



Appeal Decision

Site visit made on 19 November 2019

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd December 2019

Appeal Ref: APP/H1515/D/19/3238914
26 Kings Chase, Brentwood CM14 4LE

- 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 Darren Atkinson against the decision of Brentwood Borough Council.
 - The application Ref 19/00902/FUL, dated 24 June 2019, was refused by notice dated 16 August 2019.
 - The development proposed is construction of rear single storey extension with flat roof over and lantern light installed.
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Decision

1. The appeal is allowed and planning permission is granted for a rear single storey extension with flat roof over and lantern light installed at 26 Kings Chase, Brentwood CM14 4LE in accordance with the terms of the application, Ref 19/00902/FUL, dated 24 June 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01 (existing) and 02 (proposed).
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials to match existing.
 - 4) Notwithstanding condition 2, no above ground development shall take place until cross sectional details along the full length of the site showing existing and proposed level changes have been submitted to and approved in writing by the local planning authority. Thereafter, development shall be carried out in accordance with the approved details.

Main Issues

2. The main issues are the effect of the proposal on (a) the character and appearance of the host dwelling and the surrounding area, and (b) the living conditions of occupiers of 24 Kings Chase, with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site is an end-of-terrace two-storey dwelling, within a residential area characterised by residential terraces and long, narrow gardens. From the rear of the dwelling, which already has a flat-roofed extension, the garden level

risers gently towards the north-west. The adjacent dwelling and garden at No 24 sits at a higher floor and ground level than the appeal site, and at No 28 Kings Chase levels are lower, separated by a narrow pedestrian lane.

4. The effect of the proposal would be to extend the depth of the existing extension to some 7.9 metres, whilst maintaining the same levels. Although the increased depth results in the footprint of the original dwelling being approximately doubled, the visual impact would be limited. Viewed from the higher ground level of No 24, the proposed extension would maintain the low roof height of the existing extension. From the south-west, the extension would be seen against a backcloth of rising terraces and gardens, with foreground fences and hedges partially screening the proposal. A recent upward extension to the main roof of the appeal dwelling, to provide attic accommodation, has altered the proportions of the original house, thereby changing the appearance of the wider terrace. In this context, I find that the proposed extension would be proportionate to, and does not overwhelm, the existing dwelling.
5. I conclude that the proposal would not have an adverse effect on the character and appearance of the host dwelling and the surrounding area. Therefore, the proposal complies with the requirements of policy CP1 (iii) of the Brentwood Replacement Local Plan (2005)(BRLP) and chapter 12 of the National Planning Policy Framework (the Framework). Together, these policies require high standard design compatible with its location and any surrounding development.

Living conditions

6. From the appeal site, I was able to observe the notable changes in ground levels between the appeal site and No 24. Submitted photographic evidence also shows that, when viewed from No 24, the flat roof of the existing extension at the appeal site protrudes only marginally above the top of the existing boundary fence, by approximately the depth of the fascia. The proposed extension would maintain the height of the existing roofline and, despite the depth of the extension of some 7.9 metres, would be seen from No 24 as being only marginally higher than a typical garden fence. Any sense of enclosure or loss of outlook would be limited, given this minimal height difference. Although at the time of my site visit the existing fence height had been reduced beyond the first fence panel, for these reasons I nonetheless find the height and depth of the proposed extension would not be overbearing.
7. I therefore conclude that the proposed development would not have an unreasonable adverse effect on the living conditions of occupiers of 24 Kings Chase, with particular regard to outlook. Accordingly, the proposal accords with policy CP1 (ii) of the BRLP paragraph 127(f) of the Framework, which together require that development not have an unacceptable detrimental impact on the amenities of nearby occupiers.

Other matters

8. The submitted existing drawings indicate a change in ground levels immediately to the rear of the existing extension. Whilst the proposed drawings do not show how proposed level changes will be dealt with, my observations on site are that appropriate provision could be made without adverse impact on neighbouring properties or on the character and appearance of the appeal site and surrounds. However, for certainty, and to ensure that the living conditions of neighbouring properties are protected, it is necessary to attach a condition

requiring further details. I have amended the wording suggested by the Council to ensure compliance with the tests set out in paragraph 55 of the Framework.

Conclusion

9. In addition to the above reason for a condition regarding levels, for certainty I have imposed conditions detailing the approved plans. A condition requiring details of materials is also necessary to protect the appearance of the locality. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Patrick Hanna

INSPECTOR