

Appeal Decision

Site visit made on 17 March 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st March 2022

Appeal Ref: APP/B1550/D/22/3291616

15 Greensward Lane, Hockley, SS5 5HD

- 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 P Wheatley against the decision of Rochford District Council.
 - The application Ref 21/01091/FUL, dated 30 September 2021, was refused by notice dated 20 December 2021.
 - The development proposed is the construction of 2 storey side extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my visit construction was underway for an extension to the side of the appeal property. It is understood that this relates to works for the erection of a single-storey pitched roof side extension that was granted planning permission on 15 March 2022 under application Ref 22/00059/FUL.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the street scene.

Reasons

4. The appeal property is a two-storey, semi-detached dwelling which occupies a corner location at the junction where Hamilton Gardens meets Greensward Lane. The property has a side return boundary to Hamilton Gardens, with the flank wall of the original building set well away from this boundary. Greensward Lane appeared to be a fairly busy urban route in a principally residential neighbourhood but with some mixed development including a petrol filling station close to the appeal site on the opposite side of the road. Hamilton Gardens struck me as a noticeably quieter and more suburban residential environment with tree lined grass verges between the pavements and roadsides. Despite its slightly more intimate feel and mixed architecture, there is a pleasing sense of space and openness to the vistas along Hamilton Gardens that is derived from the dwellings being set back from their respective road

frontages. This contributes to a distinctive sense of place that is reflective of the area's wider character.

5. The proposal would extend the property sideways, and to within approximately 1.5m of the side return boundary along Hamilton Gardens according to a figure provided by the appellant. The original two-storey flank wall of No 15 approximately follows the forward building lines of the dwellings that expand northwards along Hamilton Gardens, away from the appeal site. This alignment is consistent with the character of the area and contributes to its spacious qualities. The appellant has pointed to the pavement trees adjacent to the site. These would screen the extension from sight to some degree from some viewpoints. However, it would not be hidden by them. In addition, I do not consider that the natural and seasonal changing appearance of these trees would be comparable within the street scene to the solid, permanent bulk of a built development. The side extension would significantly reduce the space to the side of No 15 and I have no doubt in my mind that it would be openly seen to breach an established building line to this side of Hamilton Gardens.
6. At two-storey, the extension would create a noticeable sense of enclosure at this road junction that would appear overbearing and intrusive in vistas looking north and south. Although the extension would be well-designed and integrated with the form of the original building, due to its size and siting in close proximity to its side boundary, I find that it would be harmful to the established character of the area. Whilst I do not consider that there would be any harm directly to the residential amenity of any adjoining occupiers, the failure of the proposal to positively respond to and promote the character of the area means that it would conflict directly with Policy DM1 of the Council's Development Management Plan 2014. In this regard there would also be conflict with the National Planning Policy Framework's objectives for achieving well-designed places.

Conclusion

7. For the reasons given, and notwithstanding the absence of any objections from any third parties, I find that the proposal would be harmful to the character and appearance of the street scene. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR