



Appeal Decision

Site visit made on 15 February 2021

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2021

Appeal Ref: APP/V1505/D/20/3262760

7 Moat Edge Gardens, Billericay, CM12 0NJ

- 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 Sharon Garner against the decision of Basildon Borough Council.
 - The application Ref 20/00971/FULL, dated 9 August 2020, was refused by notice dated 5 October 2020.
 - The development proposed is a first floor front bathroom extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor bathroom extension at 7 Moat Edge Gardens, Billericay, CM12 0NJ in accordance with the terms of the application, Ref 20/00971/FULL, dated 9 August 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A4-01, A1-00 and A1-01 Revision A.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be constructed on the side elevations of the extension.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal concerns a two storey semi-detached dwelling located within a cul-de-sac comprising a mix of semi-detached and detached houses and chalet

bungalows. Several of the semi-detached houses, including the appeal property, incorporate a single storey flat roof front projecting element which is a feature of their original design.

4. The proposed first floor extension would be to the front of the dwelling. It would have a depth of 2.1 metres and a width of 4.3 metres. The extension has been designed with a simple front gable with extensive glazing which has a similar pitch to that of the main roof of the dwelling.
5. The appeal property is at a slightly lower level than the adjacent dwelling, 6 Moat Edge Gardens. The proposed extension would occupy a relatively small proportion of the footprint of the existing front projection and would remain well set back from the forward most part of the dwelling. In addition, the extension would not extend across the full width of the front elevation of the dwelling, the remainder of which would be remodelled with new fenestration.
6. The proposed extension would be clearly visible in the street scene. However, it would not extend across the full width of the dwelling and given its limited depth of 2.1 metres and its considerable set back from the front wall of the original garage projection, I do not consider that it would be overly dominant in the street scene. The forward projecting garages are the most prominent feature of the dwellings along of this stretch of Moat Edge Gardens and these garages would continue to dominate the street scene.
7. I also find that the overall design of the extension would not be harmful to the character and appearance of the host dwelling or the wider area. The front gable would be lower than the ridge height of the original dwelling allowing the original roof form to predominate. It would also incorporate a full height window which I consider adds interest to the design and which reflects the level of glazing on the original dwelling. Whilst the resultant front elevation would be different to that of the adjoining dwelling, in this instance I do not consider that this unbalance would be harmful to the street scene. Furthermore, I note that other dwellings within the road have been altered and extended, including a very prominent front extension at 11 Moat Edge Gardens.
8. In conclusion, the proposed front extension would not have a harmful effect on the character and appearance of the host dwelling or the surrounding area. Accordingly, it would comply with Policy BAS BE12 of the Basildon District Local Plan and the National Planning Policy Framework which together require development to be of a high quality, reflect local distinctiveness and not to cause harm to the character of the surrounding area.
9. Whilst the Council also refer to the Essex Design Guide within their decision, I have not been provided with a copy of this document and I have therefore not referred to it.

Other matters

10. Several of the third party representations raise the planning history of the site. I am however required to determine the appeal on its merits and I have no substantive evidence before me to suggest that the proposal would result in an overdevelopment of the site.
11. With regard to the effect of the proposal on the living conditions of neighbouring occupiers, having regard to the limited depth of the extension and its siting in relation to adjoining dwellings I am satisfied that it would not

result in any significant overshadowing. I am also satisfied that the extension would not give rise to any material loss of privacy given its position to the front of the dwelling and the proposed window positions and separation distances.

Conditions

12. I have had regard to the conditions suggested by the Council. A condition requiring the development to be carried out in accordance with the approved plans is necessary for clarity. I have imposed a condition requiring the prior approval of details of materials to ensure a satisfactory external appearance. A condition ensuring that no further windows are added to the side elevations of the extension is required to protect the privacy of occupiers of the adjacent properties.

Conclusion

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

J Davis

INSPECTOR