



Appeal Decision

Site visit made on 20 August 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2023

Appeal Ref: APP/V1505/W/22/3307403

Mayflower House, 128 High Street, Billericay, Essex CM12 9XE

- 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 Flint Property Investments (Mayflower House) Limited against the decision of Basildon Borough Council.
 - The application Ref 22/00603/FULL, dated 14 April 2022, was refused by notice dated 23 June 2022.
 - The proposed development is an application to build an additional floor on Mayflower House and an additional floor on Units 5 and 6 The Walk together with creating new office accommodation in the roof space of Mayflower House.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council changed the description of development from that stated on the application form in the interests of clarity. I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted the amended description in the heading above.
3. Since the submission of the appeal the National Planning Policy Framework has been superseded by the National Planning Policy Framework (2023) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the Billericay Conservation Area.

Reasons

5. The appeal site is a two-storey building located in a setback position from Billericay High Street. The site is access via a pedestrian link, The Walk from the High Street and a vehicular access to the rear. The site is adjacent Waitrose Supermarket, a postal sorting office and telephone exchange, along with other commercial and residential buildings within the immediate area.
6. The appeal site is within the Billericay Conservation Area. In accordance with the statutory duty imposed by section 72(1) of the Planning (Listed Building and

Conservation Areas) Act 1990; I am required to have special regard to the effect of the proposed development on the character or appearance of the area.

7. The Conservation Area in the vicinity of the appeal site is characterised by buildings of two and three storeys in height which line the High Street. These buildings are predominantly shops and commercial premises, close together without significant gaps. The linear street pattern and form of the High Street contribute to the significance of the Conservation Area.
8. The Billericay Conservation Area Management Plan (2011) (the Management Plan) states that reference should be made to the local architectural tradition by way of materials and detailing. Notwithstanding this the appeal site is a predominantly modern two storey building screened from the High Street.
9. The proposed extensions would add mass to the existing property; however, due to the setback, design and limited public views the proposed development would not be obvious from the High Street. The proposed development would not harm the significance of the Conservation Area.
10. Nonetheless the proposed development would add bulk to the existing buildings, due to the scale this additional mass would be out of character and appearance with the immediate area and as such would fail to preserve or enhance the Billericay Conservation Area. There is conflict with Policy BAS BE12 of the Basildon District, Local Plan Saved Policies (2007) which amongst other things seeks to ensure developments do not harm the character of an area.
11. I find conflict with the Framework, which seeks to ensure good design of developments and protects the historic environment.

Other Matters

12. The site is located within the setting of a number of Listed Buildings. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires decision makers, when considering whether to grant planning permission, to have special regard to the desirability of preserving the listed building or its setting or any feature of special architectural or historic interest which it possesses. The Council confirmed that the significance of these listed buildings would not be harmed by the proposal. From the information I have before me I do not disagree.

Conclusion

13. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR