

Appeal Decision

Site visit made on 18 April 2017

by J Bell-Williamson MA MRTPI

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

Decision date: 2 May 2017

Appeal Ref: APP/H1515/D/17/3170182

63 The Meadows, Ingrave CM13 3RW

- 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 & Mrs G & N Lowry against the decision of Brentwood Borough Council.
 - The application Ref 16/01595/FUL, dated 14 November 2016, was refused by notice dated 10 January 2017.
 - The development proposed is two storey side extension, single/two storey rear extension and roof alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal would preserve or enhance the character or appearance of the Thorndon Park Conservation Area; and the effect on the living conditions of the occupiers of No 61 The Meadows, with regard to outlook and privacy.

Reasons

3. No 63 The Meadows is a semi-detached chalet bungalow set in a generous plot, reflecting the predominant development type in this residential road. The bottom half of the long rear gardens are included in the Thorndon Park Conservation Area.

Thorndon Park Conservation Area

4. The conservation area is extensive, comprising parkland with substantial tree cover. The tall, mature trees along the conservation area boundary are highly visible from the road frontage. This is partly due to their height above the dwellings, but particularly because of the generous gap between properties as is the case with the views across the garages attached to Nos 61 and 63. As such, these views make an important contribution to the setting of the conservation area as seen from along The Meadows.
 5. The visibility of the trees across adjacent garages is a characteristic feature in the road, as most properties are unaltered and these gaps have been retained. Where changes have occurred through partial infilling of a gap, such as at No
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69, this leads to a harmful reduction in the visibility of the trees and the sense of openness. The proposal is to extend the appeal property at roof level across the garage's full width. This would result in a reduction in the available views to the conservation area behind and a loss of the characteristic sense of openness. This would lead to harm to the setting of the conservation area as described.

6. The side extension to No 53, which the appellants refer to by way of comparison, is set back from the property's frontage, does not cover the full extent of the garage's width and has a fully hipped roof angled away from the boundary. It does not, therefore, have the same effects on visibility to the rear as would the current proposal. Consequently, it is not directly comparable.
7. The rear of the properties along The Meadows also form part of the setting of the conservation area given their proximity to the boundary within the rear gardens. No 63 currently has an unaltered roof to the rear, reflecting the modest proportions of the original dwelling. The proposal involves the addition of dormer windows joined either side of a gable positioned centrally above a single storey extension.
8. This single storey extension would add some depth to the property's built form, but due to its limited height would not be a prominent additional feature. In contrast, the new gable would project outwards almost as far as the ground floor extension and so would add considerable bulk to the upper floor. This, in combination with the dormers either side, would materially change the proportions of the existing dwelling and add complexity to the simple roof form.
9. I acknowledge that there are examples of upper floor extensions to nearby properties, including to the adjoining property, No 65 and at No 53. However, these are not of the same extended depth as the central gable feature, which would contrast unfavourably with the proportions of the host property and neighbouring dwellings. This would be readily apparent from views from surrounding properties' gardens and the conservation area. As such it would have a harmful effect on the character and appearance of the host dwelling and surrounding area, and so the setting of the conservation area.
10. Therefore, for the above reasons, I conclude that the proposed development would not preserve the character and appearance of the Thorndon Park Conservation Area. As such, it is contrary to Policy C14(v) of the Brentwood Replacement Local Plan (RLP), which concerns the effects of development on conservation areas, particularly the effect on views of an area; and C14(iii), which requires the mass of buildings to be in scale and harmony with its surrounds. These policies are consistent with the National Planning Policy Framework (the Framework), particularly section seven concerning good design and section twelve concerning the historic environment.
11. Where there is a harmful effect on the significance of a heritage asset which is less than substantial harm, which would apply in this case, the Framework requires the public benefit of the proposal to be weighed against the harm (paragraph 134). However, no matters of public benefit have been identified which would outweigh the harm to the conservation area from the proposed development.
12. I acknowledge that the proposed extensions are intended to create additional living space. However, these personal circumstances do not overcome the

harm and conflict with development plan policies that I have found would result from the proposal.

Living conditions

13. While the side extension would bring development closer to No 61, the garage of this property would ensure that a sufficient gap was retained between the two dwellings to mitigate any overbearing effects of the extension seen from No 61 or its garden. No 63 already has a window in the side elevation and while the new window in the extension would be closer to the neighbouring dwelling, the most direct view from it would be towards the roof to the side of No 61. Other views, including towards the garden, would be less direct and therefore not unacceptably harmful.
14. I have had regard to the representations made by the neighbouring occupiers. While they are concerned about the lack of measurements on the submitted plans, I was able to ascertain the effects of the proposal from these, the other appeal submissions and the site inspection. Despite the depth of the rear extension, due to the separation from No 61 and the otherwise open aspect to the rear, there would be no material harm caused to natural light reaching neighbouring properties.
15. For these reasons, I conclude that the proposal would not have an unacceptably harmful effect on the living conditions of the occupiers of No 61 The Meadows, with regard to outlook and privacy. Consequently, it is not contrary in this regard to Policy CP1 of the RLP which amongst other matters requires development not to have an unacceptable impact on the living conditions of nearby occupiers.

Conclusion

16. While I have found in the appellants' favour with regard to one main issue, concerning the effect on living conditions, this is not sufficient to outweigh the finding that the proposed extensions would not preserve the character and appearance of the Thorndon Park Conservation Area. Therefore, for the reasons given, I conclude that the appeal should not succeed.

J Bell-Williamson

INSPECTOR