
Appeal Decision

Site visit made on 18 August 2020

by M Heron BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2020

Appeal Ref: APP/B1550/W/20/3249767

Land adjacent to 191 Rectory Avenue, Ashingdon SS4 3TB

- 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 Graham Eiles against the decision of Rochford District Council.
 - The application Ref 20/00009/FUL, dated 3 January 2019, was refused by notice dated 26 February 2020.
 - The development proposed is a pair of semi-detached houses.
-

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 area.

Reasons

3. Rectory Avenue is a long road comprised of a mix of residential properties. The appeal site consists of an open parcel of land at the end of a row of detached, two-storey properties, set along the western side of this part of the carriageway. Although such dwellings are individually designed, their similar property type and traditional layout gives them a sense of rhythm and uniformity. The site is bound to the south by established trees adjacent to a bridleway and by a woodland to the rear. It slopes moderately from north to south.
4. This proposal seeks permission to construct a pair of semi-detached properties at the site. The plot widths of these dwellings and the spacing about them would be commensurate with nearby properties and acceptable. Nevertheless, each proposed unit would have a sizeable, two-storey, gabled feature to its side. These would be considerable in depth and would be deeper than the two-storey side gable feature at the adjacent No 191. They would also be constructed using large expanses of render that would only be broken up by a single small first floor window. Consequently, these features would be excessive in size and would give the pair of semi-detached properties an unduly bulky appearance that is indicative of poor design. In addition, the proposed unit positioned closest to No 191 would be set higher than the adjoining property as a result of the topography of the land. This would result in a break in the main roof ridge line, exacerbating the overall bulk of the proposed properties to the further detriment of their design.

5. Furthermore, whilst the proposal would follow the building line of nearby detached properties along the western side of this part of the street, its semi-detached nature would disrupt their rhythm and uniformity. Taking this, and all of the above into account, the proposal would fail to integrate effectively with the character and appearance of this part of Rectory Avenue. This is so even though it would not cause harm to any established trees, including those protected by Tree Preservation Orders, and could be suitably landscaped. The proposal's harmful impact would be apparent from certain vantage points along Rectory Avenue and the adjacent bridleway.
6. I note that the proposal would address some of the concerns raised by the Council in a previous refusal¹ for a pair of semi-detached dwellings at the site. However, it would still fail to address fundamental problems associated with the size and nature of such a development. My attention has also been drawn to a previous permission² for residential development at the appeal site. However, this was for a single detached residential dwelling and is therefore not directly comparable to the appeal proposal, which I have assessed on its own merits in any event.
7. For the reasons given, I conclude that the proposal would harm the character and appearance of the area. It would therefore conflict with Policy CP1 of the Local Development Framework Core Strategy Adopted Version, Policies DM1 and DM3 of the Local Development Framework Development Management Plan and the guidance of the Supplementary Planning Document 2 Housing Design. Amongst other things, these seek to promote high quality design and ensure that proposals, including infill developments, are appropriate to their locality and contribute positively to the surrounding built environment.
8. Turning to the National Planning Policy Framework (the Framework), this seeks to make efficient use of land, supports windfall developments and states that small and medium housing sites can make a contribution to meeting housing requirements. However, this should not be at the expense of achieving high quality development which is sympathetic to local character and adds to the quality of the area. I have found that the proposal would not achieve this. There would therefore be conflict with the design objectives of the Framework.

Planning Balance

9. The Government is seeking to significantly boost the supply of housing and the principle of residential development at this site is acceptable. However, in the context of the extant permission for a dwelling at the site, the proposal would only make a minimal contribution of one additional dwelling to the Council's housing stock. Similarly, the economic benefits associated with construction and occupation would also be minimal. I therefore give only limited weight to these social and economic benefits.
10. The proposal would be acceptable in some respects. For example, it would not harm the living conditions of the occupants of nearby dwellings or prejudice highway safety. However, these are requirements of the development plan and are therefore neutral factors in the overall balance.
11. On the other hand, the scheme would result in harm to the character and appearance of the area. It would therefore fail to fulfil the Framework's

¹ Ref 19/00769/FUL

² Ref 18/00147/FUL

environmental objective of sustainable development insofar as it seeks to ensure that developments contribute to protecting and enhancing our built environment. This attracts significant weight against the proposal.

12. Taking the above factors into consideration, the adverse effects would outweigh the benefits associated with the proposal. As such, the scheme conflicts with the development plan and there are no material considerations, including the advice of the Framework, which outweigh this conflict.

Conclusion

13. For the above reasons, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

M Heron

INSPECTOR