



Appeal Decision

Site visit made on 3 September 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st October 2025

Appeal Ref: APP/M1595/W/25/3365704

634 London Road, Thurrock, West Thurrock RM20 3JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Wojciech Bien against the decision of Thurrock Borough Council.
 - The application Ref is 24/00693/FUL.
 - The development proposed is a three storey dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on the living conditions of future occupiers of the proposed dwelling or the occupiers of 634 London Road, in respect of private amenity space;
 - whether the proposal would provide adequate manoeuvring space for vehicles parked at the proposed dwelling or 634 London Road; and
 - whether the proposal would increase flood risk at the appeal site or to third party land.

Reasons

Character and Appearance

3. The appeal site comprises a modest semi-detached property situated within a wide plot, accessed from London Road close to the junction with Second Avenue. Either side of Second Avenue, there are pairs of two storey, semi-detached dwellings that are uniform in appearance and front London Road.
4. The front and rear gardens of 1 Second Avenue wrap around the side and rear boundaries of the appeal site. This layout is mirrored on the opposite side of Second Avenue, creating a symmetrical streetscape when viewed from London Road that positively contributes to a sense of spaciousness at the entrance to Second Avenue.
5. Despite retaining a gap between the proposal and the semi-detached dwellings, the proposal would disrupt the existing symmetrical appearance and diminish the

established sense of openness at the entrance to Second Avenue. Whilst the proposal would be the same size as the host dwelling, the introduction of a detached dwelling on the appeal site would erode the spacious character of the corner plot, resulting in a more enclosed and less balanced visual appearance when viewed from London Road. As a result, the proposal would fail to positively contribute to the character of the area.

6. While properties along London Road vary in size and design, and include examples of front and rear dormers, the dwellings either side of Second Avenue are largely uniform in appearance. They feature consistent fenestration and remain unaltered at roof level, contributing to a cohesive streetscape. In contrast, the proposed dwelling includes front and rear dormers, as well as changes to the size and position of windows that differ noticeably from the adjacent properties. These elements would appear uncharacteristic in the context of the surrounding semi-detached dwellings and would therefore fail to respond positively to the established local character. Whilst the window design aims to maximise daylight for future occupiers, it has not been sufficiently demonstrated that an alternative design could not have achieved the same aim.
7. For the above reasons, the proposal would have an unacceptable effect on the character and appearance of the area. It would therefore be contrary to Policies CSTP22, CSTP23 and PMD2 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development 2015 (Local Plan). These policies require proposals to contribute positively to the character of the area in which it is proposed.

Private Amenity Space

8. A1.2 (i) of Annex 1 of Saved Policy 'Residential Areas' from the 1997 Local Plan (Annex 1) sets out required private amenity space for new dwellings. It details that; the standard size for private amenity space should be regarded as the absolute minimum. The parties agree that the proposal would result in both the proposed and host dwelling failing to provide this standard.
9. Whilst the site is located close to West Thurrock Memorial Ground, this would not provide dedicated amenity space as required by Annex 1, nor would the site being in an urban location, justify under provision, when surrounding properties have good sized private amenity space.
10. The existing dwelling has an outbuilding that affects the remaining useable garden area of this property. Whilst the reduction in private amenity space from the current provision would be small, this does not consider that the outbuilding is of benefit to the occupiers of the existing dwelling and the proposal would result in its loss.
11. Reference is made to a three bedroom dwelling at 40 First Avenue, whereby amenity space measuring 63m² was considered acceptable. However, the planning circumstances and precise location of the example are unknown, and, in any event, the proposal would result in the private amenity space for both dwellings being less than 63m².
12. For the above reasons, the proposal would unacceptably affect the living conditions of the occupiers of 634 London Road and the future occupiers of the proposed dwelling in respect of private amenity space. It would therefore be contrary to Policy PMD1 of the Local Plan and Annex 1 which requires new

dwelling to provide future occupiers with private amenity space in accordance with minimum standards.

Parking and Manoeuvring

13. The appeal site is located on a Level 2 Urban Route, as identified in the Local Plan. In such areas, amongst other things, Policy PMD9 of the Local Plan requires development to make a positive contribution to road safety or ensure road safety is not prejudiced. Whilst each dwelling would be able to accommodate two parking spaces for medium sized vehicles, vehicles in both parking areas would be unable to turn within the site.
14. The Council has confirmed that this section of London Road is subject to high traffic volumes, which is consistent with observations made during my visit. Accessing the existing and proposed dwelling would require vehicles to reverse onto the busy highway or stop on the carriageway to reverse into the driveways. Despite good visibility, such manoeuvres would likely interrupt the free flow and safe movement of traffic and present a safety hazard for pedestrians.
15. Reference is made to similar parking arrangements along London Road. However, along this stretch of London Road most properties do not have off street parking and instead on street parking bays are provided. The limited examples noted are the exception and their lawfulness is unknown, as a result they would not justify the appeal scheme.
16. For the above reasons, the proposal would fail to provide adequate manoeuvring space for vehicles parked at the proposed dwelling or 634 London Road. It would therefore be contrary to Policies PMD2 and PMD9 of the Local Plan which require proposals to avoid congestion, mitigate against negative impacts and make a positive contribution to road safety or ensure road safety is not prejudiced.

Flood Risk

17. The appeal site is located within Flood Zone 2 and the application was accompanied by a site specific Flood Risk Assessment (FRA). Whilst the FRA details that surface water will be maintained to the current predevelopment rate, there is no indication of this rate. In addition, it has not been sufficiently demonstrated that additional surface water could be managed by the measures identified, including soak aways and permeable hard landscaping. Given the lack of clarity, it is not considered that this issue could be satisfactorily addressed through the imposition of a planning condition.
18. For the above reasons, I am not satisfied that the proposal would not increase flood risk at the appeal site or to third party land. As a result, it would be contrary to Policies CSTP27 and PMD15 of the Local Plan insofar as they require development to demonstrate that it will be 'safe', without increasing flood risk elsewhere, and where possible will reduce flood risk overall.

Planning Balance and Conclusion

19. The proposal would cause harm to the character and appearance of the area, unacceptably effect the living conditions of the occupiers of 634 London Road and future occupiers of the proposed dwelling in respect of private amenity space; provide inadequate manoeuvring space for vehicles parked at both dwellings and it has not been demonstrated that it would not increase flood risk at the appeal site

or to third party land. Substantial weight is afforded to these conflicts with the development plan.

20. The absence of a five-year supply of deliverable housing sites engages paragraph 11 d) of the Framework. This indicates that where the requisite land supply cannot be demonstrated, permission should be granted unless i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
21. Footnote 7 of the Framework confirms that the policies referred to under the first limb include areas at risk of flooding. Given my findings on the fourth main issue, the proposal would not qualify as sustainable development and the tilted balance in the second limb of Framework paragraph 11 d) would not apply. The conflict with Policies CSTP22, CSTP23, CSTP27, PMD1, PMD2, PMD9, PMD15 and Annex 1 carry significant weight, and this brings the scheme into conflict with the development plan taken as a whole. The social and economic benefits of delivering a modest dwelling does not justify a decision otherwise than in accordance with the development plan.
22. For the reasons given above, and having regard to all matters raised, the appeal is dismissed.

V Goldberg

INSPECTOR