
Appeal Decision

Site visit made on 29 August 2017

by H Lock BA (Hons) DipTP MRTPI

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

Decision date: 07 September 2017

Appeal Ref: APP/V1505/D/17/3177043

50 Voysey Gardens, Pitsea, Basildon, Essex, SS13 1QS

- 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 Miss G Belsham against the decision of Basildon Borough Council.
 - The application Ref. 17/00293/FULL, dated 7 March 2017, was refused by notice dated 2 May 2017.
 - The development proposed is two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension at 50 Voysey Gardens, Pitsea, Basildon, Essex, SS13 1QS in accordance with the terms of the application, Ref. 17/00293/FULL, dated 7 March 2017, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale location plan; drawing nos. 6063/1 and 6063/2.
 - 3) 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.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal property and the wider area.

Reasons

3. The appeal property is a semi-detached house on a residential development of similarly designed dwellings. Properties have been extended and altered in a variety of ways, and as a result gaps between buildings are not uniform.
 4. The proposed side extension would in part be built up to the side boundary at ground floor level but would be set in at first floor, thereby retaining a reduced gap. The extension would also be set behind the main front wall of the house, and would be lower in height. Overall, these measures would ensure that it would appear subservient to the host property. In addition, the siting of the
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appeal property, behind the front of 48 Voysey Gardens, would further reduce the prominence of the extension in the street scene.

5. Whilst there are gaps between buildings throughout this residential area, there are also terraced houses and extensions built up to boundaries. In this context, I do not share the Council's assessment that gaps are a defining feature to the collective appearance of properties in the vicinity, or that the street's layout has particularly spacious qualities. The siting and design of the extension would ensure that it would not appear cramped or disruptive to the street scene, but would instead contribute to the variety of extensions found in the locality. I acknowledge that the garage door would be limited in size and there would be a degree of imbalance with the first floor, but similar arrangements exist elsewhere in the vicinity and blend into the street scene.
6. Policy BAS BE12 of the Basildon District Local Plan Saved Policies 2007 (LP) seeks to prevent extensions that would cause material harm to the character of the surrounding area, including the street scene, and guideline DC28 of the Council's Development Control Guidelines¹ (DCG) advises that side extensions should be set back from the front wall of the dwelling and should normally be sited at least 1 metre from the site boundary. In this case, the extension would be set back, and set in at first floor. The preamble to DC28 advises that the standards are intended to act as a guide to applicants, and in this case I consider that, although the proposal would not fully adhere to the DCG, it would nevertheless accord with the aims of LP Policy BE12.
7. I therefore conclude that the proposal would be acceptable in relation to the character and appearance of the appeal property and the wider area, in accordance with the aims of LP Policy BE12.

Conditions

8. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. It is also appropriate to control materials to match the existing dwelling, in order to safeguard the character and appearance of the development and the area. I note the suggested condition of the highway authority, to provide an area on site for the reception and storage of building materials, but as obstruction of the highway may be dealt with under separate controls it would not meet the test of necessity.

Conclusion

9. The National Planning Policy Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design, and for the reasons given above the proposal would comply with this principle and would be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be allowed.

H Lock

INSPECTOR

¹ Basildon District Council Development Control Guidelines Approved April 1993 (Alterations approved 19 March 1997)