

Appeal Decision

Site visit made on 24 January 2017

by J Dowling BA(Hons) MPhil MRTPI

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

Decision date: 30 January 2017

Appeal Ref: APP/M1520/W/16/3158530

Adj 55 Hannett Road, Canvey Island, Essex SS8 8LP

- 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 Ms Marnie Bennett against the decision of Castle Point Borough Council.
 - The application Ref 16/0465/FUL, dated 20 June 2016, was refused by notice dated 17 August 2016.
 - The development proposed is construct pair of houses to plot of land adj 55 Hannett Road, Canvey Island, Essex SS8 8LP.
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Decision

1. This appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the living conditions of future occupiers of the property with particular reference to the amount and quality of available amenity space;
 - the effect of the proposal on the living conditions of the occupants of the Bardenville Road properties with particular reference to outlook and overlooking;
 - the effect of the proposal on the character and appearance of the streetscene; and
 - highway safety.

Reasons

Living conditions of future occupiers

3. The Castle Point Borough Council Residential Design Guidance Supplementary Planning Document (2013) (the SPD) requires the provision of 75sqm of amenity space for each unit of the size proposed. The appeal scheme would fall considerably short of this requirement. Furthermore, due to the restricted nature of the plot the proposed rear gardens would have a very limited depth. Whilst I acknowledge that this is not necessarily out of character in this location, given the plots orientation and the rear boundary treatment I consider that the amenity space would not only be substandard but of a poor quality detrimental to the living conditions for future occupiers of these units.
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4. I note the reference to the availability of alternative green space and I agree with the appellant that this is within a reasonable distance of the appeal site. However, I consider that given the size of the units they would most likely provide family accommodation and as a consequence consider that off-site provision would not be appropriate.
5. As a result I consider that the proposal would be contrary to policies EC2 and H17 of the Castle Point Borough Council Local Plan(1998) (the Local Plan) and RDG 6 of the SPD which advocate that new development should be of a high standard and provide sufficient amenity space. These policies are consistent with the National Planning Policy Framework (the Framework) which seeks amongst other things to secure a good standard of amenity for all existing and future occupiers of buildings.

Living conditions of the properties in Bardenville Road

6. As already outlined the plot has a very restricted depth. Nevertheless, I note from the evidence submitted with the appeal that this is not unusual and that the area is characterised by a relatively tight urban grain. A number of other properties with Hannett Road have been highlighted by the appellant as having a similar relationship to neighbouring properties as the appeal scheme. However, I note from my site visit that three of the four properties referred to are bungalows and as a consequence are unlikely to result in overlooking. The appeal proposal would include windows at first floor level and as a result of the limited depth to the boundary of both the proposed and the existing units I consider that the rear windows of No 60 and to a lesser degree the windows of No 58 Bardenville Road would be overlooked to the detriment of the living conditions of the occupants of these properties.
7. The appellant has made reference to the existence of mature conifer trees within the boundary of No 60 Bardenville Road which would help screen the development. However, when I visited the site it would appear that these trees have been removed as there were no trees within the rear garden of No 60.
8. I also observed at my site visit that the adjoining property, No 55, has a large rear dormer window. However, it would appear that this window is obscure glazed and therefore even though the distances to the boundary are similar to the appeal scheme I consider that no overlooking results.
9. Historically the appeal site has formed part of the garden of No 55. As a result the outlook from the rear of Nos 58 and 60 Bardenville Road, unlike neighbouring properties, has been relatively open. As a consequence of introducing a building into this area the outlook from the rear of these properties would be affected. Whilst I acknowledge that building on this plot would in principle result in a similar outlook to neighbouring properties the current proposal is for a relative large building which when combined with the restricted nature of the plot would result in limited space around the building. I consider that due to its bulk, scale and mass the new units would be visually dominant and would lead to a loss of outlook and a sense of enclosure to the occupants of Nos 58 and 60.
10. As a consequence I conclude that the proposal would have an adverse effect on the living conditions of the occupants of these properties which would be contrary to RDG3 and RDG5 of the SPD which advocate that development

which would be over dominant should be refused and that overlooking should be minimised.

Effect of the proposal on the character and appearance of the streetscene

11. Hannett Road is a pleasant suburban road that consists of a wide variety of house types ranging from bungalows to two storey houses. Many of the properties have been extensively altered and extended and there are a number of what appear to be in-fill developments. When I visited the site I observed that No 55 was in the process of being remodelled as a chalet bungalow. As a consequence I consider that a two storey development would not be out of character in this location. Furthermore, the proposed development would be constructed of materials and incorporate design elements such as gable ends and pitched roof detailing above windows that would reflect the design and materials found on other units elsewhere in the road.
12. However, in order to provide off street parking for future occupiers a large integral car port located centrally within the proposal forms part of the design. This would appear as a large void within the front façade and I consider that due to its size and depth this would appear as a visually dominant feature out of character in a streetscene.
13. As a consequence I conclude that the proposal would be harmful to the character and appearance of the streetscene and would therefore be contrary to policy EC2 of the Local Plan which requires new development to be of a high standard of design and RDG12 of the SPD which advocates that parking should not have an adverse effect on visual amenity.

Highway safety

14. Two parking spaces per unit are proposed. However, because of their proposed depth the spaces would be substandard. As a consequence the Council consider that this would either result in a shortfall in on site provision or if both spaces were occupied vehicles overhanging the pavement both of which would impede affect highway safety.
15. The appellant advocates that the site is in an urban location as it is close to good public transport links and local facilities and as a consequence, the exceptions in policy T8 of the Local Plan that enable non-compliance with parking standards would apply.
16. Whilst I acknowledge that there are bus stops which are within a 5-10 minute walk of the site in addition to some local shopping facilities I consider that the site is in a suburban rather than urban location. When combined with the type of units being proposed I believe that future occupants are likely to therefore be reliant on the car for most of their day to day needs.
17. As a result, if insufficient parking is provided I consider that this would result in on-street parking. Although there are no parking restrictions on Hannett Road, due to the narrowness of the road I observed at my site visit that those vehicles that were parked on the street were partially parked on the pavement so as to enable other vehicles room to pass. Given the depth of the footpath this caused an impediment to pedestrians which affects highway safety.
18. I therefore conclude that the shortfall in parking provision would adversely affect highway safety and harm the character of the area contrary to policies

T8 and EC2 of the Local Plan. This is consistent with the framework which advocates the creation of safe and secure layouts which would minimise the conflict between traffic and pedestrians.

Other matters

19. A number of local residents have raised concerns regarding drainage and flooding. However, I note from the Planning Officers report that a Flood Risk Assessment was provided as part of the original planning application and that as a result the Council, subject to a minor update of the plans, were satisfied with the proposal.

Conclusion

20. For the reasons set out above, and having regard to all other matters raised, the appeal is dismissed.

Jo Dowling

INSPECTOR