



Appeal Decision

Site visit made on 18 June 2024

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 11th July 2024

Appeal Ref: APP/V1505/D/24/3342626

46 Cromwell Avenue, Billericay, Essex, CM12 0AG.

- 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 and Mrs Curtis against the decision of Basildon Council.
 - The application Ref 24/00029/FULL, dated 10 January 2024, was refused by notice dated 5 March 2023.
 - The development proposed is described as ground floor side and front extensions plus extension to existing garage.
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Decision

1. The appeal is allowed and planning permission is granted for ground floor side and front extensions plus extension to existing garage at 46 Cromwell Avenue, Billericay, Essex, CM12 0AG in accordance with the terms of the application, Ref 24/00029/FULL, dated 10 January 2024, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: REVO/2401, REVO 4687 Rev A. and location Plan scale 1:1250
 - 4) The development hereby permitted shall not be brought into use until the access and vehicle parking have been laid out and constructed as shown on drawing REVO/4687 Rev A. The width of the access at its junction with the highway shall not be less than 3.0 metres and a crossover of the footway and highway verge shall be formed and a dropped kerb installed.
 - 5) No development shall commence until details of the design of the garage door shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Main Issue

2. I consider the main issue to be the effect of the proposal on the architectural integrity of the host property, the street scene and thereby the character and appearance of the wider area.

Reasons

3. The appeal property, 46 Cromwell Avenue (No 46) is a detached two-storey dwelling. Cromwell Avenue is an established residential area. No 46 is located on the inside curve of the road and located in slightly higher than No 46 to the north west. The three dwellings' Nos 44, 46 and 48 are staggered to reflect the curve of the road and the topography of the land.
4. No 46 has an existing flat roofed garage that projects to the side of the house and in front of the street elevation, making it prominent in the street scene, by reason of its forward projection, flat roof and slightly elevated position.
5. The appellants propose a pitched roof extension to the existing garage, a flat roofed extension to the existing lounge, located to the rear of the existing garage and a new front porch and cloakroom addition.
6. The Council raise no objection to the lounge extension, proposed porch or the cloak room addition. From what I have seen and read I have not formed a contrary view on these elements of the proposal.
7. The garage extension would project about 1.4 metres in front of the existing garage and the flat roof would be replaced with an unequal pitched gable roof, with a ridge height of about 4.6 metres. The gable roof would be more in keeping with the architectural style and design of the existing house than the current flat roof.
8. The existing garage is prominent and the proposed extension and pitched roof would make it marginally more prominent. However, I do not consider in this context that the increase in size and the change in style and form of the roof would make it appear either significantly more dominant or incongruous than the existing garage.
9. I therefore conclude in respect of the main issue that on balance the proposed development would not cause significant material harm to the architectural integrity of the host property, the street scene or the wider area. It would therefore accord with the objectives of Saved Policy BAS BE12 of the Basildon District Local Plan Saved Policies (September 2007) and the National Planning Policy Framework 2023 as they, amongst other things, relate to the quality of development and seek to avoid harm to the character and appearance of the area.

Conditions

10. I have considered the conditions suggested by the Council in light of the advice in the Framework and the Planning Practice Guidance. In the interests of precision and enforceability, I have amended the Council's suggested wording where appropriate.
11. To ensure a high-quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building. In the interests of highway safety, a condition is necessary in respect of the design of the garage door to ensure that a vehicle to be garaged can stand clear of the highway whilst the garage door is opened. In addition, vehicular access and parking is to be laid out and constructed in accordance with the approved drawings prior to occupation of the first use of the garage.
12. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR