

<p><b>Reference:</b> 21/00698/FUL</p>	<p><b>Site:</b> Land Part Of Greenacre And Oakdene High Road Fobbing Essex</p>
<p><b>Ward:</b> Corringham And Fobbing</p>	<p><b>Proposal:</b> Eight single storey detached dwellinghouses for the over 55s with associated parking and amenity areas</p>

<b>Plan Number(s):</b>		
Reference	Name	Received
F1(S)1:100SF S01	Proposed Floor Plans – Fibonacci 1 (Spirals) 1:100 Scale	27 April 2021
F1(S)1:100SF S03	Proposed Floor Plans – Fibonacci 2 (Spirals) 1:100 Scale	27 April 2021
F1PED05	Fibonacci 2 Proposed Elevations	27 April 2021
F1PGFD01	Fibonacci 1 Proposed Ground Floor Plan	27 April 2021
F2PED07	Fibonacci 2 Proposed Elevations	27 April 2021
F2PGFD03	Fibonacci 2 Proposed Ground Floor Plan	27 April 2021
F2TC(S)1:100 SFS02	Fibonacci 2 Tai Chi (Spirals) 1:100 Scale - Proposed Ground Floor Plan	27 April 2021
F2TCPED06	Fibonacci 2 Tai Chi Proposed Elevations	27 April 2021
F2TCPGFD02	Fibonacci 2 Tai Chi Proposed Ground Floor Plan	27 April 2021
F3(S)1:100SF S04	Fibonacci 3 (Spirals) 1:100 Scale - Proposed Ground Floor Plan	27 April 2021
F3PED08	Fibonacci 3 Proposed Elevations	27 April 2021
F3PGFD04	Fibonacci 3 Proposed Ground Floor Plan	27 April 2021
SLP1:1250S	Site Location Plan	27 April 2021
PSLP1:500S(F VS)	Proposed Site Layout Plan 1:500 (Forward Visibility Splays)	26 July 2021
PSLP1:500S(V T2R)	Proposed Site Layout Plan 1:500 (Vehicle Tracking 2 Refuse)	29 July 2021
PSLP1:500S(V T3R)	Proposed Site Layout Plan 1:500 (Vehicle Tracking 3 Refuse)	29 July 2021
PSLP1:500S(V T4R)	Proposed Site Layout Plan 1:500 (Vehicle Tracking 4 Refuse)	29 July 2021

The application is also accompanied by:

- Air Source Heat Pump specifications
- Design & Access Statement
- Electric Vehicle Charging specifications
- House of Commons, Communities and Local Government Committee Housing for older People, Second Report of Session 2017–19 and Government Response
- Solar Panel specifications
- Various Fibonacci Spiral Plans
- Very Special Circumstances

**Applicant:**

Mr Ricky Jeffs

**Validated:**

5 May 2021

**Date of expiry:**

27 September 2021 (Extension of time agreed with applicant)

**Recommendation:** Refuse

This application is scheduled for determination by the Council’s Planning Committee because it has been called in by Cllrs G Snell, D Huelin, S Hebb, J Duffin and A Anderson (in accordance with the Constitution Chapter 5, Part 3 (b), 2.1 (d) (ii)) to assess the impact of infilling residential back gardens in a green belt area.

**1.0 DESCRIPTION OF PROPOSAL**

1.1 The application seeks planning permission for eight single storey residential properties (all for over 55 year olds) in a backland development, situated in a linear arrangement with an oval cul de sac to the rear. The development would run perpendicular from the road on land that is presently part of the plots of part of Greenacre and Oakdene, in High Road Fobbing.

**2.0 SITE DESCRIPTION**

2.1 The site is accessed directly from High Road Fobbing, it is the final property along the High Road which is designated as an established residential frontage within Green Belt. The gradient of the site rises up from the High Road. The site has a vehicular entrance which is adjacent to Oakdene and then is broadly rectangular and

covers 0.45 hectare. The site is open grassed garden area with some trees to the boundaries.

### 3.0 RELEVANT PLANNING HISTORY

3.1 There is no relevant planning history at the site of Oakdene. However, there is the following application at the adjacent site which is relevant:

Application Reference	Description of Proposal	Decision
20/01051/FUL	Five single storey detached dwellinghouses for the over 55s with associated parking and amenity areas (40 High Road Fobbing)	Approved

3.2 The application was recommended for refusal, but this was overturned by Members at Planning Committee and planning approval was granted in January 2021. The approved dwellings are shown on the proposal plans for this application and applicant obviously views the current proposal as part of an overall scheme. Nonetheless, as they applications are separate there is no guarantee that both applications would be implemented in full if permission was to be granted, notwithstanding the recommendation.

### 4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: [www.thurrock.gov.uk/planning](http://www.thurrock.gov.uk/planning)

#### 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. There were comments received from six different addresses, these were all in support of the proposal. The matters raised in support are summarised as:

- Homes for neglected sector community/benefit the community;
- Would not lead to overlooking;
- Preferable to build on gardens over green fields;
- No impact to the surroundings;
- Existing vehicle access to the site.

#### 4.3 BRITISH PIPELINE ASSOCIATION:

No objections.

#### 4.4 ENVIRONMENTAL HEALTH:

No objections, subject to condition for a Construction Environment Management Plan (CEMP).

#### 4.5 HIGHWAYS:

No objections, subject to conditions for parking and access.

#### 4.6 LANDSCAPE AND ECOLOGY:

No response received.

### 5.0 POLICY CONTEXT

#### **National Planning Policy Framework (NPPF)**

5.1 The revised NPPF was published on 20 July 2021. The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

5. Delivering a sufficient supply of homes;
8. Promoting healthy and safe communities;
9. Promoting sustainable communities;
12. Achieving well-designed places;
13. Protecting Green Belt land;
15. Conserving and enhancing the natural environment.

#### 5.2 National Planning Practice Guidance (NPPG)

In March 2014 the former Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. NPPG contains a range of subject areas, with each area containing several sub-topics. Those of particular relevance to the determination of this planning application include:

- Design: process and tools
- Determining a planning application
- Green Belt
- Housing and economic needs assessment
- Housing for older and disabled people
- 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)

### 5.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an ‘Issues and Options (Stage 1)’ document and simultaneously undertook a ‘Call for Sites’ exercise. In December 2018 the Council began consultation on an Issues and Options [Stage 2 Spatial Options and Sites] document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council’s website and agreed the approach to preparing a new Local Plan.

## 5.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

## 6.0 ASSESSMENT

6.1 The assessment below covers the following areas:

- I. Principle of development and impact upon the Green Belt
- II. Access, traffic impact and parking
- III. Design, layout and impact upon the area
- IV. RAMS Mitigation
- V. Other matters

### I. PRINCIPLE OF DEVELOPMENT AND IMPACT UPON THE GREEN BELT

6.2 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 necessary to justify inappropriate development.

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

6.3 The site is identified on the Core Strategy Proposals Map as being within the Green Belt where policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that the Council will 'maintain the purpose function and open character of the Green Belt in Thurrock', and Policy PMD6 states 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.

6.4 Paragraph 137 within Chapter 13 of the NPPF states that the Government attaches great importance to Green Belts 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 147 states that *“inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”* At paragraph 149 the NPPF sets out a limited number of exceptions where the construction of new buildings could be acceptable. The site is currently devoid of built form and consists of an area of open land. The proposal for residential development would not fall within any of the exceptions to the presumption against inappropriate development in the Green Belt. Consequently, it is a straightforward matter to conclude that the proposals comprise inappropriate development with reference to the NPPF and Core Strategy policy. The site is within the Core Strategy designation of Established Residential Frontage (ERF), which the applicant refers to. ERF is a designation whereby there is some relaxation of usual Green Belt policy. This application does not meet the requirements of this policy as the relaxation applies to the existing frontage only and the proposal is backland development.

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

- 6.5 Having established that the proposals are 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.
- 6.6 The proposal would introduce built form into an area where there is currently none and therefore there would be an impact to the open nature of the site. Therefore, there would be an impact on openness which is a key element of the Green Belt. Planning policies seek to protect openness, as it is an essential characteristic of the Green Belt. Therefore, the development would encroach upon the openness of the Green Belt resulting in actual harm to openness
- 6.7 Paragraph 138 of the NPPF sets out the five purposes that 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.

6.8 In response to each of these five purposes:

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

6.9 The site is located in a rural location, on the edge of the village of Fobbing. For the purposes of the NPPF, the site is considered to be outside of any 'large built up areas'. As a result the development would not result in the unrestricted sprawl of a built up area and therefore would not conflict with this purpose.

*b. to prevent neighbouring towns from merging into one another*

6.10 The development would not conflict with this Green Belt purpose.

*c. to assist in safeguarding the countryside from encroachment*

6.11 With regard to the third Green Belt purpose, the proposal would involve built development on what is currently an open site. It is therefore considered that the proposal would constitute an encroachment of built development into the countryside in this location. The eight single storey residential units would cause 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*

6.12 The site is not within Fobbing Conservation Area and it is not considered that the proposal would harm the character of a historic town.

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

6.13 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. Allowing unrestricted development on land outside the urban area would conflict with the aim of directing development towards the urban area. Therefore the proposed dwellinghouses are inconsistent with the fifth purpose of the Green Belt.

6.14 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



- 6.15 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 (VSC) 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.
- 6.16 With regard to the NPPF, paragraph 147 states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 148 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"*.
- 6.17 The applicant has put forward the following consideration forward to demonstrate very special circumstances submitted with this application:
- a) Overall Housing Supply
  - b) Elderly Housing Provision, that is in highest need
  - c) General Health Benefits
  - d) Eco friendly
  - e) Economic Benefits / Local Occupation / 1 year start
  - f) Innovative Internal and External Design
  - g) Sustainable Village Location
  - h) Not harming the aims of the Green Belt

These are assessed below:

- a) *Overall Housing Supply – (applicant considers very significant)*

- 6.18 The applicant puts forward the need for housing within Thurrock as a consideration towards proving very special circumstances.

Consideration

- 6.19 In 2013 a written ministerial statement confirmed that the single issue of unmet housing demand was unlikely to outweigh GB harm to constitute the very special circumstances justifying inappropriate development. This position was confirmed in a further ministerial statement in 2015 and was referred to in previous iterations of NPPG. However, the latest revision of the NPPF does not include this provision and the corresponding guidance in NPPG has also been removed. Nevertheless, a recent Green Belt appeal decision (ref. APP/Q4625/W/19/3237026) referred specifically to this point and considered that “even so, unmet need on its own, is highly unlikely to amount to very special circumstances”. Accordingly the benefit of the contribution towards housing land supply would need to combine with other demonstrable benefits to comprise the very special circumstances necessary to justify inappropriate development.
- 6.20 The current proposal would, consisting of 8 units, be of only limited benefit in contributing towards addressing the shortfall in the supply of new housing as set out in Core Strategy policy delivery targets and as required by the NPPF. Nonetheless, the matter of housing delivery contributes towards very special circumstances and should be afforded significant weight in the consideration of this application. However, as noted above, this single issue on its own cannot comprise the very special circumstances to justify inappropriate development, and as such, for these circumstances to exist this factor must combine with other considerations.

*b) Elderly Housing Provision, that is in highest need - (applicant considers significant to moderate)*

- 6.21 The applicant put forward the ‘critical’ need for older peoples housing as a consideration towards VSCs.

Consideration

- 6.22 There is no evidence that these houses are specifically required for people within Fobbing. There is no substantive evidence that the dwellings would meet local community needs. As noted later in this report the location is not easily accessible or near to local facilities which are considered as an integral factor for older people’s housing. Specialist older person’s accommodation would usually have shared facilities for residents use, alarm systems or a warden service or manager service to assist residents. The proposal has none of these and the units are standard residential properties.

6.23 The principle of increasing the supply of housing for the elderly is recognised but for the Borough's specific needs to be met such accommodation would need to be suitable in all respects. There is nothing provided within the application which makes the proposal unique to the needs of older people. The properties are standard dwellings and they would meet Part M of the building regulations (ease of access). Whilst it is recognised that 5 retirement dwellings have been approved at the adjacent site, it remains the view of Officers that this is not a suitable location for housing for older people. This is because the site is distant from all shops, services and facilities needed for day-to-day living. This is discussed in greater detail later in the report. Therefore, only limited weight can be afforded to this consideration towards very special circumstances.

*c) General Health Benefits - (applicant considers significant to moderate)*

6.24 The applicant states that the proposal would lead to health benefits as the bungalows would ensure older people do not have accidents in their homes.

#### Consideration

6.25 The applicant considers bungalow living would ensure older people do not have accidents in their homes. No evidence has been presented by the applicant to demonstrate that living in a bungalow would ensure there are no accidents in the home. It is probable to consider some accidents would occur on stairs, but many do not. Therefore, no weight can be afforded to this consideration towards very special circumstances.

*d) Eco friendly - (applicant considers moderate)*

6.26 The proposal includes the following:

- solar panels
- air source heat pumps
- electric car charging points

The inclusions of such renewable energy are recommended within Chapter 14 of the NPPF that is in part tasked with meeting the challenge of climate change.

#### Consideration

6.27 National policies and the development plan encourage the inclusion of renewable energy. However, in many respects this is now addresses as a requirement of other legislation and going forward would be expected as a matter of course. The information provided does not provide a detailed evidence base to demonstrate the

uplift from Building Regulations. Therefore, this can only be afforded minimal weight towards VSCs.

*e) Economic Benefits / Local Occupation / 1 year start - (applicant considers moderate)*

- 6.28 The applicant states they would accept conditions/legal agreement to start the development within one year and agree to use local builders and tradespeople for the scheme. This would therefore lead to economic benefits. Additionally, they state the development would be occupied by local people.

#### Consideration

- 6.29 The sentiment of the fifth VSC is appreciated, but the practicality of such a condition or agreement to use only local workforce is considered to be unreasonable and unenforceable. In terms of a quick start on site, government guidance states the standard time limit condition of commencement within 3 years should not be amended. In terms of local occupation, there is no evidence that these houses are specifically required for people within Fobbing. There is no substantive evidence that the dwellings would meet local community needs. Additionally, the site is located close to the borough boundary so local to Fobbing does not necessarily mean within Thurrock. Therefore, no weight can be attributed towards this as a VSC.

*f) Innovative Internal and External Design – (applicant considers moderate)*

- 6.30 The applicant states they consider the proposal offers a high-quality innovative design shaped around the site circumstances available. They conclude the development meets HAPPI Standards (Housing our Ageing Population Panel for Innovation).

#### Consideration

- 6.31 The proposal is for single storey residential properties, the applicant specifies what they believe is *innovative* about the proposal. However, there does not seem to be any offering which is inventive or ground-breaking within the layout or design. Therefore, this factor cannot be afforded any weight towards very special circumstances.

*g) Sustainable Village Location – (applicant considers moderate)*

- 6.32 The applicant states that the proposal site is within a sustainable location, therefore suitable for older people's housing.

#### Consideration

6.33 The site is not considered to be within a sustainable location. It is situated to the edge of the village, being the final property within the established residential frontage. Fobbing is a linear settlement, which is located mostly along the main road. The facilities which are available within the village, the pub, church and church hall are all located in what would have been the historic centre of the village. This centre is over a mile walk from the application site. In addition, there are no shops within the village. There are some buses which serve the village, but these are infrequent and, at best, offer a bus twice an hour. There are no GPs or dentists within the village either. Therefore, it is difficult to see how the site can be termed sustainable and therefore suitable for older people’s housing. The applicant states that site is within a central village location, this is not agreed as it is clearly not well-connected and is remote from facilities. Therefore no weight can be afforded to this consideration towards very special circumstances.

*h) Not harming the aims of the Green Belt – (applicant considers limited to moderate)*

6.34 The applicant considers that the development would be infill development within a village.

Consideration

6.35 Paragraph 149 of the NPPF states some exceptions to construction of new buildings being considered inappropriate within Green Belt, part e) is limited infilling in villages. There is no specific definition within the NPPF as to what would constitute limited infilling within a village. It is not considered the proposal would constitute limited infilling as the proposal is for back land development which would mean there are eight new properties on what is presently a private garden. Therefore, the proposal does not constitute limited infilling and the proposal clearly does harm the aims of the Green Belt and no weight can be attached to this as a VSC.

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

<b>Summary of Green Belt Harm and Very Special Circumstances</b>			
<b>Harm</b>	<b>Weight</b>	<b>Factors Promoted as Very Special Circumstances</b>	<b>Weight</b>
Inappropriate development	Substantial	a) Overall Housing Supply	Very significant weight
Reduction in the openness of the Green Belt			

Conflict (to varying degrees) with a number of the purposes of including land in the Green Belt – purposes c and e.		
	b) Elderly Housing Provision, that is in highest need -	Limited weight
	c) General Health Benefits	No weight
	d) Eco friendly	Minimal weight
	e) Economic Benefits / Local Occupation / 1 year start	No weight
	f) Innovative Internal and External Design - Moderate	No weight
	g) Sustainable village location	No weight
	h) Not harming the aims of the Green Belt	No weight

6.37 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 it is for the Committee to judge:

- 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’.

6.38 Where a proposal represents inappropriate development the applicant must demonstrate Very Special Circumstances which clearly outweigh the harm to the Green Belt. In this instance it is considered that 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 Core Strategy and the National Planning Policy Framework.

## II. ACCESS, TRAFFIC IMPACT AND PARKING

- 6.39 The proposal would utilise a single access road which would be positioned along one side of the front boundary in order to provide access to the rear of the site. This then expands to an oval road layout which provides access to all 13 properties (with the previously approved 5 unit scheme). Concerns have been raised by the Council's Highway Officer with regards to the suitability of the access onto High Road, the increase in the intensity of the use and the ability of the internal access road to accommodate all necessary vehicle movements including access by refuse vehicles. Whilst these concerns are noted it is considered that there is adequate scope within the site to alter the layout to provide a suitable internal road layout. In addition the matters relating to the use of the access point and the provision of suitable visibility splays could be addressed through appropriate conditions.
- 6.40 The proposed site plan indicates there would be two parking spaces per dwelling and visitor spaces. There is concern regarding the usability of some of the proposed parking spaces. But again, there is sufficient space and it is considered the site can provide a suitable level of parking for future occupants. This could be secured by condition.

## III. DESIGN AND LAYOUT AND IMPACT UPON THE AREA

- 6.41 The National Planning Policy Framework (NPPF) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.42 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.
- 6.43 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.
- 6.44 Policy CSTP23 of the Core Strategy states the Council will protect, manage and enhance the character of Thurrock to ensure improved quality and strengthened sense of place.

- 6.45 Whilst there are a number of existing single storey buildings in the surrounding area, these are set in relatively informal layouts. The proposed dwellings would be single storey in scale and would extend in a formal layout towards the rear of the site. Whilst in isolation such a scale is preferable to two storey dwellings it would result in the introduction of a level of built form at a scale which would appear urban and significantly out of character to the rear of High Road. Therefore in conjunction with the position of the proposed dwellings this would lead to a level of bulk and massing which would appear out of character in the area to the rear of High Road. Given the above the proposal would result in a significant adverse impact upon the generally open character of this area contrary to policies CSTP22, CSTP23 and PMD2 of the Core Strategy and the requirements of the NPPF.
- 6.46 The actual appearance of the buildings with the design of the facades is concerning, as they appear almost utilitarian. Additionally, the appearance is unbalanced and confused, creating an awkward finish. There are large areas of blank wall which contribute to the unattractive aesthetics of the properties. From the Design and Access Statement it appears the applicant is proposing a modern appearance. Presently, the details of how the design shown on the plans could be interpreted to create an attractive modern building are not clear.
- 6.47 With regards to neighbouring amenity the proposed dwellings would be located away from the nearest residential neighbours. In addition the dwellings would be single storey in scale. The relationship with neighbouring dwellings would ensure that there would not be a significant loss of light, overbearing impact or loss of privacy to neighbouring properties.
- 6.48 With regards to the amenity of future occupiers there would be sufficient space to provide suitable light and outlook to habitable rooms. There is significant concern regarding the properties which are situated within the centre of the oval. To enable these properties to have privacy within their gardens the boundary treatment would inevitably be an imposing wall or fence which would detract from character and appearance. The rear gardens would be of sufficient size to provide suitable amenity for future occupiers.
- 6.49 As noted above, the amenity of both existing and the prospective residents in terms of loss of light, overbearing impact or loss of privacy to neighbouring properties is considered acceptable. Nevertheless, there are significant concerns regarding the layout of the buildings and detailed design of the facades. Therefore, the proposal is considered contrary to the NPPF and policies PMD2, CSTP22 and CSTP23 of the Core Strategy.

## V. RAMS MITIGATION



- 6.50 The site is within the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) zone of influence and therefore it would be necessary for the local planning authority to secure a contribution towards mitigation of the effects of recreational disturbance on Thames Estuary and Marshes SPA. In the event that the application were being recommended favourably, such a contribution could be secured via an appropriate legal agreement.

## VI. DEVELOPER CONTRIBUTIONS

- 6.51 Policy PMD16 indicates that where needs would arise as a result of development; the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development proposals contribute to the delivery of strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.52 Policy CSTP2 seeks the minimum provision of 35% affordable housing, this is applicable when 10 or more units are proposed. Whilst this application is for 8 units, it is clearly going to be joined with the previously approved 5 unit scheme, with the same access road, design parameters and applicant. Therefore, it is considered in this case it is appropriate and necessary for the affordable housing to be provided. The 35% requirement should be of the total 13 units, which would be 5 units. Therefore, the proposal would fail to contribute towards affordable housing need in the Borough contrary to policy CSTP2.

## VII. OTHER MATTERS

- 6.53 Within the previously approved application, Essex Police raised concerns regarding the proposal due to the layout whereby the buildings are set back from the road and therefore there would be limited surveillance which is a safety concern. Therefore, should the application be recommended favourably a condition requiring a Secure by Design accreditation would be required.

## 7.0 CONCLUSIONS AND REASONS FOR REFUSAL

- 7.1 The proposed development is sited within the Green Belt and would not fall within one of the exceptions to inappropriate development as set out in the NPPF. Therefore it would result in inappropriate development in the Green Belt which is by definition harmful to openness.

- 7.2 The proposal would also introduce a significant amount of built form into an area which is currently open and has no development. Therefore, the development would encroach upon the openness of the Green Belt resulting in actual harm to openness. The applicant has not advanced any circumstances that would amount to very special circumstances that could overcome the strong presumption against this type of proposal. The development is therefore contrary to Policy PMD6 of the Core Strategy and guidance contained in the NPPF and is therefore harmful by definition.
- 7.3 The scale of the development and the formal layout would result in an urbanising appearance out of character to the rear of properties along High Road. Additionally, the detailed design of these properties appear unbalanced and unattractive. Therefore, the proposal is contrary to policies CSTP22, CSTP23 and PMD2 of the Core Strategy and the requirements of the NPPF.
- 7.4 The proposal does not include a legal agreement in relation to the provision of affordable housing and would therefore fail to contribute towards meeting affordable housing need in the Borough. As a result it would be contrary to policy CSTP2 of the Core Strategy and the NPPF.

## **8.0 RECOMMENDATION**

### **8.1 Refuse planning permission for the following reasons:**

- 1 The proposal represents an inappropriate form of development within the Green Belt, which is, by definition, harmful. The proposal would introduce significant built form into an area which is currently open resulting in actual harm to openness. The circumstances put forward by the applicant would not amount to very special circumstances that clearly outweigh the harm to the Green Belt. Therefore the proposal would be contrary to policy PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015] and the requirements of the National Planning Policy Framework 2021.
- 2 The proposed dwellings, by reason of their design, scale, layout and the introduction of a significant level of built form into the generally open area to the rear of properties on High Road would result in a density of development and urban appearance, thereby being significantly out of character with the area. Therefore the proposal would have a significant adverse impact upon the generally open character of this area contrary to policies CSTP22, CSTP23 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015] and the requirements of the National Planning Policy Framework 2021.
- 3 The proposed development, by reason of the lack of a legal agreement towards the provision of affordable housing has failed to demonstrate that it would contribute

towards meeting affordable housing need in the Borough. The proposal is therefore contrary to policy CSTP2 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

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

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

