

<p><b>Reference:</b> 22/01241/FUL</p>	<p><b>Site:</b> The Hollies Rectory Road Orsett Essex RM16 3EH</p>
<p><b>Ward:</b> Orsett</p>	<p><b>Proposal:</b> Proposed replacement dwelling and relocation of existing swimming pool</p>

Plan Number(s):		
Reference	Name	Received
2121. 10C	Proposed Site Layout	9th September 2022
2121. 10D	Location Plan	9th September 2022
2121. 17A	Proposed Elevations, Sections and Roof Plan	9th September 2022
2121. 18A	Proposed Elevations and Floor Plans	9th September 2022
2121. 19	Existing Elevations and Floor Plans	9th September 2022
2121. 20	CGI View Plan	9th September 2022
2121. 21	CGI View Plan	9th September 2022
2121. 22	CGI View Plan	9th September 2022
LS6022/1	Topographical Survey	9th September 2022

The application is also accompanied by:

Simon Burke Design LTD, Design and Access Statement dated April 2022

<p><b>Applicant:</b> Mr And Mrs M Watts</p>	<p><b>Validated:</b> 9 September 2022 <b>Date of expiry:</b> 21 November 2022 <b>(Extension of time agreed with applicant)</b></p>
<p><b>Recommendation:</b> Refusal</p>	

This application has been Called In for determination by the Council's Planning Committee by Cllrs D Arnold, , R Gledhill, B Johnson, J Halden and , B Maney for a wider discussion as to the merits of the proposals.

## 1.0 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks to demolish the existing two storey dwelling and replace it with a two-storey contemporary style dwelling that would appear key-shaped in its footprint. The replacement dwelling would have a substantial footprint and would feature an integral garage which would accommodate off street parking for 4 vehicles, along with an annexe for family members to be located at first floor level within one of the proposed wings of the dwelling.
- 1.2 The existing swimming pool is to be relocated as part of the proposal, and two existing outbuildings are to be removed.

## 2.0 SITE DESCRIPTION

- 2.1 The application site hosts a late twentieth century, traditional two storey dwelling that is of a brick and tile finish. The site is accessed via a gravel access road located between the listed Whitmore Arms Public house to the south of the site and The Larches the immediate north and west. Rozen House is also sited along the northern boundary of the site. Located upon the eastern boundary of the site are open fields. The existing dwelling is set back from Rectory Road and has limited view from the highway.
- 2.2 The application site is located within the Orsett Conservation Area, with the existing dwelling and half of the rear garden area lying within the Conservation Area boundaries. The most easterly half of the rear garden area lies outside the boundaries of the Conservation Area and falls within the Metropolitan Green Belt.

## 3.0 RELEVANT PLANNING HISTORY

Application Reference	Description of Proposal	Decision
83/00701/FUL	Two Houses and Garages Including Private Drive Access. Amended Plans Received 1.11.83. Drawing No. 2001-1A. LB/THU/16/83	Approved
83/00701/LB	Two Houses and Garages Including Private Drive Access. Amended Plans Received 1.11.83. Drawing No. 2001-1A. LB/THU/16/83	Consent Granted
85/00714/OUT	3 houses and 3 garages.	Refused
94/00220/FUL	Single storey extension	Approved
95/00001/FUL	Two storey front extension	Approved
95/00173/FUL	Two storey side extension	Approved

95/00593/FUL	Erection of stables on land adj to 'THE HOLLIES'	Refused
97/00387/FUL	Two storey front extension	Approved
03/00721/FUL	Conservatory to flank	Approved
06/01147/LDC	Use of the land edged red on plan 656.102 as residential garden to the property known as The Hollies for more than ten years	Lawful
10/00850/TPO	5 x - Sycamore - Fell	No Objection
11/00457/HHA	Demolition of existing conservatory and erection of replacement single storey extension with balcony above	Approved
15/00556/HHA	Proposed removal of existing conservatory and replacement with a single storey garden room to rear.	Approved
15/01391/TPOCA	T1-T5 Prunus, T6 Sorbus, T11 Birch, T2 Holly, T10 Bay T6-T9 Prunus - Remove all	No Objection
16/01551/TPOCA	Remove T1 [Silver Birch], T2 [Oak], T3 [Red Maple] T4 [Acer Negundo] to ground level and cut back overhanging branches of T5 [Leyandi], T6 [Leyandi] and T7 [Ash]	No Objection
22/00614/FUL	Proposed replacement dwelling and relocation of existing swimming pool	Withdrawn

#### 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, a public site notice erected nearby the site and a press notice. No letters have been received in relation to the proposal.

#### ARCHAEOLOGICAL ADVISOR:

No objections, subject to specific archaeological conditions including trial trenching and excavation conditions.

#### ENVIRONMENTAL HEALTH:

No objections subject to a condition in relation to the submission of a CEMP and

hours of construction.

#### HERITAGE ADVISOR:

The proposals would fail preserve or enhance the character and appearance of the Orsett Conservation Area, contrary to Section 72(1) to the Planning (Listed Buildings and Conservation Areas) Act 1990. There will be less than substantial harm caused to the significance of the heritage asset.

#### HIGHWAYS:

No objections subject to a condition in relation to the submission of a Construction Environment Management Plan

#### LANDSCAPE AND ECOLOGY:

No objections, subject to landscape and tree protection conditions.

## 5.0 POLICY CONTEXT

### National Planning Guidance

#### National Planning Policy Framework

5.1 The revised NPPF was published on 20 July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. This paragraph goes on to state that for decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date<sup>1</sup>, 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 proposed<sup>2</sup>; 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.

<sup>1</sup> 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 ...

- <sup>2</sup> 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.

5.2 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:

- 2. Achieving sustainable development
- 5. Delivering a sufficient supply of homes
- 11. Making effective use of land
- 12. Achieving well-designed places
- 13. Protecting Green Belt land
- 16. Conserving and Enhancing the Historic Environment

#### Planning Policy Guidance

5.3 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
- Use of planning conditions

#### **Local Planning Policy**

##### Thurrock Local Development Framework (as amended) 2015

5.4 The Council adopted the "Core Strategy and Policies for the Management of Development Plan Document" in (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

#### Overarching Sustainable Development Policy:

- OSDP1: Promotion of Sustainable Growth and Regeneration in Thurrock

#### 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
- CSTP24: Heritage Assets and the Historic Environment

#### Policies for the Management of Development:

- PMD1: Minimising Pollution and Impacts on Amenity
- PMD2: Design and Layout
- PMD4: Historic Environment
- PMD6: Development in the Green Belt
- PMD8: Parking Standards
- PMD9: Road Network Hierarchy

#### Thurrock Local Plan

- 5.5 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

- 5.6 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 the Development and impact upon the Green Belt
- II. Design, Layout and Impact upon the Conservation Area
- III. Provision of a Suitable Living Environment
- IV. Impact upon Neighbouring Amenity
- V. Parking, access, traffic and highway impacts
- VI. Other matters

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

- 6.2 The boundary of the residential area (which coincides with the eastern boundary of the Orsett Conservation Area) and the Metropolitan Green Belt is halfway within the site along a north-south axis, with the eastern half of the site falling within land designated as Metropolitan Green Belt. The proposed replacement dwelling would be located east of the existing dwelling and half of the proposed replacement dwelling would fall within the Green Belt. As such, the proposal would fall to be considered as development falling within the Green Belt, as well as within the Orsett Conservation Area.

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

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

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

- 6.4 The site is identified on the Core Strategy Proposals Map as being within the Green Belt where policies CSSP4 and PMD6 apply. Policies CSSP4 and PMD6 state that the Council will maintain, protect and enhance the open character of the Green Belt in Thurrock. These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the Green Belt to accord with the requirements of the NPPF.
- 6.5 Paragraph 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 of the NPPF states that *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”*. Paragraph 148 goes on to state that local planning authorities should ensure that “substantial weight” is given to any harm to the Green Belt and that Very Special Circumstances (VSC) will not exist unless the potential harm to the Green Belt by way of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 6.6 Paragraph 149 (d) is specifically relevant to this proposal: *149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- 6.7 Policy PMD6 (2)(i) of the Core Strategy allows for the replacement of residential dwellings within the Green Belt subject to the replacement dwelling not being materially larger than the original building.
- 6.8 The proposal is intended as a replacement dwelling for residential use and is to be occupied by a single household, which is of the same use as the dwelling as existing. The proposal would thereby comply with the first part of Paragraph 149 (d) of the NPPF.
- 6.9 The key consideration of the proposal is if the replacement dwelling would be materially larger than the one it is to replace. What is meant by material is not defined and therefore has to be considered on a case-by-case basis. In this instance, the assessment needs to be based on a quantitative and qualitative exercise.



- 6.10 The proposal involves the demolition of the existing residential dwelling that sits to the west of the site, outside the Green Belt, and is considered to be of a staggered L-shape build. The existing dwelling benefits from two modest outbuildings located within the rear of the site that are to be removed as part of the proposal. The replacement dwelling is to be erected and located further central and eastwards within the site and would be a building featuring multiple wings and is considered to be sprawling in its nature and layout.
- 6.11 With respect to the quantitative assessment, the existing dwelling has a footprint of 232.80sqm, the replacement dwelling would have a footprint of 444.32sqm, the proposal would have a footprint that measures 211.52sqm larger than that of the existing dwelling. Whilst it is noted that the two existing outbuildings at the site are to be removed, the proposal would still result in an overall increase of footprint of 144.92sqm which equates to 61% of additional footprint. In conjunction with the increase in footprint the proposal would result in an increase in both volume and the massing of the building. As a result the proposed building is substantially larger than the existing dwelling on site as can be clearly seen in the table below.

	Existing Dwelling	Proposed Dwelling	Increases Relative to Original/Existing	% increase to Original/Existing
Footprint	232.80m <sup>2</sup>	444.32m <sup>2</sup>	+211.52m <sup>2</sup>	+61%
Floorspace	312.48m <sup>2</sup>	676.04m <sup>2</sup>	+363.56m <sup>2</sup>	+73.5%
Volume	1,144.78m <sup>3</sup>	2,829.22m <sup>3</sup>	1684.44m <sup>3</sup>	84.77%

- 6.12 Factoring in the qualitative assessment of the replacement, the proposed dwelling would be taller and significantly wider and would have a substantial overall length and width with the dwelling separated into three distinct wings. The proposed key-shaped layout of the dwelling means that it would have an overall maximum width of 30.9m. The central wing would have an overall depth of approximately 20m and the wing providing the garaging and annexe having an overall depth of approximately 19m. The staggered and sprawling layout of the proposal would in qualitative terms result in the replacement building being significantly materially larger than the one it replaces.
- 6.13 The relocation of the swimming pool is also proposed. It is noted that the existing swimming pool already falls within the Green Belt. With limited development above ground, the proposed relocation of the pool is considered to pose a limited impact upon the openness of the Green Belt.

- 6.14 As a result of the above it is considered that the proposal would be materially larger than the existing dwelling on the site and unequivocally have a greater impact upon the openness of the Green Belt. Therefore the proposal would not fall within any of the exceptions to inappropriate development in the Green Belt. The proposal would comprise inappropriate development in the Metropolitan Green Belt, which is harmful by definition, with reference to the NPPF and Policy PMD6. In accordance with the NPPF and Policy PMD6, substantial weight should be given to this harm.
- 6.15 Consequently, the proposal comprises of inappropriate development in the Metropolitan Green Belt, which is harmful by definition, with reference to the NPPF and Policy PMD6. In accordance with the NPPF and Policy PMD6, substantial weight should be given to this harm.

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

- 6.16 As established above, the proposed replacement dwelling would be significantly larger than the existing or original buildings at the site and would be located further east into the site and closer to the undeveloped part of the overall site and, therefore, cause a reduction of openness. Whilst the height of the proposed dwelling would not exceed that of what is existing the increase of the depth and overall length of the dwelling from 14.3m and 25.28m to 31.81m and 28.38m in footprint would amplify the harm caused in this respect. The harm to openness caused by the proposal should be found unacceptable and afforded substantial weight.

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

- 6.17 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. However, some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of very special circumstances

which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being ‘very special circumstances’. Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision-taker.

- 6.18 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”*.
- 6.19 Whilst the planning application has been accompanied by a Planning Statement the applicant has not advanced any factors to provide Very Special Circumstances in relation to the proposal. Where a proposal represents inappropriate development the applicant must demonstrate Very Special Circumstances which clearly outweigh the harm to the Green Belt.
- 6.20 Nether the less, whilst no factors have been submitted, 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	None provided	No weight
Reduction in the openness of the Green Belt	Substantial		
Conflict with a number of the purposes of including land in the Green Belt – purposes (c) and (e)	Substantial		

- 6.21 It is considered that the applicant has not advanced any factors which would cumulatively 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 that could be used to make the proposal acceptable in planning terms. The proposal is clearly contrary to Policies CSSP4, PMD2 and PMD6 of the Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2021.

## II. DESIGN, LAYOUT AND IMPACT UPON THE CONSERVATION AREA

- 6.22 The application site lies on the east side of Rectory Road. Whilst there is a variety of properties within the locality it is considered that it is a character of these properties that they appear to be of a traditional design due to their use of external finishes and fenestration. It is also noted that the dwellings are predominantly detached and typically of a similar scale, mass and footprint.
- 6.23 The application site lies partially within Orsett Conservation Area, with the existing building lying within the Conservation Area boundary. The building dates from the late twentieth century and has subsequently had further additions, the scale, mass and materials of the existing are considered to be in keeping with the character and appearance. The site also benefits from trees located within the site, all of which are mature specimens. The Landscape and Ecology Advisor has advised that the proposal would not result in any adverse effects upon these trees as long as appropriate measures are followed to prevent disturbance to their roots during construction, these details and protection measures would be secured via a condition if the application were being favourably recommended.
- 6.24 The existing dwelling represents a footprint of 232.80sqm, the replacement dwelling would represent a footprint of 444.32sqm, the proposal would have a footprint that measures 212.62sqm larger than that of the existing dwelling. The proposal has been designed such that it would be sprawling in nature occupying a larger proportion of the site.
- 6.25 It is considered that the proposed dwelling would, by virtue of the irregular shape, use of wings and sprawling layout, be unduly large and significantly exceed what can be considered to be proportionate to the plot it would sit within and when viewed within the wider context of the area. It is considered that the overall scale of the development is further exacerbated in visual terms due to the use of external finishes which are not typically found within the locality, including the Conservation Area. As a result of this, and the building being of wholly different appearance, the proposal would be jarringly at odds with the character and appearance of the other buildings within the locality in the Orsett Conservation Area. The building would show minimal regard to the scale or appearance of the surrounding built form and would not show adequate regard to the character and appearance of the area. Whilst concerns with regards to the scale of the proposal were expressed with the applicant and a reduction in size requested, no revised plans have been submitted

to the Council.

- 6.26 The concerns regarding the design, scale, mass, layout and appearance of the dwelling upon the Conservation Area were first highlighted by the Heritage Advisor during the previous planning application. The Heritage Advisor was consulted in relation to the proposal and considers that the proposal, even though set back behind The Larches and The Whitmore Arms Public House would still be visible from Rectory Road. Public Footpath 103 runs outside the southern boundary of the garden of the application site.
- 6.27 The Heritage Advisor drew attention to the previous withdrawn submission (22/00614/FUL) in which the exact same development was proposed, it was advised that their comments submitted to the Council in relation to that proposal were still relevant to the current proposal. It was considered by the Heritage Advisor that the proposal in its current form is not in keeping with that of the area. Whilst the proposed dwelling would fall deeper into the site, it would still be located on the edge of the Conservation Area and form part of its setting. The scale and massing are a significant increase to the existing and, along with the contemporary design and external finishes, the proposal largely due to the overall design would draw the eye when compared to what is currently existing at the site which is considered by the Heritage Advisor as inappropriate to the area. The buildings visual impact would also be amplified particularly in the winter months from Rectory Road, due to the gap in the road from the public house car park. In addition views of the site can be partially afforded by the public footpath located to the southern boundary of the site, it is also noted that during the winter months that these views would also be amplified.
- 6.28 The applicant had suggested that the proposal could be set back further within the site, however the Heritage Advisor considered that this would not solve the issue entirely. Upon final consideration the Heritage Advisor identified that the proposal would result in harm to the significance of the conservation area, as an area of special interest arising from its village settlement character.
- 6.29 Therefore, the proposal would be unacceptable and contrary to Policies CSTP22, CSTP23, CSTP24, PMD2 and PMD4 of the Core Strategy and Policies for Management of Development 2015. The proposal would also be contrary to the guidance contained within the NPPF and the Council's Design Guidance SPD.

### III. PROVISION OF A SUITABLE LIVING ENVIRONMENT

- 6.30 It is considered that sufficient private amenity is to be provided for the proposed dwellinghouse. The proposed dwelling would have a suitable internal living arrangement and provide sufficient light and outlook to habitable rooms. Therefore,

the proposed dwelling would provide a suitable level of amenity for future occupiers.

#### IV. IMPACT UPON NEIGHBOURING AMNEITY

- 6.31 The application site as existing is sited such that it is accessed via a gravel access road located between The Whitmore Arms Public house to the south of the site and The Larches the north of the site, it is also noted that the Rozen House is sited along the northern boundary of the site. Located upon the eastern boundary of the site are open fields.
- 6.32 The proposed dwelling would be set considerably further east within the site than the existing dwelling, and such that it would now be located 23.7m from the shared boundary with The Larches and would result in no detrimental impact upon this neighbour. The proposal would be sited behind the principal elevation of Rozen House and orientated so that it would not be likely to result in any unacceptable overbearing impact or loss of privacy. The roof lights in the flank of the roof slope providing the proposed annexe would be unlikely to result in any significant loss of privacy to this neighbour.
- 6.33 A balcony is proposed to be located to the first-floor rears of each of the proposed wings of the replacement dwelling. The views afforded from these balconies would be directed towards the rear garden of the application site, as such they would not result in a level of harm that would be to the detriment of neighbouring properties amenities.
- 6.34 Given the close proximity of the application site to residential dwellings, if a favourable recommendation were being made, then a condition would be recommended to restrict the hours of construction in order to protect the amenities of these neighbouring properties. A condition would also be recommended such that a Construction Environmental Management Plan be submitted and agreed with the LPA prior to the commencement of works which shall detail noise control and dust control measures in order to minimise the impact of the development on neighbouring properties.
- 6.35 The proposal would, therefore, subject to appropriate conditions comply with Policy PMD1 with regard to neighbour amenity impacts.

#### V. PARKING, ACCESS, TRAFFIC AND HIGHWAYS IMPACTS

- 6.36 Policy PMD8 requires all development to provide a sufficient level of parking. The application site as existing benefits from 4 bedrooms and has substantial off-street parking via the existing vehicle access and driveway. This same access would

continue to provide ample off-street parking and the Council's Highways Officer has raised no objections to the proposal subject to a Construction Environmental Management Plan (CEMP) condition. It is considered that both adequate parking and access is to be provided and the proposal would comply with the criteria in Policies PMD2 and PMD8 of the Core Strategy and guidance in the NPPF.

## VI. OTHER MATTERS

- 6.37 The Archaeology Advisor has commented that the Historic Environment Record shows that the proposed development lies within an area of known cropmarks identified from aerial photography. These cropmarks, identified to the east of the proposed development, are extensive. They show rectilinear features, sub-rectangular enclosures, ring-ditches, double ditches, pits, and some elements that have been interpreted as part of a henge monument.
- 6.38 These cropmarks are clear indicators of multi-phase settlement activity and are thought to range in date from the Prehistoric to the Roman period (EHER 5191). Specifically, a collection of linear cropmarks forming an enclosure appear to project into the proposed development site. The Archaeology Advisor considers that it is clear that the site has the potential to contain archaeological settlement remains associated with this multi-phase cropmark complex and has consequently recommended that any favourable recommendation includes relevant conditions relating to appropriate trial trench and excavation. Subject to these conditions there would be no objections with respect to archaeological impacts.

## 7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The principal issue for consideration in this case is the assessment of the proposals against planning policies for development in the Green Belt and whether there are any factors or benefits which clearly outweigh harm such that the VSC necessary for a departure from normal policy to be justified exist.
- 7.2 The proposal is inappropriate development in the Green Belt, would lead to the loss of openness and would cause harm to the purposes of the Green Belt. Substantial weight should be attached to this harm in the balance of considerations. No matters have been put forward that would outweigh this significant harm.
- 7.3 In addition, the proposal would, by reason of its siting, footprint, layout, height, scale and use of external finishes, appear poorly related to the character and development pattern of the area which is harmful to the character and appearance of the Orsett Conservation Area. The proposal would result in harm to the significance of the Conservation Area, as an area of special interest arising from its village settlement character.

## 8.0 RECOMMENDATION

### 8.1 Refuse for the following reasons:

- 1 The proposal would, by reason of its siting, scale, layout, mass, height and footprint, represent inappropriate development in the Green Belt which is, by definition, harmful. The proposal would also cause a reduction in the openness. No very special circumstances have been put forward and the identified harm to the Green Belt is not clearly outweighed by any other considerations so as to amount to the very special circumstances required to justify inappropriate development. The proposal is therefore contrary to Policies CSSP4 and PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (as amended 2015) and the National Planning Policy Framework 2021.
- 2 The proposal by reason of its siting, footprint, layout, scale, height, massing and use of external finishes, would appear poorly related to the character and development pattern of the area which is harmful to the character and appearance of the Orsett Conservation Area. The application is therefore contrary to policies CSTP22, CSTP23, CSTP24 and PMD4 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015 and the National Planning Policy Framework 2021.

### **Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing with the Applicant/Agent. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

#### **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)



