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## Appeal Decision

Site visit made on 20 December 2022

**by John D Allan BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 January 2023**

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**Appeal Ref: APP/Z1510/D/22/3306291**

**Fraser Cottage, Pole Lane, White Notley, Essex CM8 1RD**

- 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 Gary Sprawling against the decision of Braintree District Council.
  - The application Ref 22/00478/HH, dated 22 February 2022, was refused by notice dated 15 June 2022.
  - The development proposed is the erection of a two-storey side, single-storey rear and a side car port extension, and alterations to garage roof to form first-floor office accommodation.
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### Decision

1. The appeal is allowed and planning permission is granted for a two-storey side, single-storey rear and a side car port extension, and alterations to garage roof to form first-floor office accommodation at Fraser Cottage, Pole Lane, White Notley, Essex CM8 1RD in accordance with the terms of the application, Ref 22/00478/HH, dated 22 February 2022, subject to the following 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: Drg Nos 1021/01, 1021/02, 1021/03, 1021/05, 1016/03 and 1016/03 – Existing and Proposed Garage Plans.
  - 3) The materials to be used in the construction of the external surfaces of the developments hereby permitted shall match those used in the existing buildings.

### Procedural Matter

2. Since the date of the decision the Council has adopted the Braintree District Local Plan 2013-2033 (2022) (BDLP). This replaced the Braintree District Local Plan Review (2005) (BDLPR). Policies RLP18 and RLP90 of the BDLPR, which are referred to in the decision notice, have been superseded and are no longer relevant.
3. The Council's decision notice also refers to draft policies LPP38, LPP50 and LPP55 of the Braintree District Draft Section 2 Local Plan (2017) (BDDS2LP). The appellant has addressed the new BDLP in their appeal submissions and has cross referenced the new policies with those in the BDDS2LP. Those draft policies referred to in the decision notice have been renumbered as Policies

LPP36, LPP47 and LPP52 respectively within the BDLP. I have been provided with copies of all the relevant BDLP policies by the Council. No party is therefore disadvantaged by me proceeding to deal with the appeal in light of the changes to development plan policy that have occurred.

### **Main Issues**

4. The appeal proposal comprises a number of different elements. The Council has explicitly stated that they have no objections in principle to the following: - (i) a single-storey infill extension to the rear of the property; (ii) a single-storey side car port extension; and (iii) a porch extension. I have no reason to disagree with the Council's findings on these elements of the proposed development.
5. The main issues therefore are: - (i) the effect of the proposed two-storey side extension, including with the cumulative impacts of the other proposed elements, upon the character and appearance of the dwelling and the wider area; and (ii) the effect of the proposed garage roof extension upon the character and appearance of the area.

### **Reasons**

6. The appeal property is a detached, chalet-style dwelling located within a rural setting outside of any defined settlement boundary. It has accommodation over two floors with the first-floor contained principally within the roof space. There is a detached garage outbuilding to the rear of the dwelling, with access to the site gained via a narrow lane to one side. The building sits on a fairly large plot and faces towards Pole Lane, with mature vegetation around its boundary perimeter.
7. The Council points out that the appeal property has previously been extended in a variety of ways. Regardless, during my visit I was unable to detect any clear indication of what might have been its original form. The dwelling has a low-rise profile with a strong horizontal emphasis and displays a mix of full height gable projections and dormer windows to the front and rear elevations, with dual eaves heights in places. It sits comfortably on its plot and within its wider setting, from where it can be seen in longer views, principally from Pole Lane in the approach from the east.
8. The two-storey side extension would effectively project the existing form of the dwelling sideways from the eastern elevation. The existing main ridgeline would run contiguous, and to the front there would be a dormer window serving the new first-floor living space that would match the size and form of others. The extension would project a gabled elevation to the rear that would largely mimic the scale and form of two existing rear gable features.
9. The Council has argued that the extension would be a bulky addition implying that it would somehow be excessively large and unwieldy. On the contrary, I find that it would blend with the existing building, appearing as a logical and well-integrated addition. Whilst it would add some sideways sprawl to the building, this would not be excessive. There would be ample open space to the side of the extension. The enlarged building would not appear cramped in its setting and neither would the plot appear over-developed. The building would undeniably be elongated, but it would remain proportionate and domestic in scale and appearance. I accept that it is likely that the original building would

have been reasonably modest, but I have been directed to no policy restraining the size of any extension to a specified proportion of the original, merely that extensions be subordinate in terms of bulk, height and position. There is no substantive evidence to persuade me that the amount of extensions proposed would result in a dwelling of inappropriate size given the context and size of the plot and its wider setting.

10. The Council has identified a high eaves height to the side of the extension and the introduction of a large glazed panel in the new gable-end as contributing to a confusing mix of styles. The eaves height to the rear projecting gable would be the same height as those on the property's other gabled features. It would merely add to an existing mix, which already works in harmony. I accept that the glazed panel to the side elevation would be a new introduction, but to my mind it would simply add a contemporary feature of interest, and one that would sit comfortably as an integrated part of the building. The side extension would be seen in views from the east but only from a distance. Moreover, the new works would be seen against the backdrop of the existing, altering its appearance, but not exaggerating its existing scale or visual impact to any significant degree.
11. Turning to the garage extension. The existing garage is double width and has a traditionally pitched roof with gables to the front and rear. The proposal seeks to create useable space within the existing roof's void by altering the pitch and raising the ridge height, and inserting a gable fronted dormer to one side of the roof slope.
12. The increased height of the garage building would be modest and I note that the Council raises no concern with this element. The dormer would be fairly large and would have little recess from the eaves. However, it would be well-framed by the roof slope on both sides and above. Its shape would be conventional and its gabled form would reflect the shape of the existing building. Furthermore, it would face towards the rear garden of the appeal property where it would be largely out of sight from the public domain, except perhaps in some very long-distance views from where it would be seen against the backdrop of the existing garage or the adjacent dwelling. Overall, I find nothing about the dormer extension to the garage that would be overly dominant or visually harmful to the wider character or appearance of the area.

### **Conditions**

13. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the proposals are finished with materials to match the existing buildings.

### **Conclusion**

14. For the reasons given, I am satisfied that the two-storey side extension to the house, both in isolation and when taken together with the other extensions proposed, would be neither harmful to the character or appearance of Fraser Cottage or to the wider area. Likewise, I am satisfied that the proposed roof extension to the garage would not be harmful to the character or appearance of the area. As such, there would be no conflict with BDLP Policies LPP36, LPP47 or LPP52 as far as they require development to display a high quality of design that respects local character and, in the case of house extensions, the

original character of a dwelling. For these same reasons I find no conflict with the National Planning Policy Framework's objectives for achieving well-designed places.

15. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

*John D Allan*

INSPECTOR