

Appeal Decision

Site visit made on 6 February 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 03 March 2017

Appeal Ref: APP/B1550/W/16/3161309

77 Louis Drive, Rayleigh SS6 9DY.

- 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 T & M Withrington against the decision of Rochford District Council.
 - The application Ref 16/00778/FUL, dated 9 August 2016, was refused by notice dated 28 September 2016.
 - The development proposed is demolish existing chalet bungalow and build 2 new 4-bed houses and 2 new 3-bed bungalows.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the development on the character and appearance of the area.

Reasons

3. 77 Louis Drive is a modest dormer bungalow set in large plot within a residential area close to the western edge of Rayleigh. The rear garden is mostly laid to grass, but includes a number of trees and shrubs, mainly located close to the boundaries of the plot. The existing dwelling would be demolished to make way for two, 2-storey family dwellings which would address the road. To the rear of these and served by a new driveway would be a further two bungalows.
 4. Louis Drive is distinguished predominantly by chalet type bungalows occupying spacious plots and arranged in a linear pattern facing the road. Whilst there is some variety in design, the majority of dwellings on the south side of the road are set back generously from the road behind wide grass verges. These features together with relatively long rear gardens lend the area a spacious character. Although, the distinctiveness of Louis Drive has been eroded to some extent by the three larger dwellings (Nos 79, 79a and 81) which are located immediately west of the appeal site, these have maintained the area of separation to those properties to the south fronting Willingale Avenue and hence have not compromised the area's spacious character.
 5. Seen in the context of Nos 79-81, I find nothing objectionable per se about the design of Plots 1 & 2 which would respect the essential characteristics of the Louis Drive street scene.
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6. However, I am less satisfied with the effect of Plots 3 & 4. The drawings show two houses in a backland location that would fill a large proportion of their plots and would address the new private driveway as opposed to Louis Drive.
7. Due to the constraints of the site's size and shape and the awkward orientation of Plots 3 & 4 to each other, there would be little breathing space for the dwellings. A large part of the frontage area would be taken up by the carports and areas of hardstanding for the parking and manoeuvring of cars, with little scope for any meaningful landscaping. The development would be visible from Louis Drive through views along the driveway. In addition, there would be significant visual exposure from neighbouring dwellings and gardens.
8. Overall the development would substantially alter the appearance of the site as a whole and erode its open aspect thus giving the immediate area a more built-up appearance. Consequently, the dwellings would appear cramped and this would represent a marked departure from the area's spacious character.
9. I also concur with the Council that the size of the outdoor amenity areas for the future occupiers of Plots 1 & 2 is indicative of poor design and would compound the feeling of too great a building mass for the plots and, cumulatively with all four dwellings, for the whole appeal site. I acknowledge the proposed density would be within the range identified in Policy DM2 of the *Development Management Plan 2014*" (the DMP). However that policy goes on to say that the precise density will be determined by a site's immediate context.
10. Notwithstanding that the development would be acceptable in terms of its effect on trees, parking, ecology and the living conditions of neighbouring occupiers, it would harm the character and appearance of the area and would conflict with Policy H1 of the *"Core Strategy Adopted Version 2011"* and Policies DM1 and DM3 of the DMP. These state, amongst other things, that all new development must make a positive contribution to the surrounding built environment and should be appropriate to the density of the locality. There would also be conflict with Section 7 of the *"National Planning Policy Framework"* (the Framework) in terms of the need to ensure that development responds to local character, reflects its surroundings and adds to the overall quality of the area.
11. The appellant has referred me to a backland development to the rear of Nos 61-69 Louis Drive. However, I do not know the exact circumstances of this development or the policies that applied at the time of its consideration. In any event, this development is not located in the immediate vicinity of the appeal site and in my view it is an unwelcome addition to the area that affords no precedent for the current proposal. That being the case, I have afforded this development little weight and considered the appeal scheme on its own merits.

Conclusion

12. For the reasons given above and taking into account of all other matters raised, I conclude that the appeal should be dismissed.

D. M. Young

Inspector