
Appeal Decision

Site visit made on 6 October 2020

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/V1505/D/20/3255162

5 The Swallows, Billericay CM11 2PJ

- 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 & Mrs Freeman against the decision of Basildon Borough Council.
 - The application Ref 20/00314/FULL, dated 9 March 2020, was refused by notice dated 15 May 2020.
 - The development proposed is first floor rear and side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Basildon Borough Revised Publication Local Plan 2014-2034 (emerging LP) was submitted for examination on 28 March 2019. In the absence of any further information about its progress, I have given it limited weight.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the host property and the area; and (ii) the living conditions of the occupiers of 7 The Swallows, with regard to outlook.

Reasons

4. The appeal relates to a semi-detached chalet bungalow (No 5), situated within a residential cul-de-sac where there is a mix of two storey and one and a half storey dwellings. There is an existing wraparound, single storey, flat roof extension to the front, side and rear of the appeal property.
5. Due to the first floor nature of the proposed extension, its ridgeline would be at the same height as the existing ridgeline, resulting in a two storey projection on a one and a half storey host. The proposal's overall scale, height and depth would unacceptably dominate the roofscape and rear elevation of the host property. The original form of the rear of the building would be lost. Although the use of contrasting materials would provide some visual relief to the sides of the extension, its overall bulk and mass would be significant and disproportionate against the host dwelling.
6. The gable form, whilst mimicking that of the rear extension at 1 The Swallows (No 1), would be totally at odds with the original style of the host property. No 1 is a two storey semi-detached property and the manner in which it has

- been extended does not, therefore, represent a direct parallel to the appeal proposal, such that could offer support to its acceptability.
7. Although the effect of the proposal would be localised in terms of views from The Swallows and from Greens Farm Lane, being primarily visible from the private views of neighbours, the incongruous nature of the development would still be apparent in the street scene. In particular, the flank of the extension, and excessive bulk, would be visible in the gap between 3 The Swallows and the host property itself. The appeal proposal would unacceptably harm the character and appearance of the host building, with consequent harm to the character and appearance of the area.
 8. Although the extension would be stepped away from the attached neighbouring property (No 7), the set-in would not be large enough to prevent a flank wall of this depth and height extending across and unduly restricting the outlook enjoyed from the adjacent first floor windows and rear garden area of No 7. The proposal would be overbearing and would unacceptably harm the living conditions of the occupiers of No 7.
 9. I note the support offered by the current occupiers of No 3 and the absence of objections to the proposal. However, this does not alter my view that the proposal would be unacceptable.
 10. I acknowledge the proposal would be beneficial in terms of improved internal accommodation and by replacing a flat roof, which is in need of repair and difficult to insure. However, these matters do not outweigh the harm I have identified.
 11. For the above reasons, I find that the proposal would cause unacceptable harm to the character and appearance of both the host property and area and the living conditions of the occupiers of No 7 The Swallows, with regard to outlook. Thus, the proposal would be contrary to Policy BAS BE12 of the Basildon District Local Plan Saved Policies 2007 and Policy DES1 of the emerging LP, where they seek to ensure that new development does not harm the character and appearance of the surrounding area or residential amenity. For the same reasons the proposal would fail to adhere to the guidance contained within the National Planning Policy Framework.

Conclusion

12. For the reasons given above the appeal is dismissed.

S Tudhope
Inspector