



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/B1550/W/22/3296996
32 Elmwood Avenue, Hockley, SS5 4ND

- 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 Claire Burden against the decision of Rochford District Council.
 - The application Ref. 21/00888/FUL dated 10 August 2021, was refused by notice dated 9 March 2022.
 - The development proposed is: convert No.32 Elmwood Avenue into a 2 bedroom house, sub-divide the plot and erect an attached 2 bedroom house to create terraced housing. Form new shared vehicular access off Elmwood Avenue
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Decision

1. The appeal is dismissed.

Main Issue

2. There is a single issue in this case: the effect of the proposed development on the character of the street and surrounding area.

Reasons

3. The application site is located within the residential area of Hawkwell, and more efficient use of land for housing provision is encouraged by both national and local policies. Therefore the proposal is acceptable in principle, but consideration must be given to design, which does not simply refer to the appearance of the development itself, but also the extent to which it fits within the existing context and to whether it takes opportunities for improving the character and quality of the area.
4. Reference is made in the officer's report to the Council's adopted Housing Design Supplementary Planning Document 2 (SPD2). This is the most detailed element of the council's policies that are of particular relevance to the main issue identified above. SPD2 follows from policy CP1 of the Core Strategy and policies DM1 and DM3 of the Development Management Plan. SPD2 requires, among other things, development to be of such frontage and form as to be compatible with the existing form and character of the area within which it is to be sited.
5. The development in Elmwood Avenue consists of semi-detached dwellings. In the case of the south side, where the appeal property is situated, they are 2-storey houses, and on the northern side, bungalows. A strong feature of this

road is the generally open, attractively planted, front gardens. Somewhat similar features are found at the cul-de-sac southern end of Hawkwell Chase, although these houses do not have the attractive feature of the long front gardens that characterise the southern side of Elmwood Chase. The open nature of the junction of Elmwood Avenue with Hawkwell Chase is an important element of the locality, in which the front and side garden areas of the appeal site are significant elements.

6. The appeal proposal would result in a small terrace of three properties with the appeal site featuring narrow front garden areas. This would significantly change the appearance of this junction to the detriment of the streetscene and the character of the immediate area. The present streetscene and character is beneficial to the area, and in accordance with the planning policy for the area, should be protected. The appeal proposal goes against this objective, which provides strong support for the council's refusal of permission.
7. Set against this is the creation of an additional small dwelling, with adequate amenities including internal living areas and private open space, and replicating the exterior design of the donor dwelling. The National Planning Policy Framework (the Framework) strongly supports the provision of additional housing and 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).
8. Nevertheless, as I am told, the council has an up-to-date 5-year housing land supply, and 1 additional dwelling would make a very minor contribution to enhancing that supply. The Framework also makes clear the desirability of preserving an area's prevailing character, including resisting inappropriate development of residential gardens, such as where development would cause harm to the local area, and ensuring that developments are visually attractive. It states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve; and that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping (paragraphs 71, 126 and 130).

Conclusions

9. I have taken account of all other matters raised, including the side extensions to houses in Hawkwell Chase that result in linking what were semi-detached dwellings, the recently approved bungalow opposite the appeal site, and the side extension to No. 2 Elmwood Avenue, but I do not find these truly comparable in their effects. I conclude that the matters that I have dealt with in paragraphs 5 and 6 above outweigh the benefits of the proposal, and lead me to conclude that the appeal should be dismissed.

Terrence Kemmann-Lane

INSPECTOR