



Appeal Decision

Site visit made on 11 April 2023

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 24th April 2023

Appeal Ref: APP/V1505/D/23/3314677

3 Mercer Road, Billericay, CM11 1DH

- 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 Darren Furlong against the decision of Basildon Borough Council.
 - The application Ref 22/01211/FUL, dated 22 August 2022, was refused by notice dated 31 October 2022.
 - The development proposed is single side and rear extensions and part single/part first floor front extension.
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Decision

1. The appeal is allowed and planning permission is granted for single side and rear extensions and part single/part first floor front extension at 3 Mercer Road, Billericay, CM11 1DH, in accordance with the terms of the application, Ref 22/01211/FUL, dated 22 August 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Location plan (unnumbered), and Drawing No.NHP22983/02 Proposed plans and elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those set out in the notation under the 'side elevation' element of Drawing No.NHP22983/02.

Main Issue

2. The main issue in this case is the effect of the proposed first floor front extension and single storey front extension on the existing character and appearance of the host dwelling and on the streetscene.

Reasons

3. The Council adopted the "Basildon District Local Plan Saved Policies" in September 2007. The relevant policy in this case is saved policy BAS BE12 (Development Control), the relevant part of which states "*Planning permission for new residential development, and for the alteration and extension of existing dwellings, will be refused if it causes material harm in any of the following ways:- (i) harm to the character of the surrounding area, including the street scene;*". This policy is supplemented by guidance in the Essex Design

Guide. These follow the policies in the National Planning Policies Framework (the Framework) that place importance on the need for high quality design in new development, and that poor design should be refused.

4. Mercer Road is a mature residential area, for the most part comprising substantial 2-storey houses. The appeal property, No.3 Mercer Road, is a detached two storey dwelling with a freestanding projecting single storey double garage to the front. A feature of the area is that front extensions, coming relatively close to the edge of the highway, are quite common. These are mostly single storey, and come in the form of garages, substantial porches, but also include some 2-storey elements. The house, next door but one to No.3, at the corner of Carson Road (No.2) is a prime example, as is No.16 Mercer Road, some 3 or 4 dwellings away from the appeal property. The 2-storey projection towards Mercer Road of No.2 Carson Road appears to be a recent extension to that house.
5. The totality of the appeal proposal includes single storey side and rear extensions, which are designed to wraparound the host dwelling. These extensions have been designed with a hipped roof and are of a modest scale, and their design is such that they will not adversely affect the existing character or appearance of the host dwelling, or the visual appearance of the streetscene. These elements of the scheme are found acceptable by the council: it is the proposed first-floor extension located above the existing single storey garage building and linked to the front of the host dwelling, that is the subject of the refusal reason.
6. It is clear from the officer's report that this forward extension above the garage is a revision of an earlier scheme that was refused planning permission. It is evident from the indication given on the elevations drawing that the first-floor front extension has been reduced in scale from that previous application. The height of the extension has been reduced from approximately 7.1 metres to 6.8 metres. The roof form is now proposed as a hipped roof. In addition, the proposed first-floor extension does not extend the full depth of the existing garage, as in the previous application, but it is now proposed that the front of the garage would remain as a short single-storey element under a mono-pitched roof.
7. These revisions to the scale have reduced the bulk of the proposed first-floor extension, but are not considered by the council to significantly lessen the overall scale and bulk to the front of the host dwelling. The incorporation of a hipped roof is also considered by the council to be an incongruous addition to both the host dwelling and the street scene, and the proposed single storey front to the garage would appear awkward and contrived in the council's view.
8. I do not share these views. Bearing in mind the description of the immediate area that I have given in paragraph 4 above, I consider that the proposed first-floor front extension would not appear at odds with the form and character of its surroundings. It is true that the hip form of roof that has been used to reduce the apparent bulk of the proposal is not a common form of roof in the area, although there are variations from the norm of gabled roofs, such as the hipped gables that I saw, including on No.16 Mercer Road and No.2 Carson Road. And there are certainly hipped roofs to single storey extensions and

garages in evidence. The element of the proposal that I consider to be the least successful, is the minor mono-pitched roof proposed where the existing garage would project beyond the proposed first floor. However, this is not a significant feature and takes its cue from the ground floor mono-pitch roof that skirts the front of the neighbouring house.

9. I therefore find that the appeal proposal would not over dominate the existing appearance of the host dwelling or have an overbearing impact on the appearance and character of the streetscene, but it would appear in keeping with the general character of the host dwelling and the immediate area. For these reasons I will allow the appeal.

Conditions

10. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested two conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance (PPG). For clarity and to ensure compliance with the PPG, I have amended some of the text. I consider that the conditions should be imposed for the following reasons: condition 2 is required for certainty and avoidance of doubt as to the development permitted, and condition 3 is to ensure that the appearance of the development permitted integrates with the existing in a visually satisfactory manner.

Terrence Kemmann-Lane

INSPECTOR