

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/20/3258738

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 20/00799/HHA, dated 12 June 2020, was refused by notice dated 31 July 2020.
 - The development proposed is a single storey rear extension to include rooflights.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 208 Ongar Road, Brentwood, CM15 9DX in accordance with the terms of the application, Ref 20/00799/HHA, dated 12 June 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 7812-01, 7812-02, 7812-03, 7812-04A.
 - 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.

Procedural matter

2. I have also dealt with another appeal ref APP/H1515/D/20/3254224 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 significant 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.
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 2.25m high and a pitched roof would rise up from this, sloping away from the shared boundary to join into the existing crown roof of the existing single storey rear extension. The wall of the extension would be some 0.4m higher than the existing fence and only marginally higher than a wall that could be erected under permitted development right. This limited additional height, combined with the roof sloping away from the shared boundary, would ensure that the side return at No 206 retained its essentially open and spacious character. Notwithstanding the 6.7m depth of the extension, the side return would remain as a pleasant and useful amenity area and the effect on outlook from windows in No 206 would be limited because a material sense of openness would remain above the boundary. Overall, I consider that the effect would not be unduly overbearing for occupiers of No 206 and that there would be no material loss of quality to the outside amenity space.
7. It is concluded on the main issue that the proposed extension would have no materially detrimental effect on the living conditions of occupiers of 206 Ongar Road with respect to outlook and amenity space. In consequence, it would comply 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 or have an overbearing effect.
8. In addition to the statutory commencement condition, the Council suggests conditions to ensure that the extension is built in accordance with the approved plans and using external materials that match the existing building. I agree that these are necessary for the avoidance of doubt and in order to protect the character and appearance of the host dwelling, its semi-detached pair and the surrounding area.
9. 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 allowed.

KE Down
INSPECTOR