



Appeal Decision

Site visit made on 3 December 2019

by S Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State

Decision date: 5th December 2019

Appeal Ref: APP/M1595/D/19/3235930

5 Bristowe Drive, Orsett, Essex RM16 3DB

- 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 Mrs Bola Oladimeji against the decision of Thurrock Borough Council.
 - The application Ref 19/00671/HHA, accepted by the Council on 20 May 2019, was refused by notice dated 20 August 2019.
 - The development proposed as described on the planning application form is variation of condition of garage into utility room. Front extension to existing garage. Part first floor side and rear extension.
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Procedural Matters

1. Originally planning permission was granted for residential development and associated roads and sewers at Welling Road, Orsett Planning Ref THU/527/94. Condition 6 of this permission limits the use of "the garage" to parking of cars in connection with the residential use of the site. This was to ensure satisfactory off-street car parking provision. No 5 Bristowe Drive is subject to this condition, as are the other houses built following the original permission.
2. Although the proposal is described as variation of condition, rather than attempting to modify Condition 6 insofar as it relates to No 5, I have treated the appeal as seeking planning permission for the construction of front extensions and part first floor side extensions and the use of the former garage as utility room/storage.

Decision

3. The appeal is dismissed insofar as it relates to the construction of front extensions and part first floor side extensions. The appeal is allowed insofar as it relates to the use of the former garage as utility room/storage. Planning permission is granted for the use of the former garage as utility room/storage at 5 Bristowe Drive, Orsett, Essex RM16 3DB in accordance with the terms of the application, Ref 19/00671/HHA, accepted by the Council on 20 May 2019, and the plans submitted with it, so far as relevant to that part of the development hereby permitted, and subject to the following condition:
 - 1) Space for three vehicles shall be kept available for parking in accordance with the approved plan Ref Bld-1707-3 at all times that the former garage is in the utility room/storage use hereby permitted.

Main Issues

4. The main issues are: the effect of the proposed extensions on the character and appearance of the host property, the street scene and the area; and the effect of the change of use of the garage on off-street parking provision.

Reasons

Character and appearance

5. The appeal property is a detached house on a modern estate of houses. Although there are some design variations the houses are generally characterised with the main part of the houses formed of gable designs fronting and closest to the street. Any two storey parts which are at right angles to the main elements are generally set back so there are gaps between buildings and variations in the mass and shape of the buildings. In addition the houses generally have decorative detailing above and below windows and at eaves level that adds to the character and appearance of the individual properties and that benefits the street scene and the area as a whole.
6. The proposed extensions as shown on the plan would be flush with the front wall of the house and not set back. The resulting front elevation would have a slab like appearance. Moreover, the detailed treatment of the junction of the new and old front walls has not been demonstrated. In the absence of evidence to the contrary it would appear that the lack of setback of the frontmost proposed extension would result in the reduction of the gap; a less varied building form; an awkward junction between new and old walls; the loss of the eaves detailing; and insufficient space to provide decorative detailing above the proposed first floor front window.
7. For these reasons I conclude that the proposed extensions would have a harmful effect on the character and appearance of the host property, the street scene and the area. Accordingly there would be conflict with Policies PMD2 and CSTP22 of the Thurrock Core Strategy and Policies for Management of Development 2015 (the CS) and the Thurrock Design Guide - Residential Alterations and Extensions Supplementary Planning Document 2017. These together seek good design that contributes positively to the character of the host property and the area. In addition the extensions would not amount to the good design sought by the National Planning Policy Framework.

Effect on parking

8. Plan Ref Bld-1710-3 indicates three vehicles could be parked at the appeal site without the use of the garage. On this basis the Council raises no objections to the loss of the garage for parking. I see no reason to reach a different conclusion. Accordingly I find no harmful effect on off-street parking provision and no conflict with Policy PMD8 of the CS.
9. The change of use has already taken place. It is clearly severable from the remainder of the proposals physically and functionally and it would be logical to issue a separate decision on this part of the appeal¹.

¹ s79 of the Town and Country Planning Act 1990

Conclusion

10. For the reasons set out above the appeal is dismissed in respect of the construction of front extensions and part first floor side extensions and allowed in respect of the use of the former garage as utility room/storage.

S Harley

INSPECTOR