



Appeal Decision

Site visit made on 26 September 2023

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2023

Appeal Ref: APP/M1595/W/23/3318245

11 Scott Road, Chadwell RM16 4ED

- 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 Jason Northover against the decision of Thurrock Council.
 - The application Ref 22/01689/FUL, dated 4 January 2023, was refused by notice dated 3 March 2023.
 - The development proposed is single storey 1 bedroom annexe to rear of garden.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. Scott Road is characterised by rows of two-storey semi-detached dwellings with generously sized rear gardens. The application site contains a two-storey semi-detached dwelling (the host dwelling) and a detached garage located at the end of the rear garden, accessed from a side road off Scott Road.
4. The rear garden is bordered by a fairly low hedgerow, and as a result the proposal would be prominent in views from the public domain. Whilst the proposal would be single storey with a low roof height and eaves, its footprint would be significantly greater than the footprint of the host dwelling. As such it cannot be considered to be subservient to the host dwelling and would appear as an incongruously large addition within the streetscene.
5. Whilst there are other outbuildings to the rear of gardens in the area, from the evidence before me and my observations on site, other nearby outbuildings are not of such significant scale. Therefore, the proposal would be an uncharacteristic feature which would be visually dominant.
6. The proposed annexe would comprise a one bedroom property with an internal layout capable of providing for the day-to-day needs of any occupants without reliance on the main dwelling. Its front elevation and entrance door would face the side road, creating the impression of an independent dwelling which is not linked to the host dwelling. Access would be taken from an existing driveway from the side road immediately to the front of the annexe, and would therefore not be reliant on the host property, thereby increasing the appearance of an independent dwelling.

7. The Council refer to its Thurrock Design Guide Residential Alterations & Extensions SPD (2017) (SPD). The SPD states that outbuildings should not be designed in a way that would facilitate their use as independent dwellings and that they will only be acceptable where the area and height of the building is modest in proportion to the site.
8. Overall the proposed development does not meet the requirements identified in the SPD, due to its design and scale which would not appear as a modest addition. Despite the proposed use as an annexe, the proposed development would appear visually as a separate dwelling.
9. My attention has been drawn to an infill bungalow at 14 Lytton Road which was approved by the Council in 2007¹. I have not been provided with substantive details to compare that development to the one before me. However, I viewed the property during my site visit and it appeared to be an entirely independent self-contained dwelling, and therefore has a different impact on the surrounding area than the proposal. Notwithstanding this, each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.
10. For the above reasons, I conclude that the proposal would harm the character and appearance of the area. I therefore find that it would conflict with Policies PMD2 and CSTP22 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (2015). Amongst other aspects, these policies seek to secure development of a high standard of design which positively contributes to the existing street scene.
11. There is conflict with the SPD which requires an annexe to be modest in scale. In addition, there would be conflict with the National Planning Policy Framework (2023) which requires development to ensure good design of developments.

Other Matters

12. I understand the appellant's wish to create an annexe for a registered autistic person who requires their own space, albeit I have not been provided with further details about their specific requirements. Notwithstanding this, I have given the appellants' personal circumstances careful consideration. However, I am mindful of the advice contained in the Planning Practice Guidance² that, in general, planning is concerned with land use in the public interest. It is probable that the proposed annexe would remain long after the appellants' personal circumstances cease to be material. Future use of the annexe would also not necessarily entail a similar situation.
13. The proposal includes off-street parking, which the appellant indicates is often a requirement for proposals involving annexe buildings. It has been put to me that the design is similar to that of other annexe buildings within Thurrock. However, I have been provided with no further details. Be that as it may, these matters do not outweigh the harm I have identified.
14. The appellant suggests that the proposal may have been acceptable if the application had been for a self-contained dwelling which is distinct from the

¹ 07/00967/FUL

² Paragraph: 008 Reference ID: 21b-008-20140306

host dwelling. However, I am only able to determine the proposal before me which is for an annexe to the host dwelling.

Conclusion

15. I have found that the proposed development would create a disproportionately large addition to the appeal site. A grant of permission for the development would cause unacceptable harm to the character and appearance of the area. I attach substantial weight to this finding against the appeal.
16. I am mindful of the Public Sector Equality Duty (PSED) arising from section 149 of the Equality Act 2010. This requires me to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not. Amongst other things, for the purposes of the Equality Act, protected characteristics include disability. I am satisfied that the purpose of the appeal proposal is to accommodate a registered autistic person who has a protected characteristic for the purposes of applying the PSED.
17. I have given careful consideration to the appellant's personal circumstances in this case. While I recognise the importance of having sufficient, appropriate living space, it has not been shown that the specific accommodation needs cannot be met in another way. For instance, within an annexe which is smaller in scale. On the basis that an alternative could deliver similar benefits for the appellant, these personal circumstances do not outweigh the harm that I have found to the character and appearance of the surrounding area.
18. For the above reasons, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR