
Appeal Decision

Site visit made on 3 December 2019 by Emma Worby BSc (Hons)

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2020

Appeal Ref: APP/D1590/D/19/3237358

65 Chalkwell Park Drive, Leigh-On-Sea SS9 1NH

- 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 Sandra Ricks against the decision of Southend-on-Sea Borough Council.
 - The application Ref 19/00797/FUL, dated 29 April 2019, was refused by notice dated 25 June 2019.
 - The development proposed is layout parking to front and install vehicle crossover onto Chalkwell Park Drive.
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Decision

1. The appeal is allowed and planning permission is granted for layout parking to the front and install vehicle crossover onto Chalkwell Park Drive at 65 Chalkwell Park Drive, Leigh-On-Sea, SS9 1NH in accordance with the terms of the application, Ref 19/00797/FUL, dated 29 April 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1284 01 Rev A and 1284 02 Rev A.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. I have taken the description of the proposed development from the appeal form and the decision notice, rather than the application form as it is a more accurate description of the development proposed, as shown on the plans submitted.

Main Issue

4. The main issue in the appeal is the effect of the development on the character and appearance of the appeal site and the surrounding area.

Reasons for the Recommendation

5. The appeal site is occupied by a two-storey terraced dwelling with a small amenity space to the front of the property. This front garden is currently covered by shingle and a concrete pathway with a brick wall and metal gate on the front boundary. The proposal would remove the brick wall and gate, provide a paved parking area to the front of the dwelling and a vehicle crossover onto the main road. The proposal would also result in the loss of a street tree to the front of the property which is located on the footway.
6. It was noted during the site visit that there are a number of existing driveways on Chalkwell Park Drive which cover the entire front garden and so form part of the character and appearance of the area. Therefore, it is not considered that the driveway would appear out of keeping within its surroundings or incongruously excessive in nature. Although the proposed development would result in the loss of the boundary wall to the front of the property and the small street tree, it is not considered that these features currently make a significant contribution to the streetscene. Indeed, the tree is considerably smaller than the other street trees in Chalkwell Park Drive. Therefore their loss would not have a substantial detrimental impact on the character and appearance of the locality. The Council have highlighted that the proposal does not include any soft landscaping to break up the proposed works. However it is considered that the existing hedge on the boundary of the site, which is to be retained, is sufficient landscaping for the appeal site which is located within a relatively built up residential area.
7. I note that the development does not strictly accord with the guidelines set out within the Design and Townscape Guide (2009), which is referred to in the Council's reason for refusal, as the proposal would result in the loss of a street tree. Nevertheless, whilst useful, this guidance is just that, and the particular circumstances of this case, including the limited size and contribution the tree makes to the street scene, outweigh the guidance within this document.
8. For the reason above, I do not consider that the development would harm the character and appearance of the site and the area. As such I find no conflict with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015) which collectively aim to encourage good quality design which respects the character and scale of the existing neighbourhood.

Other Considerations

9. The Parish Council have expressed concerns regarding the additional stress on on-street parking and the risk of flooding due to the lack of a soakaway area. However, as the proposal would provide an off-street parking space for one vehicle for the loss of one on-street parking space due to the provision of the crossover, there would be no change to the parking provision in the area. Also, the plans show that the proposed development would use permeable paving to minimise run-off.

Conditions

10. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty.

Conclusions and Recommendation

11. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeals Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR