
Appeal Decision

Site visit made on 10 November 2020

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2020

Appeal Ref: APP/M1520/D/20/3253921

1 Greenacres, Hadleigh, Essex, SS7 2JB

- 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 David Potter against the decision of Castle Point Borough Council.
 - The application Ref 20/0190/FUL, dated 7 March 2020, was refused by notice dated 1 June 2020.
 - The development proposed is demolish side extension and erect two storey side extension and conversion of garage to a habitable room.
-

Decision

1. The appeal is allowed and planning permission is granted to demolish side extension and erect two storey side extension and conversion of garage to a habitable room at 1 Greenacres, Hadleigh, Essex, SS7 2JB in accordance with the terms of the application, Ref 20/0190/FUL, dated 7 March 2020, 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: Drawing No. 1/GA/01 Rev A and Block Plan.
 - 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.
 - 4) No windows shall be inserted in the southern elevation of the dwelling facing 53 and 55 Scrub Lane.

Main Issue

2. The main issue is the effect of the development on the living conditions of occupants at 53 Scrub Lane.

Reasons

3. The appeal property is a two-storey detached house. It has existing single and two-storey side extensions, which abut the rear boundaries of 53 and 55 Scrub Lane. The existing two-storey extension is approximately half the depth of the

house. It is proposed to increase this to the full depth of the original dwelling, filling in a disused corner at the rear of the house.

4. The proposal would not project beyond the front or rear elevations of the original dwelling. Whilst the extension would project 2.25m from the original side elevation, this would bring it roughly in line with the existing two-storey side extension, albeit with a 100mm inset. The eaves height would match that of the original dwelling and the existing two-storey extension but the ridge height would be noticeably lower.
5. As the extension is located directly to the north of numbers 53 and 55 Scrub Lane there would be no loss of light. Moreover, no windows are proposed in the southern elevation, which would prevent any potential overlooking or loss of privacy to the occupiers of these neighbouring properties.
6. The dwellings at 53 and 55 Scrub Lane are set back approximately 11m from the site boundary. The outlook from the rear of these properties is already, in part, the two-storey side elevation of the appeal property. I acknowledge that the extension will result in a small section of the house being brought slightly closer to the boundary of No. 53. This would be no closer than the existing two-storey extension is to No. 55.
7. Consequently, the outlook from adjacent properties would be relatively unchanged and the extension would not appear unduly obtrusive or overbearing when viewed from 53 Scrub Lane.
8. I therefore find no conflict with RDG3 of the Castle Point Residential Design Guidance Supplementary Planning document (SPD) (adopted January 2013), which seeks to respect building lines or with paragraph 127(f) of the National Planning Policy Framework, which seeks to ensure that developments create high standards of amenity for existing and future users, with particular regard to ensuring new buildings and extensions are safe, accessible and meet internal space standards.

Other Matters

9. Concerns regarding drainage would be covered by Building Regulations. Additional queries raised during the course of the application stage were answered in the council's report and the appellant's grounds of appeal. It has been suggested that the extension would not be in keeping with the area but no explanation for this view has been given and this was not a reason for refusal. Based upon the information before me and the observations made on my site visit the proposal would not be harmful to the character and appearance of the area.

Conditions

10. I have imposed the statutory time limit condition and a condition listing the approved plans in the interests of certainty. I have imposed a condition to ensure that the external materials match those of the existing dwelling in the interests of good design and protecting the character and appearance of the area. Finally I have added a condition to prevent any new windows from being added to the south facing elevation of the appeal property to prevent any potential overlooking of neighbours.

Conclusion

11. For the reasons given above and having regard to all matters raised I conclude that the appeal should be allowed.

Rachael Bartlett

INSPECTOR