
Appeal Decision

Site visit made on 7 September 2022

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2022

Appeal Ref: APP/M1520/W/22/3292597
3 Link Road, Canvey Island, SS8 9JW

- 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 Mrs Vida Anorson against the decision of Castle Point Borough Council.
 - The application Ref. 21/0869/FUL dated 7 September 2021, was refused by notice dated 5 November 2021.
 - The development proposed is to demolish existing outbuildings and construct part single/part two storey side extension to create 1No. end of terrace dwelling
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are: i) the effect of the proposed dwelling on the streetscene, and ii) the effect of the proposed car parking arrangements on the safety and convenience of users of the highway.

Reasons

The effect of the proposed dwelling on the streetscene

3. The appeal site is located on the southern side of Link Road and is occupied by a semi-detached bungalow. The private garden area is to the rear and side. The footway along the front of the pair of houses is set back from the carriageway behind a grass verge. There is a single dropped kerb giving access across the verge to the front garden of the donor dwelling, which is largely paved, providing car parking space. The attached neighbour, No.1 Link Road, has its front gate off of Link Road, but its front door is at the side, facing Maple Way, and its parking is to the rear. To the west, immediately beyond the curtilage of the site, is public open space which is part of a long corridor running north-east. The development in the immediate area consists of a mixture of semi-detached bungalows and houses, with some terraced houses set at right-angles to the highways.
4. Policy EC2 of the council's adopted local plan seeks a high standard of design in all developments. Regard is to be given to the scale, density, siting, design, layout and external materials of any development, which shall be appropriate to the setting, which should not harm the character of the surroundings. This is

consistent with paragraphs 128 and 130 of the National Planning Policy Framework (the Framework).

5. The characteristic building form at the junction of Link Road with Maple Way is that of semi-detached dwellings, seen in the context of wide areas of open space. The available space at the side of the donor bungalow only allows for a narrower dwelling than each of the current semi-detach pair. The visual effect of this would be a terrace that abuts hard up against the public open space on the western side, with windows and doorways that are unbalanced. The necessary car parking, if provided at a level to meet policy requirements, across the donor and new dwelling, would add to the unfortunate effect on the streetscene. The proposed dwelling would appear cramped and at odds with its neighbours. I consider that the result would be harmful to the character and appearance of the streetscene.

The effect of the proposed car parking arrangements on the safety and convenience of users of the highway

6. The Policy EC2 of the adopted local plan requires that all modes of movement associated with development be safe and convenient. The local plan appendix dealing with parking standards has been superseded by the Essex County Parking Standards adopted 2009. These standards require 2 parking spaces for dwellings with 2 or more bedrooms; thus 4 spaces are required by these standards for the donor and proposed dwellings.
7. The appeal proposal, as stated at questions 8 and 9 of the application form, has no new or altered vehicular access and no increase in the number of spaces above the current 2, and the submitted plans show one vehicle per property. Since the site is close to the junction of Link Road with Maple Way, I consider that adequate off street parking should be provided for the safety and convenience of highway users.
8. The frontage of the proposed dwelling measures some 5.4m, increasing to some 6.2m when measured across the principal elevation, and would have a depth of between 5.7m and 6.2m. This is inadequate for parking two cars, leaving little space for access to the front door. As proposed, the access is in front of the proposed dwelling, and a conflict would likely occur between the parking of vehicles for the two properties.
9. Thus the proposal does not provide parking for two vehicles per property. As noted in the officer's report, the situation could be improved with the provision of an extended crossover for virtually the whole width of the site frontage, but that is not proposed and would be detrimental to the streetscene, as mentioned in paragraph 5 above. As the proposal stands, it would be likely to lead to on-street parking, which would be most undesirable, particularly because of the proximity of the road junction. Therefore the proposed car parking arrangements would be harmful to the safety and convenience of users of the highway.

Other matters

10. The officer's report highlights that the council's development plan is not up to date. Footnote 8 within the Framework explains that, for applications involving the provision of housing, policies most important for determining an application will be out-of-date where the local planning authority cannot demonstrate a

five-year supply of deliverable housing sites. Castle Point Borough Council is currently unable to demonstrate a five-year supply of deliverable housing sites, therefore the policies most important for determining the application are out-of-date and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

11. In addition to this, the Framework, in strongly supporting the provision of additional housing, makes the point that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly (paragraph 69).
12. Nevertheless, the appeal proposal would only provide 1 additional dwelling, whilst bringing negligible benefits in terms of the overarching objectives of the planning system – economic, social and environmental. Nor does it have the weight of paragraph 119 of the Framework behind it, which emphasises the desirability of making as much use as possible of previously developed ‘brownfield’ land; this does not apply since this is residential garden land within a built-up area and therefore is excluded from the definition of previously developed land. In any event, this is not a case where the refusal is based on the principle of the development, and the policies that are determinative of the decision in this case are generally in accord with the policies of the Framework.
13. I have taken account of the appellant’s suggestion that there are other examples of dwellings with a flank elevation on the site boundary, but that does not negate the matters dealt with in paragraph 5 above.

Conclusions

14. I conclude that the appeal proposal would be harmful to the character and appearance of the streetscene and harmful to the safety and convenience of users of the highway. These matters outweigh the benefits of the scheme, and therefore the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR