



Appeal Decision

Site visit made on 7 January 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2020

Appeal Ref: APP/M1595/W/19/3238393

Land to rear of 14 Corringham Road, Stanford Le Hope SS17 0AH

- 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 Mr S Gokteke against the decision of Thurrock Borough Council.
 - The application Ref 19/01094/FUL, dated 11 July 2019, was refused by notice dated 16 September 2019.
 - The development proposed is demolition of existing garage and erection of three storey residential building providing 2 no. 2 bedroom residential units with undercroft parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of development shown on the Council's decision notice and the appellant's appeal form because it is more precise than the description shown on the planning application form.

Main Issues

3. The main issues are the effect of the proposed development on: (i) the character and appearance of the area; (ii) non-designated heritage assets; (iii) the living conditions of the future occupiers of the proposed flats; (iv) the living conditions of the occupiers of neighbouring properties at Nos 3-5 Salisbury Avenue, with particular regard to outlook; and (v) whether the proposed parking layout would provide sufficient manoeuvring area for vehicles using the parking spaces.

Reasons

Character and appearance

4. The appeal site is located to the rear of the Corringham Road street frontage, which generally consists of ground floor commercial uses and residential units on the upper floor. A single storey building currently occupies the appeal site and it is served by a vehicular access from Corringham Road. The properties that surround the appeal site are predominantly 2 storey buildings, which are varied in architectural styles.
5. The proposed development would replace the existing single storey building with a 3 storey building. The 3 storey scale of the proposed building would appear out of keeping with the scale of surrounding properties, which are generally of 2 storeys. The form of the proposed building would be boxy and

the lack of architectural features would create a bland appearance. The eastern and western side elevations would appear particularly dominant and unattractive. This is because of the considerable depth of the proposed building; the height of the external walls at around 7.7 metres; and the lack of architectural details to break up its bulk. The use of timber cladding to soften the appearance of the building does not constitute high quality design and it would not be sufficient to provide an acceptable appearance.

6. Furthermore, the proposed building would be positioned close to the side and rear boundaries. Taken together with the excessive scale of the building, it would result in a cramped and dominant development that would fail to respect the context of the surrounding area. Whilst there would be limited views of the proposed development in the street scene, it would be clearly visible from neighbouring properties and their gardens. In any event, the lack of visibility from main roads does not obviate the need to achieve good design.
7. I acknowledge that there is a single storey building finished in blue metal cladding to the west of the appeal site, comprising a vehicle MOT and service centre, which does not contribute positively to the character and appearance of the area. Nevertheless, this should not justify new development of poor design that fails to take the opportunities available for improving the character and quality of the area.
8. For the above reasons, I conclude that the proposed development would be harmful to the character and appearance of the area. The proposal would therefore be contrary to Policies PMD2 and CSTP22 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development Adopted January 2015 ('CS'), which, amongst other things, seek high quality design and development that contributes positively to the character of the area in which it is proposed. The proposed development would also be contrary to Chapter 12 of the National Planning Policy Framework ('Framework'), which, amongst other things, seeks the provision of well-designed buildings.

Non-designated heritage assets

9. The Council's Historic Buildings Advisor states that the surrounding properties in Corringham Road and Salisbury Avenue are considered to be non-designated heritage assets. It is asserted that the properties have a distinctive character.
10. Nevertheless, there is not clear and up-to-date information before me in respect of non-designated heritage assets, including the criteria used to select them and information about their precise location. Therefore, whilst I find that the proposed development would be harmful to the character and appearance of the area, as set out above, there is no substantive evidence before me to demonstrate harm to the significance of non-designated heritage assets. In this respect, I do not find conflict with Policies PMD4 and CSTP24 of the CS, which seek to protect the fabric and setting of heritage assets.

Living conditions for future occupiers.

11. The kitchen/living room of the proposed flats would be served by sliding doors, which would face an obscure glazed 1.8 metres tall balustrade that would enclose the balcony. Given the height and close proximity of the obscured

balustrade to the sliding doors, the outlook from the main living area would be poor.

12. Furthermore, it is likely that there would be insufficient daylight distribution to bedrooms of the proposed flats. This is because of the considerable size of the bedrooms and the large distance between the rear part of the rooms to the sole window at the front.
13. Annex 2 of the Thurrock Local Plan (1997) states that 2-bedroom flats should have 50 square metres of amenity space per flat. Whilst some shortfall in size could be acceptable close to a shopping frontage, the proposed balconies would be 5.5 square metres in area, which falls significantly below the standard set out in Annex 2. Furthermore, the enclosure of the balconies by a 1.8 metres tall balustrade would severely restrict the outlook from the space and therefore it would not constitute a good quality outdoor amenity area.
14. Taking into account the combined effect of the poor outlook from the kitchen/living room; the insufficient daylight distribution to the bedrooms; and, the sub-standard outdoor amenity space, the layout of the proposed flats would fail to provide satisfactory living conditions for future occupiers.
15. Whilst the floor areas of the proposed flats would be sizeable, which could accommodate satisfactory furniture layouts and movement space, this would not mitigate the harm that I have identified above.
16. I have had regard to the Council's concerns in respect of ventilation. However, given that the proposed flats would be dual-aspect, there is no substantive evidence before me to suggest that there would be likely to be issues with overheating.
17. For the above reasons, I conclude that the proposed development would be harmful to the living conditions of the future occupiers of the proposed flats. The proposal would therefore be contrary to Policy PMD1 of the CS, which, along with other things, seeks to ensure that development would not be likely to cause unacceptable effects on the amenity of future occupiers of the site.

Living conditions of neighbouring properties

18. The rear boundary of the appeal site adjoins the rear gardens of Nos 3 & 5 Salisbury Avenue. The existing building on the appeal site has limited impact on the outlook from the neighbouring properties due to its single storey height.
19. The proposed development would replace the existing structure with a 3 storey building, which would appear much more imposing when viewed from the gardens of Nos 3 & 5. The proposed building would be positioned in close proximity to the boundary with the neighbouring properties. Taken together with the height of the building, at around 7.7 metres, and the lack of articulation of the rear wall, the proposed development would appear overbearing when viewed from the neighbouring gardens. The proposal would therefore cause a significant loss of outlook, which would be harmful to the living conditions of the occupiers of Nos 3 & 5.
20. I have had regard to the appellant's contention that the timber cladding would lessen the impact of the building. Nevertheless, this would not be sufficient to alleviate the scale and dominance of the proposed building in relation to neighbouring gardens.

21. The officer's report has also raised concern in respect of a loss of privacy to the occupiers of Nos 3 & 5. However, the rear balconies would be enclosed by a 1.8m tall obscure glazed balustrade, which would restrict views into the neighbouring properties. In this respect, the proposal would not cause a significant loss of privacy.
22. For the above reasons, I conclude that the proposed development would be harmful to the living conditions of the occupiers of Nos 3 & 5 Salisbury Avenue. The proposal would therefore be contrary to Policy PMD1 of the CS, which, amongst other things, seeks to ensure that development would not be likely to cause unacceptable effects on the amenity of others. It would also be contrary to paragraph 127 of the Framework, which, as well as other things, states that planning decisions should ensure that developments create places with a high standard of amenity for existing users.

Parking layout

23. Most of the proposed parking spaces would have a space of about 4 metres to the front for vehicles to manoeuvre. This amount of manoeuvring space would be very constricted. It is likely that a considerable amount of manoeuvring would be required for vehicles to use the parking spaces. I acknowledge that the width of the parking spaces, at around 3m, would be relatively wide. Nevertheless, based on the evidence before me, I am not satisfied that there would be adequate turning space for vehicles to easily enter and exit the parking area in forward gear.
24. For these reasons, I conclude that the proposed parking layout would not provide sufficient manoeuvring area for vehicles using the parking spaces. The proposal would therefore be contrary to Policies PMD2 and PMD8 of the CS, which, amongst other things, state that parking provision will only be permitted where it is safe and of a high design quality.

Other Matters

25. The officer's report states that the proposed development would be within the zone of influence of the Thames Estuary and Marshes Special Protection Area (SPA). As I am dismissing this appeal for the reasons given above, I need not consider the effect of the proposal on the SPA.

Conclusion

26. I have found that the proposed development would not cause harm to the significance of non-designated heritage assets. However, it would be harmful to the character and appearance of the area. It would also fail to provide acceptable living conditions for future occupiers of the proposed flats, and it would be harmful to the living conditions of the occupiers of Nos 3 & 5 Salisbury Avenue. Furthermore, the proposed parking layout would not provide sufficient manoeuvring area for vehicles using the parking spaces. These are sufficient reasons to dismiss the appeal. For the above reasons, and having had regard to all other matters, I conclude that the appeal should be dismissed.

C Osgathorp

INSPECTOR