
Appeal Decision

Site visit made on 18 January 2022

by Andre Pinto BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 February 2022

Appeal Ref: APP/V1505/W/21/3276286

Bakers Court, Hodgson Way, Wickford SS11 8YL

- 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 Dennis Rankoff on behalf of Mr Robert Drury against the decision of Basildon District Council.
 - The application Ref 21/00500/FULL, dated 24 March 2021, was refused by notice dated 10 May 2021.
 - The development proposed is new front box dormer with French doors and Juliet balconies to loft conversion/second floor residential flat.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the description of the development included in the Council's Decision Notice as it more accurately describes the proposed works.
3. Although the Application for Planning Permission refers to Mr. Robert Drury as the Applicant, subsequent written confirmation has been received which indicates that the Appellant is Mr. Dennis Rankoff. Mr. Dennis Rankoff is also cited as the Appellant in the Planning Appeal Form and the owner of the appeal site. I have issued my decision on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the host property and on the character and appearance of the area.

Reasons

5. The appeal site consists of a block of residential flats located along Hodgson Way, opposite the Shotgate Industrial Estate, but in close proximity to Uxbridge Close, where several other residential properties can be found. Adjacent to the appeal site, further along Hodgson Way and towards the junction with Robert Way, is the Brocks Business Park.
6. The character and appearance of the area is therefore mixed and defined by the presence of both commercial and residential use.
7. Bakers Court consists of an "L" shape two storey high residential block which, when viewed from public land, appears as two separate blocks facing each other at an angle. Consequently, the shape of the development, its height,

- proximity to the road and apparent general arrangement around a central courtyard, makes Bakers Court particularly dominant within the streetscape while also giving it its distinctive and cohesive character and appearance.
8. As such, Bakers Court greatly contributes to defining the character and appearance of the area, as well as marking the transition between the residential and non-residential area.
 9. The proposal is for a new front box dormer with French doors and Juliet balconies to be located on the second floor flat.
 10. Due to the appeal site's dominant position in the streetscape, the proposed new front box dormer would be easily perceived from public land as it would face directly onto the main access road. Considering the dominant location of the appeal site, the proposed development would appear particularly prominent and over-dominant when viewed in the context of the whole of Bakers Court.
 11. This is particularly significantly as the proposed development would clearly alter the shape of the existing roof which, due to the configuration of the appeal site, would be in clear contrast to the roof form that dominates the remaining of Bakers Court and which can clearly also be seen from public land.
 12. In its Statement of Case (2021) the Appellant has include reference to other properties within the general proximity of the appeal site where front box dormers can be seen.
 13. I do not have full details of the nature of the proposal or the circumstances and material considerations that were relevant to their determination and, consequently I cannot be sure that these are wholly representative of the circumstances in this appeal. Nevertheless, I do note that the examples provide seem to be mainly of detached or semi-detached dwellings facing directly onto the main access road, which, as previously stated, is not the way in which the Bakers Court is designed. In any case, I must determine this appeal on its own merits.
 14. Consequently, the proposed development would harm the character and appearance of the building and the area and, in that regard, be contrary to Policy BAS BE12 of the Basildon District Local Plan Saved Policies (2007) and the National Planning Policy Framework.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.