
Appeal Decision

Site visit made on 23 February 2021

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 March 2021

Appeal Ref: APP/V1505/D/20/3264710

16 Hockley Road, Basildon, SS14 1RP

- 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 Lee Robo against the decision of Basildon Borough Council.
 - The application Ref 20/00925/FULL, dated 29 July 2020, was refused by notice dated 24 September 2020.
 - The development proposed is demolition of existing outbuilding and construction of new outbuilding to form an annexe.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the surrounding area; and
 - The effect of the proposal on the living conditions of the occupiers of neighbouring dwellings.

Reasons

Character and appearance

3. The appeal property is a two storey end of terrace dwelling, located within a relatively wide plot. There is an existing single storey outbuilding that extends across the width of the rear boundary. Beyond the rear boundary are the rear gardens of several terrace dwellings that front onto Chittock Mead.
4. The existing outbuilding to be demolished is large in size and already dominates the rear garden of the dwelling. The proposed replacement building would be located in a similar position to the existing building, close to the rear boundary of the site. It would however have a greater depth and a larger footprint. The height of the building would also exceed that of the existing structure, sloping up from the rear boundary to a maximum height of 4 metres.
5. Whilst I appreciate that the proposal would replace an existing substantial building, the proposed replacement building would dominate the rear garden of the property and would not be of a size and scale that is appropriate to its

domestic setting. It would be visible from adjoining gardens and given its size and scale, would appear overly dominant and out of character with the area. Furthermore, the building would be rather functional in appearance and would not respect the residential character and appearance of the surrounding area.

6. On this issue therefore, I conclude that the proposal would have a harmful effect on the character and appearance of the area and conflict with Policy BAS BE12 of the Basildon District Local Plan Saved Policies (2007) (LP) which seeks to ensure that development does not cause harm to the character of the area. It would also be contrary to the National Planning Policy Framework insofar as it requires high quality design.

Living conditions

7. The proposed replacement building would be located close to the rear boundary which is formed by a close boarded fence of around 2 metres in height. The building would be higher than the existing structure, with its mono pitch roof rising to a maximum height of 4 metres. Given the size and scale of the building and its positioning in relation to the rear boundary, I consider that it would unacceptably dominate the outlook of the occupiers of the dwellings in Chittock Mead. Furthermore, whilst I acknowledge that the appellant would be prepared to accept a condition requiring the windows on the rear elevation of the building to be obscure glazed, these would nonetheless lead to a perception of overlooking which would be harmful to the living conditions of the occupiers of the adjacent dwellings in Chittock Mead.
8. The proposal would have a harmful effect on the living conditions of occupiers of neighbouring dwellings and accordingly, would be contrary to Policy BAS BE12 of the LP and the Framework which collectively require that development provides a high standard of amenity for existing users.

Other matters

9. I acknowledge that the proposed development would provide accommodation for a family member. However, while I acknowledge the personal benefit this may represent, in the absence of any specific evidence regarding family circumstances, this is a matter which I afford limited weight.

Conclusion

10. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR