



Appeal Decision

Site visit made on 21 December 2022

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 24 January 2023

Appeal Ref: APP/H1515/D/22/3302836

La Valette, Hay Green Lane, Hook End, Essex CM15 0NT

- 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 Oke Nwaokolo against the decision of Brentwood Borough Council.
 - The application Ref 22/00579/HHA, dated 17 April 2022, was refused by notice dated 5 July 2022.
 - The development proposed is a double storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a double storey side and rear extension in accordance with the terms of the application, Ref 22/00579/HHA, dated 17 April 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:
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are: the effect of the proposal on the character and appearance of the area; and the effect of the proposal on the living conditions of the occupiers of neighbouring properties.

Reasons

Character and appearance

3. The appeal property comprises a detached chalet bungalow located on the southern side of Hay Green Lane. It is one of a number of residential properties located on that side of the road, whilst opposite there is open agricultural land.
4. The proposal would substantially change the character and appearance of the property with a large two storey hipped roof projection at the front, alongside a catslide roof in which there would be two pitched roof dormer windows. At the rear there would be a full two storey extension but inset from either side

boundary so that there would be flat roofed single storey extensions adjoining the rear common boundaries with neighbouring properties. Because of the configuration of the extensions, the rear two storey extension would have a flat roof section above a surrounding hipped and pitched roof resulting in a partial crown roof.

5. The Council is concerned that a combination of the extensions would significantly change the character of the property resulting in a bulky and disproportionate addition and becoming a dominant feature in the street scene. Concern is also expressed at the crown roof element at the rear from a design point of view.
6. I observed at my site visit that there are a variety of architectural styles in this part of Hay Green Lane, including bungalows, chalet bungalows and two storey houses. More specifically, the adjoining property to the east known as Fairlawns, has a two storey gable extension at the front with two pitched roof dormers set in a catslide roof in a design not unlike that of the proposed front elevation of the appeal property. On the opposite side to the west, the adjoining property White Gables, is two storey with a large gable element facing the road. Beyond that, the property known as Glenavon is also a large two storey detached property with two steeply pitched gable ends resulting in a significant and imposing roof structure. The ridge height of the proposal would be similar to that of the existing chalet bungalow and commensurate with the two properties on either side.
7. Whilst I acknowledge that the character and appearance of the property would change significantly and be greater in bulk and massing, set in the context of the above, and particularly its immediate neighbours, I consider it would not look out of place and there would be no harm to the street scene. With regard to the crown roof element, it would be hardly visible from the road, if at all, whilst at the rear, I noted that there was a variety of different roof forms and dormer windows, including flat roof elements, so that there would be no visual harm arising.
8. On this issue therefore, I find that there would be no adverse impact upon the character and appearance of the area.

Living conditions

9. With regard to any impact upon Fairlawns, that property already has a full two storey projecting element in close proximity to the boundary with the appeal property, and beyond that a substantial single storey flat roof extension. A high brick and block wall forms the common boundary between the two properties. The proposed rear extension would not extend as far as the single storey extension of Fairlawns and would be single storey only with a flat roof, in the rear part adjacent to the rear common boundary. Given these circumstances, I am satisfied there would be no adverse impact upon the occupiers of Fairlawns.
10. Turning to impact upon White Gables, I took the opportunity at my site visit to inspect the relationship between the two properties within the rear garden of White Gables itself. The latter has a single storey flat roofed extension adjoining the rear common boundary with the appeal property which accommodates a kitchen, and inset from that a large two storey rear extension. The kitchen has a small window and a kitchen door facing the

appeal property and also a larger rear facing window. There is also a small cloakroom window. Each property has a walkway either side of the boundary wall which would continue and provide some physical separation between the two buildings. As on the other side, there would also be a single storey flat roofed extension on the rear part of the extension adjoining White Gables. Whilst I acknowledge there would be some impact arising on White Gables and limited loss of light to the side windows, I do not consider that would be sufficient to justify a refusal of planning permission on that basis alone, particularly having regard to the presence of the rear facing kitchen window in White Gables, and the proposed flat roofed single storey element adjoining the kitchen. The bulk of the two storey side extension would have no impact and the central two storey rear extension would be set away from the common boundary. I am also satisfied that there would be no adverse impact to the enjoyment of the rear garden of White Gables which is of significant size.

11. I find therefore that the overall effect of the extensions would have an acceptable impact upon the occupiers of White Gables, noting that any extensions at the rear of properties in close proximity to one another will inevitably have some form of impact, but not necessarily sufficient to withhold planning permission. I consider that is the case here.

Conclusions

12. For the reasons set out above, there would be no harm to the character and appearance of the area, nor to the living conditions of occupiers of the neighbouring properties at Fairlawns or White Gables. The proposed development would therefore comply with Policy BE14 of the Brentwood Local Plan 2016-2033 in that the design would respond positively to the context and make a positive contribution to the character of the area, and would safeguard the living conditions of adjoining residents.
13. Conditions for the development to be built in accordance with the approved plans and for matching materials, are necessary in the interests of certainty and visual amenity.
14. Accordingly, the appeal is allowed and planning permission granted.

Kim Bennett

INSPECTOR