



Appeal Decision

Site visit made on 24 November 2020

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th March 2021

Appeal Ref: APP/H1515/D/20/3257677

12 Goodwood Avenue, Hutton, Brentwood, Essex, CM13 1PY

- 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 Mrs Gemma McLaughlin against the decision of Brentwood Borough Council.
 - The application Ref 20/00423/FUL, dated 24 March 2020, was refused by notice dated 22 May 2020.
 - The development proposed is described as 'First Floor conversion of existing loft to form bedrooms and bathrooms'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The Council's decision describes the proposal as a 'hip to gable roof extension, dormer windows to front and rear to create first floor. Construction of new porch with glazed feature over. Alterations to fenestration.' On the basis of the proposed plans, this describes the proposal more accurately and I have determined the appeal accordingly.
3. It is clear from the submissions and from what I saw at my visit that whilst not yet fully completed the proposed development is substantially under construction.

Reasons

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the dwelling and the area. The starting point is the Council's development plan which includes policy CP1(i) and (iii) in the Brentwood Replacement Local Plan (2005) (LP). This seeks to ensure that proposals are of a high quality design that does not have a detrimental impact on the character or appearance of the area. LP policy H17 refers to dormer windows and requires that they remain a subsidiary feature. Their objectives of encouraging good design are consistent with national policy in the National Planning Policy Framework (the Framework).
5. Goodwood Avenue is a suburban street of mainly detached and semi-detached dwellings of various designs, including many dormer bungalows. Whilst the gaps between dwellings are not large, in those cases where there is a gap at first floor level it provides a sense of space that adds to the character of the area. Many of the dwellings have been altered and there is a variety of roof

forms, dormer windows and porch designs in the area. However, in some cases the alterations do not contribute positively to the character and appearance of the area. Those that do reflect the scale and proportions of the original dwelling.

6. The proposed development has changed the original hipped roof to a gabled roof with three gabled roof dormers in the front elevation and a box dormer across the rear elevation, as well as providing a front porch with steeply gabled roof. The Council's objections relate to the proximity of the roof extension to the side boundary with its neighbour at no 14, the size and scale of the porch and the size and scale of the rear dormer. I have noted that it considers that the front dormer windows are acceptable and as these are modest in size and proportionate to the scale of the roof I agree.
7. Given the variety of roof forms in the area, I agree with the Council that the principle of a gabled roof in this location would be acceptable if there were sufficient space between the dwelling and its neighbour at no 14. However, the gap between the two properties is small. No 14 has a two storey side extension, set back from the main front wall, whose gable end abuts the side boundary. The appellant's roof extension extends over an attached garage which also abuts the side boundary. This has resulted in a terracing effect and the dwelling appears unduly cramped within the street scene. Although other properties in the street have similar or smaller gaps, these do not contribute positively to the suburban character of the area and do not provide justification for the harm that has resulted in this case.
8. The front porch has a steeply gabled roof extending directly from a point just below the main ridge. Its pitch is much greater than that of the main roof and those of the front dormers. As such it fails to reflect the scale, proportions and design of the dwelling and appears somewhat incongruous and poorly related to it.
9. The rear dormer as built extends across almost the whole of the rear roof slope, although the proposed plans show it set in slightly more from the sides of the roof. Nonetheless, its width is excessive and it is an overly dominant feature on the rear elevation which, although not seen from the street, detracts from the character of the dwelling.
10. I have noted the other examples of large dormers and extensions in the area but it is not clear to me whether or not those were permitted development or the circumstances of any permissions. As such, they do not provide justification for this proposal.
11. I have noted the condition of the incomplete development, the appellant's difficult and stressful personal circumstances and her wish to provide accommodation for family members but I have not been provided with sufficient details of any personal need that would justify the proposal. I have also noted that the appellant says she took professional advice and that the plans were amended since a previous refusal and following discussion with the Council's officer in an attempt to comply with permitted development restrictions and the Building Regulations. However, it is clear that the proposal does not constitute permitted development and the Building Regulations are a separate matter from planning permission. I accept that the appellant has since made changes to the development under construction following new professional advice but the Council was entitled to reach its own decision. The

onus lies with property owners to obtain accurate advice and comply with the relevant requirements and procedures. These other matters therefore carry little weight and are not sufficient to override the harm that has been caused by the development.

Conclusion

12. For the reasons given above, I conclude that the proposed development significantly harms the character and appearance of the area. It is contrary to the development plan policies referred to earlier and there are no other material considerations that warrant determining the appeal otherwise. The appeal is dismissed.

Sarah Colebourne

Inspector