

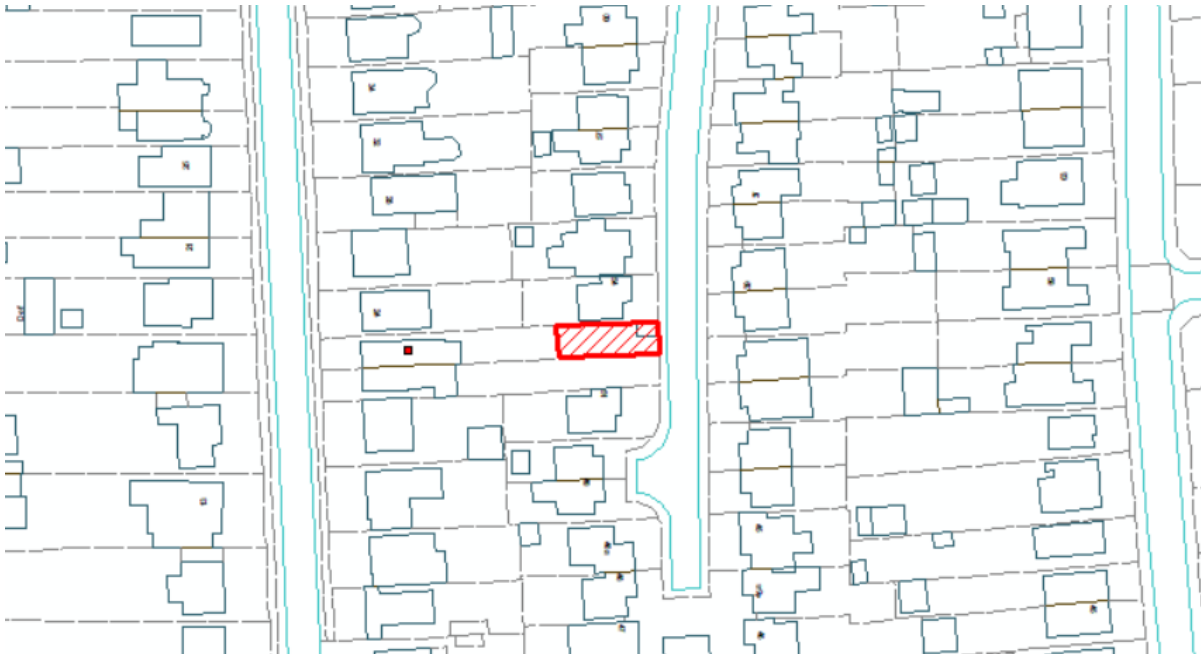
## **Planning Committee Report**

<b>ITEM NUMBER:</b>	9
<b>PLANNING COMMITTEE DATE:</b>	19 December 2024
<b>REFERENCE NUMBER:</b>	24/00965/FUL
<b>LOCATION:</b>	22 Victoria Avenue Grays Essex RM16 2RP

### **Executive Summary:**

- 1.1 This planning application seeks permission for the erection of a two storey, two-bedroom dwellinghouse at the site with associated parking to its frontage and private rear garden space.
- 1.2 The application has been Called In for determination at Planning Committee by Councillors Fletcher, Shinnick and G Byrne in order to consider matters relating to loss of light to neighbours; the proposed width of the development and lack of external access to the private rear garden space, and the impact upon the character of the area.
- 1.3 The principle of development is considered acceptable. While the dwelling would be the full width of the plot, the overall design and layout of the dwelling, together with the marked improvements to the appearance of the street scene through the loss of the large fences in Marlborough Avenue, on balance, would not result in any detrimental harm to the character or visual appearance of the street scene. Any loss of light or outlook experienced by No. 54 Marlborough Avenue would be towards a window serving a non-habitable room and would be at a level generally accepted for such uses. As a consequence there would be no significant harm to neighbour amenity which would warrant recommending refusal. The highways, internal living space provisions and ecology impacts of the proposal would be acceptable.
- 1.4 The proposal is considered to be in accordance with the relevant policies contained within the Core Strategy and the NPPF and is therefore recommended for Approval.

**SITE LOCATION PLAN:**



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 Organisation: Thurrock Council      Date: 29.11.24

<b>PROPOSAL:</b>	Proposed new dwelling house.
<b>APPLICANT:</b>	Mr Stephen Newton
<b>AGENT:</b>	Miss Rosie Cotter
<b>EXPIRY DATE:</b>	23.12.2024
<b>EOT EXPIRY DATE:</b>	23.12.2024
<b>CASE OFFICER:</b>	Katie Huckstepp
<b>NOTATION:</b>	
<b>REASON THIS APPLICATION IS ON THE AGENDA:</b>	Called In by Councillors in order to consider matters relating to loss of light to neighbours; width of the dwelling; lack of external access to private rear garden space and the character impact of the proposal.

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## 2. **APPLICATION OVERVIEW**

- 2.1 This planning application seeks permission for the erection of a two storey, detached two-bedroom residential dwellinghouse at the site with associated parking to its frontage and private rear garden space.

## 3. **RECOMMENDATION**

That the Chief Planning Officer be authorised to **GRANT** permission for the development subject to those items set out in section 16 of this report -

- A) Conditions

## 4. **PROPOSAL**

- 4.1 The application seeks planning permission for a two bedroom detached dwelling within Marlborough Close with associated rear garden space, parking and a cycle store. The new dwelling and its resultant curtilage would be created through the subdivision of the existing residential plot at No. 22 Victoria Avenue.

No. 22 Victoria Avenue, as with no. 20 Victoria Avenue, benefit from deep rear gardens which extend up to the footpath in the Marlborough Close to the rear. A portion of the rear garden of No. 22 would be enclosed to create the curtilage of the new dwelling which is to face onto Marlborough Close and form a part of its street scene.

## 5. **SITE LOCATION AND DESCRIPTION:**

- 5.1 The site hosts a two storey semi-detached property under the address 22 Victoria Avenue and sits within the residential area. The new dwelling would sit within Marlborough Close, which is formed largely of two storey detached and semi-detached dwellings which predominantly share a fairly distinct and uniform character.

## 6. **ENVIRONMENTAL IMPACT ASSESSMENT**

- 6.1 N/A

The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## 7. **RELEVANT SITE HISTORY**

7.1	<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
	72/00573/FUL	Rear Extension.	Approved
	80/00957/FUL	Side porch	Approved

## 8. **PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

8.1 There has been no pre-application advice provided to the applicant prior to the submission of this application.

## 9. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

### 9.1 **Thurrock Highways**

9.1.1 Clarification has been sought over whether the vehicle crossover will be shared with the recently approved new dwelling at the rear of No. 20 Victoria Avenue. A further plan has been sought which shows pedestrian visibility splays, electric vehicle parking and a secure and covered cycle store which meets the current parking and access standards.

## 10. **CONSULTEE RESPONSES**

### 10.1 **Thurrock Environmental Health**

10.1.1 No objections subject to conditions relating to construction hours and the submission of a means of dust control.

### 10.2 **Thurrock Landscape and Ecology Advisor**

10.2.1 No in principle objections to the proposal on landscape grounds or ecology grounds.

The application form states that the scheme is a self-build custom and therefore exempt from mandatory BNG.

The proposal would be subject to a tariff to fund the RAMS mitigation, which is payable for all additional new dwellings currently set at £163.86 per dwelling.

## 11. **REPRESENTATIONS**

11.1 A site notice was displayed nearby the site and 10 notifications letters were sent to nearby properties. Two written responses from one

neighbour have been received objecting to the proposal on the following grounds:

- Loss of Amenity
- Out of Character
- Lack of parking, and parking difficulties experienced locally
- Lack of rear garden space

## **12. MATERIAL CONSIDERATIONS**

**12.1** In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

**12.2** Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- a) The provisions of the development plan, so far as material to the application:
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

### **12.3 The Development Plan**

**12.3.1** Thurrock Core Strategy and Policies for Management of Development (Reviewed 2015)

Any “saved” Policies of the Thurrock Borough Local Plan (1997)

## **13. POLICY**

### **13.1 National Policies**

**13.1.1** National Planning Policy Framework (2023)

- 2. Achieving sustainable development;
- 3. Plan-making;
- 4. Decision-making;

- 5. Delivering a sufficient supply of homes;
- 9. Promoting sustainable transport;
- 11. Making effective use of land;
- 12. Achieving well-designed places; and
- 14. Meeting the challenge of climate change, flooding and coastal change.

### 13.1.2 National Planning Policy Guidance

- Climate change;
- Design: process and tools;
- Determining a planning application;
- Effective use of land;
- Housing: optional technical standards;
- Housing supply and delivery;
- Use of planning conditions

## 13.2 Local Policies

Thurrock Core Strategy (as amended) Adopted January 2015  
[Development Plan]

### 13.2.1

CSSP1	Sustainable Housing and Locations
CSTP1	Strategic Housing Provision
CSTP22	Thurrock Design
CSTP23	Thurrock Character and Distinctiveness
CSTP25	Addressing Climate Change
CSTP26	Renewable or Low-Carbon Energy Generation
PMD1	Minimising Pollution and Impacts on Amenity
PMD2	Design and Layout
PMD7	Biodiversity, Geological Conservation and Development
PMD8	Parking Standards
PMD9	Road Network Hierarchy
PMD13	Decentralised, Renewable and Low Carbon Energy Generation
PMD14	Carbon Neutral Development

## 13.3 Thurrock Local Plan

In February 2014, the Council embarked on the preparation of a new

Local Plan for the Borough. In December 2023, the Council began an Initial Proposals Consultation (Regulation 18). Previously it was anticipated that the Draft Consultation (Regulation 19) would take place in December 2024. As a result of a variety of factors including the delay to the Government decision on the Lower Thames Crossing (now expected May 2025), fundamental changes being considered to the NPPF, the need to ensure a robust evidence base and an increased emphasis on the Duty to Cooperate, at Cabinet on 9 October 2024 Members approved a revised timescale for the LDS. It is proposed that the Draft Consultation (Regulation 19) will now take place between January and March 2026.

#### **13.4 Supplementary Planning Document or Guidance**

Thurrock Design Guide: Design Strategy SPD (Adopted March 2017)

Thurrock Design Guide: Residential Alterations & Extensions SPD (July 2017)

### **14. ASSESSMENT**

**14.1** The issues to consider in the determination of this application are:

- 14.2**
- A) Principle of development**
  - B) Design, Layout and Character Impacts**
  - C) Parking Impacts**
  - D) Landscape and Ecology Impacts**
  - E) Neighbour Amenity Impacts**
  - F) Provision of a Suitable Living Environment**

#### **14.3 A) Principle of Development**

**14.3.1** The application site lies within the rear garden of the residential property at No. 22 Victoria Avenue within a residential area, where there are no specific land use constraints. Whilst garden land is not considered to constitute previously developed land, the Council's Core Strategy seeks to direct development to existing urban areas. It is therefore considered that the principle of residential development within an urban area is acceptable subject to compliance with relevant Development Management policies and any other material considerations.

**14.3.2** Furthermore, it is noted that the Council is not able to demonstrate a 5 year housing land supply, and therefore, the NPPF advises that planning permission for the development should be granted unless the harm caused clearly and demonstrably outweighs the benefits of the proposal.

**14.4 B) Design, Layout and Character Impacts**

**14.4.1** The proposed dwelling would be detached and orientated to face onto the highway within Marlborough Close. Within Marlborough Close, dwellings are typically of a detached and semi-detached form, which are generally of a similar scale, layout, and finishing material. Some variety is shown to the front porch elements of dwellings within the area which are largely due to later alterations to the original layout of the estate. There are some limited outliers at No. 55 and 56 Marlborough Close which separate from the character shared within the Close.

**14.4.2** Whilst these differences in character exist, the proposed dwelling has been designed to reflect that of the more typical and uniform character of most of the dwellings in the area. This would be formulated through the dwelling having a pitched gable ended roof, and as indicated within the Planning Statement submitted with this application, the utilisation of matching materials to those used at the adjacent neighbour at No. 51 Marlborough Close. The windows to the face of the dwelling would also be reflective of the positioning and style of windows typically found of dwellings in the area

**14.4.3** In relation to the scale of the dwelling, the limited width of the dwelling, necessitated by the width of the plot, would appear narrow when compared with the greater widths typically found to the detached and semi-detached dwellings within Marlborough Close. The proposed elevation plans submitted with this application also indicate that the proposed dwelling would occupy the full width of the plot and sit at a slightly increased overall height compared with the existing dwellings found in Marlborough Close. The impact of the proposal upon the visual amenities of the street scene is therefore relevant.

**14.4.4** From looking at the available planning history of the area, particularly in relation to refs. 24/00500/CLOPUD 21/00798/HHA, 20/01616/HHA and 19/01233/HHA which relate to Nos. 26, 40 43 and 55 Marlborough Close the plans of these applications indicate that these dwellings all have heights of predominantly 7.5 to 8 metres. This is similar to the height of the proposed dwelling sought under this application and the dwelling as approved under ref. 24/00484/FUL. As such, it is most likely that the



proposed dwelling would sit at a height similar to its adjacent neighbours, and thus the proposed height would not add any further visual harm to the appearance of the dwelling in the wider street scene.

**14.4.5** It is relevant to note that planning permission has recently been granted for a new dwelling at the adjacent plot at No. 20 Victoria Avenue under ref. 24/00484/FUL. This is the adjacent site and the planning application was submitted by a different applicant and landowner in comparison to the current planning application. Within the delegated report of this approved application, comments were noted relating to the narrow width of the plot. Consideration was, however, given to the overall sympathetic design of the dwelling in relation to the character of the area, and it was not considered that the narrower width of the dwelling, on its own, would be so incongruous to warrant the refusal of that application.

**14.4.6** In this instance, the proposed dwelling would have a width approximately 0.2 metres narrower than the approved dwelling. This would be a minor difference when compared to each other. The proposed dwelling would also similarly adequately reflect the design cues and overarching character of the area. The recent history at the adjacent plot and the limited harm that would be caused by way of the dwelling's narrow width, would mean the proposal in terms of its scale, on its own, would not be considered as amounting to any significant visual harm to the street scene. Nor would the lack of external access to the rear garden space.

**14.4.7** In considering the impact of this close built form upon the appearance of the street scene, it should be noted that the creation of the two dwellings would in some respects enhance the appearance of Marlborough Close. The application site and its adjacent neighbouring plot at No. 20 currently have large fences and gates to its borders which extend up to the footpath in Marlborough Close. These are visually intrusive features within the street scene and cause a sense of enclosure to this section of Marlborough Close. The proposed and approved developments would see the removal of these large fences and their replacement with open frontages to the new dwellings, providing parking and soft landscaping. The removal of the fences and gates and their replacement instead with low level boundary treatments would therefore open up this enclosed section of Marlborough Close and remove what are currently impacts the views achieved through the street scene.

**14.4.8** On balance, if both the already consented dwelling, and the proposed dwelling subject to this current application were to be constructed, whilst they would appear somewhat constrained within the street scene, the proposal would not be considered so harmful as to be likely to be easily

defended at appeal. In addition, the moderate improvement to the appearance of Marlborough Close, through the opening up of the frontages and replacement with more appropriate boundary treatments, could be considered to uplift the visual appeal of the street scene.

**14.4.9** Overall, the introduction of the new dwelling, on balance, is considered to be acceptable in terms of design, appearance and scale and would comply with policies PMD2 and CSTP22.

## **14.5 C) Parking Impacts**

**14.5.1** With regard to parking needs associated with the proposal, parking should be provided to both the existing dwelling at No. 22 Victoria Avenue and the new dwelling in Marlborough Close. The application site is located in a medium accessibility area, where dwellings are required to be provided with two off street parking spaces, or three spaces where a dwelling would have four or more bedrooms.

**14.5.2** The proposed dwelling would have two bedrooms. A parking block plan has been submitted with the application, which indicates that the dwelling would be provided with one off street parking space to the hardstanding to its frontage, facilitated by the existing vehicle access to its front in Marlborough Close. The dwelling would therefore fall short of meeting the required two off street parking spaces by one space. It is noted within the recently approved permission ref. 24/00484/FUL, there is a lack of on street parking available in Marlborough Close, due to the prevalence of parking to front gardens. However, it is unlikely that the deficit of one off street parking space at the site, serving this two bedroom dwelling, would result in any detrimental harm to the highway or pedestrian safety that could be justified at appeal.

**14.5.3** It is appreciated that if both the current dwelling and approved dwelling were to each be constructed, these developments together would amount to a deficit of two off street parking spaces. Again, however, the deficit of the two parking spaces would be unlikely to amount to such justifiable harm to the highway that if taken to appeal would be upheld.

**14.5.4** It is noted that No. 22 Victoria Avenue benefits from two off street parking spaces to the hardstanding to its frontage. The existing vehicle access to the rear within Marlborough Close and hardstanding within the rear garden of No. 22 does presently provide additional parking to No. 22. This additional parking would be lost as a result of the proposal. However, it is assumed that No. 22 accommodates no more than 3 bedrooms given its

size and as such, the retention of the two off street parking spaces to its frontage would be sufficient to accommodate the parking needs of No. 22.

**14.5.5** In relation to the further information sought by the Highways Officer concerning whether the vehicle access is to be shared with the approved dwelling this would appear to be the case and would follow the current use of the shared access which allows parking the rear gardens of both nos. 20 and 22 Victoria Avenue. In relation to visibility splays, this can be controlled via a suitable planning condition.

**14.5.6** Overall, the proposal would be considered acceptable in terms of its impact upon the highway.

## **14.6 D) Landscape and Ecology Impacts**

**14.6.1** With the submitted application form the replacement dwelling has been indicated as falling within the relevant self-build and custom build development and thus would be exempt from mandatory BNG.

**14.6.2** The Council's Landscape and Ecology Advisor has raised no in principle objections to the proposal but has noted that the application site falls within the Zone of Influence (Zoi) within the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (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. It is therefore considered that a proportionate financial contribution in line with Essex Coast RAMS should be made to contribute towards the funding of mitigation measures detailed in the Essex Coast RAMS Strategy.

**14.6.3** The mitigation strategy involves a tariff for each residential unit which is £163.86 to mitigate the in-combination effects of recreational disturbance on the Special Protection Area. Having considered the proposed avoidance and mitigation measures above, the Council takes the view that with adopted mitigation the project will not have an adverse effect on the integrity of the European sites included within the Essex Coast RAMS

**14.6.4** A unilateral undertaking would be appropriate in order to secure the mitigation costs within the Essex Coast RAMs Zone of Influence. However, in this instance the applicant has already agreed to provide the mitigation fee of £163.86 for one additional residential unit prior to the completion of a Unilateral Undertaking. Therefore, the harm within the Zoi would be effectively mitigated.

## **14.7 E) Neighbouring Amenity Impacts**

- 14.7.1** The proposed new dwelling would have windows at both ground and first floor level to its front and rear elevations. The rearward windows would offer some additional overlooking towards the garden areas of the adjacent neighbours sited at No. 54 Marlborough Close and those to the rear at nos. 18 to 24 Victoria Avenue. The windows to the front face of the dwelling would offer views towards Nos. 40 to 41 Marlborough Close. The views that could be achieved from these windows, however, would be unlikely to result in any loss of privacy to the private amenity space of these neighbours over what is already experienced from the existing neighbours or what would be expected within a residential area.
- 14.7.2** The built form associated with the new dwelling would sit just slightly forward of the rear wall of the neighbour sited at No. 54 and as such, would not result in any significant loss of light to this neighbour's rear garden space or rearward windows. No. 54 does benefit from a window to its first floor southern flank wall, to which the new dwelling's flank would sit in close proximity to. Upon a site visit and speaking to an occupier at no. 54, it has been confirmed that the impacted window serves a bathroom.
- 14.7.3** It is appreciated that the new dwelling would cause a level of overshadowing and would impact the outlook achieved from the flank window of no.54. However, a level of light would still be received to this window and it would still be openable. Therefore, whilst the outlook would be reduced, given the window serves a non habitable room, the level of overshadowing and reduced outlook would not amount to a level of harm to this neighbour's amenity that would justify the refusal of this application on neighbouring amenity grounds.
- 14.7.4** The dwelling would sit slightly forward of no. 54's front windows and is not expected to have any adverse impact upon the light received to this neighbours' front windows.
- 14.7.5** Whilst the construction of the approved dwelling under 24/00484/FUL has not commenced, it would still be necessary to assess the potential harm to this dwelling, given it is a recent permission and can still be implemented. The proposed dwelling would sit in line with the face of the approved dwelling and would only extend marginally beyond its rear elevation. The approved dwelling would not have any flank windows. As such, the proposal would not result in any harmful loss of light or overlooking toward the approved dwelling's amenity space. Similar to the assessment already undertaken to the existing dwellings, any overlooking from the proposed dwelling's rearward windows towards the approved

dwelling's garden space would not be over what would be expected in a residential area such as Marlborough Close.

**14.7.6** In line with the above, the proposal would be unlikely to result in any adverse impact upon neighbour amenity and would comply with policy PMD1.

**14.8** **F) Provision of a Suitable Living Environment**

**14.8.1** In relation to private amenity space, Annexe A1.2 of the 1997 Borough Local Plan indicates the following:

New dwellings shall have the following minimum private zone areas:

- 0-74 square metres gross floor area - 75 square metres minimum.
- 75-99 square metres gross floor area - 100 square metres minimum.
- 100 square metres and above gross floor area - 125 square metres.

**14.8.2** The proposed floor plans submitted with this application indicate that the new dwelling would have a gross internal floor area of approximately 85 sqm and thus would be expected to have at least 100 sqm of garden space. The proposed private garden area to be associated with the new dwelling would equate to 65 sqm. The exact floor area details for the existing dwelling at No. 22 have not been provided, however from calculations taken from aerial mapping data, it is safe to assume that this has an internal gross floor area in excess of 100sqm. The resultant garden area at No. 22 would be approximately 65 sqm also falling short of the 125 square metres suggested.

**14.8.3** The amenity areas provided for the new dwelling and existing dwelling would therefore fall below the minimum required. Consideration is given to the fact that within Marlborough Close and Victoria Avenue, there are many examples of dwellings with private amenity areas which would fall below the requirements of the above described space standards by the same margin as the proposed, if not more. As such, smaller private garden areas and depth would not be considered uncharacteristic of properties in Marlborough Close. For this reason, the introduction of the new dwelling and the reduced garden space of No. 22, in this location would not be out of character, or warrant the refusal of this application on these grounds.

**14.8.4** The proposed dwelling would provide a suitable internal living arrangement and provide sufficient light and outlook to the habitable

rooms of the two bedrooms. It layout would comply with both the Council's standards as well as the Nationally Described Space Standards.

**14.8.5** Overall, the internal and external amenity space and conditions provided to the proposed new dwelling and external amenity space for no. 22 would be considered acceptable in this instance and compliant with Policy PMD1.

## **15. ADDITIONAL DUTIES**

### **15.1 Public Sector Equalities Duties**

**15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

**15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

### **15.2 Human Rights**

**15.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

## **16. CONCLUSION**

**16.1.1** The principle of development is considered acceptable. While the dwelling would be narrower than others in the area the overall design and

layout of the dwelling, together with the marked improvements to the appearance of the street scene through the loss of the large fences in Marlborough Avenue, on balance, would not result in significant detrimental harm to the character or visual appearance of the street scene. Any loss of light or outlook experienced by No. 54 Marlborough Avenue would be towards a window serving a non-habitable room and would be at a level generally accepted for such uses. Similarly, the highways, internal living conditions and ecology impacts of the proposal would be acceptable.

**16.1.2** The proposal is considered to be in accordance with the NPPF and the relevant policies contained within the Core Strategy and is therefore recommended for Approval.

**17. RECOMMENDATION**

**17.1** APPROVE, subject to the following conditions:

**TIME LIMIT**

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

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

**PLANS**

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

<b>Plan Number(s):</b>		
Reference	Name	Received
24-672-01 B	Location Plan	12th November 2024
24-672-02 B	Proposed Site Layout	12th November 2024
24-672-03 B	Proposed Floor Plans	12th November 2024
24-672-04 B	Roof Plans	12th November 2024
24-672-05 B	Proposed Elevations	12th November 2024

24-672-06 B	Proposed Site Layout	12th November 2024
24-672-07 B	Location Plan	12th November 2024
24-672-08 B	Existing Elevations	12th November 2024
24-672-09 B	Existing Elevations	12th November 2024
24-672-10	Existing Elevations	12th September 2024

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

### **MATERIALS AND FINISHES AS DETAILED WITHIN APPLICATION**

- 3** The materials to be used on the external surfaces of the development hereby permitted shall be implemented as detailed within the application.

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

### **SOFT AND HARD LANDSCAPING SCHEME**

- 4** No development shall take place until full details of both hard and soft landscape works to be carried out have been submitted to and approved in writing by the local planning authority. These details shall include the layout of the hard landscaped areas with the materials and finishes to be used and details of the soft landscape works including schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme. The hard landscape works shall be carried out as approved prior to first occupation of the development hereby approved unless otherwise first agreed in writing by the local planning authority. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place,



unless the local planning authority gives its written consent to any variation.

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

## **VEHICLE ACCESS AND SITE SPLAYS**

- 5** No development shall take place until details of the siting of the proposed vehicle access, siting of hardstanding, and pedestrian sight splays which have clear ground level sight splays of 1.5 metres x 1.5 metres from the back of the footway have been submitted to and approved in writing by the Local Planning Authority. Such details as agreed in writing shall then be fully implemented concurrently with the remainder of the development thereafter retained.

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

## **CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN [CEMP]**

- 6** No construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP should contain or address the following matters:

- i. the parking of vehicles of site operatives and visitors.
- ii. loading and unloading of plant and materials.
- iii. storage of plant and materials used in constructing the development.
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- v. wheel washing facilities.
- vi. measures to control the emission of dust and dirt with air quality mitigation and monitoring during construction.
- vii. measures for the control of noise (in accordance with BS5228).
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

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

## **HOURS OF CONSTRUCTION**

- 7** No demolition or construction works in connection with the development shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday 0800 - 1800 hours

Saturdays 0800 - 1300 hours

No bonfires should be permitted during construction and ground-working activities.

**Reason:** In the interest of protecting surrounding residential amenity and in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

- 8** **NO EXTENSIONS, ALTERATIONS TO ROOF OR OUTBUILDINGS WITHOUT ADDITIONAL PERMISSION**

Notwithstanding the provisions of Classes A, B, C and E of Part 1, Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no extensions, alterations to the roofs or outbuildings shall be erected or provided to the dwelling without obtaining additional planning permission.

**Reason:** Given the smaller size of the rear garden and in the interests of visual amenity, neighbour amenity, highway safety and preserving the character and appearance of the immediate locality whereby similar Permitted Development rights have been also restricted, and in the interests of policies CSTP22, PMD1, PMD2 and PMD8 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

**Informatives:**

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

**2** Any works, which are required within the limits of the highway reserve, require the permission of the Highway Authority and must be carried out under the supervision of that Authority's staff. The Applicant is therefore advised to contact the Authority at the address shown below before undertaking such works.

Chief Highways Engineer,  
Highways Department,  
Thurrock Council,  
Civic Offices,  
New Road,  
Grays  
Thurrock,  
Essex,  
RM17 6SL