

Appeal Decision

Site visit made on 29 June 2022

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 27 July 2022

Appeal Reference: APP/H1515/D/22/3292471

216 Woodland Avenue, Hutton CM13 1DA

- 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 A Trinca against the decision of Brentwood Borough Council.
 - The application (reference 21/01646/HHA, dated 22 September 2021) was refused by notice dated 19 November 2021.
 - The development proposed is described in the application form as "*Demolition of existing conservatory; Loft conversion with part single and part two storey rear extension*".
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by a loss of outlook or of light).

Reasons

3. Hutton is located to the north-east of the main part of Brentwood and Woodland Avenue is in a predominantly residential area, with open spaces (for example) as well as residential properties. Nevertheless, there is an industrial area immediately to the north-east of Woodland Avenue, at the edge of the settlement. The industrial area is separated from the adjoining residential areas by a woodland belt, however, that provides a clear break between the different land use areas.
4. In the vicinity of the appeal site, the residential properties in Woodland Avenue are mixed in character. Close to the site, the road frontages are mainly set with semi-detached pairs, some of which have been modified and extended over the years. Indeed, number 216 is a semi-detached house on the northern frontage of the road, one of a number of pairs along this frontage that backs onto the woodland strip and industrial area referred to above. The trees at the

back of the appeal property create a strong backdrop to this residential frontage.

5. A short way to the west, however, there is a change of building type. Here, there are a number of much larger blocks, with associated carparking and shared garden areas, as distinct from the more conventional plot layout at number 216.
6. Although Woodland Avenue is not a major thoroughfare, it is a relatively busy road, which serves a bus route that links to the remainder of the urban area.
7. Number 216 Woodland Avenue has a relatively long garden, although it is angled to the rear of the house. A large single-storey conservatory extension has been added to the rear of the house in the past and it is now proposed that this should be demolished and a new extension built in its place. The new extension would be partly single-storey, adding a new dining room on the ground floor, and partly two-storey, providing a new bedroom above, on the first floor. In addition, the shape of the main roof would be altered and a dormer would be added to the rear, at roof level, to provide an additional bedroom at "loft" level.
8. The 'National Planning Policy Framework' (which was revised in July 2021) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. New development ought to be sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. Planning policy is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation.
9. An emphasis on the importance of good design is also to be found in the Development Plan, notably at Policy CP1 of the 'Brentwood Replacement Local Plan' which was adopted in August 2005. Policy CP1 sets out some broad design criteria for new development, including the aim of achieving good design that is respectful of the character and appearance of the surrounding area and the host building, as well as protecting neighbours' residential amenities.
10. The proposed extensions and alterations would involve the construction of a rear two-storey extension, with a projecting gabled feature, accommodating a new first-floor bedroom, with a window looking towards the back garden. At roof level, a new "box-shaped" dormer would be created, alongside the rear first floor gable projection. The main roof would have a hipped form, as at present, but the shape would be changed, accommodating a more steeply pitched (and asymmetrical) form and thus enclosing a larger room space at loft level.
11. Houses in this part of the frontage have generally preserved the dominant features of the original design and the hipped roof at number 216 maintains its essential symmetry at present. By contrast, the proposed roof would be awkward and unsightly, distorting the roof in a way that would be even less attractive than a conventional "hip-to-gable" conversion. Thus, it would have a harmful impact on the streetscene, contrary to design policies.

12. On the other hand, the proposed "box-shaped" dormer at the rear would be much less obtrusive in visual terms, since it would be largely concealed behind the more dominant parts of the roof, especially in views from the public highway. I am conscious, moreover, that such dormers are commonplace in existing built up areas and that consistency is desirable in the planning system.
13. Nevertheless, I am persuaded that the proposed alteration to the main roof would be unattractive and harmful in visual terms to the character and appearance of the host building and, hence, of its surroundings. It would thus be contrary to both the 'National Planning Policy Framework' and the Development Plan.
14. Turning to the effect of the proposals on neighbours' residential amenities, it is noted that the two-storey part of the proposed rear extension would be inset from both side boundaries. Moreover, the effect of the proposed set back from the boundary with number 214 (to the west) would be further ameliorated by the angled nature of the boundary, while number 218 (to the east) is, in any case, sited further back on its plot, again reducing the impact that would result from a rear extension at number 216.
15. The proposed rear extension would be limited in depth, moreover, and the length of the existing gardens in this part of Woodland Avenue is such that the proposed extension would not be unduly oppressive in any case, in relation to the rear parts of the adjoining houses. In short, I am not persuaded that the proposed rear extension would cause undue harm to the adjoining properties, by significantly harming their outlook, light or privacy.
16. In reaching that conclusion, it has been noted that a side window at number 218 would be affected by the proposed extension at number 216, which would present a longer and largely unrelieved side elevation to its neighbour. Even so, the properties have their main outlook to the front and rear (rather than to the side) and I am not persuaded that the impact on the side window of the neighbouring property would be sufficiently damaging to justify a refusal of planning permission, if the scheme had been otherwise acceptable in design terms.
17. While it is acknowledged that a proposed side window in the proposed extension could intrude on the neighbours' privacy, if not glazed in obscured glass, it is also recognised that this could be controlled by condition if the scheme were otherwise acceptable. This consideration is neutral in the appeal, therefore.
18. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed development would make a useful addition to the existing house. Nevertheless, I am convinced that the harm that would be done to the character and appearance of the existing house and to the streetscene outweigh the benefits of the project.
19. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

20. In reaching these conclusions I have considered whether the appeal could be allowed but subject to conditions to address the design issues that I have identified. I have formed the opinion, however, that any such condition or set of conditions would be so complex and onerous as to be unreasonable and that therefore the appeal must be dismissed.

Roger C. Shrimplin

INSPECTOR