



Appeal Decision

Site visit made on 15 December 2020

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2021

Appeal Ref: APP/H1515/D/20/3260001

105 Hanging Hill Lane, Hutton, Brentwood, CM13 2HG

- 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 Putnam (nee Branch) against the decision of Brentwood Borough Council.
 - The application Ref 20/00924/HHA, dated 3 July 2020, was refused by notice dated 28 August 2020.
 - The development proposed is removal of existing rear single storey extension, re-modelling of existing front single storey extension and addition of new storey above original bungalow.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposed development on the character and appearance of the area; and its effect on the living conditions of neighbouring occupiers, with regards to outlook.

Reasons

Character and appearance

3. The appeal property is a detached bungalow with a hipped roof, a gable to the front and two single storey flat-roofed extensions to the side and rear.
 4. Due to local topography, the bungalow sits slightly lower than its neighbour, Number 107 Hanging Hill Lane, which is also a detached bungalow and which is built very close to the boundary with the appeal property.
 5. Number 103 Hanging Hill Lane, to the other side of the appeal property, is a modern detached dormer bungalow and like No 105, it has been built very close to its boundary with the appeal property.
 6. The appeal property is located within a residential area which, in this location, is characterised by the presence of largely detached dwellings, which include bungalows, dormer bungalows and two storey dwellings of widely ranging ages and designs. Many dwellings have been altered and/or extended in ways that respect the host properties and their surroundings and this provides for visual interest without harm to local character.
-

7. Houses in the area tend to be set back from the road behind gardens and/or parking areas and have longer gardens to the rear. The presence of gardens and hedgerows contribute to a pleasantly green and spacious character.
8. This sense of spaciousness is enhanced by the setting back of dwellings from the road and by the presence of lower, single and one and a half storey dwellings. In addition, gaps between houses add to the area's spacious qualities by providing for glimpses through to open space beyond and by preventing extensions and alterations from resulting in dwellings that might appear overbearing or "crammed" into their plots.
9. The proposed development would result in the creation of a taller, wider, deeper and bulkier building than currently exists. It would appear as a two storey dwelling, taller than the neighbouring dwellings to either side. The totality of the changes proposed would be such that the resulting development would not appear subordinate to the host property but would result in a building that would appear dominant in its immediate surroundings.
10. Whilst the proposed car port would lessen the overall visual impact of the proposal by providing for a sense of space between the appeal property and No 103, this would not be the case in respect of the appeal property's boundary with No 107. Here, a tall and bulky element of the proposal would appear tight to the boundary, in almost immediate proximity to the neighbouring dwelling.
11. In this way, the proposal would appear as an unsympathetic addition, "crammed" into its plot, out of keeping with the general attributes of the surrounding area.
12. Taking the above into account, I find that the proposed development would harm the character and appearance of the area. This is contrary to the National Planning Policy Framework and to Local Plan¹ Policy CP1, which together amongst other things, seek to protect local character.

Living conditions

13. During my site visit I observed that the appeal property is situated such that the built area to the front of the dwelling, comprising a flat-roofed attached garage, sits well forward of the front of No 107. However, whilst the closest front window of No 107 sits behind and very close to this built element of the appeal property, the garage's low height and flat roof do not result in significant harm to the outlook from this neighbouring dwelling.
14. The proposed development would result in part of the proposed first floor extension sitting forward of the front of No 107. This would result in a tall area of wall rising above a habitable window to No 107, in almost immediate proximity to that property. Whilst the proposed first floor extension would not project a long way forward of No 107, I find that the combination of height and proximity would still result in a development that would have the effect of "looming" over the front of this neighbouring dwelling, to the detriment of the outlook from that property.

¹ Brentwood Replacement Local Plan (2005).

15. Taking the above into account, I find that the proposed development would harm the living conditions of neighbouring occupiers, with regards to outlook. This is contrary to the National Planning Policy Framework and to Local Plan Policy CP1, which together amongst other things, seek to protect residential amenity.

16. Whilst I find that the overall impact arising in respect of residential amenity would not amount to something so harmful that it would, on its own, be reason to dismiss this appeal, it is a factor that adds weight to the conclusion below.

Other Matters

17. The appellants draw my attention to a planning permission² for an extension to No 107. This permission dates from some time ago and the development permitted has not been completed. Notwithstanding whether or not the development relating to this permission will be completed at some time in the future, I have found, amongst other things, that the proposal before me will result in harm to local character and hence my decision below.

18. An indicative "streetscene" drawing has been submitted by the appellants, indicating the potential appearance of the permitted extension of No 107, the proposed development and No 103. This appears to demonstrate to me that the development of the proposed development alongside the development relating to the permission at No 107 would be detrimental to the area's identified attributes.

Conclusion

19. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

² Reference: 12/00155/FUL.