

Appeal Decision

Site visit made on 11 October 2016

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 October 2016

Appeal Ref: APP/H1515/D/16/3156225
73 Kilworth Avenue, Shenfield CM15 8PT

- 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 S Colvin against the decision of Brentwood Borough Council.
 - The application Ref 16/00487/FUL, dated 5 April 2016, was refused by notice dated 23 June 2016.
 - The development proposed is an attic conversion with extension and new roof to match existing ridge level; and the addition of two dormer windows and three roof lights.
-

Decision

1. The appeal is allowed and planning permission is granted for an attic conversion with extension and new roof to match existing ridge level; and the addition of two dormer windows and three roof lights at 73 Kilworth Avenue, Shenfield in accordance with the terms of the application, Ref 16/00487/FUL, dated 5 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 762-LY-0S00B, 0X01E and 0X03E.
 - 3) The materials used in the construction of the external surfaces of the extension hereby permitted shall match those of the existing dwelling.
 - 4) No development shall commence until full details of the proposed side facing ground floor windows and the first floor screens have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and shall be maintained at all times thereafter.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The Council is concerned that the hip to gable extension would unbalance this pair of semi-detached dwellings and would represent poor design that would be harmful to the character and appearance of these dwellings and the surrounding area. The proposal also includes a front dormer window and a rear
-

roof extension but no concerns with regard to these elements have been raised by either the Council or neighbouring residents.

4. The two properties are stepped and as such, have marginally different ridge heights. In other respects, they are symmetrical when viewed from the street. The most distinctive features of their designs are the forward projecting front facing gables. These would be retained. Although the appearance of the properties would not be so closely matched, I am not satisfied that they would generally be viewed as unbalanced, given the prominence and scale of the gables. In direct views from the front, the differing roof forms would be more evident but each dwelling would remain of a satisfactory scale and design.
5. Given the differing characteristics and designs of the properties within the street, I find that both a hipped roof and a gable roof would represent a satisfactory design solution in these circumstances. The works would not constitute poor design and would not conflict with the design aspirations of Policy CP1 (i or iii) of the Brentwood Replacement Local Plan 2005. As the policy generally accords with the design requirements of the *National Planning Policy Framework*, I afford it considerable weight.
6. I have considered the matters put forward by the Council but I do not find any that weigh significantly against the proposal. I therefore allow the appeal.
7. I have imposed conditions relating to the commencement of development and the details of the approved plans in the interests of certainty. I have required that the materials match to ensure that the development would have a satisfactory appearance.
8. The Council have suggested a condition relating to the glazing and opening of the ground floor side facing windows. Given the proximity of the new windows to the side facing windows of the neighbouring property, I consider that the details of these windows should be agreed prior to development. I have also required that details of the proposed rear screens, at first floor level, be agreed to ensure that adequate privacy would be maintained within the neighbouring gardens.

Peter Eggleton

INSPECTOR