
Appeal Decision

Site visit made on 3 February 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2021

Appeal Ref: APP/V1505/W/20/3256467

2 Guernsey Gardens, Wickford SS11 7BA

- 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 Argent Developers against the decision of Basildon Borough Council.
 - The application Ref 19/00966/FUL, dated 26 June 2019, was refused by notice dated 23 January 2020.
 - The development proposed is demolition of an existing dwelling to provide a residential development comprising of 10no. apartments and 1no. chalet bungalow with associated parking, refuse and cycle storage.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has submitted its emerging Local Plan for examination, but that examination has not yet taken place. The emerging plan is therefore some distance from adoption. Accordingly, its policies only attract limited weight in the determination of this appeal.

Main Issue

3. The main issue is the effect of the development proposed on the character and appearance of the area.

Reasons

4. The appeal site is a prominent plot at the junction of Station Avenue and Guernsey Gardens. Due to the width of the plot and its location at the junction of two roads, the proposed apartment block would be a highly visible feature in the surrounding area. It would be much wider than any neighbouring property, with neighbouring dwellings in Station Avenue and Guernsey Gardens principally comprising detached houses. The apartment block would be visually similar to a terrace of three houses due to the three doors in the front elevation, which would be out of keeping with the pattern of development along Guernsey Gardens and in the immediate vicinity of Station Avenue.
5. The proposed apartment block would be wider, taller and set much further forward on its plot than the neighbouring properties on Guernsey Gardens, with which it would be aligned more closely than the neighbouring properties on

Station Avenue. It would as a result appear uncharacteristically large and bulky within the area.

6. While there is a well-established hedgerow at the front of the site, this would not be able to wholly screen the apartment block in the street scene or the wider area. Neither would the lowered ridgeline and eaves to sections of the block be sufficient to offset the overall appearance of a bulky and incongruous development out of keeping with the character of its surroundings.
7. The development proposed would therefore be harmful to the character and appearance of the area. It would conflict with Policy BAS BE12 of the Basildon District Local Plan Saved Policies document 2007 (the LP), which amongst other criteria states that planning permission for new residential development will be refused if it causes material harm to the character of the surrounding area, including the street scene.

Other Matters

8. The site lies within the zone of influence of the Essex Coast Recreational Avoidance and Mitigation Strategy. Had I been minded to allow the appeal it would have been necessary for me to carry out an Appropriate Assessment to determine whether the development proposed would be likely to have a significant effect on protected sites. However, as I am dismissing the appeal for other reasons it is not necessary for me to consider the matter further.
9. My attention has been drawn to a separate grant of planning permission for the proposed bungalow at the rear of the site. I see no reason to disagree with the Council's conclusion that this element of the appeal proposal is acceptable.

Planning Balance

10. There would be harm to the character and appearance of the area as a result of the proposed development. Given the prominence of the site and size of the proposed building relative to surrounding properties, this harm attracts great weight.
11. This is contrary to Policy BAS BE12 of the LP, which requires that planning permission be refused for residential development that would be harmful to the character of the surrounding area, amongst other criteria. This policy is consistent with the aims of the National Planning Policy Framework (the Framework) and therefore the conflict with it is accorded full weight.
12. It is not in dispute that the Council cannot demonstrate a five year supply of housing land. Accordingly, paragraph 11 of the Framework states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. However, the development plan remains the starting point for decision making.
13. The development proposed would deliver ten additional apartments in a location close to the town centre and a junior and infants school. It would support the Government's objective of significantly boosting the supply of homes, and this attracts additional weight given the shortfall in the Council's housing land supply. The development would also deliver a financial contribution towards affordable housing in the district, and economic benefits in the short term from construction-related employment as well as ongoing

benefits from the occupation of the new homes. In addition, the site is previously developed land and its redevelopment would relieve pressure on greenfield sites.

14. The benefits of the development proposed would therefore be considerable but the great weight attributed to the harm arising to the character and appearance of the area would, in this instance, significantly and demonstrably outweigh those benefits when assessed against the policies of the Framework as a whole.

Conclusion

15. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR