

Appeal Decision

Site visit made on 20 July 2017

by P Jarvis Bsc (Hons) DipTP MRTPI

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

Decision date: 04 August 2017

Appeal Ref: APP/M1595/D/17/3175037

2 Cherrydown, Grays RM16 2PA

- 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 David Smith against the decision of Thurrock Borough Council.
 - The application Ref: 16/01627/HHA dated 22 November 2016 was refused by notice dated 16 February 2017.
 - The development proposed is a double storey side extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect on the character and appearance of the streetscene.

Reasons

3. The dwelling on the appeal site is a detached two storey dwelling, 'linked' to its neighbouring property No. 1 by an attached garage, and is one of a number of similarly designed two-storey dwellings in this small cul-de-sac, though there is a bungalow opposite the appeal site. Unlike the majority of the dwellings which front the road providing a generally continuous frontage behind open, though modest sized front gardens, the appeal site is located on a corner with a long side boundary fronting the main part of the cul-de-sac.
 4. However, the appeal dwelling is set back from this side boundary with a distance of just over 3.6m between it and its flank elevation, and the side boundary is marked by an approximate 1.8 metre fence with trees located towards the bottom end of the garden. This gap is somewhat less than the set back distances behind what are open frontages of the majority of the surrounding dwellings. However, despite these differences, I consider that it nevertheless contributes to the character of the cul-de-sac, which whilst of a quite intimate character displays a relatively uniform set back of built form with an open frontage.
 5. The proposed two-storey extension would be located to the side of the dwelling and 'fill' the gap that currently exists between the house and the side boundary. Whilst it would be set back slightly from the pavement edge, a distance that the appellant clarifies as just under 0.4 m, in my view, it would
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result in the introduction of a long, flank elevation of two-storey height being effectively sited adjacent to the pavement edge.

6. In my view this would introduce a built form that would be at odds with and thereby detract from the current pattern and layout within this small cul-de-sac. As indicated above, all properties, including the dwelling currently on the appeal site, are set back from the road frontages and whilst only having modest front gardens, this nevertheless provides a relatively pleasant open aspect to the street. In my opinion, the proposed extension would introduce an overbearing built form, which when viewed in the main part of the cul-de-sac would present an unattractive, featureless elevation which would appear prominently within this streetscene, detrimental to its overall character and appearance.
7. The appellant has referred to a number of sites within the area where two storey extensions have been permitted to extend up to or close to the pavement edges in what are suggested to be similar locations. From the information provided it would appear that the character of these sites is somewhat different and each site has to be considered in the particular context. In the case of the appeal site, the intimate character of the cul-de-sac would in my view be unacceptably overwhelmed by such a proposal.
8. The parties also refer to Annexe A1.2 of the Thurrock Local Plan (1997), which although somewhat dated appears to be used as guidance by the Council in the consideration of such proposals. It states that for a two-storey extension a minimum flank building line of 4.5 metres will normally be required. As stated, and as would appear to be evident from the various sites referred to, this is used as guidance and not applied slavishly; indeed the text supports the case that it is the consideration of the impact of a proposal on the particular character of a site and its surroundings that is the main factor.
9. For the reasons set out above, I therefore find that the proposal would have a harmful impact on the character and appearance of the streetscene. It would thus be contrary to Policies CSTP22, PMD1 and PMD2 of the Thurrock Core Strategy (2011) which seek development that demonstrates high quality design founded on an understanding of, and positive response to, local context, has regard for the amenities of the area and contributes positively to the character of the area. It would also fail to meet national policy contained at paragraphs 56 and 57 of the National Planning Policy Framework which states that good design is a key aspect of sustainable development and that it is important to plan positively for the achievement of high quality development.
10. I conclude that this appeal should be dismissed.

P Jarvis

INSPECTOR