation plans indicate that each plot is similar in height to the adjacent or nearby dwellings.

Layout

The layout of plots 1-5 are gradually staggered with each property following the shape of the site, which creates a more natural layout on the site. The properties proposed to the rear of the site would follow the building line of the adjacent dwellings along Struan Avenue. The scale of the proposed properties have been reduced, compared with the original submission of the application, to reduce massing, bulk and improve the layout of the detached 4 bed properties. There have been a number of comments from the surrounding residents raising concerns that the proposed development would have a cramped layout and that the number of dwellings proposed on site would be excessive. However, the pattern of development proposed is akin to the development at Willowhill in terms of layout and garden sizes. The distances between plots 2-5 and plots 6-9 average around 3.5 metres. Plot 9 is around 2.5 metres from the adjacent property at Naticina. These distances between the properties are considered sufficient.

Comments have been received regarding the perceived loss of sunlight and overbearing nature of the proposed development. Given the layout of the site, this would potentially mainly arise from plots 2-5 although, given the orientation of these plots, any loss of light to the properties along Willowhill (located to the south-west) is

not considered detrimental, especially as the central plots would be of a similar height to Willowhill.

Therefore, the revised layout, in conjunction with the design revisions, has led to an improved scheme, which is more sensitively designed. However, comments were received maintaining that the proposed development would be 'inconsiderate' with regard to the recent developments along Branksome Avenue. Officers are mindful of these comments, however each case needs to be assessed on its own merits and, as referenced above, the principle of development is deemed acceptable. On this basis, it is considered that the proposal demonstrates design founded on an understanding of, and a positive response to, the local context. The proposal would therefore comply with Policies CSTP22, CSTP23, PMD1 and PMD2 of the Core Strategy and the NPPF.

III. EFFECT ON NEIGHBOURING PROPERTIES

The proposal would provide adequate minimum overlooking distances between private-to-private side windows complying with Council policy with the exception of plot 2. Plot 2 would be approximately 18.6 metres from the rear first floor windows from the property at 2 Willowhill, which is slightly below the 20 metres Council guidelines. However, in this instance this distance is not considered detrimental to the overall development or the amenity of neighbouring properties. Comments have been received from residents along Willowhill and concerns have been raised in relation overlooking and loss of privacy to the dwellings and gardens. However, the pattern of the proposed development is similar to the layout along Willowhill and the garden depths proposed are more generous than the development opposite. Judged on their own merits the rear garden depths of plots 2-5 are acceptable and indeed are more generous than the adjoining neighbours at Willowhill. Any minor shortfall in the guideline for 'back to back' distances is a function of the existing small garden depths along Willowhill.

Plots 6 – 9 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, since the semi-detached dwellings would have a similar building line and scale to the adjacent properties. The flank wall of Plot 6 would be approximately 10.5 metres from the nearest properties to the western boundary along Willowhill. The properties to the western boundary are two storey and Plot 6 would also be a two-storey property with only bathroom/toilets proposed on the ground floor of the properties. No habitable windows are proposed on the flank wall and, therefore, the bathroom windows could be obscure glazed to protect the amenity of potential future occupants of the properties.

If recommended for approval, obscure glazed windows will be secured by an appropriately worded planning condition. Notwithstanding this, there would be limited overbearing or overlooking impact resulting from plot 6 to the neighbouring sites along the western boundary.

IV. LIVING STANDARDS AND PRIVATE AMENITY SPACE

Each dwelling would be of a sufficient size to provide a suitable living environment for future occupiers. There would also be suitable levels of privacy for future occupiers.

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 therefore be acceptable. The proposal complies with PMD1 and PMD2 of the Core Strategy.

V. TRAFFIC IMPACT, VEHICLE ACCESS AND PARKING

The proposal would retain the existing access and low-level brick wall fronting Branksome Avenue; there are no changes fronting Windy Ridge in terms of new vehicle accesses and boundary treatment. However, new accesses would be created along Aldria Road to serve plots 2-5. Plots 6-9 would be accessed through the extension of Straun Avenue to create a new access road within the curtilage of the plot.

The current application has undergone two revisions, which were partly to address the highways concerns. In the most recent submissions a travel statement had been submitted and the Highways Officer raised no objections, subject to conditions. The parking provisions were deemed acceptable, but it was considered that there would be an intensification of use access onto Branksome Avenue from Aldria Road. On this basis, the Highways Officer requested s106 agreement to improve the junction. However, Branksome Avenue is not a strategic route and, therefore, there is no policy against the intensification of this road. Therefore, the Local Planning Authority consider there is no justification for an s106 on this basis. Final revisions to the development also amended the design and layout of the properties, but this has not altered the road layouts. Therefore, the updated comments from the Highways Officer from April are deemed relevant to the revised layout.

In terms of the construction, the new access road and associated vehicle crossovers will be required as part of a section 278 agreement, an informative will be added as a reminder. In addition, Highways considered that conditions would be required relating to the creation of vehicle accesses onto the highway, maintenance of sight

splays, retention of the proposed garages and the submission of a Construction Environment Management Plan. The Local Planning Authority deems these conditions to be reasonable, given the works proposed to the highway and the comments received relating to the potential disturbances to the immediate locality. In light of the above, the fourth reason for refusal in the previous refused application has been addressed, given that parking provisions have been revised together with the suggested planning conditions.

A number of comments were received from residents relating to highways matters concerning speed restrictions on Southend Road, Branksome Avenue being a busy Road mainly being used as a cut through road and roads not being wide enough. Highways officers have been consulted. Issues of potential intensification of the use of the access and impact on the highways network have been addressed above, as the principle of development is acceptable.

VI. LANDSCAPE, ECOLOGY AND VISUAL IMPACTS

The Council's Landscape and Ecology advisor has been consulted on the current application and has noted that the site does not contain any features of ecological significance. The Arboricultural Survey submitted with the application indicates that a single Category A Oak tree would require a crown lift and two Category 3 trees would require removal, but the Landscape advisor is of the opinion that these works would not have any significant visual impacts that would warrant refusal of the scheme. A condition is recommended to ensure that the measures proposed for the trees at the site are carried out in strict accordance with the Arboricultural Survey.

The Landscape and Ecology advisor notes that an acoustic fence is proposed along the northern boundary with the railway and this would need to be in close proximity with the adjacent trees, also proposed to be retained. The Landscape and Ecology advisor has asked for an Arboricultural Method Statement to be submitted showing measures of how the impact on the trees will be minimised once the fence is installed. In addition to this, a detailed landscape scheme has been requested, but this could be dealt with by an appropriately worded planning condition, particularly to ensure that the tree planting proposed along the western boundary provides good screening without causing without excessive shading to the rear of the properties along Willowhill or future occupants of the proposed development. Requests were made from neighbouring properties regarding the heights of the proposed trees, as there were concerns that there would be a loss of view resulting from the proposed landscaping. However, the species of tree will be managed by condition to ensure they are appropriate for the size of the plots. The loss of a view would not be considered material in the determination species of trees.

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 is approved, such a contribution could be secured via an appropriate Legal Agreement. The applicant indicated their willingness to make such a contribution and would draft a Legal Agreement if the application is determined favourably.

VII. FLOOD RISK AND SITE DRAINAGE

A Flood Risk Assessment and Surface Water Drainage/Strategy has been submitted with the application. A number of comments have been received from neighbours about the surrounding land being waterlogged and concerns regarding site drainage. The Council's Flood Risk Manager's initial comments raised concern with increase in impermeable area compared to the current rear garden. However, the applicant had submitted further site drainage details to support the application. Subsequently, the Flood Risk Manager has since raised no objection and considered the concerns about potential waterlogged land/site drainage can be addressed by appropriate conditions.

VIII. ENVIRONMENTAL HEALTH, AIR QUALITY AND NOISE

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 to require the submission of a Construction Environmental Management Plan (CEMP).

Plots 6-9 would have habitable rooms facing the railway line to the rear of the application site and as such, a Noise and Vibration Impact Assessment has been submitted with the application. The Environmental Health officer advises:

'To achieve the reasonable internal levels in BS8233:2014 the above submitted document recommends the glazing required in section 5.2.2 of the report. The developer should be required to confirm that this minimum standard of glazing or better has been installed at the relevant facades of the proposed housing particularly with regard to those occupying plots 6 to 9 inclusive.

The above report also recommends the installation of a 2m high acoustic barrier along the northwest boundary of the site. The developer should be required to confirm that this has been installed.'

In light of the above, it is considered important that conditions are included on any consent granted to ensure that the necessary standard of glazing and the installation

of the 2m acoustic barrier. Such measures would need to be installed in strict accordance with the details submitted with the Noise Assessment.

The Air Quality Officer has no concern with the operational impact of the development in terms of air quality. Comments have been received from residents regarding the potential for excessive noise, environmental pollution and litter smells that might arise from the development. However, the Environmental Health Officer had not raised these as a concern in terms of air quality or pollution.

IX. OTHER MATTERS

Owing to the number of units proposed it is not possible to secure an affordable housing provision in this instance because the proposal falls short of the Government's threshold of 10 units or more.

Given the scale of the dwellings and the scale of the gardens, permitted development rights will be removed for Classes A to E of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking).

The proposed site plan indicated a shed to be placed in the rear garden of each of the plots, but minimal details have been submitted. A condition will be required to supply details of the sheds and the boundary treatments, in the interest of visual amenity.

A number of comments have been received regarding the parking in the immediate locality and, therefore, a condition will be added to restrict the use of the garages for the parking of vehicles and ensure they are retained as such.

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CONCLUSIONS AND REASONS FOR APPROVAL

The proposed development would result in a more intensive development of a site within the Homesteads Ward. However, the land to the rear of Windy Ridge is identified in Annexe 9 as one where development in principle would be considered acceptable on this site. The inclusion of the property at Windy Ridge within the red line boundary has addressed the reasons for refusal of the previous application at the site. Plot 1 has been sensitively designed into the overall development, which has effectively reduced impact from the neighbouring plots at 2 – 5.

Furthermore, there have been no objections from the consultees regarding this application and appropriate conditions will be added to address matters raised to

ensure compliance. The previous highways reason for refusal has been addressed through revisions of the layout and appropriate conditions.

In policy terms, CSTP23 protects the particular character and overdevelopment of sites within an identified residential precinct. Therefore, even with the backland development proposed, this would not significantly affect the character of the area. The proposal would develop the large open garden space to the rear of Windy Ridge, Branksome Avenue, but it would not have an adverse impact upon the special character of the Homesteads Ward and therefore complies with policies CSTP22, CSTP23 and PMD2.

8.0 RECOMMENDATION

8.1 Approve, subject to the following:

A) The completion and signing of an obligation under s.106 of the Town and Country Planning Act 1990 relating to the following heads of terms:

- Ecology – A financial contribution of £1004.64 towards the Essex Coast RAMS strategy to mitigate the impact of the development upon the Thames Estuary and Marshes SPA.

B) the following planning conditions:

TIME LIMIT

- 1 The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

PLANS

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):		
Reference	Name	Received
2446_02	Existing Location & Block Plan	11th June 2021
2446_04F	Proposed House Type A	11th June 2021

2446_05B	House Type B - Plans	11th June 2021
2446_07D	House Type Chalet - Plans	11th June 2021
2446_08D	Proposed Street Elevations	11th June 2021
2446_09C	Proposed Views	11th June 2021
2446_10D	Proposed 3D Aerial View	11th June 2021
TS20-501-1	Topographical Survey	18th December 2020
2446_13	Proposed Roof Plan	7th July 2021
2446_03Q	Proposed Site Layout	11th June 2021
2446_03Q	Proposed Site Layout	11th June 2021
2446_20	Existing Bungalow Elevations; Existing Outbuilding Elevations	6 th August 2021

Reason: For the avoidance of doubt and in the interest of proper planning.

DETAILS OF MATERIALS/SAMPLES TO BE SUBMITTED

- 3 No development shall commence above ground level until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.

Reason: In the interests of visual amenity and to ensure that the proposed development is integrated with its surroundings in accordance with policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN [CEMP]

- 4 No demolition or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP should contain or address the following matters:
- (a) Hours for the construction of the development
 - (b) Hours and duration of any piling operations,
 - (c) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site,
 - (d) Details of construction any access or temporary access, and details of temporary parking requirements;
 - (e) Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems];

- (f) Details of any temporary hardstandings;
- (g) Details of temporary hoarding;
- (h) Details of the method for the control of noise with reference to BS5228-1:2009+A1:2014 Code of Practice for noise together with a monitoring regime;
- (i) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime ;
- (j) Measures to reduce dust with air quality mitigation and monitoring during construction and demolition,

Works on site shall only take place in accordance with the approved CEMP.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

BOUNDARY TREATMENTS

- 5 Prior to the first use or operation of the development, details of the design, materials and colour of the fences and other boundary treatments shall be submitted to and approved in writing by the local planning authority. The fences and other boundary treatments as approved shall be completed prior to the first use or operation of the development and shall be retained and maintained as such thereafter.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of the visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015]

SOFT AND HARD LANDSCAPING SCHEME

- 6 No development shall take place until full details of the provision and subsequent retention of both hard and soft landscape works on the site have been submitted to and approved in writing by the local planning authority. These details shall include:
 - 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
 - 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support
 - 3) Details of the aftercare and maintenance programme

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any

tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation

Hard Landscape works

- 4) Details of walls with brick types, construction design and dimensions
- 5) Details of paved surfacing, with materials finishing and edgings
- 6) Details of street furniture, with designs materials and dimensions

The hard landscape works shall be carried out as approved prior to the first use/occupation of the development hereby approved and retained and maintained as such thereafter.

Reason: To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

ARBORICULTURAL METHOD STATEMENT

- 7 No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:
 - Arboricultural method statement (including measures of how effects on the trees will be minimised once the acoustic fencing is installed).

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. The tree protection measures shall be carried out in accordance with the approved details.

Reason: To secure the retention of the trees within the site in the interests of visual amenity and the character of the area in accordance with policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015]

SURFACE WATER DRAINAGE

- 8 No development shall commence until a scheme for the provision and implementation of surface water drainage incorporating sustainable urban drainage schemes (SuDS), which shall include the following;

- (i) Full details of all components of the proposed surface water drainage system including dimensions, locations, gradients, invert levels, cover levels and relevant construction details;
- (ii) Supporting calculations confirming compliance with, the Non-statutory Standards for Sustainable Drainage, and the agreed discharge rate of 0.969l/s and the attenuation volumes to be provided;
- (iii) Details of the maintenance arrangements relating to the proposed surface water drainage system, confirming who will be responsible for its maintenance and the maintenance regime to be implemented;
- (iv) Details of exceedance flow routes;
- (v) Details of agreement with Anglian water showing acceptance of the discharge of 0.969l/s;
- (vi) The surface water drainage system shall be implemented and maintained in accordance with the approved details thereafter.

The surface water drainage scheme shall be constructed and completed in accordance with the details as approved prior to the occupation of the development hereby permitted.

Reason: To ensure the incorporation of an appropriate drainage scheme and to avoid pollution of the water environment and to minimise flood risk in accordance with policies PMD1 and PMD15 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

PARKING PROVISION – AS SHOWN ON THE APPROVED PLANS

- 9 The development hereby permitted shall not be first occupied until such time as the vehicle parking area shown on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out as shown on the approved plans. The vehicle parking areas shall be retained in this form at all times thereafter. The vehicle parking areas shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

SUBMISSION OF HIGHWAYS DETAILS

- 10 No development shall commence until details of the estate roads / footways / visibility splays / accesses / turning spaces have been submitted to and agreed in writing with the local planning authority. The details to be submitted shall include plans and

sections indicating design, layout, levels, gradients, materials and method of construction. The estate roads / footways / retaining walls / visibility splays / access / carriage gradients/ turning spaces shall be constructed and retained in accordance with the agreed details.

Reason: In the interests of highway safety and amenity in accordance with policies PMD2 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

OBSCURE GLAZING

- 11 Prior to the first occupation of the buildings hereby permitted, the first/ground floor windows in the flank elevations, serving bathrooms/toilets shall be glazed with opaque glass and of a non-openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.

Reason: In order to safeguard the amenities of neighbouring occupiers in accordance with policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

REMOVAL OF PD RIGHTS – EXTENSIONS, GARAGES AND OUTBUILDINGS

- 12 Notwithstanding the provisions of Schedule 2, Part 1 Classes A, B, C, D and E of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no extensions or alterations to the dwellings hereby approved shall be undertaken and no outbuildings shall be erected within the site without planning permission having been obtained from the local planning authority.

Reason: In order to safeguard the openness of the Green Belt and the visual amenity of the area in accordance with policies PMD2 and PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

RESTRICT USE OF GARAGES

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) the garage hereby permitted shall be used only for the parking of vehicles in connection with the residential use of the property.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

DETAILS OF SHEDS

- 14 Prior to the first use or operation of the development, details of the design, materials and dimensions of the sheds as shown on plan no 2446 _03Q shall be submitted to and approved in writing by the local planning authority. The as approved shall be completed prior to the first use or operation of the development and shall be retained and maintained as such thereafter.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of the visual amenity of the area in accordance with policies PMD1 and PMD2 of the adopted Thurrock Core Strategy and Policies for the Management of Development [2015]

NOISE IMPACT ASSESSMENT

- 15 The measures contained within the Noise & Vibration Impact Assessment (ref 14/12/2020) which forms part of this planning permission, shall be implemented and in place prior to the first occupation of the development and shall be retained and maintained as such thereafter.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

ARBORICULTURAL IMPACT ASSESSMENTS

- 16 The measures contained within the Arboricultural Impact Assessment (ref TPSarb9920419) and Appendix 1, which forms part of this planning permission, shall be implemented and in place prior to the first occupation of the development and shall be retained and maintained as such thereafter.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF 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 within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the

proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 2 The amendments to the vehicle access points onto Third Avenue may require authorisation of the Local Highways Authority. Any works which are required within the limits of the highway reserve require the permission of the Highway Authority and must be carried out under the supervision of the Highway Authority's staff. The applicant is, therefore, advised to contact the Authority at the address shown below before undertaking such works.

Highways

Thurrock Council, Civic Offices, New Road,
Grays, Essex, RM17 6SL.

Telephone:- (01375) 366 100

- 3 As the application site is in close proximity to the adjacent railway, the applicant is strongly advised to liaise with Network regarding the proposed works and the construction process. The statutory consultee has specific guidelines on any landscaping proposed and it would be in the applicants' interest to consult with Network Rail prior to the commencement of works.

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

