Reference: 22/00616/FUL	**Site:** 63 Wharf Road Stanford Le Hope Essex SS17 0DZ
Ward: Stanford Le Hope West	**Proposal:** Demolition of existing dwelling to form access and erection of four semi-detached chalets with parking and amenity space to rear of properties on Wharf Road

Plan Number(s):		
Reference	Name	Received
100	Existing Site Layout	5th May 2022
200C	Proposed Site Layout	5th May 2022
201B	Proposed Plans	5th May 2022
202	Existing and Proposed Plans	5th May 2022
L-0001	Landscaping	5th May 2022

The application is also accompanied by: - Design and Access Statement - Preliminary Ecological Assessment (PEA)	
Applicant: Mr M James	**Validated:** 5 May 2022 **Date of expiry:** 18th July 2022 (extension of time agreed)
Recommendation: To Refuse	

This application is scheduled for determination by the Council's Planning Committee because it has been Called I n by Councillors Anderson, Duffin, Hebb, Huelin and Ralph (in accordance with Part 3 (b) 2.1 (c) of the Council's constitution) to enable Members to consider a potential loss of amenity to residents and neighbours, over-density of development, potential inadequacy of parking and highways connectivity, and biodiversity concerns

1.0 DESCRIPTION OF PROPOSAL

1.1 The application seeks permission to construct four (4) dwellings, consisting of 3-bedroom semi-detached chalet bungalows. There would be provision for 11 car

spaces. The development would be accessed from Wharf Road, with the existing dwelling at No 63 to be demolished to allow for the new access road.

2.0 SITE DESCRIPTION

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

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
21/00250/FUL	Proposed demolition of existing dwelling to form access for four semi-detached chalets with parking and amenity space.	Refused (24.09.21). Reasons summarised: 1. Character of area 2. Neighbour amenity 3. Highways issues 4. Lack of RAMS contribution
20/01053/FUL	Demolition of existing dwelling to form access for seven (7) retirement bungalows with parking and amenity space.	Recommended for refusal to Planning Committee 22 October 2020. Members resolved to refuse.
08/01054/FUL	Erection of 8 semi-detached retirement bungalows and associated car parking [on land To Rear Of 57-71 And 57 Wharf Road utilising a different access point on Wharf Road]	Recommended for refusal to Planning Committee 8 January 2009. Members resolved to approve subject to completion of s106 Agreement, which was never signed. Application subsequently withdrawn.
08/00397/FUL	Demolition of No. 67 Wharf Road to create and access road to land to the rear, and the erection of eight (8) semi-detached retirement bungalows	Refused (on grounds of unsatisfactory layout and design and lack of financial contributions to provide the requisite health and other infrastructure)
88/00379/OUT	Four no semi-detached chalets	Refused. Subsequent appeal dismissed. This proposal sought to create an access to the site via the removal of part of no. 67 Wharf Road. The Inspector considered the proposal to be an undesirable backland development, likely to lead to

		negative impact via disturbance and noise upon no. 65 and 67 Wharf Road, and the changes to no. 67 would have a detrimental impact upon the appearance of the street scene
THU/439/64	Outline permission for 2 bungalows	Refused - undesirable backland development, causing overlooking and suffering from overlooking, and inadequate vehicular arrangements via unmade access between 71 and 81 Wharf Road)

4.0 CONSULTATIONS AND REPRESENTATIONS

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

4.2 PUBLICITY:

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

Twelve (12) representations were received from nearby occupiers – all raising objections to the proposed development on the following grounds:

- Inadequate and unsatisfactory access to the site;
- Additional traffic;
- Drainage and flood risk concerns;
- Environmental pollution;
- Lack of privacy for the existing and proposed dwellings;
- Light pollution;
- Loss of trees detrimental to the visual amenity of the area;
- Loss of habitats and species;
- Detrimental to the character and appearance of the area;
- Speeding vehicles on Wharf Road;
- Security impacts;
- Strain on existing services and infrastructure
- Issues over bin storage;
- Loss of light to adjacent gardens & overbearing;
- Limited parking already on Wharf Road

4.3 HIGHWAYS:

The proposal raises highways safety issues with regards to the proposed new access onto Wharf Road, there is a potential safety hazard and conflict point with Cabborns Crescent and with concern with regards to existing crossovers being close to the proposed access.

4.4 LANDSCAPE AND ECOLOGY ADVISOR:

Removal of sections of hedgerow would adversely affect visual amenity.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework

The revised NPPF was published on 20 July 2021 and sets out the government's planning policies. Paragraph 2 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 11 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places
15. Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

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

- Design
- Determining a planning application

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

Spatial Policies:

- CSSP1 (Sustainable Housing and Locations)

Thematic Policies

- CSTP1 (Strategic Housing Provision)
- CSTP19 (Biodiversity)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)
- PMD2 (Design and Layout)
- PMD7 (Biodiversity, Geological Conservation and Development)
- PMD8 (Parking Standards)
- PMD9 (Road Network Hierarchy)
- PMD16 (Developer Contributions)

Thurrock Local Plan

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

Thurrock Design Strategy

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

6.0 ASSESSMENT

6.1 The proposal raises the following issues:

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

I. PRINCIPLE OF THE DEVELOPMENT

6.2 The application site is within an established residential area where new residential development could be considered acceptable in principle subject to consistency with the provisions in the NPPF and conformity with the relevant provisions in the Development Plan and adopted standards.

II. DESIGN, LAYOUT, CHARACTER AND APPEARANCE

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

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

6.5 It is proposed to develop a narrow, rectangular strip of land behind a row of detached and semi-detached bungalows and dwellinghouses. A cul-de-sac would be created between the existing dwellings fronting Wharf Road and the school playing fields serving the Stanford le Hope Primary School. The layout of the development bears no relationship with the spatial pattern of the surrounding townscape in Wharf Road, Wharf Close and Warrene Close, where every dwelling has a street frontage. There are no similar examples of the type of development proposed in the vicinity of the site. Furthermore, the site coverage of the proposed buildings relative to the plot sizes significantly exceeds that of the neighbouring

plots, with very little separation between the flank wall and the boundary – resulting in a cramped and contrived form of development.

6.6 Furthermore, each of the proposed dwellings features a flat-roofed rearward projection which give the appearance of the properties having already been extended. The roof design represents a poorly executed attempt to obtain additional floorspace within the proposed dwellings; the design would be incongruous and is also indicative of overdevelopment of the site.

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

III. TRAFFIC IMPACT, ACCESS AND PARKING

6.8 Core Strategy Policy PMD9, amongst other matters, seeks to ensure that new development does not prejudice road safety. Wharf Road is a level 2 Urban Road and is used frequently by Heavy Goods Vehicles to access the Stanhope Industrial Estate. The Council's Highways Officer indicates there are operational issues with the proposed access and turning head, particularly when considering access for larger vehicles. A suitable and adequate access arrangement would be a necessity at this location to prevent awkward reversing manoeuvres back onto the highway. Furthermore, there is a potential safety hazard and conflict point with the vehicular access to Cabborns Crescent on the opposite side of Wharf Road.

6.9 The application form states that the proposed dwellings will be 3-bedroom properties. The plans show a large "entrance hall/study" on the ground floor which is open to the main hall, this is shown to be served by a "disabled shower/wc". On the previous scheme this area had a wall and access door to the main hall and the area was shown as a ground floor en-suite bedroom. However, for the purposes of the current application the proposal must be considered as 3-bedroom properties. The Council's Highways Officer raises no objection to the level of parking provision on the basis of three bedroom units. (It is noted that the application form states 12 spaces, but the plans show 11).

6.10 In the light of the foregoing, the proposed parking and access arrangements would be inadequate and unsatisfactory and would be likely to give rise to conditions interfering with the free flow of traffic and undermine highway safety, contrary to Core Strategy policy PMD9.

IV. IMPACT ON THE AMENITY OF NEIGHBOURS

6.11 Section 12 of the NPPF refers to design and the standard of amenity. Paragraph 127 paragraph f) states among other things that planning policies and decisions should ensure that developments "*Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users."* Policy PMD1 reinforces the emphasis on

the protection of amenity. It seeks to ensure that development does not cause, among other things, noise and disturbance, invasion of privacy, loss of light or visual intrusion.

6.12 The contrived layout of the proposed development means that the proposed dwellings would be close to the common boundary with the neighbouring properties fronting Wharf Road. Given the orientation of the properties and the addition of both front and rear dormers, acting as the only windows to habitable rooms, there is a potential for overlooking. Potential acute views across the rear gardens of the properties fronting Wharf Road from these dormer windows could be achieved, in contrast with no development to the rear at present. Furthermore, the vehicular movements close to the neighbouring properties would generate noise and disturbance that would adversely affect the living conditions of the neighbours, contrary to policy PMD1 of the Core Strategy.

V. INTERNAL AND EXTERNAL AMENITY AREAS

6.13 NPPF provisions and policy PMD1 also seek satisfactory living standards for residential occupiers. The internal layout of the 4 dwellings complies with both Thurrock and National Space Standards. The rear gardens would also be comparable to neighbouring properties in the area. As such it is considered that the proposal would provide a suitable living environment for potential future occupiers in accordance with the above policy and guidance in the NPPF. However, this does not override the concerns raised elsewhere in the report.

VI. BIODIVERSITY AND ECOLOGICAL IMPACT

6.14 The NPPF seeks positive improvements in the quality of the natural environment, moving from a net loss of bio-diversity to achieving net gains for nature. It further states that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Amongst other matters, Core Strategy policy PMD7 requires an assessment of what species and habitat would be lost or adversely affected as a result of development (including an ecological survey where appropriate - to enable the Council to determine an application which would result in a loss of biodiversity or geological value.

6.15 Since the meeting of the Planning Committee held on 22 October 2020, where Members resolved to refuse application 20/01053/FUL, the site has been cleared. The application is now supported by a PEA which confirms that the site has low ecological value and does not contain any features that would support protected species.

6.16 It is clear from the proposed siting of the bungalows in proximity to the boundary to the north east that the existing hedge would need to be removed. Its removal would open up views over the school playing field. These would be difficult to screen even with fencing due to the close proximity of the proposed dwellings to the boundary. The Landscape officer is concerned that this is a detrimental impact of the proposals. On balance, given the lack of ecological value, it is no longer considered that the proposal is in conflict with policy PMD7 of the Core Strategy

and the relevant NPPF provisions, subject to a condition requiring an arboricultural method statement and a landscape scheme. However the loss of hedgerow would have a detrimental impact on the visual amenities of the site, in particular for the adjacent school and wider area contrary to Policies PMD2, CSTP22 and CSTP23 of the Core Strategy and the NPPF.

6.17 The site is within the Essex Coast RAMS Zone of Influence and the proposed development falls within the scope of the RAMS as relevant development. Without mitigation the proposed development is likely to have a significant effect on the Thames Estuary and Marshes Special Protection Area. To avoid the developer needing to undertake their own individual Habitat Regulations Assessment the Essex Local Planning Authorities within the Zones of Influence have developed a mitigation strategy to deliver the necessary mitigation to address mitigation impacts to be funded through a tariff applicable to all new additional dwellings. The current tariff is £137.71 per additional dwelling. This scheme would result in a net increase of 3 units; therefore it would be necessary for the LPA to apply a tariff of £413.13 in order to fund works to mitigate the in-combination effects of recreational disturbance on SPA. No legal agreement or other undertaking to pay this contribution has been received.

6.18 In the absence of any signed obligation or undertaking to address the mitigation of the impacts, the proposal is contrary to policy PMD16 of the Core Strategy.

7.0 CONCLUSIONS AND REASONS FOR REFUSAL

7.1 The proposals would result in harm to the character and appearance of the area and the living conditions of existing occupiers surrounding the site.

7.2 The proposal would also be harmful to highways and pedestrian safety due to an inadequate access point to Wharf Road and unsuitable parking provision.

7.3 Additionally, the application submission is lacking any opportunities for appropriate ecological mitigation, including a signed obligation and or an undertaking.

7.4 The proposal is therefore recommended for refusal.

8.0 RECOMMENDATION

To Refuse for the following reasons:

Reason(s):

1. The proposed development would, by reasons of its layout, scale and siting, be an undesirable overdevelopment of the site, which detracts from, and would be out of keeping with, the prevailing character and appearance of the surrounding area, in contravention of policies CSTP22, CSTP23 and PMD2 of the Thurrock Core Strategy and Policies for the Management of Development (2015) and the provisions within Chapter 12 of the National Planning Policy Framework 2021.

In addition, the loss of hedgerow on the boundary between the site and school playing field would have a detrimental impact on the visual amenities of the site, in particular for the adjacent school and wider area in contravention of policies CSTP22, CSTP23 and PMD2 of the Thurrock Core Strategy and Policies for the Management of Development (2015) and the provisions within Chapter 12 of the National Planning Policy Framework 2021

2. The proposed development would, by reasons of its layout, scale and design, result in unacceptable impacts upon neighbouring amenity by reason of overlooking and loss of privacy. Furthermore, the expected traffic generation would result in noise and disturbance in close proximity to residential properties, detrimental to the living conditions and amenity of the existing adjoining occupiers contrary to section 12 of the National Planning Policy Framework 2021 and policies PMD1 and PMD9 of the Core Strategy 2015

3. The proposed access arrangement is inadequate and unsatisfactory and fails to provide safe and appropriately sized access. Therefore, its layout, siting and design would be likely to give rise to conditions prejudicial to pedestrian and highway safety, contrary to policies PMD2, PMD8 and PMD9 of the Core Strategy 2015.

4. The site is within the Essex Coast RAMS Zone of Influence and the proposed development falls within the scope of the RAMS as relevant development. Without mitigation the proposed development is likely to have a significant effect on the Thames Estuary and Marshes Special Protection Area. In the absence of any signed obligation or undertaking to address the mitigation of the impacts, the proposal is contrary to policy PMD16 of the adopted Core Strategy 2015.

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


thurrock.gov.uk
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