



Appeal Decision

Site visit made on 16 April 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2025

Appeal Ref: APP/V1505/D/25/3360661

Squirrels Nest, Sugden Avenue, Wickford, ESSEX SS12 0JB

- 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 Andrew Wicks against the decision of Basildon Council.
 - The application Ref is 24/01275/FULL.
 - The development proposed is the conversion of existing detached garage into an annexe with new front porch and external alterations.
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Decision

1. The appeal is allowed and planning permission is granted for is the conversion of existing detached garage into an annexe with new front porch and external alterations at Squirrels Nest, Sugden Avenue, Wickford, Essex SS12 0JB in accordance with the terms of the application, Ref 24/01275/FULL, subject to the following conditions: -
 - a) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - b) The development hereby permitted shall be carried out in accordance with the following approved plans: 102 Rev 1 and 103.
 - c) 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.

Main Issue

2. The main issue raised by this appeal is the effect of the proposed development on the character of the area.

Reasons

3. The Council contends that the appellant has not demonstrated that the host dwelling cannot be altered or extended to facilitate the housing needs of the applicant, now the appellant. The proposed annexe would have its own entrance and the internal accommodation would allow the occupiers to live independently as there would be no reliance upon the host dwelling. Nonetheless, the planning application has been submitted as a householder application relating to the extension or alteration of an existing dwelling house. The completed householder planning application form makes it clear that the appellant is seeking planning permission for development ancillary to the existing dwelling. That is the proposal that is before me.

4. Further to this, on my reading of Policy BAS BE12, cited within the Council's reason for refusal, the requirement to demonstrate that the host dwelling cannot accommodate such housing needs is not a requirement of that policy and, as such, does not fall within the scope of assessment against that policy.
5. The existing outbuilding proposed to be converted is located to the rear of the existing dwelling within the rear garden. The small porch, external cladding/render and new openings would not substantially alter the appearance of the outbuilding. There would be no significant increase in size of the building or subdivision of the existing residential curtilage as a result of creating an annexe. The building would remain as a subservient outbuilding within the grounds of the host dwellinghouse. Other properties in the locality host outbuildings at the rear of the properties. As such, the conversion of this existing outbuilding to an annexe would not appear conspicuously out of keeping within this area or be at odds with the urban grain of the locality. Being located to the rear of the existing dwelling the annexe would not be substantially visible within the street scene.
6. For these reasons, I conclude that the proposed development would not harm the character of the area. As such, the proposed development would not materially conflict with Policy BAS BE12 of the Basildon District Local Plan Saved Policies 2007 and the provisions of the Framework. This policy and the Framework seek, amongst other matters, development not to cause harm to the character of the surrounding area, including the street scene.

Other Matters

7. An interested party has requested a change of materials and the re-location of the proposed porch. The Council does not consider these features would harm the character and appearance of the existing building or the street scene. On the evidence before me and what I saw at my site visit, I see no substantive reason that would lead me to come to a different view to the Council on these matters.

Conditions

8. I have considered the planning conditions put forward by the Council in light of paragraph 56 of the Framework and the Planning Practice Guidance. In addition to the standard time limit condition and in the interests of certainty it is appropriate that there is a condition requiring the development be carried out in accordance with the approved plans. In the visual interests of the locality matching materials of the extension is necessary.
9. The Council has put forward an additional condition that seeks to avoid the introduction of a separate residential unit for which, it is said, the site is unsuited. This is to ensure the development would accord with Policy BAS BE12. I have found the development to be a householder development. As such, I do not consider such a condition to be necessary in this case.

Conclusion

10. For the reasons set out above, and subject to the conditions listed, this appeal should be allowed.

Nicola Davies

INSPECTOR