

Appeal Decision

Site visit made on 16 March 2021

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 April 2021

Appeal Ref: APP/H1515/D/20/3254224

208 Ongar Road, Brentwood, CM15 9DX

- 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 Damian Long against the decision of Brentwood Borough Council.
 - The application Ref 20/00339/FUL, dated 9 March 2020, was refused by notice dated 11 May 2020.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. I have also dealt with another appeal ref APP/H1515/D/20/3258738 on this site. That appeal is the subject of a separate decision.

Main Issue

3. There is one main issue which is the effect of the proposed extension on the living conditions of occupiers of 206 Ongar Road with respect to outlook and amenity space.

Reasons

4. The appeal dwelling is a traditional semi-detached house. It and its pair, No 206, have short original two storey rear outriggers. These are set away from the shared boundary, creating wide side returns at each property which feel spacious and open. Both properties have been extended in the past. The appeal property has a two storey and single storey rear extension and No 206 has a deeper single storey rear extension and a loft conversion.
 5. No 206 has a noticeably smaller rear garden than the appeal dwelling and therefore its side return makes a material contribution towards the overall outside space. There is a close boarded wooden fence between the two properties which, according to the submitted plan, is some 1.84m high closest to the rear elevation of the dwellings.
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6. The proposed extension would abut the shared boundary and extend some 6.7m from the rear elevation in the side return. As shown on the submitted plan, it would have a side wall some 2.8m high with a pitched roof set down behind this. At this height it would be about 1m higher than the existing fence and have a noticeably greater enclosing effect on the side return at No 206. This combined with its 6.7m depth and blank appearance would detract from the open, spacious character of the side return and limit outlook from windows in No 206. Overall, I consider that the effect would be unduly overbearing for occupiers of No 206, especially given the positive contribution this area makes to the outside garden space.
7. It is concluded on the main issue that the proposed extension would, owing to its height and depth adjacent to the shared boundary, be an overbearing structure that would materially detract from the living conditions of occupiers of 206 Ongar Road with respect to outlook and amenity space. In consequence, it would conflict with Policy CP1 (ii) of the Brentwood Replacement Local Plan, 2005, and the National Planning Policy Framework which, taken together, expect new development to create a high standard of amenity for existing and future users, such that it does not have an unacceptable detrimental impact on the general amenities of nearby occupiers by way of being overbearing.
8. For the reasons set out above and having regard to all other matters raised, including the location of the site adjacent to a conservation area, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR