
Appeal Decision

Site visit made on 13 July 2021

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/W1525/D/21/3272532

31 Docklands Avenue, Ingatestone, Essex CM4 9EQ

- 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 Alison Heales against the decision of Brentwood Borough Council.
 - The application Ref 20/01749/HHA was refused by notice dated 15 January 2021.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal property lies within a primarily residential area comprising predominately of semi-detached and detached two - storey dwellings of similar design and scale. Single storey side projections, which are usually garages, provide a break in built form at first floor level. Where there is first floor side development, this is largely set back from the main front façade or there is usually a single-storey forward projection below. These features define the character and appearance of the area.
4. The appeal property is situated on a prominent corner location. It is a two-storey semi-detached dwelling with single-storey front and side projections. The proposed first floor extension would be above the side projection. It would be in line with the existing main front and rear facades and would extend the existing main ridge line.
5. From my observations, due to the width and height and bulk of the proposal, it would not appear as a subordinate addition. As such it would appear out of scale with the existing building. In addition, the proposed fenestration would appear at odds with the pattern of existing fenestration. For these reasons, in such a prominent position, I consider that the proposal would appear as an

incongruous addition, not in keeping with the character and appearance of the surrounding area.

6. I have great sympathy with the family circumstances. In reaching my conclusion, I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. In particular, I have had due regard to the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled. In this particular instance, from the evidence before me, I am not satisfied that the proposal is the only way to meet the specified needs.
7. For the reasons stated above and having taken into consideration all matters raised, I conclude that the proposed first floor extension would have an adverse effect on the character and appearance of the surrounding area. This would be contrary to saved Policy CP1 in the Brentwood Replacement Local Plan (2005) where it seeks a high standard of design and for new development to not have an unacceptable impact on the character and appearance of the surrounding area. I consider this policy to be broadly consistent with the National Planning Policy Framework, especially where the Framework seeks to ensure good design. In addition, the proposal would be contrary to guidance in the National Design Guide, where it seeks to ensure that new development responds positively to the surrounding context.

J L Cheesley

INSPECTOR