



Appeal Decision

Site visit made on 20 January 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2020

Appeal Ref: APP/M1595/W/19/3234480

253 Princess Margaret Road, East Tilbury RM18 8SB

- 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 Paige Harris of Persimmon Homes Essex against the decision of Thurrock Borough Council.
 - The application Ref 19/00500/FUL, dated 01 April 2019, was refused by notice dated 22 July 2019.
 - The development proposed is the demolition of no. 253 Princess Margaret Road, formation of an emergency, pedestrian and cycle access, erection of fencing adjacent to Princess Margaret Road and the erection of two semi-detached houses along Sandpiper Close.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development above reflects an agreement between the Local Planning Authority and the appellant, subsequent to the submission of the planning application.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the development would create a safe and secure environment.

Reasons

4. The appeal site is occupied by a two-storey detached dwelling, 253 Princess Margaret Road (No. 253), located within a residential area. The site is identified as a landscaped corridor and emergency access in the recent residential development of 'The Boulevards'. 'The Boulevards' is located behind properties fronting Princess Margaret Road and directly abuts the East Tilbury Conservation Area.
5. Princess Margaret Road is a long straight road, predominately with two storey semi-detached dwellings, with a consistent building line and design. Dwellings are set back from the main road, built within generous plots and with relatively spacious front gardens and driveways.

6. Reflecting the character and appearance of Princess Margaret Road, 'The Boulevards' are also set back from the road, with gardens and driveways located to the front of the properties. Nevertheless, due to their relatively smaller plots, the area appears denser and more urban in character than that of Princess Margaret Road.
7. The demolition of No. 253 to facilitate the landscaped corridor and access has planning permission. This appeal would extend the building line of Sandpiper Close and introduce two semi-detached dwellings into that landscaped corridor.
8. The proposed two additional dwellings to the North end of the terrace would encroach beyond the North flank elevation and, due to the demolition of No. 253, would be visible from the road. Although the appellant argues the dwellings would not be visible from the road, as the existing dwellings on Sandpiper Road are visible between dwellings fronting Princess Margaret Road, I disagree. They would also be adjacent to the public open space. This would make them more visible.
9. The site, when approached from Princess Margaret Road, would be first viewed from the rear elevation of the proposed two new dwellings. Although the development will be at a reasonable distance from the Road and planting and landscaping is proposed to minimise the impact of the encroachment, the development's height and bulk would remain readily visible from the road.
10. Considering its prominence, as the first visible part of the 'The Boulevards' and its lack of relationship with Princess Margaret Road, the proposed new development is likely to have a negative impact, therefore harming the character and appearance of the wider area.
11. Consequently, in that regard, it would be contrary to Policies PMD1 which seeks to prevent unacceptable effects on amenity, health, safety and the natural environment PMD2 which requires development to respond to the sensitivity of sites and their surroundings, CSTP22 which promotes high quality design and CSTP23 which aims to promote and enhance the character of Thurrock of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (as amended) (2015).

Safe and secure environment

12. Concerns have been raised regarding impact on the proposal on safety and the security of the environment, primarily linked to the creation of hiding places exacerbated by the rear boundary of the two proposed dwellings and also by reducing visibility from each end of the footpath.
13. If I were minded to allow the appeal, the landscape areas and access road would be overlooked by the first floor windows of the rear elevation of both properties and the bay window of plot 1. The appellant argues that the development would provide a greater degree of natural surveillance compared to that which has previously been consented.
14. Although the landscape and access road would, in the approved version of the scheme, enjoy some natural surveillance mainly brought by cyclists, passers by and other users of the access road, I do believe that the appeal proposal would increase the level of natural surveillance on the site, which could have a positive impact as a deterrent of crime and anti-social behaviour and therefore I do not find that the proposal would result in the creation of an unsafe space.

15. For the reasons given above, I conclude that the development would not be detrimental to the establishment of a safe and secure environment. Consequently, in that regard, the proposal would not be contrary to Policy CSTP22 which promotes high quality design, Policy CSTP23 which aims to promote and enhance the character of Thurrock, Policy PMD1 which seeks to prevent unacceptable effects on safety and Policy PMD2 which requires development to respond to the sensitivity of sites and their surroundings, of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (as amended) (2015).

Other Matters

16. The appellant has highlighted, in the Planning, Design and Access Statement (2019), that although the currently approved reserved matters plan for the site does not show any protrusion¹, this was not the case in the previous version approved in January 2015², therefore establishing the principle that such a design would be acceptable. Nevertheless, in the previous January 2015 version, the encroachment was less than that now proposed and there was less narrowing of the landscaped corridor at the end of the building line. As such, I have afforded this matter limited weight when making my decision.
17. The appeal site is located adjacent to the East Tilbury Conservation Area. I note that no objections have been raised by the Council's Historic Buildings and Conservation Area Advisor in relation to this proposal as the impact would be minimal. Based on the evidence before me, I have no reason to disagree with the Council in this matter. However, this is of neutral consequence in the overall planning balance.
18. The appellant has drawn to my attention the Council's inability to demonstrate a five year housing land supply and that housing delivery rates are persistently under housing requirements. The proposed development would make a small contribution to the Council's housing supply in a sustainable location and on an existing developed site making effective use of the land, in accordance with the National Planning Policy Framework (the Framework). However, as only two additional dwelling would be provided, the adverse impacts identified above would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

Andre Pinto

INSPECTOR

¹ 16/00009/CV (PL02J)

² 14/00646/REM (PL02f)