The Planning Inspectorate

Appeal Decision

Site visit made on 18 May 2020

by I A Dyer BSc (Eng) MIHT

an Inspector appointed by the Secretary of State

Decision date: 19 May 2020

Appeal Ref: APP/V1505/D/20/3247369
2 Brook Mead, Laindon SS15 6ET

- 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 Michael Gordon against the decision of Basildon District Council.
- The application Ref 19/01655/FULL, dated 4 December 2019, was refused by notice dated 31 January 2020.
- The development proposed is erection of detached garage.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the site and the immediate area.

Reasons

3. The appeal site lies within an established residential area predominated by two storey dwellings, either semi-detached or in short terraces, although opposite the site lies a group of taller apartment blocks, seemingly of more recent construction. The streets are laid out in a grid pattern with footways, usually incorporating grassed verges. In contrast the footway fronting the apartments is set back behind a row of car parking spaces.

4. Many of the dwellings have added, or modified front porches, but, generally, the built form of the dwellings remains without significant alteration and frontages to the street are set back on a single building line behind modest front gardens, often incorporating car parking. There are no significant structures within the nearby front gardens of the houses. The boundaries to these gardens are predominantly formed by low fences and hedges, although some gardens contain mature trees and other planting. Nonetheless, given the width of the streets and the set back of the dwellings, the area has a feeling of openness and space. This openness provides long views along the streets and of the dwelling frontages.

5. The proposed detached double garage would be positioned to the side of 2 Brook Mead, forward of the frontage line formed by the dwelling houses on that street. The garage would be a substantial building and, given its position towards the front of the site and close to the corner of Brook Mead with King

Edward Road, would be prominent in the local street scene, appearing in views along the nearby streets.

6. As a result of its position and the lack of structures in a similar relationship to the dwellings the proposed building would appear as an incongruous and intrusive addition to the street scene. Its overall scale and prominent siting would emphasise this intrusion, appearing over dominant in the street scene. Thus, in this case, the buildings position and scale would be so intrusive as to constitute significant harm.

7. The area does include differences in building design. My attention has been drawn to the apartment blocks opposite the site. However, whilst of a different design and scale, that development retains a building line set back from the road that reflects and retains the openness of the area. Further, it creates a homogeneous character on that side of the street. Similarly, although planning permission has been granted for changes to the external appearance of No 2, those changes retain the overall layout of development and do not significantly alter the scale or massing of the host dwelling. I therefore do not consider that either development affects the area in the same way as the proposal before me.

8. The Basildon District Local Plan Saved Policies -2007- (the Local Plan) pre-dates the Framework and so policies within it should be assessed and given weight in terms of their consistency with the aims of the National Planning Policy Framework -2019- (the Framework). Policy BAS BE12 of the Local Plan, in conjunction with supplementary advice in the Council's Development Control Guidelines -1993 with alterations approved 19 March 1997- (the Guidelines), seeks to protect the characteristics and amenities of residential areas. These aims are broadly consistent with the aims of the Framework, including Section 12: Achieving well-designed places, and so moderate weight can be applied to the policy and the Guidelines.

9. I therefore conclude that the proposal would result in harm to the character and appearance of the site and the surrounding area. It would therefore be contrary to Policy BAS BE12 of the Local Plan which requires proposals to be refused which would cause material harm to the character of the surrounding area, including the street scene, or are over-dominant. Similarly, the proposal would be contrary to the aims of those parts of the Framework which seek to ensure well-designed places.

10. The proposal would also be contrary to the advice provided in the Guidelines that new residential development should respect or enhance the existing character of the area.

Other Matters

11. The proposal would improve the living conditions of the occupiers of No 2 by providing secure parking for cars and bicycles. I have no substantive evidence before me to demonstrate that there are existing risks to the property of those occupiers that need to be addressed. The personal benefits arising from the development do not, therefore, outweigh the harm that I have found above.

Conclusion

12. For the reasons given above, and having taken into account all other matters raised, the appeal is dismissed.

I Dyer

INSPECTOR