



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: 20th August 2024

Appeal Ref: APP/V1505/D/24/3343567

4 Bromfelde Road, Billericay, Essex, CM11 2XT.

- 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 Nembhardt against the decision of Basildon Borough Council.
 - The application Ref 24/00060/FULL, dated 19 January 2024, was refused by notice dated 22 March 2024.
 - The development proposed is for two-storey side and front extensions, two-storey entrance hall/porch and alterations to fenestration. Removal of front box dormer and construction of three pitched front roof dormers. Extension of rear box dormer and single storey rear extension. Garage conversion and outbuilding converted to an annexe with a new pitched roof and pitched front dormer.
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Decision

1. The appeal is allowed and planning permission is granted for two-storey side and front extensions, two-storey entrance hall/porch and alterations to fenestration. Removal of front box dormer and construction of three pitched front roof dormers. Extension of rear box dormer and single storey rear extension. Garage conversion and outbuilding converted to an annexe with a new pitched roof and pitched front dormer at 4 Bromfelde Road, Billericay, Essex, CM11 2XT in accordance with the terms of the application, Ref 24/00060/FULL, dated 19 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: K1244-PL-001 Rev A, 002 RevB, 003 RevC, 004 RevB, 005 RevB, 006 Rev A, 007 RevB, 008 RevB, 009 RevA, 010 RevA, 011 RevB, 112RevB, 113 RevA, 114 RevA and 115 RevA,
 - 4) The annexe hereby permitted shall not be occupied and/or used other than for purposes ancillary to the residential use of the dwelling at 4 Bromfelde Road, Billericay, Essex, CM11 2XT and shall not be used at any time as a separate unit of living accommodation or sublet to a non-family member.

Procedural Matters

2. There is an extant planning permission Ref: 23/00082/FULL for two-storey side and front extensions, four pitched roofed dormers, an extension of the rear box dormer, a single storey rear extension, the conversion of the garage/outbuilding to an annexe together with a pitched roof dormer and alterations to the fenestration.
3. However, the appellants now propose an amended scheme. The design changes include the omission of one of the previously approved pitched roof dormers to the front roof slope and the single storey front extension, these to be replaced by a two-storey front glazed entrance porch, along with alterations to the fenestration.
4. The Council's concern is solely in respect of the loss of one of the four dormers from the extant scheme and the proposed two-storey front porch. I shall therefore confine my considerations only to these design changes. Nevertheless, my determination will be made on the entire proposal.

Main Issue

5. I consider the main issue to be the effect of the proposal on the architectural integrity of the host property and thereby the street scene.

Reasons

6. The appeal property, 4 Bromfelde Road (No 4) is a detached chalet style dwelling. Bromfelde Road is characterised by an eclectic mix of detached and semi-detached bungalows, chalet style bungalows and two-storey houses.
7. The proposed two-storey front entrance porch would project well in front of the main façade of the dwelling, and while the front elevation is fully glazed the sides of the structure would be clad in cedar boarding. The porch would have a pitched roof.
8. The roof would be wider than the dormer it would replace. However, this would have both the same pitch and ridge height as that of the three pitched gabled roof dormers built into the same roof slope. The eaves would be set below that of the neighbouring dormers.
9. The Council contend that due to the misalignment of the roofs this change would result in an awkward and contrived design, appearing as a discordant feature that would unbalance the symmetry of the host dwelling. Further, it would appear cramped because of the close proximity of the porch and the dormers.
10. In my judgement, I do not concur with the Council's findings. Firstly, the porch roof and the roof of the dormers, because of their elevated location would not be read together in true elevation. Secondly, the porch and its roof would sit well in front of the dormers, that would in any case be set into the roof. Finally, the roof of the porch would be wider than the roofs of the three dormers.
11. I therefore conclude in respect of the main issue that the proposed development would not cause harm to the architectural integrity of the host property or the street scene. 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 as they relate, amongst other things to the quality of development.

Conditions

12. 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.
13. To achieve 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.
14. To ensure the private amenity of neighbouring occupiers I shall require the proposed dormer window in the annexe roof to be non-openable below 1.7 metres and obscure glazed.
15. To avoid the introduction of a separate residential unit I shall control by condition the future use of the annexe.
16. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

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

Philip Willmer

INSPECTOR