The Planning Inspectorate

Appeal Decision

Site visit made on 10 March 2020

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th April 2020

Appeal Ref: APP/Z1510/D/19/3243485
11 Vernon Way, Braintree, Essex CM7 9TU

- 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 Barden against the decision of Braintree District Council.
- The application Ref 19/01784/HH, dated 26 September 2019, was refused by notice dated 5 December 2019.
- The development proposed is two storey side extension.

Decision

1. The appeal is allowed and planning permission is granted for two storey side extension at 11 Vernon Way, Braintree, Essex CM7 9TU in accordance with the terms of the application Ref 19/01784/HH, dated 26 September 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: 19-053-PP-01; 19-053-PP-02.

    3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. In their evidence the Council have referred to the policies of the emerging Braintree District Publication Draft Local Plan 2017. However, this plan has not yet been examined and found sound. Consequently, I have afforded these policies limited weight.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is a two-storey semi-detached dwelling with a large box dormer window set within the front roof slope mirroring that of the adjacent property no. 13 Vernon Way. To the front and side of the appeal property is a driveway and small grassed garden. There is also a single storey outbuilding to the rear which is close to the shared boundary with no. 9 Vernon Way. The surrounding area is predominately residential with most properties on Vernon Way

being semi-detached dwellings of a similar style and type to that of the appeal property. Many of the properties on Vernon Way also have attached ground floor side garages or driveways leaving gaps between the dwellings that contribute to the character of the area. In addition, some properties in the area also have two storey side extensions (such as nos. 7 and 13 Vernon Way).

5. The proposal relates to the construction of a two-storey side extension to the host property to create a larger kitchen/dining area and new study on the ground floor with a new bedroom and en-suite bathroom being created on the first floor. This new side extension would also join with the existing rear single storey outbuilding at ground floor level.

6. The Council has raised a concern in relation to the proposal in that in their view it would 'infill the gap between properties' thereby eroding the positive contribution that the gap between nos. 11 and 9 makes to the character of the street scene and local area. However, I consider this not to be the case as the proposal would not extend past the shared boundary with no. 9 meaning that it would infill the entire gap between the neighbouring properties.

7. I also note the point made by the Council that the proposal would not be subservient in appearance in relation to the host property. However, the submitted plans clearly show that the heights of the roof ridge and eaves of the proposal would be visibly lower than those of the original building. Additionally, whilst the ground floor element of the proposal would project past the forward building line of the original building, it would not project far enough to fully reach that of the existing porch and 'sit alongside it'.

8. Accordingly, I find that the proposal would not have an adverse visual impact that would unacceptably or materially harm the character and appearance of the host property, the street scene or local area. I therefore conclude that the proposal would accord with saved Policy RLP17 of the Braintree District Local Plan Review (adopted July 2005) and with Policy LPP 38 of the Braintree Publication Draft Local Plan (approved June 2017) which aim to ensure that residential extensions have no adverse material impact on the identity of the street scene, scale and character of a local area amongst other considerations.

Conditions

9. In addition to the standard implementation condition, I have imposed a necessary condition to define the plans with which the scheme should accord in the interest of precision. I have also imposed a condition requiring the use of matching materials in the interests of the character and appearance of the area.

Conclusion

10. For the reasons set out above I conclude that the appeal should be allowed.

C Coyne

INSPECTOR