
Appeal Decision

Site visit made on 4 February 2020 by Emma Worby BSc (Hons) MSc

by Chris Hoult BA(Hons) BPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2020

Appeal Ref: APP/H1515/D/19/3241037

14 North Road, Brentwood, Essex, CM14 4UZ

- 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 James Rowlatt against the decision of Brentwood Borough Council.
 - The application Ref 19/01152/FUL, dated 8 August 2019, was refused by notice dated 4 October 2019.
 - The development proposed is a first-floor side extension, conversion of garage to habitable accommodation, new hip to existing porch roof and fenestration changes.
-

Decision

1. The appeal is allowed and planning permission is granted for a first-floor side extension, conversion of garage to habitable accommodation, new hip to existing porch roof and fenestration changes at 14 North Road, Brentwood, Essex, CM14 4UZ in accordance with the terms of the application, Ref 19/01152/FUL, dated 8 August 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: JR.DJA 1 of 2 and JR.DJA 2 of 2.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed development on:
 - a) the character and appearance of the area;
 - b) the living conditions of the occupiers of the neighbouring dwellings Nos. 6, 8 and 10 North Road Avenue, with regard to outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal property is a two-storey semi-detached dwelling with an attached single storey garage which abuts the plot boundary to the west of the main

dwelling. Beyond the garage is an alleyway providing access to the rear gardens of properties along North Road Avenue. To the east of the appeal property and attached neighbouring dwelling is a public footpath providing access to a supermarket. North Road is comprised of two-storey dwellings of varied appearance. The appeal site is large in size relative to other plots in the locality, notably those along North Road Avenue, and open in appearance.

5. The proposed development includes a first-floor extension above the existing garage. This extension is the same width as the current garage however it would be slightly lower in height than the main dwelling and would be set back from the front elevation, to give it a subservient appearance next to the main dwelling. The proposal is not overly large and, given the spacious nature of the site and the degree to which it is set back from the North Road frontage, it would not appear dominant within the street scene. The roof form would match that of the existing dwelling and therefore it is not considered that the proposal would appear as an incongruous addition in terms of its proportions.
6. The proposal follows the Council's refusal of an earlier similar proposal and the appellant has acted on advice from the Council as to revisions aimed at making it more acceptable. Notwithstanding this, the Council considers the extension "incongruous" in the street scene although it does not explain the rationale for this view. While the proposal would be to within 1m of the plot boundary, the garage already abuts the boundary and, given the relationship to the properties on North Road Avenue, it accepts that no undue terracing effect would occur.
7. For these reasons I consider that the proposed development would not have a harmful impact on the character and appearance of the area. Therefore it would not be contrary to Policy CP1 sections (i) and (iii) of the Brentwood Replacement Local Plan (2005). This seeks to prevent an unacceptable detrimental impact on the character and appearance of the surrounding area with a high standard of design which is compatible with its location and with the design objectives of the National Planning Policy Framework.

Living Conditions

8. The Council's concerns regarding the living conditions of neighbouring occupiers relate to the dwellings on North Road Avenue, specifically Nos. 6, 8 and 10, which would be the properties located closest to the proposal.
9. Because of the alleyway, the extension would not be directly adjacent to the rear garden of these dwellings. They have long and narrow gardens and therefore would be at a sufficient distance to ensure that the proposal would not have an overbearing or dominant impact on occupiers when inside the dwellings. Furthermore, given the location of the proposed extension to the east of the gardens, directly in-line with the existing building, the proposal would not have a significantly different impact on outlook and daylight received to the rear gardens than is currently experienced. Any additional overshadowing to the gardens would be marginal and would occur mainly in the early mornings. It is difficult to envisage how the proposal would "dominate" the gardens (as the Council claims) to any materially greater extent than in the case of the existing property.
10. I therefore conclude that the proposal would not have a harmful impact on the living conditions of neighbouring occupiers, as the Council alleges. It would not be contrary to Policy CP1 section (ii) of the Brentwood Replacement Local Plan

(2005) which seeks to ensure that new development does not have a detrimental impact on the amenities of nearby occupiers.

Conditions

11. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, in the interests of precision. A condition requiring the use of materials matching those of the existing building was requested by the Council. This would not be appropriate as the materials shown on the plans would not necessarily match the existing dwelling. However, the proposed materials are considered to be acceptable in the interests of safeguarding the character and appearance of the host dwelling and the area. Therefore the condition relating to plans would be sufficient.

Conclusions and Recommendation

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

C M Hoult

INSPECTOR