



Appeal Decision

Site visit made on 5 March 2025

by **H Lock BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 March 2025

Appeal Ref: APP/M1520/D/24/3357772

145 Oakfield Road, South Benfleet, Benfleet, Essex, SS7 5NW

- 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 Ms Rachel Silk against the decision of Castle Point Borough Council.
 - The application Ref is 24/0654/FUL.
 - The development proposed is 9m x 6m, 3 bay carport with external staircase up to loft store.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have also dealt with another appeal (Ref: APP/M1520/D/24/3357727) on this site. That appeal is the subject of a separate decision.
3. Since the appeal was lodged, revisions have been made to the National Planning Policy Framework (the Framework) published in December 2024. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal, and that proceeding without seeking further comments from the parties would not be prejudicial to their cases.
4. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form a different wording has been entered, but as the parties have not provided written confirmation that a revised description of development has been agreed I have used the one given on the original application.

Main Issues

5. The main issues are the effect of the proposal on (1) the living conditions of occupants of the dwelling, with particular reference to outlook and access to light; (2) the character and appearance of the street scene and surroundings; and (3) parking and manoeuvring at the site.

Reasons

Living Conditions

6. The appeal property is set back into the site behind a relatively deep and open front garden, part of which is used for vehicle parking. The proposed building would occupy a significant portion of the front garden, and a solid wall with external

staircase would be positioned in front of a ground floor bay window of the dwelling, serving a habitable room.

7. The submitted site plan indicates a separation distance between the proposed carport and dwelling of just over 6m, but the gap would be less between the bay and the external staircase. Given this proximity and the proposed depth and height of the carport, I consider that it would be an unacceptably dominant and overbearing feature when viewed from the main dwelling.
8. The building would also be sited to the south of the dwelling. In the absence of any evidence to the contrary, I consider that at this size and proximity it is likely to result in light loss to the closest bay window.
9. I therefore conclude that the proposal would diminish the outlook for, and result in loss of light for, occupants of the dwelling to a degree that their living conditions would be harmed. This would be contrary to the requirement in the Framework to create places with a high standard of amenity for existing and future users; and RDG3 of the Castle Point Residential Design Guidance Supplementary Planning Document 2012 (SPD), which seeks to resist development which would result in excessive overshadowing or dominance.

Character and Appearance

10. The appeal property is a single-storey dwelling with rooms in the roof space that is set back on a relatively large plot and behind a front garden which is deeper than most in the vicinity. This is in contrast to the prevailing siting of dwellings in Oakfield Road, which are generally set much closer to the road. The appeal dwelling has limited visual impact as a result of its scale and position.
11. The street scene is mixed in design terms, but the prevailing pattern is that of frontage housing with 'active' elevations presented to the public domain. In contrast, the proposal would present a wide and tall blank wall to the road. Whilst I acknowledge that its siting would follow a clearly defined building line, the design and form of the building would appear disruptive and incongruous between the fenestrated front elevations of the neighbouring buildings. The building may be well-designed in itself, but its size and siting mean that it would be out of keeping in its context. Its materials, and ridge height below that of 153 Oakfield Road, would not mitigate this impact.
12. Other than indicating that a large driveway would be maintained for extra parking, no landscaping details have been supplied. As such, I do not share the appellant's view that the treatment of space around the carport would be harmonious and appropriate to the host dwelling, nor that the existing surface parking is surrounded by suitable landscaping and boundary treatments. The building would appear prominent in the street scene, and its significant depth into the site would be apparent in views across the remaining open driveway.
13. There are few examples of prominent detached garages locally, with most garages being attached to one side, integral or semi-integral to the property served. The appellant has cited a garage at 201 Oakfield Road, but this is the exception in the street scene, and in the absence of any information regarding the circumstances of its construction it offers limited support to the proposal. Limited details have been supplied of examples in Villa Road and High Road, but they appear to be more modest in size than the proposal. As such, they offer limited support to the appeal.

14. I therefore conclude that the proposal would detract from the character and appearance of the street scene and its surroundings. This would be contrary to the design aims of the Framework, and Policy EC2 of the Castle Point Local Plan 1998 (LP), as supported by RDG8, which amongst other criteria seek high standards of design, with scale, siting, design and layout which is appropriate to its setting and which does not harm the character of its surroundings. Although the appellant considers the policies and guidance to be dated, I have given them weight as they are largely consistent with the national policies in the Framework.

Parking and Manoeuvring

15. The appellant considers that the proposal incorporates parking spaces which exceed the adopted standard of 2.9m x 5.5m, as set out at paragraph 3.2.1 of the Essex County Council Parking Standards Design and Good Practice 2009 (PS). However, as the internal carport dimension on the submitted plan is 8.57m, there would appear to be a shortfall in bay widths. I share the Council's view that this would limit manoeuvrability for people getting in and out of vehicles, and this reflects the suggestion at paragraph 3.2.7 of the PS, for end bays next to solid structures, such as a fence or wall, to be increased in width by 1m to allow for improved manoeuvrability and entry/exit of people to/from the vehicle.
16. The appellant advises that the requirement in paragraph 3.26 of the PS, for a distance of 6.0m to be provided in front of each bay, would be exceeded. Whilst technically this may be the case, it would nevertheless require vehicles to enter the site very close to the western side boundary, and with precise driving needed on approach to each narrow bay. This would give reasonably limited room to manoeuvre, and could deter residents or visitors from using the bays.
17. I therefore conclude that the proposal would result in inadequate space for parking and manoeuvring of vehicles to meet the parking needs of residents. This would be contrary to the requirement in the Framework for developments to function well over their lifetime, and in conflict with LP Policy EC2, to ensure that all modes of movement are made safe and convenient; and LP Policy T8, which requires compliance with published parking standards. It would not accord with guidance in SPD RDG12, for all forms of parking to allow for space to move around vehicles, and for the design, size and location of parking spaces to enable them to be utilised conveniently.

Other Matter

18. There is a Tree Preservation Order ref. 26/93 that related to four trees on the site. From the information provided, it does not appear that the tree in the front garden is subject to the Order. However, the planning application form states that no trees or hedges would need to be removed to carry out the proposal, and as such I have not considered this matter further in my decision.

Conclusion

19. For the reasons given above the appeal should be dismissed.

H Lock

INSPECTOR