



Appeal Decision

Site visit made on 3 August 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2022

Appeal Ref: APP/Z1510/D/22/3290203

1 Mill Hill, Braintree CM7 3QR

- 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 Oak Developments Ltd against the decision of Braintree District Council.
 - The application Ref 21/02962/HH dated 29 September 2021, was refused by notice dated 1 October 2021.
 - The development proposed is Part single, part-two storey side and rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the submission of the appeal the Council have adopted the Braintree District Local Plan 2013 - 2033 (2022) (the Local Plan), which replaces the Braintree District Local Plan Review (2005) and the Braintree District Local Development Framework Core Strategy (2011). Both parties were given the opportunity to provide additional comments, therefore no party has been prejudiced or caused any injustice by me proceeding with the appeal in light of the changes in policy.
3. The Council altered the description of the development, I consider the revised description to be a more accurate description of the appeal proposal, accordingly I have adopted the amended descriptions in the heading above.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host dwelling and area in general.

Reasons

5. The site is within a predominantly residential area and comprises a semi-detached two storey property with a three-storey block of flats adjacent, Mill Court. The existing property is set back from the road with open space to the front and to the west between the appeal site and Mill Court. The site is located at the end of a row of three pairs of semi-detached dwellings.
6. The proposed development is set back from the front of the property and stepped down in terms of height. Notwithstanding this the extension proposed

would be of similar width to the existing property. Due to the scale of the proposed development visually the pair of semi-detached properties could be read as a row of terraced properties.

7. The proposal includes a first floor gable to the rear, there are limited views of the rear elevation of this property given the landscape screening to the rear of the site and the railway beyond. Nonetheless due to the width of the proposed extension the addition of a rear gable would be an overbearing feature and incongruous to the existing property. I find that the proposed extension would not subservient to the existing property.
8. The gap between the proposed development and Mill Court would be reduced, nevertheless the proposal would preserve a gap between the built form which would not harm the overall character of the area.
9. I conclude that the proposed development would harm the character and appearance of the host dwelling and area in general. There is conflict with Policies LPP 36, LPP 47 and LPP 52 of the Local Plan which amongst other things seek to ensure developments are of high standards of design, respect local context and for residential extensions to be subordinate to the original dwelling.
10. There is also conflict with the National Planning Policy Framework (2021) which seeks to ensure developments are of good design appropriate and sympathetic to their surroundings.

Conclusion

11. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR