
Appeal Decision

Site visit made on 4 July 2023

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 August 2023

Appeal Ref: APP/V1505/D/23/3320383

37 Mersea Crescent, Wickford, Essex SS12 9GN

- 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 Jade Etchells against the decision of Basildon District Council.
 - The application Ref 22/01276, dated 11 September 2022, was refused by notice dated 13 February 2023.
 - The development proposed is a dropped front kerb.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped front kerb at 37 Mersea Crescent, Wickford, Essex SS12 9GN in accordance with the terms of the application, Ref 22/01276, dated 11 September 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale Location Plan; 1850-01A; 1850-02A; 1850-03A.

Main Issue

2. The main issue in this appeal is the effects of the loss of part of the hedge on the character and appearance of the area.

Reasons

3. The appeal relates to this detached house which is set within a residential area. The area contains a variety of styles of houses and all appear to arise from fairly recent construction.
4. The appeal property is set behind a hedge which forms the front boundary of this house and its neighbours at No 35 Mersea Crescent and No 1 Farne Drive. Access to Nos 35 and 37 is from a shared point in front of No 35, which leads to off-street car parking areas within each property. There is a variety of front boundary treatments within the area including brick walls, hedges, fences and some with open frontages, including the garage-court style layout opposite. There are also numerous vehicle accesses which punctuate the frontages, many of them shared.

5. The proposal would involve the removal of 4.3m width of the frontage hedge. This would still leave a section of hedge in front of No 35, a section in front of the appeal site and that which exists in front of No 1 Farne Drive. The area is not one where vehicle accesses are uncommon; numerous exist at present. The proposal would result in the removal of a relatively small section of the existing hedge, again it is not uncommon to see such features punctuated by access points and the character of the area does not rely on continuous, unbroken boundaries.
6. Within the context that I have described, I consider that the loss of this section of the hedge would have no material effect on the character and appearance of the area. It would be entirely consistent with the locality and the proposal would not conflict with Saved Policy BAS BE12(i) of the Basildon District Local Plan.
7. The appellant sets out her concerns in relation to the safe and convenient use of the existing access point. Whilst I have noted her concerns, I find that the proposal is acceptable on its own merits and such matters would only further support the proposal.
8. In relation to conditions, the Council has suggested that the standard time limit condition is included along with a condition which requires implementation in accordance with the approved plans. Both conditions are necessary to ensure timely implementation and implementation in accordance with the planning permission.

Conclusion

9. For the reasons set out, the appeal is allowed.

T Wood

INSPECTOR