

Appeal Decision

Site visit made on 20 November 2024

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 December 2024

Appeal Ref: APP/V1505/D/24/3348542

11 Lion Lane, Billericay, Essex CM12 9DL

- 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 Day against the decision of Basildon Borough Council.
 - The application Ref is 24/00440/FULL.
 - The development proposed is detached car port to front.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The original description of development is provided in a more succinct form in the decision notice. Therefore, the above description reflects this amended description.

Main Issue

3. The main issue is the effect of the proposed car port on the character and appearance of the host dwelling and the street scene.

Reasons

4. The appeal property is a two storey detached dwelling located in a residential road of predominantly detached dwellings of individual design and appearance. Lion Lane provides pedestrian access to the nearby High Street, but the immediately surrounding area is residential in character.
5. I note that there have been two proposals for car ports at No 11 in a similar position to the current proposal¹. The first of these was also the subject of an unsuccessful appeal². Both proposals involved buildings of a different design to the current proposal. Accordingly, while I have had regard to these earlier applications and appeal I have considered the current proposal on its own merits.
6. Most properties in this part of Lion Lane have open frontages with no outbuildings. There are some limited examples of garages, notably No 9 next to the appeal

¹ Refs 18/00534/FULL and 18/00961/FULL.

² APP/V1505/D/18/3211189 dated 6 December 2018.

- property, which has a substantive gap between the garage and dwelling, as well as between the garage and front boundary.
7. No 11 has a two storey element incorporating an existing garage that projects forward of the principal built form; the proposed car port would be positioned beside this. Its limited height means that it would appear as subordinate to the host dwelling, while the design and materials, including a hipped roof with a shallow pitch, would be appropriate to its setting.
 8. The new building would, however, largely infill the space between the host dwelling and the front boundary. As such, it would give the appearance of continuous built development running from the main part of the dwelling to the front boundary. Consequently, the car port combined with the existing dwelling would appear as a cramped form of overdevelopment of the property's frontage.
 9. Moreover, the extent of built development in this position would be uncharacteristic given the largely open frontages within the street scene. It would also be a more incongruous form of development than the neighbouring example of an existing garage in a similar position, which has greater separation from the host dwelling and front boundary.
 10. The appellant draws attention by way of comparison to a garage at a property closer to the High Street. This outbuilding is much closer to the front boundary and host dwelling. As a result, it appears cramped in its setting and, therefore, as one example of this type of development does not serve as a positive precedent for the current proposal. Reference is also made to a property in Noak Hill Road, but as this is not part of the same street scene as the appeal property it cannot be considered to be a comparable example.
 11. While there is some planting to the front boundary of No 11, the driveway has open access to the street and, therefore, the car port would be prominent in views passing along the street. It would also be seen from dwellings opposite, from which views its incongruous and uncharacteristic appearance would be readily apparent. It would not be possible to supplement the existing planting to the extent that the harmful effects described would be fully overcome.
 12. Accordingly, for these reasons, I conclude that the proposed car port would have an unacceptably harmful effect on the character and appearance of the host dwelling and the street scene. It is, therefore, contrary to Policy BAS BE12 of the Basildon Local Plan Saved Policies (2007), which requires that alterations and extensions to existing dwellings should not harm the character of the surrounding area, including the street scene. It is also contrary to the National Planning Policy Framework, which advocates good design.

Conclusion

13. For the reasons given it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR