
Appeal Decision

Site visit made on 4 October 2022

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2022

Appeal Ref: APP/V1505/D/22/3301915

60 Montague Street, Basildon, Essex SS14 3JG

- 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 Faizan Afzal against the decision of Basildon Borough Council.
 - The application Ref 22/00202/FULL was refused by notice dated 11 April 2022.
 - The development proposed is a rear flat roof extension for additional space.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be the effect of the development on the character and appearance of the host dwelling and surrounding area.

Reasons

3. The appeal dwelling is a detached modern dwelling located on a corner position in a modern estate of dwellings of coherent modern design. As such, there is a defined cohesiveness to the character and appearance of the surrounding area with regard to the scale, materials and layout of this estate.
 4. The single-storey flat roof rear extension has been constructed. The roof slopes between approximately 2.1 to 2.5 metres in height. It covers a significant area of the rear garden within the boundary wall and is higher than that wall. It is clad in materials which are similar to those on part of the front first floor elevation. No other extensions of similar scale and design are in the vicinity.
 5. The top of the development is clearly visible within the streetscene. Due to its scale and design, I consider it appears as a cramped form of development which has a poor relationship to the design and scale of the host dwelling. As such, the development appears as an incongruous addition, not in keeping with the character and appearance of the host dwelling and surrounding area.
 6. In reaching my conclusion, I have had regard to all matters raised. The extension protrudes forward of the side elevation on this corner site and thus permitted development rights do not apply. Prior Approval cannot be granted
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for a development that has already been carried out. Thus, I do not consider either of these to be fallback positions.

7. For the reasons stated above, I conclude that the development has an adverse effect on the character and appearance of the host dwelling and surrounding area. Thus, the development is contrary to Saved Policy BAS BE12 in the Basildon Local Plan Saved Policies (2007), particularly where it seeks to ensure that development does not harm the character of the surrounding area. I consider this policy to be broadly consistent with the National Planning Policy Framework, especially where the Framework seeks to ensure good design.

J L Cheesley

INSPECTOR