
Appeal Decision

Site visit made on 12 April 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th April 2022

Appeal Ref: APP/Z1510/D/22/3294349

37 Feering Hill, Feering CO5 9PX

- 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 N Taylor against the decision of Braintree District Council.
 - The application Ref 21/03218/HH, dated 25 October 2021, was refused by notice dated 14 December 2021.
 - The development proposed is a 2 storey rear and part side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a 2 storey rear and part side extension in accordance with the terms of the application Ref 21/03218/HH, dated 25 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: FH-20-01, FH-20-02D and FH-20-03.
 - 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building, except where otherwise detailed on approved drawing FH-20-02D.

Main issue

2. The main issue is the effect of the proposal on the character and appearance of the house and the local area.

Reasons

3. 37 Feering Hill is a detached house within an architecturally varied row of houses and bungalows on the main route through the village. The proposal is for a 2 storey rear/side extension, with a narrow 2 storey, flat roofed section to one side. The appeal application follows on from an earlier approval for a similar rear/side extension, with the key difference being that the approved scheme has a pitched roof to the side and a double gable form at the back. Both the approved and the appeal schemes also include a single storey flat roofed section at the back. The Council's objection is to the flat roof on the 2 storey side section.

4. The appeal extension was at an advanced stage of construction at the time of my site visit, including the disputed flat roof. I have little doubt that this would be adapted to the approved scheme if this appeal were to be dismissed, so that the approved scheme forms a strong fall-back position which is a material consideration.
5. The creation of a large, flat roofed, 2 storey side extension would likely be obtrusive and unsympathetic to local character here. The narrow form of the proposed side extension, however, means that its flat roof is actually a neat and minimal way of resolving the roofs without needing to use the more contrived and bulkier double gable of the approved version. The side extension is set well back from the front wall of the house so that it should not be at all prominent in the street scene, even if the current evergreen planting that obscures it from view was to be removed in the future. It fits well within the varied forms of the dwellings on this part of Feering Hill.
6. I conclude that the proposal complements the house and the local area and does not harm the character or appearance of either. It therefore accords with the aims of Braintree District Local Plan Review policies RLP17 and RLP90, Braintree District Draft Section 2 Local Plan policies LPP38, LPP50 and LPP55 and the National Planning Policy Framework, to ensure that extensions are of a high standard of design which is compatible with the original dwelling and the street scene.
7. A neighbour has raised concerns about overlooking from a rear first floor Juliette balcony (a full height glazed opening with railings). That arrangement is already part of the approved scheme, however, and the glazed doors would be far enough away from the neighbour's property that there should be no undue loss of privacy.
8. As the development has already started, there is no need for the normal condition requiring commencement within 3 years. I impose a condition specifying the relevant plans to provide certainty and another requiring matching and specified materials to protect local character.
9. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR