



Appeal Decision

Site visit made on 22 December 2021

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2021

Appeal Ref: APP/V1505/W/21/3274768

Land at rear of 51 Lampern Crescent, Billericay, Essex CM12 0FE

- 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 Bellstrong Construction against the decision of Basildon Borough Council.
 - The application Ref 20/01070/FULL, dated 11 August 2020, was refused by notice dated 25 March 2021.
 - The development proposed is a dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site includes parking space to the rear of 51 Lampern Crescent, as well as part of a strip of land that adjoins a bridleway running between development around Lampern Crescent and buildings on Princes Close and Princes Mews. Much of this strip is fairly densely vegetated, and it includes a number of large mature trees which are visible from the surrounding area in gaps between buildings or rising above the roofline. As a result, it provides for an open buffer that helps to balance and soften the otherwise relatively tight-knit layout of the residential development to either side of the bridleway.
4. The scale and overall appearance of the proposed dwelling would not be out of keeping with other buildings nearby which are of mixed form, design and external materials. However, while it would have access from a cul-de-sac branch of Lampern Crescent, the dwelling itself would be set significantly back within the site and would be positioned behind 55 and 57 Lampern Crescent at nearly a right angle to this part of the street. The dwelling would be orientated facing along the vegetated strip but in the opposite direction to the closest dwellings on Princes Close, and would also be on a different orientation to any of the nearby dwellings on Lampern Crescent. As a consequence of these factors, I find that the building would be somewhat divorced from the street scene and neighbouring dwellings, and it would stand out discordantly against the characteristic layout of development nearby where buildings are typically positioned in groups fronting the streets.
5. Moreover, the dwelling and boundary fencing would result in an unwelcome and awkward intrusion of built form into the undeveloped buffer between Lampern

Crescent and Princes Close, and a significant erosion of the existing openness which contributes positively to the character and appearance of the area.

6. There may be no designated heritage assets close by, but that does not mean the character and appearance of the area is of no importance. The development would be conspicuous including from Lampern Crescent, Princes Close and the adjacent bridleway, and I find that the above factors in combination would result in an isolated and incongruous feature that would fail to integrate sympathetically with its surroundings.
7. I therefore conclude that the proposal would cause unacceptable harm to the character and appearance of the area. As a consequence, it would conflict with Saved Policy BE12 of the Local Plan 2007 which includes a requirement that development does not harm the character of the surrounding area including the street scene. It would also be contrary to Policy DES1 of the Revised Publication Local Plan 2014-2034 (RPLP) which seeks good design and requires, amongst other things, that development contributes positively to an area's visual and architectural character by reflecting and responding to locally distinctive patterns of development. The RPLP is not yet adopted and is therefore subject to change, but in this regard Policy DES1 is broadly consistent with the National Planning Policy Framework which seeks high quality design and development that is sympathetic to local character, and I therefore afford some further weight to the conflict with this Policy.

Other Matters

8. The proposal would make effective use of the site to deliver an additional dwelling towards the supply of housing locally. This is an important benefit, and there would be associated economic and social benefits both during construction and on occupation of the dwelling including employment opportunities. However, the extent of these benefits would be very modest given the scale of the development for a single dwelling, and I do not find that they would be sufficient to outweigh the significant harm that I have found would be caused to the character and appearance of the area, nor the consequent conflict with the development plan.
9. The Council indicates that a financial contribution would be required to mitigate the effect of recreational pressure arising from the development on Special Protection Areas and Ramsar sites in accordance with the Essex Coastal Recreational Avoidance and Mitigation Strategy Supplementary Planning Document. However, given the harm identified above and that I am dismissing the appeal for other reasons, it is not necessary for me to consider this matter further and in light of the provisions of the Conservation of Habitats and Species Regulations 2017 as it could not alter my decision.

Conclusion

10. For the reasons given above, I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR