



Appeal Decision

Site visit made on 1 November 2024

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th November 2024

Appeal Ref: APP/M1520/D/24/3347325

104 Common Lane, Thundersley, Benfleet, Essex SS7 3RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Andrea Hannay against the decision of Castle Point Borough Council.
 - The application Ref is 24/0232/FUL.
 - The development proposed is a part 2 storey side extension, conversion of existing roof space with rear dormer and rooflights to front roof pitch, and rear single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part 2 storey side extension, conversion of existing roof space with rear dormer and rooflights to front roof pitch, and rear single storey extension, at 104 Common Lane, Thundersley, Benfleet, Essex SS7 3RY in accordance with the terms of the application, Ref 24/0232/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers 1223564-EX03 Revision C, 1223564-L01 Revision B; and 1223564-L02 Revision B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and area, with particular regard to the side extension.

Reasons

3. This part of Common Lane is generally defined by rows of wide fronted buildings, often containing semi-detached bungalows. They are generally constructed to simple gabled forms and are set on discernible building lines fronting on to the road. The buildings are mostly separated from one another by gaps that are of broadly similar and relatively narrow widths. Together these characteristics give the area of the appeal site an appreciably consistent and coherent residential character and appearance.

4. The appeal property is one half of a pair of semi-detached bungalows (Numbers 102 and 104) that are contained within a wide fronted building constructed to simple gabled proportions. The flank wall of this building is set off the boundary with the building at Number 100, and the gap between their opposing flank walls reflects the relatively narrow gaps between buildings in the street scene. As such, the appeal property contributes positively to the established character and appearance of the area.
5. The proposed development would extend the appeal dwelling across nearly the full width of its plot, with the side wall of the proposed integral garage set hard up against the boundary fence. As such, it would not provide a space of at least 1 metre, between the dwelling and the boundary, which is the space sought by RDG2 of the Castle Point Residential Design Guidance, Supplementary Planning Document, Adopted 2013 ("the SPD"). The SPD seeks a space of 1 metre to, amongst others, avoid visual dominance and cramped or obtrusive features in the street scene, including a terracing effect.
6. However, unlike the other dwellings along this part of Common Lane, including the attached dwelling at Number 102, the appeal property is flanked to the west by the Recreation Ground. This is a substantial area of open space in the form of grass playing fields, which gives the appeal property a spacious and largely open setting to its west.
7. Seen in the context of the Recreation Ground, the appeal property in its proposed extended form would not appear cramped against the comparatively low height boundary fence, nor dominant in the street scene. Furthermore, the space between the appeal dwelling's existing flank wall and the side boundary, where the now demolished garage once stood, does not form a gap between buildings. Therefore, infilling this space with the proposed side extension would not negatively affect the characteristic spacings between buildings in the street scene, nor would it lead to a terracing effect.
8. For these reasons, the appearance of the appeal property in its proposed extended form would be consistent with the prevailing pattern of development and would reinforce the established character and appearance of the area.
9. Consequently, the very narrow gap between the flank wall of the appeal dwelling in its proposed extended form and the boundary fence to the Recreation Ground, would be acceptable in this instance. Furthermore, it would be consistent with the broad thrust of the guidance in RDG2 of the SPD. The guidance includes instances where a development's relationship to adjacent public open space justifies a space of less than 1 metre between it and the plot's boundary.
10. Taking all the above into account, I therefore conclude that the proposed development would not harm the character and appearance of the host property and area, consistent with Policy EC2 of the Castle Point Borough Council Local Plan, Adopted 1998, insofar as it seeks high quality design, which is appropriate to its setting and not harmful to the character of its surroundings.
11. The proposal would, for the same reasons, be consistent with Paragraph 135.c) of the National Planning Policy Framework, which seeks to ensure that development is sympathetic to local character, including the surrounding built environment.

Conditions

12. For certainty, it is necessary for the development to be carried out in accordance with the approved drawings. To be in keeping with the appearance of the host property it is necessary for the materials of the proposed extension to match it.

Conclusion

13. For the reasons given above, I conclude that the appeal proposal is consistent with the development plan as a whole, and there are no material considerations of sufficient weight to indicate that a decision should be made other than in accordance with that plan. The appeal should be allowed.

G Sylvester

INSPECTOR