



Appeal Decision

Site visit made on 9 February 2021

by M Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd February 2021

Appeal Ref: APP/H1515/D/20/3263257

11 Lilian Crescent, Hutton CM13 2HR

- 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 Ms L Sharp against the decision of Brentwood Borough Council.
 - The application Ref 20/1094/HHA, dated 3 August 2020, was refused by notice dated 18 September 2020.
 - The development proposed is demolish garage and conservatory, construct single storey side extensions incorporating roof extensions with 1 rear and 2 front dormers and rooflight to front, single storey rear extension, canopy porch to front and construct detached outbuilding for home office use.
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Decision

1. The appeal is dismissed insofar as it relates to the alterations and extensions to the bungalow. The appeal is allowed insofar as it relates to the detached outbuilding for home office use and planning permission is granted for a detached outbuilding for home office use at 11 Lilian Crescent, Hutton CM13 2HR in accordance with the terms of the application, Ref 20/1094/HHA, dated 3 August 2020, so far as relevant to that part of the development hereby permitted and 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 insofar as they relate to the outbuilding: TQRQM20139150330550; FBD00192/03 Rev C.
 - 3) Prior to the commencement of any construction work above ground level, details of the materials to be used in the construction of the external surfaces of the outbuilding hereby permitted shall be submitted to and approved in writing by the local planning authority. Thereafter only the approved materials shall be used.

Main Issue

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

Reasons

3. Lilian Crescent is a roughly L-shaped cul-de-sac that is accessed from Sylvia Avenue. The cul-de-sac is predominantly characterised by detached and semi-detached bungalows, albeit modern infill development is also evident near its

terminus. The site includes a semi-detached bungalow with a hipped roof at No 11. It is adjacent to a bend in the highway and is visible on approach from Sylvia Avenue. It is also adjacent to and visible from a footpath which runs alongside the property. No 12 is the adjoining property and No 10 is on the opposite side of the footpath.

4. Several of the properties in the cul-de-sac have undergone hip-to-gable extensions, dormer roof extensions and other alterations. However, there is nonetheless a prevailing sense of spaciousness between buildings, particularly where hipped roofs have been retained. The gap between the roofs of Nos 10 and 11 contributes positively to this characteristic and allows for glimpsed views of trees beyond the properties.
5. The outbuilding would be distinctly separate from the proposed works to the bungalow. The Council has no objection to this element of the proposal. It would have a conventional design and be similar to other outbuildings in the area; however, the external construction materials proposed to be used are unclear. Subject to a condition to require the approval of such details, this part of the proposal would have an acceptable effect on the character and appearance of the area.
6. Notwithstanding the single storey rear extension, the proposed works to the bungalow would be highly visible from the highway and the footpath. The side extension would increase the width of the bungalow and reduce the gap between the bungalow and No 10 significantly. In addition, the rear dormer would extend across almost the entirety of the bungalow's rear roof plane. These elements would be disproportionately large and overwhelm the appearance of the building when viewed on approach from Sylvia Avenue and the footpath. Moreover, the sense of spaciousness between Nos 10 and 11 would be eroded. The proposal would therefore harm the character and appearance of the area.
7. The front dormers would not be incompatible with the varied dormer window designs in the locality and the porch would feature a roof that reflects the design of the proposed front dormers. In addition, the side extension would be set down from the ridge and back from the front wall of the bungalow. Furthermore, the side extension would be set away from the footpath more than the existing garage and its gable end would be compatible with the gable end of No 12. However, these matters do not overcome the harm identified.
8. The appellant contends that comparable and more harmful development has occurred to nearby properties. However, in this case harm arises partly because of the site's location and the visibility and characteristics of the space that the side extension would occupy. The impacts of the proposal are thus not directly comparable with those of the alterations and extensions that are evident to other properties or the modern infill development nearby.
9. I have also been referred to an application at No 11 for single storey side and rear extensions that was approved in 1996. However, that permission has expired and national and local planning policies have changed significantly since then. Therefore, the approved scheme does not set a precedent for this proposal.

10. It is advanced that a similar proposal could be achieved via permitted development rights as provided by the GPDO¹. It is also put forward that additions could be made to No 10 using permitted development rights and such rights have been exercised for other properties. However, I do not have substantive evidence which indicates there is a significant probability that a similar proposal could or would be constructed through permitted development or that works will be undertaken to No 10. This limits the weight I can attach to these matters and thus my findings remain unaltered.
11. I appreciate that the proposal is sought to meet the needs of the appellant's family. I also note that the Council has not raised concerns regarding the living conditions of neighbours or parking provision. However, these matters do not outweigh the harm to the character and appearance of the area.
12. The outbuilding would not have a harmful effect on the character and appearance of the area; however, the works to the bungalow would be harmful. The outbuilding would accord with Policies CP1 and H17 of the Brentwood Replacement Local Plan but the works to the bungalow would be contrary to those policies. The former policy seeks to ensure that development would not have unacceptable impacts on the character and appearance of its surroundings. The latter policy requires that dormer windows are subsidiary features of roofs. I also find that the works to the bungalow would conflict with paragraph 127 of the National Planning Policy Framework, which seeks development that is sympathetic of local character.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed insofar as it relates to the new detached outbuilding but dismissed insofar as it relates to the alterations and extensions to the bungalow.
14. In addition to the aforementioned materials condition, for clarity I have imposed a condition which specifies the time limit for commencing the development and one which sets out the approved plans for the outbuilding.

Mark Philpott

INSPECTOR

¹ Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015