The Planning Inspectorate

Appeal Decision

Site visit made on 5 July 2019

by Andrew Walker MSc BSc(Hons) BA(Hons) BA PgDip MCIEH CEnvH

an Inspector appointed by the Secretary of State

Decision date: 06 August 2019

Appeal Ref: APP/V1505/W/19/3221549
1 Louvaine Avenue, Wickford, Essex SS12 0DR

- 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 Gleadell against the decision of Basildon District Council.
- The application Ref 18/01149/FULL, dated 10 August 2018, was refused by notice dated 6 December 2018.
- The development proposed is detached bungalow (1 bedroom).

Decision

1. The appeal is dismissed.

Procedural Matter

2. An emerging plan (EP), the Basildon Borough Publication Local Plan 2014-2034, was approved by Full Council on 18 October 2018 for consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. It is not part of the adopted development plan. It is not clear the extent to which there might be unresolved objections to its policies or the extent to which the policies are consistent with the National Planning Policy Framework (the Framework), since the EP is yet to be examined by the Secretary of State. For these reasons I give the policies limited weight and they do not alter my conclusions.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The host property is a detached bungalow on a corner plot at the junction of Louvaine Avenue and London Road. It has a rear garden which is broadly similar in size to others on the west side of Louvaine Avenue, albeit slightly larger than its immediate neighbours on the avenue in part due to the presence of an existing driveway at the rear of the site leading to a small detached garage.

5. Properties in Margarite Way, to the rear of the site and to the west of the longer rear gardens of the properties on Louvaine Avenue, have significantly smaller rear gardens. The longer rear gardens of the Louvaine Avenue properties and the broadly consistent rear building line of those properties serve to maintain a separation gap between the lines of properties in the two

streets, and to create a pattern of development characterised by a band of verdant open space between the lines of properties of largely consistent width throughout its length.

6. The appeal proposal would be wholly incongruous with this pattern of development as the new dwelling would occupy a significant part of the open space between the host property and properties in Margarite Way to its rear. Further, the relatively small sizes of the proposed gardens for the new and host dwellings as compared with others on the west side of Louvaine Avenue would accentuate this incongruity.

7. The new dwelling would also be set very close to the rear boundary of the site, with part of one corner below the 1 metre separation distance advised by the Council's Development Control Guidelines. Taken together with the short rear gardens of the Margarite Way properties this would further reinforce a sense of overdevelopment of the site with the new bungalow appearing cramped within the setting. The single storey and hipped roof design of the new dwelling would not be sufficient to overcome the sense of overdevelopment created by the occupation of the space which is an important feature of the local character, and which it would fill to a significantly larger extent than the existing small garage.

8. I do not share the view implicit in the planning report that there would be any material benefits to character and appearance in the removal of the existing boundary treatments of the site on London Road, which appear to be of acceptable appearance in keeping with the area.

9. For all of the above reasons, the proposed development would significantly harm the character and appearance of the area. As such, it is contrary to Saved Policy BAS BE12 of the Basildon District Local Plan Saved Policies (2007), as supported by the Basildon District Council Development Control Guidelines. It would also be in conflict with the design principles of the Framework.

Other Matters

10. The delivery of a new modern accessible home, in a location with good access to public transport and services and facilities, would be a benefit of the appeal scheme given the Framework's aim to make a more efficient use of land and significantly boost the supply of housing. The New Home Bonus would also be a benefit. These benefits would be tempered by the modest scale of the development. Overall, the benefits are matters of moderate weight in favour of the development.

Planning Balance and Conclusion

11. The Council states in its appeal papers that it cannot demonstrate a 5-year housing land supply. Therefore, the tilted balance in Paragraph 11d) of the Framework is engaged. This states that planning permission should be granted unless the adverse impacts of the proposal would significantly and demonstrably outweigh its benefits when assessed against the policies in the Framework taken as a whole.

12. For the reasons I have given, there would be significant adverse impacts to the character and appearance of the area arising from the proposal. These adverse impacts would clearly and significantly outweigh the moderate benefits

resulting from the proposal. Therefore, this does not indicate that the proposal should succeed despite conflict with the development plan. Accordingly, the appeal is dismissed.

Andrew Walker

INSPECTOR