



Appeal Decision

Site visit made on 8 December 2020

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2020

Appeal Ref: APP/V1505/D/20/3258072

96 Pound Lane, Bowers Gifford, Basildon SS13 2HW

- 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 Danny Dignum against the decision of Basildon Borough Council.
 - The application Ref 20/00718/FULL, dated 22 June 2020, was refused by notice dated 18 August 2020.
 - The development proposed is loft conversion incorporating a hip to gable end roof alteration, 2no. bonnet front dormers and a rear box dormer and a single-storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of proposed development shown on the Council's decision notice and the appellant's appeal form in the heading above because it is more precise than that shown on the planning application form.
3. The Council refers to policies of the emerging Basildon Borough Revised Publication Local Plan 2014 – 2034 October 2018. However, I attach limited weight to the emerging policies as details of the level and significance of any unresolved objections have not been provided to me. The policies in the emerging plan do not have the same statutory force accorded to adopted policies under s38(6) of the Planning and Compulsory Purchase Act 2004.
4. The Council has previously granted planning permission¹ for a proposed loft conversion incorporating a hip to gable end roof alteration, 2no bonnet front dormers and a rear box dormer, and the erection of a single storey rear extension.
5. At my site visit I observed that construction works were being carried out in relation to the loft conversion. I cannot be certain that the works being carried out are exactly the same as the details shown on the proposed plans, therefore I have determined the appeal scheme on the basis of the proposed plans. The single storey rear extension previously approved had not been constructed. The existing plans for the current appeal show a conservatory to the rear of a hipped single storey rear extension, which has been removed.

¹ Council reference: 20/00406/FULL

6. In comparison to the previous planning permission, the appeal scheme proposes to increase the depth of the proposed single storey rear extension. The Council's concerns relate to the proposed single storey rear extension.

Main Issues

7. The main issues are the effect of the proposed development on (i) the character and appearance of the host dwelling and the surrounding area, and (ii) the living conditions of the occupiers of neighbouring properties.

Reasons

Character and appearance

8. The appeal property is a modest semi-detached dwelling, which is located within a linear arrangement of dwellings. Most properties in the vicinity of the appeal site have been altered, including single storey rear extensions. The appeal property has an existing single storey rear extension which is designed with a hipped roof. The visual impact of this extension is limited by its modest width and its sympathetic design. There is also a small conservatory in the infill space adjacent to the boundary with No 98 Pound Lane.
9. The proposed single storey rear extension would be around 7 metres wide, which would span nearly the full width of the dwelling. The depth of the extension would be approximately 6.9 metres, and it would have a flat roof which would be roughly level with the eaves of the main roof.
10. The depth of the proposed extension would be considerable, and it would not be proportionate to the original dwelling. Taken together with its sizeable width, the proposed extension would appear as an unduly large and discordant addition to the host dwelling which would not respect its character and appearance.
11. Whilst the proposed rear extension would not be conspicuous in the street scene, it would be visible from neighbouring houses and gardens. In any event, the lack of visibility from main roads does not obviate the need to achieve good design.
12. I appreciate that the Council has previously granted planning permission for a single storey rear extension, which would be around 5.4 metres deep. However, the proposal before me would be larger and have a greater visual impact.
13. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the host dwelling and the surrounding area. The proposal would therefore be contrary to saved Policy BAS BE12 of the Basildon District Local Plan Saved Policies September 2007 (the Local Plan), which, amongst other things, states that planning permission for the alteration and extension of existing dwellings will be refused if it causes material harm to the character of the surrounding area. The proposal would also be contrary to Chapter 12 of the National Planning Policy Framework, which, amongst other things, states that planning decisions should ensure that developments are visually attractive and sympathetic to local character.

Living conditions

14. Whilst the depth of the proposed single storey rear extension would be considerable, the adjoining property at No 98 Pound Lane has an existing rear extension adjacent to the boundary which would temper the effect of the proposal on that property. Consequently, the proposed extension would not appear overbearing in relation to the rear windows and garden of No 98.
15. The proposed rear extension would be set in from the boundary with No 94 Pound Lane, which would ensure that it would not cause a significant loss of outlook to that neighbouring property.
16. For these reasons, I conclude that the proposed development would not be harmful to the living conditions of the occupiers of neighbouring properties. In this respect, the proposal accords with Policy BAS BE12 of the Local Plan, which, amongst other things, states that planning permission for the alteration and extension of existing dwellings will be refused if it causes material harm by reason of overshadowing or over-dominance.

Other Matters

17. I appreciate that no objections were made by local residents or the Parish Council, nevertheless this would not alter my decision.

Conclusion

18. I have found that the proposal would not harm the living conditions of the occupiers of neighbouring properties. However, it would cause harm to the character and appearance of the host dwelling and the surrounding area and this is sufficient reason to dismiss the appeal. For the above reasons, I conclude that the appeal should be dismissed.

C Osgathorp

INSPECTOR