
Appeal Decision

Site visit made on 6 February 2017

by J L Cheesley BA(Hons) DIPTP MRTPI

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

Decision date: 8th February 2017

Appeal Ref: APP/V1505/D/16/3165632

Rosedale, Ramsden Park Road, Ramsden Bellhouse, Billericay, Essex CM11 1NS

- 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 Terence Dobson against the decision of Basildon Borough Council.
 - The application Ref 16/01245/FULL was refused by notice dated 14 November 2016.
 - The development proposed is a new front wall 1350 high with front gates and piers 1800 high.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:

the effect of the proposal on the character and appearance of the surrounding area; and

the effect of the proposal on highway safety.

Reasons

Character and Appearance

3. The appeal site is situated on a private road where existing mature vegetation and front gardens create an informal and verdant character and appearance to the frontages in this residential area. Front boundaries along this part of the northern side of Ramsden Park Road are characteristically comprised of soft landscaping. Where there are walls and railings, such as those opposite the appeal site, I consider that they detract from the open verdant characteristic of the frontages.
 4. The appeal site lies partly within the Ramsden Bellhouse Area of Special Control, where the Council seeks to retain the semi-rural, spacious character of the area.
 5. The proposed front boundary would include dwarf walls with railings above and two sets of gates. Whilst the plans indicate that the walls would front the site, I understand that the intention was for a 500mm set back from the front boundary. If I were to allow the appeal, it would be reasonable and necessary to rectify this discrepancy by way of a condition. In these circumstances, I
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have determined the proposal before me based on a 500mm set back for the walls.

6. From my observations, the proposal would introduce a feature into the streetscene that has a strong harsh appearance. A 500m set back would provide little opportunity for any substantial landscaping. Due to the height, length, design and position of the proposal, I consider that it would appear as an incongruous and dominant addition to the streetscene, not in keeping with the informal verdant character and appearance of this northern section of Ramsden Park Road.
7. In reaching my conclusion on this matter, I have had regard to all matters raised including the front boundaries of properties opposite the appeal site. The overriding character of the area is of predominantly verdant and open frontages. The presence of harmful development elsewhere is not good reason to allow the proposal. For the above reasons, I conclude on this matter that the proposal would have an adverse effect on the character and appearance of the surrounding area.

Highway Safety

8. The Highway Authority has requested that the proposed front walls be set back a minimum of 2 metres from the edge of the Ramsden Park Road carriageway to ensure adequate visibility.
9. I realise that Ramsden Park Road is a lightly trafficked road. Nevertheless, this is a very narrow road and it is highly likely that manoeuvring vehicles in and out of the proposed gates would result in those vehicles taking up a considerable width of the road.
10. Highway safety has to be of utmost importance. In my opinion it is essential that drivers entering or leaving the property have clear visibility of any vehicles approaching from either direction.
11. I have no clear evidence before me to clearly indicate that the Highway Authority's set back requirement should be relaxed. In these circumstances, I conclude on this matter that the proposal would have an adverse effect on highway safety.

Conclusion

12. In reaching my conclusion, I have had regard to all matters raised, including safety concerns. I have found that the proposal would have an adverse effect on the character and appearance of the surrounding area and on highway safety.
13. For the above reasons, the proposal would be contrary to saved Policy BAS BE12 in the Basildon District Local Plan Saved Policies (2007), where this policy seeks to protect the character of the streetscene and avoid traffic danger. I consider this policy is broadly in accordance with the National Planning Policy Framework in as far as it accords with the Framework's core principles; particularly that planning should be seeking to ensure high quality design and should be taking account of the different roles and character of an area; and Framework policies with regard to highway safety and the creation of safe and accessible environments.

J L Cheesley INSPECTOR