

Appeal Decision

Site visit made on 2 June 2023

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

an Inspector appointed by the Secretary of State

Decision date: 14th July 2023

Appeal Reference: APP/V1505/D/23/3318504

1A Mons Avenue, Billericay, Essex CM11 2HG

- 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. and Mrs B. Houghton against the decision of Basildon Borough Council.
 - The application (reference 22/01297/FULL, dated 8 September 2022) was refused by notice dated 23 December 2022.
 - The development proposed is described in the application form as follows: "*roof extension to provide first floor accommodation, new entrance to front and general alterations*".
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or overshadowing or intrusion on privacy).

Reasons

3. Mons Avenue is located in the eastern part of Billericay, in an extensive residential area. In the vicinity of the appeal site, the townscape is characterised by houses that are mainly detached properties, closely built up along the frontages, in a variety of styles but frequently in a "chalet" form. The houses are set back from the roadside, with cars parked on their frontages, and most have relatively large back gardens by modern standards.
4. Number 1A Mons Avenue has been constructed on a smaller plot than most, close to the junction of Mons Avenue and Prince Edward Road. The site appears to have been created by severing the ends of two gardens of houses in Prince Edward Road and inserting an additional dwelling into the original layout.

5. The dwelling at number 1A is a small two-bedroom bungalow, in contrast to its neighbours, and it has a much smaller back garden than others nearby, providing a small area of grass and space for garden paraphernalia. The bungalow is traditionally constructed under a hipped roof and is markedly smaller than its neighbour at number 1, which is a "chalet" with dormers on the front elevation.
6. It is now proposed to construct a first floor (and carry out other alterations) at number 1A, converting the building to create a two-storey house, with a long roof slope on part of the front elevation but providing three bedrooms on the first floor and living rooms on the ground floor. Effectively, a new design would be created.
7. The 'National Planning Policy Framework' 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. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character, although it is also recognised that appropriate change may include increased densities. The achievement of good design includes protecting existing residential amenities and providing good standards of accommodation in new development.
8. Policies in the Development Plan also share these planning objectives. In particular, Policy BAS BE12 of the 'Basildon District Local Plan Saved Policies' (dated 2007) contains specific criteria for the assessment of residential extensions that reflect basic planning principles. New development should not cause material harm to the streetscene generally nor to the residential amenities of immediate neighbours.
9. In this case, the finished building, as proposed, would have much in common with other houses in the locality. It would be a two-storey structure but with a low eaves on part of the frontage and a dormer in traditional form on the front roof slope, while the use of cladding would help to integrate the new construction with the existing. On the other hand, the completed building would present a large flank elevation on the north site of the plot, opposite the rear of properties in Prince Edward Road and clearly intrusive in street views.
10. The finished house would be large in relation to its small back garden, but this would not directly harm the visual appearance of the area, in reality, although the site would seem cramped. Nonetheless, the increased volume and visually intrusive side elevation would have an undesirable impact on the character and appearance of the surroundings.
11. Moreover, the new construction would have a very detrimental effect on the outlook from the rear of properties in Prince Edward Road. The northern flank wall of the house would dominate their back gardens and would seriously intrude on the outlook from the houses. In addition, it would clearly overshadow the back gardens which lie to the north of the appeal site. Hence, I am convinced that serious and unacceptable harm would be caused to the residential amenities of the neighbours.
12. A concern has also been raised about the potential of the proposed extensions to cause unacceptable overlooking to adjoining properties. Even so, the

existing layout inevitably causes a degree of overlooking between properties, especially in relation to the garden at number 1A Mons Avenue itself. I am not persuaded that the impact of the proposals on privacy would justify a refusal of planning permission in this instance, therefore.

13. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed development would make a useful addition to the existing housing stock in the Borough, in spite of the relatively small garden size. Nevertheless, I am convinced that the harm that would be done to the character and appearance of the surroundings and to the residential amenities of neighbours outweighs the benefits of the project.
14. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. 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