



Appeal Decision

Site visit made on 11 August 2022

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2022

Appeal Ref: APP/V1505/W/20/3255814

Dentria, Church Road, Ramsden Bellhouse, Billericay CM11 1RR

- 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 Ms Michelle Choudhury of Reliance Worldwide Logistics Solutions Ltd against the decision of Basildon Borough Council.
 - The application Ref 20/00380/FULL, dated 25 March 2020, was refused by notice dated 26 May 2020.
 - The development proposed is the demolition of existing bungalow and construction of new 5-bed dwelling with detached garage to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, a new dwelling was under construction. The development on-site did not reflect the plans submitted with this appeal. Accordingly, I have considered the appeal as a proposed scheme on the basis of the application drawings.
3. Since the application was refused, the National Planning Policy Framework (the Framework) was revised. Additionally, a number of the Council's Development Control Guidelines have been revoked as the Council has endorsed the Essex Design Guide SPD (EDG). Both the main parties have had the opportunity to comment in relation to the revised Framework and EDG. Where parties have commented I have taken this into consideration.
4. The Council's officer report refers to various policies of the emerging Local Plan which has subsequently been withdrawn from examination. Its policies accordingly carry no weight in the determination of this appeal.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

6. The stretch of Church Road between Orchard Avenue and Glebe Road, in which the appeal site sits, is characterised by housing of varying styles and sizes. Despite the variety in building form, dwellings which are not of bungalow or chalet style design tend to have low level shallow pitched roofs. Plots are well-sized with long back gardens and orientated in a linear manner, with a fairly consistent front building line. As a result of the consistency of building lines,

space between properties and modest roof forms in the area there is a pleasing coherence to the appearance of the dwellings in the area.

7. The proposed new dwelling would introduce gable features to the front elevation which are found in the surrounding area. However, it would also introduce a large crown roof to the streetscene which is generally devoid of such roof types. The ridge height would be similar to other nearby properties and the dwelling would have a narrower footprint keeping the spacious character between properties. Nevertheless, the crown shape would introduce an incongruous flat roof section to the main roof of the dwelling. The roof type proposed would be in proportion with the gables. However, it would also be uncharacteristically bulky and unfavourably contrast with the prevailing pattern of smaller pitched roofs in the street that result in properties being relatively discrete.
8. The appellant has drawn my attention to other developments which have crown or flat roofs. Whilst I do not have full details of these schemes, from the evidence before me and my observations, the presence of other crown or flat roofs in the immediate area, closely matching the proposed development, close to the appeal site was not apparent. Having considered the proposal before me, the flat/crown roofs of other properties were not visible within the immediate area close to the appeal site nor did I see any examples which replicate the design of the appeal scheme. Given the crown roof would be clearly seen from the street and surrounding dwellings I cannot draw any direct comparison from the nearby area that weighs in favour of the proposal.
9. The Council has not raised the garage or the materials to be used in the proposed dwelling as a reason for refusal. Given, the presence of similar garages in the area and the mixed palette of materials found nearby, I find no reason to disagree.
10. To conclude, the proposed development would unacceptably harm the character and appearance of the area. It would conflict with Saved Policies BAS BE12 and BAS BE13 of the Basildon District Local Plan 2007 (LP) which seeks to ensure that new development is of bungalow or chalets style construction and does not harm the character of the surrounding area. The proposal would also conflict with the provisions of paragraphs 126, 130 and 134 of the Framework, which seek to, amongst other things, ensure that development is sympathetic to local character. Furthermore, it would also conflict with the objectives of the EDG which amongst other things, seeks new development to be appropriate to the setting and context of its surroundings.
11. It is acknowledged by both the main parties the proposal would not be of a chalet-style or bungalow construction and thereby not compliant with Policy BAS BE13 of LP. The appellant's statement identifies that this policy should be afforded less weight based on the findings of the Urban Characterisation and Design Review 2015. I have not been supplied with a copy of the review. Nevertheless, Policy BAS BE13 remains part of the development plan.

Other matters

12. I accept there would be certain benefits from the scheme resulting from the temporary economic benefits during the construction process. Given the small scale of the development, these benefits would be limited and do not outweigh the considerable harm to the character and appearance of the area.

13. Even if I was to agree there was no harm to living conditions to nearby occupiers and the proposed development was acceptable with regards to highways matters, this would be a neutral factor and would not weigh in favour of the proposal.
14. The proposed scheme has been amended following a previous refusal from the Council. Nevertheless, I have considered this scheme on its own merits and found harm to the character and appearance of the area.

Conclusion

15. The proposal conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, sufficient to outweigh the identified harm and associated development plan conflict.
16. The appeal should therefore be dismissed.

A Hickey

INSPECTOR