The Planning Inspectorate

Appeal Decision

Site visit made on 20 January 2020

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2020

Appeal Ref: APP/M1520/W/19/3238953
46 Woodcote Way, Thundersley, Benfleet SS7 4ND

- 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 Steven Parry against the decision of Castle Point Borough Council.
- The application Ref 19/0391/FUL, dated 29 May 2019, was refused by notice dated 22 July 2019.
- The development proposed is described as proposed single storey outbuilding with a hipped roof over to act as annex.

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have determined this appeal and application for planning permission on the basis of the plans referred to on the decision notice dated from the 22 July 2019 in relation to application Ref 19/0391/FUL.

Main Issue

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

Reasons

4. The appeal site is located in a quiet residential cul de sac, dominated by semi-detached two storey dwellings, set back from the road, with gardens and driveways to the front. The area's character and appearance is greatly derived from its regular street pattern, clearly laid out in a planned manner, and by strong consistent building lines which, alongside the dwelling's set back position, give the area its open and harmonious feel.

5. The development proposal is for the erection of a single storey outbuilding with a hipped roof to act as annex.

6. As proposed, the front elevation would face the street frontage and would have the appearance of an independent residential unit. Properties within Woodcote Way are set back from the main road, with wide front elevations broadly parallel to the road and are of a similar height and design. These features all contribute to the character and appearance of the area.

7. The proposed footprint of the annex building would be greater than that of the host property, therefore not appearing as an ancillary structure. Furthermore, the

proposal would not be in line with the character and appearance of the area by not allowing enough of a gap between the host building and the annex, as it is characteristic of the area.

8. The proposed development would also fail to have a functional link with the host property as there is nothing to indicate that the occupiers of the annexe would, in any way, be dependent on the facilities within the main house. The proposal would provide all the necessary facilities for independent living and therefore strengthen the perception of the proposed development not being an ancillary structure.

9. The height of the proposed development would be subservient to 46 Woodcote Way. Nevertheless, as it would face the street frontage directly, it would be quite prominent in the streetscape and appear incongruous for the site and contrary to the prevailing development form in the area. The development would be perceived as a bungalow squeezed in between the flank wall of the host dwelling and the boundary fence and not be in keeping with the predominant form of development, which is two storey semi-detached dwellings.

10. Furthermore, although the proposed development would be set back from the main road, it would not respect the predominant building line along Woodcote Way.

11. Therefore, the proposed development would harm the character and appearance of the area. Consequently, it would be contrary to Policy EC2 of the Castle Point Borough Council Local Plan (1998) and the National Planning Policy Framework.

Other Matters

12. My attention has been drawn by the appellant to other planning applications approved by the local authority for annexes located in rear amenity space. However, specific details and circumstances of these other cases are not before me. In any event, I am not bound by other Council decisions and I must determine the proposal before me on its own merits and for the reasons stated, and I consider the proposed development to the harmful.

13. I have also considered, as part of my decision, if conditions could be imposed, such as a condition which would tie the annex to the site and only ever be used as an annex to the main building. Nevertheless, this condition would not overcome the harm I have identified to the character and appearance of the area. Therefore, my decision remains unaltered.

14. The appellant has also highlighted, within the Planning Appeal Statement, a series of particular personal circumstances that provide some context to the present development proposal. Although I am sensitive to these circumstances and have given these some weight, I do not find these are compelling enough as to outweigh the harm I have identified.

Conclusion

15. For the reasons given above, I conclude the appeal should be dismissed.

Andre Pinto

INSPECTOR