



Appeal Decision

Site visit made on 11 October 2022

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2022

Appeal Ref: APP/H1515/W/21/3288785

8 Springfield Avenue, Hutton, Brentwood, Essex CM13 1RG

- 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 Joseph Williams against the decision of Brentwood Borough Council.
 - The application Ref PP09998549, dated 19 April 2021, was refused by notice dated 11 June 2021.
 - The development proposed is a single storey front extension with canopy roof, part 2-part single storey rear extension incorporating first floor dormer, alterations to fenestration and subdivide property to create a 2-bed end of terrace house with parking and vehicular access onto Cotswold Gardens.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension with canopy roof, part 2 part single storey rear extension incorporating first floor dormer, alterations to fenestration and subdivide property to create a 2 bed end of terrace house with parking and vehicular access onto Cotswold Gardens at 8 Springfield Avenue, Brentwood, CM13 1RG in accordance with the terms of the application, Ref PP09998549, dated 19 April 2021, subject to the conditions contained in the Schedule to this decision.

Preliminary Matters

2. The application form describes the development as "revised application to original application number PP-08998549 and 20/01207/FUL". In the interests of clarity, I have used the Council's description of the development as indicated on the Decision Notice.
3. Since the determination of the planning application, the Council adopted the Brentwood Local Plan 2016-36 (2022) (BLP) and has revoked the Brentwood Replacement Local Plan 2005 cited in the Decision Notice. I have determined the appeal on the basis of the Development Plan in place at the time of this decision, which includes the BLP.

Main Issue

4. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is located within a modern housing estate consisting predominantly of terraced dwellings, interspersed by some semi-detached and detached dwellings. Whilst many dwellings have been modified over time, there

is a general uniformity to the appearance of the area with most dwellings being similar in age and appearance in terms of materials, form, and scale.

6. The appeal site includes 8 Springfield Avenue, an end of terrace dwelling. No 8 has been previously modified through the addition of a two-storey extension at its side. The proposal would involve extension works to the front and rear of the existing two-storey extension to facilitate the subdivision of No 8 to create an additional dwelling.
7. The proposed rear elevation includes a large dormer situated on a 'cat slide' roof. During my site visit, I did not identify other cat slide roofs in the surrounding area. However, I observed a number of other sections of pitched roof at a single storey height, such as on porches and extensions. Notably, on prominent plots opposite the appeal site and surrounding the road junction, 15 Springfield Avenue and 20a Cotswold Gardens each have single-storey front and side projections with pitched roofs which are clearly visible within the street scene. In addition, No 20a's two storey hipped-roofed rear projection is not dissimilar in form from the proposed development's large rear dormer.
8. Consequently, the proposed rear elevation's dormer and roof would not be such a departure from the area's appearance so as to appear uncharacteristic, contrived or incongruous. In addition, the overall mass and scale of the proposed new dwelling would be similar to neighbouring dwellings and would not therefore appear dominant within the street scene. The use of external materials employed during the construction of the development can be controlled through planning condition to ensure these complement materials used in the area.
9. No 8 is set in from the public highway at Cotswold Gardens and the appeal site is well-screened by its boundary treatments. The rear garden is enclosed by a tall coniferous hedge, a timber feather-edge fence running parallel with the side elevation, and a shoulder-height hedge surrounds the front garden.
10. When approaching the site from Cotswold Gardens, the rear elevation would be generally concealed from view by the tall conifer hedge. Viewed from the junction of Springfield Avenue and Cotswold Gardens, the rear elevation would be partially visible above the height of the existing fence but its presence within the street scene would be limited by the oblique angle. The visual prominence of the rear elevation would not therefore be exacerbated by the site's corner plot location since the site benefits from existing screening at its boundaries. Whilst landscape treatments are not permanent, they can reasonably be controlled through a planning condition.
11. Due to its corner plot siting, the appeal site includes a relatively generous rear and side garden. In addition to the subdivision of the dwelling, No 8's gardens would be subdivided to provide outdoor space for the new dwelling. As a result of the proposed development, the original section of No 8 would form a mid-terrace dwelling, with the proposed new dwelling located at the end of the terrace.
12. The proposed rear garden for No 8 would span the width of the rear elevation and would be of similar length to gardens of neighbouring dwellings. The rear garden of No 8 would therefore be of broadly similar size to gardens of surrounding mid-terrace dwellings and would not appear out of keeping with the character of the area

13. As set out above, the design of the proposed dwelling's rear elevation and rear garden would not be out of keeping with the character of the area, and the visual prominence of the proposed rear elevation would not be exacerbated by its corner plot location. The proposal would not therefore adversely affect the character and appearance of the area and would not give rise to conflict with BLP Policy BE14 which requires proposals to deliver attractive places and respond positively and sympathetically to their context.
14. The proposal would also accord with paragraph 130 of the National Planning Policy Framework (the Framework), which requires planning decisions to ensure that new developments are sympathetic to local character including the surrounding built environment, while not preventing or discouraging appropriate innovation or change.

Conditions

15. I have attached a condition specifying the approved plans in the interests of providing certainty. The Council has provided a list of conditions which I have considered carefully against the Framework's tests. The suggested condition regarding external materials is necessary in the interests of maintaining the area's character and appearance. For the same reason, I have identified a need for a condition relating to landscape and boundary treatment.
16. The Council put forward a condition relating to the use of resources. BLP Policy BE02 requires new residential development to achieve limits of 110 litres of water per person per day. A condition is imposed to ensure the proposed development conserves water resources in accordance with the policy requirement. The suggested condition also set out requirements relating to the generation of renewable energy and to minimise energy use and overheating. However, the evidence before me does not indicate that such requirements are necessary to make the proposal acceptable in planning terms and therefore should not be imposed through condition. The building's performance in respect of energy and thermal efficiency will be secured through building regulations.
17. BLP Policy BE11 requires proposals to maximise the opportunity for occupiers to use electric and low emission vehicles wherever possible. To fulfil the requirements of the policy, a condition is necessary to secure the provision of at least one electric vehicle charging/plug-in point for each dwelling.
18. In addition, the Council has suggested conditions relating to the site's vehicular access, provision of vehicle and cycle parking spaces, and to make available travel information and promote sustainable transport, reflecting consultation responses received from the Highway Authority. I consider that these requirements should be imposed through condition to ensure the site is accessible and supports sustainable travel in accordance with BLP Policy BE14 and to ensure the parking standards required by BLP Policy BE13 are met.

Conclusion

19. For the reasons given above, the proposal would accord with the development plan taken as a whole and therefore I conclude that the appeal should succeed.

E Dade

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 20/11/1/1 inc. Block Plan, Existing Plans & Elevations, Proposed Plans & Elevations, Site Local Plan.
- 3) All new external work and finishes and work of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the approved drawings.
- 4) Prior to the first occupation of the development, a scheme of hard and soft landscaping and boundary treatment shall be submitted to and approved in writing by the Local Planning authority. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate and shall be retained as such thereafter.
- 5) No development above ground level shall take place until details of how the development will achieve water efficiency measures to limit water use to a maximum of 110 litres per person per day has been submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented as approved prior to the first occupation of the dwelling.
- 6) Prior to first occupation, the proposed dwellings shall be provided with, as a minimum, the space and infrastructure required to provide at least 1 electric vehicle charging/plug-in point each.
- 7) Prior to first occupation of the development, the vehicular access to the west on Cotswold Gardens shall be widened at its junction with the highway, as shown in principle on planning drawing 20/11/1/1, and shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.
- 8) Prior to first occupation of the development, two onsite vehicle parking spaces shall be provided, as shown in principle on planning drawing 20/11/1/1, with minimum dimensions in accordance with the adopted local planning authority's parking standards. The vehicle parking areas shall be retained for their intended purpose at all times.
- 9) Prior to first occupation of the development the cycle parking shall be provided in accordance with the local planning authority's parking standards. The approved facility shall be secure, convenient, covered and retained at all times.
- 10) Prior to first occupation of the development, the developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the developer to each dwelling free of charge.