



Appeal Decision

Site visit made on 17 October 2023

by J Gunn DipTP, DipDBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2023

Appeal Ref: APP/V1505/W/22/3310823

30 Oakhurst Drive, Wickford, Essex SS12 0NN

- 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 Jordan Parkes against the decision of Basildon Borough Council.
- The application Ref 22/00690/FULL, dated 11 May 2022, was refused by notice dated 18 July 2022.
- The development proposed is described on the application form as 'New DDA dwelling.'

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

3. The main issue is the effect of the proposed dwelling on the character and appearance of the surrounding area, including whether the proposal would provide acceptable living conditions for future occupiers.

Reasons

4. The appeal site is located within an established residential area characterised by primarily semi-detached bungalows with modest sized rear gardens. They are set back a short distance from the highway on well-defined building lines. Although a number of the properties in the locality have landscaped front gardens, a significant proportion have paved forecourts which provide off street parking. Open areas to the front of 18c - 28 (even) and 29 - 43 (odd) Oakhurst Drive provide visual breaks within the street and make a positive contribution to the character and appearance of the area.
5. The proposal would result in the introduction of a dwelling on a plot smaller than the majority of the dwellings in the immediate locality and there would be a corresponding impact on the grain of the development found locally. Consequently, the proposed development would appear cramped on the plot and out of keeping with the more generous spatial qualities found in other properties in the area.

6. I note that the Council indicates that the proposed development would fail to meet standards for amenity space. However, from the evidence before me I find no reference to any standards that are applied in the district. That said, in my judgement, the proposal would result in limited space for both the host property and the new bungalow. Whilst accepting that a one bedroom dwelling would not require a significant amount of space to satisfy the needs of the occupants, the space remaining for the host property would be well below what would be normally expected for a family dwelling. Moreover, the garden space provided for each of the dwellings would not be comparable with other properties in the locality.
7. I acknowledge that views of the proposal from the east would be limited due to existing outbuildings and boundary fences at No 28. However, it would, due to its mass and height, be visible over these structures. As a result, it would introduce a building that would erode the spacious qualities currently found in the area.
8. The proposed dwelling would be positioned in line with the properties at 30 and 32 Oakhurst Drive. However, given the alignment of Oakhurst Drive, part of the building would lie in very close proximity to the footpath, with only limited opportunity to provide areas of soft landscaping. As a result, the building would be more visually prominent within the streetscene.
9. I accept that visual improvement to the streetscene would arise as a consequence of the removal of the existing containers, together with the reduction in the amount of hardstanding. I also note the potential to add landscaping to the frontage of the proposed dwelling. However, these benefits do not outweigh the concerns regarding the cramped appearance of the proposed development that I have identified above.
10. The appellant has referred me to the property at 21 Oakhurst Drive. Whilst noting that the property has some similarities with the appeal proposal, in terms of its scale, its location within an established row of properties and the provision of a larger rear garden, are significantly different. As a result, I cannot conclude that the schemes are directly comparable. In any event all decisions should be made on their own individual merits.
11. Taking all these matters together, I conclude that the proposal would harm the character and appearance of the area. Consequently, it would be contrary to saved Policy BAS BE12 of the Basildon District Local Plan (September 2007) which seeks, amongst other matters, to prevent harm to the character of the surrounding area, including the street scene. It would also be contrary to paragraph 130 of the National Planning Policy Framework (the Framework) which, amongst other matters, requires developments to add to the quality of the area and be sympathetic to local character.

Other Matters

12. Basildon Council is unable to demonstrate a 5-year housing land supply and has only delivered 41% of its housing requirement over the previous three years. Therefore paragraph 11(d) of the Framework applies. The Framework is clear that the presumption in favour of sustainable development is not engaged if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

13. The proposal would deliver 1 new dwelling. The appellant asserts that the benefits that the proposed dwelling bring would outweigh any of the perceived issues outlined in the reason for refusal. In particular they indicate that the size and composition of the proposed dwelling has the potential to provide accommodation to those with mobility issues, including elderly pensioners and those with physical disabilities. That said, I have no substantive evidence before me to indicate that there is a need for such accommodation within the locality, or that the proposed dwelling has been designed specifically to accommodate persons with mobility issues. Moreover, the proposal is expressed to be for a 'Self-build and Custom Build' dwelling, and I have no evidence before me to indicate that occupation would be limited to individuals with mobility issues. Consequently, I give this matter limited weight.
14. I accept that the appeal site is in a sustainable location, with services and facilities within a short distance. I also acknowledge that there would be an economic benefit during the construction of the dwelling and thereafter as a result of the occupation of the property. However, the benefit during the construction period would be for a limited duration only, and any long term benefit would be restricted as a result of the occupancy that would be provided. As a result, I give this benefit only limited weight.
15. Inherent in my reasoning above is that the adverse impacts of allowing the appeal would significantly and demonstrably outweigh the benefits.
16. I note that the Appellant has indicated a willingness to submit a Unilateral Undertaking (UU) and pay a financial contribution towards the Essex Coastal Recreational Avoidance and Mitigation Strategy. No UU has been submitted to me for consideration, however given my conclusions with regards to the main issue, as set out above, I have not pursued this matter further.

Conclusion

17. There are no other relevant material considerations that indicate the application should be determined other than in accordance with the development plan as a whole. For the reasons given above, I therefore conclude that the appeal should be dismissed.

J Gunn

INSPECTOR