
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: 9th February 2017

Appeal Ref: APP/M1520/D/16/3164774

5 Parkstone Avenue, Thundersley, Benfleet, Essex SS7 1SP

- 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 Mick Knight against the decision of Castle Point Borough Council.
 - The application Ref 16/0778/FUL was refused by notice dated 1 December 2016.
 - The development proposed is a double side/single rear extension.
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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 host dwelling and surrounding area;

the effect of the proposal on the living conditions of occupiers of No. 3 Parkstone Avenue, with particular reference to visual impact and sunlight; and

the effect of the proposal on highway safety.

Reasons

Character and Appearance

3. Saved Policy EC2 in the Castle Point Borough Council Local Plan (1998) seeks a high standard of design. I consider this policy is broadly in accordance with the Framework as far as it meets the Framework's core principles and policies; particularly that planning should be taking account of the different roles and character of an area and should be seeking to ensure high quality design.
 4. The appeal site lies within a primarily residential area where there is a mix of predominately two-storey and single-storey properties. The proposal includes a two-storey side extension with a first floor overhang over part of the car parking area. In addition, there would be a single-storey flat roof part side and rear extension.
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5. I have been referred to the Castle Point Borough Council Residential Design Guidance Supplementary Planning Document (SPD) (2013). I have attributed significant weight to this adopted guidance. Guidance in SPD RDG2 seeks to ensure that new development does not disrupt an existing exceptionally strong pattern of development.
6. The appeal property is an end of terrace two-storey dwelling of traditional appearance opposite a terrace of similar scale and form. In my opinion, the loose symmetry of these terraces creates an exceptionally strong pattern of development which makes a positive contribution to the character and appearance of the streetscene.
7. Guidance in SPD RDG7 seeks to ensure that new roof development does not disrupt symmetry to a group of dwellings. Guidance in SPD RDG8 requires detailing to be consistent with the overall architectural approach of a dwelling. Guidance in SPD RDG2 seeks at least a 1 metre gap between a side extension and a side boundary.
8. The proposed extensions would be situated around 0.1 metres from the side boundary to the adjacent side access. That access is a narrow shared alleyway, which provides a gap of some 1.2 metres to the neighbouring property at No. 3 Parkstone Avenue.
9. There is a small set back two-storey extension on the property at the other end of the appeal property terrace. Even so, I do consider that the proposed side extension, due to its position, width design and scale would significantly disrupt the pattern of development created by the two terraces. In particular, the width would disrupt the symmetry of the frontages of the terraces, resulting in unbalanced front elevations and roofscape. In addition, the first floor overhang would appear as an incongruous addition, not in keeping with the traditional design and appearance of the existing dwelling.
10. For the reasons stated above, I conclude on this matter that the proposal would have an adverse effect on the character and appearance of the host dwelling and surrounding area. Thus, the proposal would be contrary to policy in the Framework; saved Local Plan Policy EC2; and guidance in SPD.

Living Conditions

11. Guidance in SPD RDG3 seeks to ensure that new development does not cause excessive overshadowing or dominance over an adjoining property. The adjacent bungalow at No. 3 Parkstone Avenue is set back from the front building line of the appeal property.
12. The proposed two-storey side extension would be in close proximity to the existing side dining room window at No. 3 Parkstone Avenue. Due to the scale, orientation and position of the proposed side extension, I consider that it would unacceptably overshadow that window, making the dining room a less pleasant room to use. In addition, due to the close proximity and combined depth of the proposed two-storey and single-storey side elevations together with the height and bulk of the proposed two-storey side extension, I consider that the proposal would appear as an unacceptably visually dominant addition when viewed from the premises at No. 3 Parkstone Avenue. This would be to the detriment of the living conditions of occupiers.

13. For the reasons stated above, I conclude on this matter that the proposal would have an unacceptably significant adverse effect on the living conditions of occupiers of No. 3 Parkstone Avenue. This would be contrary to guidance in SPD and policy in the Framework where it seeks a good standard of amenity for all existing occupants of land and buildings.

Highway Safety

14. Saved Local Plan Policy EC2 seeks to ensure safe movement. Saved Local Plan Policy T8 and guidance in SPD RDG12 seek to apply parking standards. I consider these policies are broadly in accordance with the Framework policies with regard to highway safety and the creation of safe and accessible environments.
15. The proposal includes an additional bedroom and one parking space measuring 5.5m by 2.8m would be provided. The Council's parking standards require a minimum of two parking spaces with a bay size of 5.5m by 2.9m each for properties with two or more bedrooms.
16. The Council has stated that the appeal site lies in an area where there is a high demand for on street parking. I have no evidence to dispute this. The potential increase in occupancy of the appeal property, together with the provision of only one parking space, which is slightly narrower than the Council's standards, have led me to conclude that the proposal would create an unacceptable increase in on street parking. This would be to the detriment of highway safety.
17. For the reasons stated above, I conclude on this matter that the proposal would have an adverse effect on highway safety. Thus, the proposal would be contrary to policy in the Framework; Saved Local Plan Policies EC2 and T8; and guidance in SPD RDG12.

Conclusion

In reaching my conclusion, I have had regard to all matters raised. I have found that the proposal would have an adverse effect on the character and appearance of the host dwelling and surrounding area; on the living conditions of occupiers of No. 3 Parkstone Avenue; and on highway safety. I dismiss the appeal.

J L Cheesley

INSPECTOR