

Appeal Decision

Site visit made on 2 June 2017

by S Poole BA(Hons) DipArch MPhil MRTPI

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

Decision date: 19 June 2017

Appeal Ref: APP/V1505/D/17/3172118
25 Abbey Road, Billericay, Essex CM12 9NF

- 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 and Mrs P Butterworth against the decision of Basildon Borough Council.
 - The application Ref 16/01443/FULL, dated 12 October 2016, was refused by notice dated 28 December 2016.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the living conditions of occupiers of 27 Abbey Road, with particular regard to outlook.

Reasons

3. The appeal property is a semi-detached bungalow that forms part of a group of similar properties at the end of a residential cul-de-sac. It has been extended at roof level to provide additional bedrooms and a full-width single-storey extension has been added to the rear. This element has a flank wall next to the boundary shared with the attached pair, 27 Abbey Road. To the rear of No. 27 there is a conservatory which is slightly shallower in rear protrusion than the appeal property's rear addition.
 4. The proposal would comprise the erection of a further single-storey rear extension to the rear of the existing one which would double the length of the flank wall next to the shared boundary. Due to its siting, height and length this element would be a prominent feature when viewed from No. 27 and unacceptably enclose, and reduce outlook from, the conservatory and rear garden of No. 27.
 5. For these reasons I conclude that the proposal would have an unacceptable effect on the living conditions of the occupiers of No. 27. It therefore fails to comply with Policy BAS BE12 of the Basildon District Local Plan which states that planning permission for extensions to dwellings, will be refused if it causes material harm in respect of, amongst other matters, over-dominance. There is
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also clear conflict with the aims of the Council's adopted Development Control Guidelines.

Conclusion

6. Although I note that the scheme has been revised following a previous refusal, for the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR