



Appeal Decision

Site visit made on 30 April 2019

by G Jenkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2019

Appeal Ref: APP/Z1510/D/19/3222309

7 Honeywood Avenue, Coggeshall, Essex CO6 1PZ

- 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 and Mrs David Herbert against the decision of Braintree District Council
 - The application Ref 18/01982/FUL, dated 5 November 2018, was refused by notice dated 21 January 2019.
 - The development proposed is a garage conversion and extension of existing flat roof dormer.
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Decision

1. The appeal is allowed and planning permission is granted for a garage conversion and extension of existing flat roof dormer at 7 Honeywood Avenue, Coggeshall, Essex CO6 1PZ in accordance with the terms of the application, Ref 18/01982/FUL dated 5 November 2018 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: Location Plan and drawing Cog1154/02 Revision A.
 3. The materials to be used in the construction of the external surfaces of the development shall match those of the existing building.

Main Issues

2. The main issues are whether the development would affect the character and appearance of the host dwelling and the effect upon the living conditions of the occupiers of the neighbouring properties with particular regard to outlook.

Reasons

Character and Appearance

3. The appeal site is located on a residential housing estate comprising similar style dwellings. The site comprises of a semi-detached dormer bungalow style dwelling with an integral garage. The property has a flat roof projection at ground floor to the rear and a flat roof dormer at first floor to both the front and rear. The rear flat roof dormer is joined to that of the neighbouring property. The neighbouring dwelling 9 Honeywood Avenue has a rear ground

- floor extension that extends beyond the building line of the appeal property by approximately one metre.
4. The proposal seeks to erect a first floor rear extension together with the conversion of the existing garage and a single storey rear extension. The Council's concern relates to the first floor rear extension to enlarge the existing dormer window. The Appellant has outlined that this would project around two metres from the rear of the existing dwelling and would be slightly offset with the boundary of No 9. It would also project almost the entire depth and width of the ground floor extension.
 5. Notwithstanding that, the proposal would be a continuation of the current form, and that the height and materials proposed would be in keeping with the existing dormer and host property. Whilst the proposal would, in effect, increase the size of the existing dormer I consider that such an extension would not be excessive nor would it be out of character with the host property or the wider area.
 6. Turning to the other elements of the proposal, the conversion of the existing garage into habitable accommodation would involve the removal of the existing garage door and its replacement with a double glazed window and external door. The front elevation would be finished in render. A modest single storey extension would also be erected to enlarge the existing kitchen and dining area to the rear of the property. The Council do not consider that any of these elements of the proposal would have a detrimental impact upon the host property or the street scene and I agree with this conclusion.
 7. For the above reasons the development would not harm the character and appearance of the host property or the wider area and would accord with Policies RLP17 and RLP90 of the Braintree District Local Plan Review 2005 (LPR), Policy CS9 of the Braintree Core Strategy (2011), Policies LPP1, LPP50 and LPP55 of the Publication Draft Local Plan 2017 (PDLP), and the National Planning Policy Framework (the Framework), which amongst other things seek to ensure good design in development proposals.

Living Conditions

8. From my site visit I saw that No 9 already has a single storey extension at the rear which extends beyond the rear extent of the appeal property. To that end, the principal effect on outlook would be from the first floor rear facing windows of No 9.
9. As noted above, the proposed extension at the rear would extend out by around two metres at first floor level. Given the height and relationship between the proposed development and the first floor windows of No 9, I consider that there would be little impact on the current level of outlook from these windows.
10. I am also conscious that the proposal has been designed to minimise any impact on daylight and sunlight and its size and position has also taken into account a 45 degree line of sight from the nearest first floor window at No 9.
11. Taking all of the above into account, I find that the proposal would not have a negative impact on the living conditions of any of the occupiers of the neighbouring residential properties.

12. I therefore conclude that the proposed development would result in no harm to the living conditions of the occupiers of neighbouring properties and therefore the proposal would accord with Policies RLP17 and RLP90 of the LPR and Policies LPP38 and LPP55 of the PDLP, which amongst other things seek to ensure a good quality of life. It would also accord with the overarching aims of the Framework.

Conditions

13. In addition to the standard time condition I attach a condition to ensure the development is built in accordance with the approved plans, in the interest of clarity. I also attach a condition to ensure that the external materials will match the existing building to ensure that the development will be in keeping with the character and appearance of the host dwelling and the surrounding area.

Conclusion

14. For the above reasons and having considered all the matters raised I conclude that the appeal should be allowed.

Gemma Jenkinson

INSPECTOR