

Appeal Decision

Site visit made on 29 June 2022

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 5 October 2022.

Appeal Reference: APP/V1505/W/22/3290311

Land at 262 Outwood Common Road, Billericay CM11 2LH

- 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 C Cottage against the decision of Basildon Council.
 - The application (reference 21/00834/FULL, dated 19 May 2021) was refused by notice dated 19 October 2021.
 - The development proposed is described in the application form as a “proposed single storey bungalow”.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings.

Reasons

3. The appeal site is located in a suburban area in the south-east of Billericay, with agricultural land beyond (to the east). The residential area has a meandering street pattern, laid out mainly with houses in different configurations, including short terraces and semi-detached pairs with relatively large gardens, by modern standards.
4. Number 262 Outwood Common Road is located at the north-eastern end of a short terrace of houses which backs onto an area of woodland. St John’s Church is located opposite, behind a green open space that extends along the north-western frontage of this part of Outwood Common Road, creating a pleasant, spacious environment.
5. There is a wide gap between number 262 and the semi-detached pair next along the road to the north-east, since both number 262 and its neighbour have wider side gardens than elsewhere, while a footpath runs between the two. Moreover, the back garden at number 262 increases in width, due to the curve in the road and the irregularity of the plot layout. There are a number of trees in the garden or near to the boundary (though the largest of these would

- need to be removed) but the woodland to the rear has an obvious visual significance as a backdrop to the houses on the frontage.
6. It is now proposed to create a new dwelling in the back garden of number 262, in the form of a small bungalow with its own access alongside the existing house.
 7. The 'National Planning Policy Framework' (which was revised in July 2021) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. New development ought to be sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. Nevertheless, the aim of achieving good design standards includes protecting existing amenities as well as providing good standards of accommodation in new dwellings.
 8. Development Plan Policies share the principles that are set out in the 'National Planning Policy Framework', in particular Policy BAS BE12 of the 'Basildon District Local Plan Saved Policies' (dated 2007), which sets out broad development control criteria. These include a requirement for new development to respect the character of the surrounding area, including the streetscene.
 9. The proposed development would result in the subdivision of the existing site, leaving a much smaller retained back garden with the existing house. Alongside the retained garden, access would be provided to the new plot at the rear. Here, a new one-bedroom bungalow would be built.
 10. The new bungalow would provide an adequate level of accommodation within itself, but the plot would be very cramped by comparison with others in the locality. The new bungalow would have a small garden area by comparison with its neighbours and the backland layout would be alien to the character of the surrounding area. The scheme would be constrained and awkward in its context and out of keeping with its more spacious surroundings.
 11. Hence, the scheme would be harmful to the established open and spacious character of the area, eroding the attractive suburban setting and failing to respect the appearance of the surroundings.
 12. Other matters have been raised in the representations, including the potential impact of the proposals on living conditions for neighbouring properties. The effect of the new bungalow itself on adjoining properties would be limited, however. The building would not overshadow neighbours nor intrude on their privacy, for example. On the other hand, the new access would evidently cause some disturbance to the occupiers of the existing house, while the loss of such a large portion of the garden would be unsatisfactory. These considerations reinforce the main objection to the project that I have identified.
 13. Attention has also been drawn to other sites in the locality, where development has been permitted previously. I am conscious, nevertheless, that each proposal must be considered on its own merits and I am not persuaded that this appeal scheme would be acceptable in planning terms.

14. Evidently, the appeal site lies within an established urban area, which is “sustainable” in planning terms, and the proposed development would make a modest but useful addition to the provision of residential accommodation in the area (especially as a single-storey unit). Nevertheless, I am convinced that the scheme would cause real harm to the character and appearance of the surroundings, and would undermine the prevailing character and appearance of the area. This would be contrary to the design policies of the ‘National Planning Policy Framework’ and to Development Plan Policy, notably in respect of Policy BAS BE12 of the ‘Basildon District Local Plan Saved Policies’.
15. Hence, I have concluded that the scheme before me ought not to be allowed and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR