
Appeal Decision

Site visit made on 31 January 2017

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 08 February 2017

Appeal Ref: APP/H1515/D/16/3164670
Russets, Darcy Close, Hutton CM13 2PY

- 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 D Leone against the decision of Brentwood Borough Council.
 - The application Ref 16/01287/FUL was refused by notice dated 16 November 2016.
 - The development proposed is described on the planning application form as 'demolition of existing garage, two storey rear extension and single storey side extension'.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage, raise height of ridge. First floor front extension, two storey rear extension to include Juliette balconies, two storey side extension to include garage. Relocation of front entrance door, at Russets, Darcy Close, Hutton CM13 2PY, in accordance with the terms of the application, Ref 16/01287/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1416:01, 1416:02 A, 1416:03 B, 1416:04 and 1416:05.
 - 3) 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.
 - 4) The first floor window in the flank elevation facing Armeria shall be installed so as to be fixed and non-opening with obscured glass and thereafter be retained as such.

Preliminary Matter

2. On the appeal form it is indicated that the description of development given on the application form was changed to 'Demolition of existing garage, raise height of ridge. First floor front extension, two storey rear extension to include Juliette balconies, two storey side extension to include garage. Relocation of front entrance door'. This more accurately reflects the proposal and was also used by the Council in its decision notice. I have therefore used it in the above decision.
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Main issue

3. The main issue is the effect on the character and appearance of the locality.

Reasons

4. The appeal concerns a detached dwelling located in a cul de sac. Although there are a number of chalet style dwellings, such as Russets, Darcy Close is characterised by a somewhat eclectic mix of individually designed detached dwellings, including full two storey properties of fairly substantial bulk. The ridge of the enlarged dwelling, with two full storeys below the eaves, would be at a higher level than those to either side, at Pendorah and Armeria. However, the hipped ends of the main roof, front and rear projections would significantly limit its bulk. Moreover, the eaves level of Russets would be lower than those of the two storey parts at either end of Pendorah and below the ridge line of Armeria. The gaps between the adjacent dwellings and Russets above their ground floor garages would also tend to further mitigate the perceived bulk.
5. In these circumstances and despite projecting forward of Pendorah, the additional height of the raised ridge, together with the extra bulk of the extensions, would be insufficient to result in the dwelling being an overbearing and dominant presence. In any event, the design, height, size, bulk, mass and scale of the enlarged dwelling would be compatible with the significant degree of variation in these attributes found in the Close as a whole. The size would also not be excessive having regard to that of the overall plot.
6. It is concluded that the character and appearance of the locality would not be harmed, with the proposal complementing existing development rather than appearing incongruous. There would be compliance with the aims of Brentwood Replacement Local Plan, Policy CP1 (i) and (iii) that proposals should not have an unacceptable detrimental impact on visual amenity and be compatible with surrounding development. The core planning principles of the National Planning Policy Framework that planning should seek to secure high quality design and take account of the character of different areas would be satisfied.
7. I share the view of the Council that the position of the extensions would prevent any undue overshadowing of the adjacent properties. The rear of the extended dwelling would be set back significantly from that of Pendorah with first floor windows facing down the rear garden. The proposed juliet balconies would not have any outside area or platform. As a result, there would be no undue overlooking. Speculation over future loft conversions would not be a sound basis for dismissing the appeal.
8. Taking account of all other matters raised, there is no reason to reject the proposal given the absence of harm that would result and the appeal succeeds. In reaching this decision I have considered the views of local residents.
9. A condition specifying the approved plans is necessary to provide certainty. The facing materials used should match those of the existing dwelling to protect its appearance. The first floor flank window facing Armeria should be fixed and non-opening with obscured glazing to avoid unacceptable overlooking.

M Evans

INSPECTOR