



Appeal Decision

Site visit made on 29 July 2025

by **H Lock BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 August 2025

Appeal Ref: APP/V1505/D/25/3367535

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 Martyn Day against the decision of Basildon Borough Council.
 - The application Ref is 25/00129/FULL.
 - The development proposed is detached carport to front.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development above has been taken from the Council's decision notice and the appellant's appeal form. Whilst normally this would be as set out on the original application form, the above is a more concise description of the development.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal site and the street scene.

Reasons

4. The appeal property is located in a road with a mix of individually designed properties. Lion Lane has no footpaths, and its width varies along its length. Although some properties are located reasonably close to the road, the prevailing pattern is of dwellings and their garaging set back from the road.
5. The appeal property has a deep front wing, and as a result, the building is closer to the road than the neighbouring houses, albeit 9 Lion Lane has a detached garage in its front garden. This is not a typical feature in this part of the street scene, but the generous gap between the garage and main house means that the frontage retains a sense of space.
6. This proposal follows previous refusals for a carport in the front garden of the appeal site, two of which were dismissed at appeal¹. In line with the last appeal Inspector, I find that the building would appear subordinate to the host dwelling, with its design and materials appropriate to its setting. Compared to the last appeal scheme, this proposal is narrower in width, thereby increasing the gap to the

¹ Refs. 18/00534/FUL & APP/V1505/D/18/3211189; 18/00961/FUL; and 24/00440/FULL & APP/V1505/D/24/3348542

house. However, despite this increased separation, the structure would occupy much of the existing gap between the front wing of the house and the front boundary, and would result in an unduly cramped appearance in contrast to the more spacious frontages in this part of Lion Lane.

7. Due to its prominent siting and height, the roof of the carport would be highly visible in the street scene, particularly in views across the open driveways of the appeal property and 13 Lion Lane. The appellant considers that a 2m high walled enclosure with tension structure/sail roof could be constructed at the proposed carport position as Permitted Development (PD); as could a 2m high wall not adjacent to a highway. Given the proposed purpose of an enclosure and its siting forward of a wall forming the principal elevation of the original dwelling, I am not satisfied that such a development could constitute PD. Similarly, as noted by the appellant, there is no common standard for setback distance of a wall to be considered as not "adjacent". As such, in the absence of Certificates of Lawfulness for such proposals, I have given them limited weight as realistic fallback positions.
8. On the basis of the information supplied, I do not know if there is any restriction on the height of boundary treatment which may be constructed in the front garden of the appeal site. However, on the assumption that 2m high walls could be constructed to both side boundaries without the need for express planning permission, the physical presence of the structure on the site would still be apparent above such walls or fences. The appeal submission states that existing vegetation will be retained and added to, but this would have limited screening effect in the wider street scene.
9. The appellant has drawn attention to various garages in the road. Nos. 1 and 3 Lion Lane are not typical in the street scene, and do not reflect the prevailing pattern along the road. As such, I do not consider that they justify acceptance of the proposal. With the exception of No.9, all other examples cited appear to be set further back from the road, and are attached to the main house in much the same way as the existing garaging at the appeal property; or are detached, but with more generous spacing between the house and garage, and to the front boundary, than proposed in this case. As a result, none support the cramped and visually intrusive form of development that would arise from this proposal.
10. The appellant accepts that some of the examples cited may be intrusive and bulky, but that this informs street scape character. However, repeating less sympathetic development would not accord with the objective of achieving well-designed places set out in the National Planning Policy Framework (the Framework).
11. I therefore conclude that the proposal would detract from the character and appearance of the appeal site and the street scene. It would conflict with Policy BAS BE12 of the Basildon District Local Plan Saved Policies 2007, which amongst other criteria seeks to resist alterations and extensions to dwellings which cause material harm to the character of the surrounding area, including the street scene. In so doing, it would conflict with the design objectives of the Framework.
12. For the reasons given above the appeal should be dismissed.

H Lock

INSPECTOR