



Appeal Decision

Site visit made on 18 March 2025

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

an Inspector appointed by the Secretary of State

Decision date: 31 March 2025

Appeal Ref: APP/M1595/D/24/3358228

30 Spencer Walk, Tilbury, RM18 8XJ

- 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 Mr Suhail Chowdhury against the decision of Thurrock Borough Council.
 - The application Ref is 24/01048/FUL.
 - The development proposed is construction of granny annexe to rear of garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. 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.

Main Issue

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

Reasons

4. The appeal property is in a residential area which has a consistent pattern of frontage housing separated by gardens. The size and shape of these gardens varies, and the appeal property has a large 'L'-shaped rear garden that abuts surrounding gardens. Policy CSTP22 of the Thurrock Core Strategy and Policies for Management of Development (as amended) 2015 (CS) requires proposals to demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context. In this case, the context includes domestic garden buildings of varying scale, design and materials, but none appear to be of the size proposed in this case.
5. Although single-storey and of relatively modest height, the proposal would have a large footprint, far greater than the host house, neighbouring dwellings and nearby outbuildings. It would occupy a significant portion of the rear garden, although the remainder would likely be of sufficient size to meet the needs of residents of the main house and annexe. As a result of its large size, scale, and close proximity to boundaries with neighbouring gardens, the annexe would appear disproportionate

- and cramped on the plot; a simple design and complementary materials would not ensure that it integrates seamlessly into the setting. In contrast to the more domestic-scale outbuildings in the locality, the siting of such a large building in this position would appear incongruous and poorly-related to the development pattern.
6. Whilst CS Policy PMD2 requires design proposals to optimize site potential, this is subject to ensuring that development contributes positively to the character of the area. In support of the policy, paragraph 4.1.3 of the Thurrock Design Guide Residential Alterations & Extensions Supplementary Planning Document 2017 (SPD) sets out the proportion of a curtilage which may be built upon. Although the appellant considers that the retained garden significantly exceeds minimum amenity space requirements, I am not convinced that the proposal would accord with the SPD guidelines, and paragraph 5.6.4 of that document confirms that outbuildings and annexes will only be acceptable where the area and height of the building is modest in proportion to the site.
 7. I note the stated need for, and accessible design of, the annexe, and that the Framework seeks to support the housing needs of older people. However, the evidence supplied would not justify a building of the size proposed. Given the size and scale of the host dwelling, the proposal would be excessive as an ancillary building, and the proposed functional link between the dwelling and annexe would not resolve the visual impact of such a large structure.
 8. The appellant's Planning Statement referred to two annexes in the local area, but no planning permissions were identified, nor details of the buildings and contexts supplied. As such, they offer limited support to the appeal as I cannot gauge a comparison with the proposal.
 9. I acknowledge that the annexe would not unduly harm the privacy or access to light of adjacent residents, but this does not alter my conclusion on the visual impact of the proposal on the character of the area.
 10. I therefore conclude that the proposal would detract from the character and appearance of the appeal site and its surroundings in conflict with CS Policies CSTP22 and PMD2 and the guidance in the SPD. It would also be contrary to the Framework, for developments to add to the quality of the area and to be sympathetic to local character, including the surrounding built environment.

Other Matter

11. The Council's officer report advises that the site is located within Flood Zones 2 and 3 in an area which benefits from flood defences, but that a more comprehensive Flood Warning and Evacuation Plan would be required than that supplied with the application. However, as I have found the proposal unacceptable for other reasons I have not considered this matter further.

Conclusion

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

H Lock

INSPECTOR