



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/22/3293851
11 Dyke Crescent, Canvey Island, SS8 0QF

- 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 Neil Perrin against the decision of Castle Point Borough Council.
 - The application Ref. 21/0977/FUL dated 11 October 2021, was refused by notice dated 23 December 2021.
 - The development proposed is: demolish existing detached garage and construct 1 No. detached dwelling including widening of existing vehicle crossover and new driveway to existing bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character of the area and the streetscene.

Reasons

3. The site is on the north-eastern corner of Dyke Crescent and Limburg Road, which lie within the Dutch Village estate. The site occupies a large corner plot with a frontage onto Dyke Crescent of some 37.6m and a frontage onto Limburg Road of some 29.6m. A detached bungalow (No. 11 Dyke Crescent), set at an angle to face both roads, occupies the site. There is a vehicular crossing to the north from Limburg Road providing access to a detached single garage and single forecourt parking space. Given the size of the plot there is a relatively small private garden to the rear of the site, with a sizeable amount of land to the front and side of the property. The general appearance of the existing property is that of a substantial bungalow set within well planted front and side gardens with trees, shrubs and hedges.
4. The development on Dyke Crescent consists mainly of semi-detached houses on its southern side, whilst the northern side is mainly chalet style dwellings. Limburg Road also displays a mixed character with the road's eastern side consisting of semi-detached bungalows, some with roof additions, whilst on the western side there are detached chalet style dwellings.
5. Policy EC2 of the council's adopted Local Plan seeks a high standard of design in all developments, which is consistent with paragraphs 128 and 130 of the

National Planning Policy Framework (the Framework). The council has adopted Residential Design Guidance as a supplementary planning document, within which guidance at RDG1 states that, within the existing built-up area, the plot sizes for all new development should be informed by the prevailing character of plot sizes. Where there is a distinct character of development which creates an exceptionally strong pattern, development must not result in a disruption to this pattern.

6. The character within the Dutch Village is of properties that are generally located on larger plots than that being proposed, particularly where detached dwellings are concerned. In my opinion the proposed dwelling and its plot would appear cramped and very much at odds with the prevailing character of the area and the immediate streetscene. The proximity of the corner of the bungalow, where the rear and side elevations meet at very close proximity to the boundary of the curtilage of the proposed bungalow, would also emphasise the degree to which the new dwelling would be squeezed into the present side and rear garden of the donor dwelling.
7. Added to this unfortunate effect would be the 1.8m close boarded fence required to provide privacy to the open area that currently is part of the frontage to Dyke Crescent, but would become part of the private open amenity area of the donor property. This would add an uncharacteristic feature in the streetscene at odds with the pleasant character of the surrounding area. It would be clearly against the aims of policy RDG10 which states that means of enclosure should be informed by the prevailing character of the area and must not repeat poor forms of development.

Conclusions

8. Whilst the proposal may comply with a number of requirements of policies, such as RDG3 – Building Lines, RDG4 – Corner Plots, RDG5 – Privacy and Living conditions, and RDG6 – Amenity Space, I have come to the clear conclusion that the proposed development would have a harmful effect on the character of the area and the streetscene. This would be exacerbated by a 1.8m high fence which I consider would be necessary in order to provide adequate screening to an area of the curtilage of the donor property in order to secure a pleasant and private area of open space. I note that the appellant would be willing to accept a lower fence, but that would largely negate the purpose of enclosing the garden area.
9. In any event, such reduction in height would not overcome the primary objection relating to the incongruity of the proposal to the general appearance and character of the streetscene and area. This would be contrary to Policy EC2 of the council's Local Plan, RDG1 of the council's Residential Design Guidance, and paragraph 130 of the Framework. For these reasons I will dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR