

Appeal Decision

Site visit made on 1 September 2021

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2021

Appeal Ref: APP/V1505/D/21/3277420

14 Gilbert Drive, Langdon Hills, Essex SS16 6SP

- 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 and Mrs Andrew and Rachel Peat against the decision of Basildon Borough Council.
 - The application Ref 21/00297/FULL was refused by notice dated 10 May 2021.
 - The development proposed is a new bedroom extension to be built over existing completed ground floor extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the existing dwelling and surrounding area.

Reasons

3. The appeal property is a three-storey detached dwelling at the end of a row of dwellings of similar distinct design with cream/buff coloured brickwork. The distinct design and scale of these dwellings make a positive contribution to the character and appearance of the surrounding area.
 4. The main roof of the appeal property is a gable end roof with front dormers. The proposal is for a first floor extension over an existing flat roof garage. This would extend beyond the rear of the main part of the existing dwelling. It would extend out the gable end of the main roof with a lower gable on the rear elevation. The fenestration would be of the same design and of similar alignment to that in the existing first floor facade.
 5. From my observations, due to the height and position of the proposed extension with no significant set back from the existing main front elevation, it would appear as an unacceptably dominant first floor addition. As such it would not be sympathetic to the scale and design of the existing dwelling and the context of the site. It would overwhelm the appearance of the existing dwelling to the detriment of the character and appearance of the dwelling and surrounding area.
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6. For the above reasons I consider that the proposal would have an adverse effect on the character and appearance of the existing dwelling and surrounding area.
7. In reaching my conclusion, I have had regard to all matters raised. I have great sympathy with the family circumstances. In this particular instance, I do not consider the proposal before me to be the only solution to creating more living space to accommodate the family needs. For the above reasons I have found that the proposal would have an adverse effect on the character and appearance of the existing dwelling and surrounding area. Thus, the proposal would be contrary to saved Policy BAS BE12 in the Basildon District Local Plan Saved Policies (2007) where it seeks to ensure, amongst other matters, that new residential development does not harm the character of the surrounding area.
8. Since the Council made its decision, the National Planning Policy Framework has been revised. It continues to seek high standards of design. I consider saved Policy BAS BE12 to be broadly consistent with the Framework, especially where the Framework seeks to ensure good design.
9. It is necessary to determine this appeal in accordance with the development plan unless material considerations indicate otherwise. It must be acknowledged that at the heart of the Framework is the presumption in favour of sustainable development. It sets out the three overarching objectives which are interdependent.
10. As regards the economic objective, some very small benefit may accrue in relation to the construction of the extension. In terms of the social objective, I have found that the proposal would have an adverse effect on the character and appearance of the area and thus would not satisfy the social objective of providing a well-designed built environment. Nor would it satisfy the environmental objective as it would not contribute towards protecting and enhancing the built environment. Good design is a key aspect of sustainable development. For these reasons, taking the three objectives together, the proposal would not constitute sustainable development.

J L Cheesley

INSPECTOR