



Appeal Decision

Site visit made on 4 October 2022 by A Humphries BSc (Hons) MSc

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2022

Appeal Ref: APP/H1515/D/22/3299867

22 Hunter Avenue, Shenfield, Essex, CM15 8PF.

- 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 George Reilly against the decision of Brentwood Borough Council.
 - The application Ref 22/00154/HHA, dated 31 January 2022, was refused by notice dated 25 March 2022.
 - The development proposed is for the construction of an outbuilding for use as office/workshop in rear garden to include pitched roof and gable ends.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of an outbuilding for use as office/workshop in rear garden to include pitched roof and gable ends at 22 Hunter Avenue, Shenfield, Essex, CM15 8PF in accordance with the terms of the application, Ref 22/00154/HHA, dated 31 January 2022, and the plans submitted with it, 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 approved plans: Drawing 1 Front Elevation; Drawing 2 Rear Elevation; Drawing 3 Right Side; Drawing 4 Left Side; Drawing 5; Drawing 6 Floor Plan; Drawing 7; and Block/Site Plan.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The evidence presented before me indicates that permission has previously been granted for an outbuilding. An outbuilding has already been partially constructed to the rear of the garden. At the time of the site visit, a floor had been laid and four walls constructed, although the roof, patio doors and rendering had not been implemented. The proposed outbuilding differs from that previously approved in terms of height and roof materials.
4. For the avoidance of any doubt, I have considered the appeal on the basis of the details shown on the submitted plans.

Main Issues

5. The main issues are the effect of the proposed outbuilding on:
- the character and appearance of the area; and
 - the living conditions of the occupants of neighbouring dwellings, with particular regard to outlook.

Reasons for the Recommendation

6. The host dwelling is in a principally residential area characterised by detached and semi-detached bungalows and two-storey dwellings. The gardens of the host dwelling and neighbouring dwellings are narrow and long, separated largely by low boundary fences. Notwithstanding outbuildings being a common feature in the gardens, there is a prevailing sense of spaciousness.
7. The Council has raised no objection with regard to the appearance of the proposed outbuilding. Owing to the proposed colour of render and clay tiles consistent with surrounding buildings and being sympathetic with a garden setting, I agree that the appearance is acceptable.
8. The National Planning Policy Framework (2021) (the Framework) and the National Design Guide seek high quality design that is sympathetic and integrated into the surrounding built environment. Outbuildings are a common feature of the gardens in the locality, which vary in height, proportions, materials and roof form. Whilst the height of the proposed outbuilding would be significantly above the boundary fences of the host dwelling, the scale and form of the proposed outbuilding would be comparable to outbuildings of neighbouring dwellings, some of which include relatively steep pitched roofs with gable ends. The proposed development would therefore neither appear overly dominant in the context of existing outbuildings nor at odds with the prevailing character and appearance of the area.
9. The proposed outbuilding would be located to the rear of the garden in alignment with some existing outbuildings of neighbouring gardens. Whilst the gardens of the host dwelling and neighbouring dwellings are relatively narrow, they are long. As a result, the proposed outbuilding would be significantly set back from the host dwelling and neighbouring dwellings. There would also be a degree of separation between the proposed outbuilding and the boundary fences of the adjoining gardens. Since the proposed outbuilding would be viewed in the context of other comparably scaled outbuildings and given the generously sized gardens and separation distances from the neighbouring dwellings, the proposed outbuilding would neither appear as an overbearing form of development nor significantly worsen the outlook from neighbouring residents. This would therefore not cause a harmful sense of enclosure.
10. For the reasons above, the development would neither cause harm to the character and appearance of the area nor to the living conditions of the occupants of neighbouring dwellings in regard to outlook and sense of enclosure. The proposed development would therefore accord with Policy BE14 of the Brentwood Local Plan 2016-2033. This policy seeks high design standards that respond positively and sympathetically to their context and safeguard the living conditions of adjacent residents. The proposed development also accords with the aims of the Framework (2021) and the National Design Guide.

Conditions

11. Other than the standard conditions requiring a time limit for commencement of development and adherence to the approved plans, there are no other conditions that I consider to be reasonable or necessary to make the development acceptable in planning terms.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

A Humphries

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall allow the appeal subject to the conditions set out above.

Chris Preston

INSPECTOR