

Appeal Decision

Site visit made on 21 February 2017

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 02 March 2017

Appeal Ref: APP/M1595/W/16/3164120

126 Orsett Road, Grays RM17 5ET

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Monica Khanna against the decision of Thurrock Borough Council.
 - The application Ref 16/00781/FUL, dated 1 June 2016, was refused by notice dated 11 October 2016.
 - The development proposed is the sub-division of existing site and erection of single storey 2 bedroom dwelling with pitched roof.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on:
 - the character and appearance of the area including the long term future of an existing sycamore tree on the site;
 - the living conditions of future occupiers with particular regard to the external space proposed;
 - highway safety and convenience with particular regard to the proposed car parking arrangements.

Reasons

Character and Appearance

3. The appeal site is located to the rear of a substantial detached two storey building which fronts onto Orsett Road. Whilst the ground floor of the building is in commercial use, its scale and form is typical of the detached and semi-detached residential properties in this part of Orsett Road. The site is used as a car park and has a frontage onto Park View Gardens. This short cul de sac is characterised by fairly formally arranged semi-detached two storey dwellings.
 4. The modest scale and single storey form of the proposed dwelling would be at odds with the prevailing pattern of substantial two storey buildings in the area. I recognise that the single storey height of the building would limit its bulk and help to prevent overlooking of neighbouring properties. Nevertheless, the footprint of the building would take up a large proportion of the space to the rear of No 126, reducing the openness of the site, leaving narrow gaps to the
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site boundaries and limiting separation between it and the rear of the existing building. The layout would, therefore appear cramped, with little opportunity for planting around the building.

5. There is a large sycamore tree in the corner of the site close to the Park View Gardens frontage. The tree is prominent in the street scene and contributes positively to the character of the area. Part of the new building would fall within its crown spread. Whilst the appellant states that the tree would be retained, no information has been provided on the condition, estimated lifespan or root spread of the tree. Nor is there an assessment of the effect of the proposed building on the tree, or proposals for any measures which may be required to protect it during construction. Without such information I cannot be assured that the tree would be successfully retained. Its loss would be harmful to local distinctiveness.
6. Consequently, I find that the proposal would have a harmful effect on the character and appearance of the area. As such, it would conflict with Policies PMD1, PMD2 and CSTP22 of the Council's Core Strategy and Policies for Management of Development 2015 (CS). Together, these policies require proposals to protect the natural environment and achieve a high standard of design which responds to the character of the site and its surroundings. Nor would the proposal accord with National Planning Policy Framework (the Framework) paragraph 64 which advises that development of poor design, which fails to take opportunities to improve the character of the area, should be refused.

Living Conditions

7. The proposal is for a two bedroom dwelling which, the appellant states, could accommodate a small family. The Council gives the size of the private external space as 46 sqm and this has not been disputed. The Council also advises that the Local Plan requires a minimum area of 75 sqm. I have not been provided with the policies or standards to support this figure. Nevertheless, the limited size of the proposed external area would not be sufficient to allow for the needs of a family occupying the dwelling with regard to external storage, clothes drying, play, sitting out and the like. Therefore, I find that the proposal would not offer satisfactory living conditions of future occupiers with particular regard to the external space proposed. Accordingly, it would conflict with CS Policy PMD2 insofar as it requires proposal to provide adequate private amenity space.

Highway Safety

8. The existing car park serves the dental clinic at No 126. It provides for at least six spaces of which three were in use at the time of my visit. The proposal would result in the loss of all of the parking for the dental clinic and would provide no off-street parking for the proposed dwelling. The roads adjoining the site are restricted to permit holders only during the daytime.
9. I recognise that the site has good access to public transport. This may justify a reduction in the amount of parking required. However, I consider that the loss of the dental clinic parking, together with the absence of parking for the proposed house, would result in significant additional parking demand in Park View Gardens. The number of spaces here is limited and they appear to be well used. Consequently, the proposal is likely to lead to parking conflict and

potentially unsafe manoeuvres to the detriment of highway safety and convenience. As a result, the proposal would not accord with CS Policies PMD2 or PMD8 to the extent that they require proposals to provide adequate car parking and safe access for all members of the community.

10. I have had regard to the other concerns expressed locally, but none has led me to a different overall conclusion.

Planning Balance and Conclusion

11. Framework paragraphs 7 and 8 require the social, economic and environmental roles of sustainability to be considered together. Framework paragraph 47 seeks to boost the supply of housing. The creation of one dwelling would make a very limited contribution to the supply of housing in the area and, therefore, to the social role of sustainability. I have not been made aware of any economic benefits of the proposal.
12. On the other hand, I have concluded that the development would be harmful to the character and appearance of the area, to the living conditions of future occupiers and to highway safety. The proposal would, therefore, have negative effects on the environmental and social roles of sustainability. The adverse impacts of granting permission would, therefore, significantly and demonstrably outweigh the benefits of the proposal.
13. Consequently, I conclude that the proposal would not amount to sustainable development and so is not supported by the presumption in favour of sustainable development set out in Framework paragraph 14.
14. For the reasons set out above, the appeal should be dismissed.

Simon Warder

INSPECTOR