
Appeal Decision

Site visit made on 7 April 2017

by **R J Maile BSc FRICS**

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

Decision date: 27th April 2017

Appeal Ref: APP/V1505/D/17/3169540
15 Stirling Place, Basildon, Essex, SS13 1QZ.

- 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 Rikki Russell against the decision of Basildon Borough Council.
 - The application ref: 16/01749/FULL, dated 16 December 2016, was refused by notice dated 25 January 2017.
 - The development proposed is two storey side and rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side and rear extensions at 15 Stirling Place, Basildon, Essex, SS13 1QZ, in accordance with the terms of the application ref: 16/01749/FULL, dated 16 December 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:

Block Plan:	- scale 1:500.
Drawing no. 5216/1:	Existing Floor Plans – scale 1:50; Existing Elevations – scale 1:100.
Drawing no. 5216/2 Rev B:	Proposed Floor Plans – scale 1:50; Proposed Elevations – scale 1:100.

Main Issue

2. The main issue here is the effect of the proposed extensions upon the character and appearance of the host building and that of the surrounding area.
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Reasons

3. 15 Stirling Place comprises one half of a pair of modern, semi-detached houses located within a close of similar dwellings, some of which have been the subject of extensions and alterations.
4. Relevant to my determination of this appeal is the grant of planning permission on 24 November 2016 for a similar two storey side and single storey side/rear extension under ref: 16/01229/FULL. I have been provided with a copy of that permission and of the approved plans.
5. The permitted scheme has retained a gap of 1m between the flank of the side extension and the common boundary with no. 11 next door. In contrast, the proposal now before me would include a ground floor element with lean-to roof extending to the common boundary.
6. A proposal to extend up to that boundary was the subject of an earlier refusal of planning permission. However, the current scheme has been amended to show the side extension set back further from the front elevation, with a more appropriate hipped roof to the two storey rear extension. A front canopy projection has also been removed from the current proposal. These factors have led me to conclude that development as now proposed would remain subservient to the host building.
7. My decision to allow this appeal has also been influenced by the photograph produced in evidence by the appellant of a similar proposal nearby. The set-back of 1.5m from the front elevation and the modest scale of the lean-to roof to the ground floor element of the proposal will ensure that the overall scheme would relate in a satisfactory manner to the host building.
8. The set-back referred to above and the modest width of the lean-to roof at ground floor level will also ensure that the side extension would not appear over-dominant within the street scene. Moreover, the overall impact of the extensions needs to be judged against the background of the recent grant of planning permission for a very similar proposal.
9. For all of these reasons I have found upon the main issue that development as proposed would not be harmful to the character and appearance of the host building or that of the surrounding area, as required by national policy at Chapter 7 (Requiring good design) of the Framework¹ and "saved" Policy BAS BE12 of the Local Plan².

Conditions

10. The Council has suggested that a total of three conditions should be imposed in the event that I am minded to allow the appeal. I have considered these against the tests of the Framework and advice provided by the Government's Planning Practice Guidance issued on 6 March 2014 and find all of them to be reasonable and necessary in the circumstances of this case.
11. My reasons for the conditions are:

¹ The National Planning Policy Framework.

² The Basildon District Local Plan Saved Policies: September 2007.

12. Condition 1 is the standard commencement condition imposed in accordance with section 91(1) (a) of the Town and Country Planning Act 1990. Condition 2 will ensure a satisfactory appearance to the completed development in the interests of the visual amenities of the area.
13. Condition 3, which requires the development to be carried out in accordance with the approved plans, provides certainty.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed.

R. J. Maile

INSPECTOR