
Appeal Decision

Site visit made on 5 September 2017

by Cullum J A Parker BA(Hons) MA MRTPI IHBC

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

Decision date: 11th September 2017

Appeal Ref: APP/H1515/D/17/3179203
49 Kings Chase, Brentwood, CM14 4LD

- 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 Ms G King against the decision of Brentwood Borough Council.
 - The application Ref 17/00252/FUL, dated 16 February 2017, was refused by notice dated 13 April 2017.
 - The development proposed is described as '*loft conversion by raising the ridge height with rear dormer and roof lights to front elevation and alterations to front porch*'.
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Decision

1. The appeal is allowed and planning permission is granted for loft conversion by raising the ridge height with rear dormer and roof lights to front elevation and alterations to front porch at 49 Kings Chase, Brentwood, CM14 4LD in accordance with the terms of the application, Ref 17/00252/FUL, dated 16 February 2017, 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: P01 and P02
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on drawing P02 or to match the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the street scene.

Reasons

3. The appeal property is a mid-terrace two storey dwelling located within a residential area of Brentwood. The street scene is characterised by a number of short terraces, which whilst maintaining an overall uniformity, are not identical. For example some have facing brick elevations or porches whilst others are rendered or do not have porches. Whilst the street scene has a distinct character, including the elements identified above, the site is not located within a conservation area.
4. Planning permission is sought for the raising of the main roof, the creation of a rear dormer roof extension, the insertion of lantern above an existing single

storey rear extension and changes to enlarge the existing front porch. It is clear from the delegated officer's report that the Council raises no issues with the lantern rooflight or the alterations to the front porch. I see no reason to disagree on these points.

5. The Council's concerns focus primarily on the rear roof dormer and the raising of the main roof height. I saw during my site inspection that as the Council suggests there is a pattern to the roof forms; with a stepping from east to west and this is usually in pairs. The appeal site forms one of these pairs with the adjoining No.51 to the west. However, it is clear that even with a raised ridge height when viewed from the front on Kings Chase this would not be especially noticeable. What is more, there are variations within the roof forms within the local area as observed by the appellant. I do not find that the principle of raising the roof, as is proposed here, unacceptable.
6. Admittedly, the rear dormer would be a new feature within this part of the street scene. However, I have been directed to a scheme at 44 Kings Chase, where the Council granted planning permission for a proposal not dissimilar to that before me (ref 15/00544/FUL provided in the appellant's appendices). In that case, the Council found that as the dormer would '*not be visible from Kings Chase...[it]...would not adversely affect the character and appearance of the area*'. It is somewhat perplexing, given the direct similarities between the proposals, that the same reasoning doesn't hold true for the Council in respect of this scheme at No 49. Nevertheless, each proposal should be considered on its own planning merits.
7. In this respect, the rear dormer would be set in from the eaves and set down from the ridgeline. It would be set in from the side elevations. As such, it would appear as a subservient addition to the rear roof slope rather than an out of scale or dominant feature as the Council alleges. Whilst it would be a new feature within the street scene (notwithstanding the permission above for No 44) this is not, in itself, a reason for the dismissal of the appeal scheme.
8. I therefore conclude that the proposed development would not have an unacceptable impact on the character or appearance of the street scene. Accordingly, it would accord with the aims of Saved Policies CP1 and H17 of the *Brentwood Replacement Local Plan 2005*, which amongst other aims seek to ensure that proposals do not have an unacceptable detrimental impact on visual amenity or the character and appearance of the surrounding area and that dormer windows should remain subsidiary rather than dominant and be set in from walls and below the ridge height.
9. I have had regard to the national Planning Practice Guidance and Paragraph 206 of the Framework relating to the use of planning conditions. A condition requiring the proposal to be carried out in accordance with the submitted drawings is necessary for clarity. A condition requiring the use of materials shown or as existing is necessary to protect the character and appearance of the area.
10. For the reasons given above, I conclude that the appeal should be allowed.

Cullum J A Parker

INSPECTOR