



Appeal Decision

Site Visit made on 24 November 2020

by R Sabu BA(Hons), BArch, MA, PgDip

an Inspector appointed by the Secretary of State

Decision date: 7th December 2020

Appeal Ref: APP/V1505/W/20/3255813

Byways, Church Road, Ramsden Bellhouse, Billericay CM11 1PJ

- 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 Michelle Choudhury of Reliance Worldwide Logistic Solutions Ltd against the decision of Basildon Borough Council.
 - The application Ref 20/00347/FULL, dated 17 March 2020, was refused by notice dated 29 June 2020.
 - The development proposed is demolition of existing chalet style dwelling-house and construction of new dwelling with adjoining garage.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the street scene and surrounding area.

Reasons

3. The site lies within Ramsden Bellhouse, where, under Policy BAS BE13 of the Basildon District Local Plan Saved Policies September 2007 (LP), new residential development will be expected to conform to a number of criteria which state among other things, that bungalows and chalets will only normally be permitted.
4. The area surrounding the appeal site is characterised by detached dwellings with generous spacing such that the area has a spacious feel. While the area appears to have changed over the years, it nevertheless retains a spacious quality that provides a pleasant transition to the open countryside beyond.
5. There are a number of two storey dwellings in the area, including immediately adjacent to the site on both sides, such that they are part of the character of the vicinity around the site. The site lies in a prominent position at a curve in the road near a junction and is currently occupied by a chalet style dwelling with accommodation in the roof space.
6. The proposal consists of the demolition of the existing dwelling and the erection of a two-storey dwelling. While I note that the proposed front dormer would be below the ridge of the main roof and set back from the front elevation, given

the size and height of the proposed dormer window, with greater area of glazing than the other windows on the front elevation, along with the two tall gable projections either side, the proposal would have the appearance of a three-storey house and would therefore have a dominating effect on the street scene.

7. While the roof would have a small flat section and a number of components, from street level, it would have a traditional appearance roughly in line with the neighbouring dwellings in this respect. However, any lack of harm in this particular respect would not override the dominant effect that would result from the siting and design of the proposal.
8. I acknowledge that the dwelling would be set a small distance back from the existing building line and the existing open grassed area of the front garden would be retained. In addition, the overall height of the proposal would not be out of keeping with other two storey buildings in the area, and given the large size of the plot, the depth of the proposal would not be contrary to the prevailing pattern of development. However, the proposed height and form in this prominent position at a curve in the road opposite a junction would dominate the street scene and unacceptably diminish the spacious quality of the area.
9. The proposed garage would be set in from the side boundary whereas the existing garage extends to the shared boundary. However, while the separation between the two dwellings would be greater than existing, since the height of both the proposed garage and dwelling would be significantly greater than existing, the overall scheme would diminish the spaciousness of the area. In addition, the proposed distance to the boundary would be contrary to LP Policy BAS BE13 which requires new structures to be set in a minimum of 2.5m from the flank boundaries of the site.
10. Therefore, while the LP Policy BAS BE13 states that bungalows and chalets will only normally be permitted, given the harm to the spaciousness of the area that would result from the proposal, an exception to this part of the Policy is not justified in this case.
11. Consequently, the proposed development would harm the character and appearance of the street scene and surrounding area. Therefore, it would conflict with LP Policy BAS BE12 which resists development that would harm the character of the surrounding area, including street scene. It would also conflict with the aims of LP Policy BAS BE13 which seeks to minimise the impact of new development in Ramsden Bellhouse on the relatively open surrounding countryside. It would also conflict with paragraph 127 of the National Planning Policy Framework (Framework) in this respect.

Other Matters

12. I acknowledge the other developments in the area noted by the appellant, including 'Kismet', 'The Willow', and 'Villa Dante'. A number of these cases appear to be some distance from the appeal site, or in less prominent positions such that they do not form a direct comparison with the appeal scheme in terms of character and appearance. In any event, each case must be determined on its own merits and given the harm identified above they have not altered my overall decision.

13. I note the evidence regarding the weight to be given to LP Policy BAS BE13. The proposal may result in a greater number of future occupiers who could provide social benefits and would be likely to result in temporary economic benefits during the construction process. Given the limited scale of development, these benefits would be limited.
14. Therefore, even if limited weight were to be attributed to the conflict with this Policy, given the harm to the character and appearance of the area, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

15. For the reasons given above, the appeal is dismissed.

R Sabu

INSPECTOR