
Appeal Decision

Site visit made on 20 July 2023

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 August 2023

Appeal Ref: APP/H1515/D/23/3319926

39 Oliver Road, Shenfield, Essex CM15 8QA

- 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 Adam Keskin against the decision of Brentwood Borough Council.
 - The application Ref 22/01634/HHA was refused by notice dated 13 January 2023.
 - The development proposed is a loft conversion with rear dormer, skylights to front and raising roof ridge height to match adjoining properties.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be the effect of the proposal on the appearance of the host property and the character and appearance of the surrounding area.

Reasons

3. The appeal property is a two-storey detached dwelling of traditional design that lies within a predominately residential area. Whilst the surrounding area consists of dwellings of various designs, either side of the appeal site are semi-detached properties which are distinctly higher than the appeal property.
 4. The proposal includes raising the roof to a similar height to properties either side and to alter the existing roof from a hipped roof to a gable. This would allow for a loft conversion with a rear dormer. The proposal includes the construction of double hip to gable roof extensions, and the addition of a rear dormer spanning some 3.13 metres in depth and some 5.7 metres in width across the rear elevation.
 5. From my observations, due to the height, scale, bulk and design of the proposal, it would unacceptably overwhelm the appeal property. It would have the appearance of a top-heavy dwelling, not in keeping with the existing proportions and design of the dwelling. In addition, the proposed design of the fenestration would appear at odds with the design, proportions and positioning of existing fenestration. Thus, the proposal would be to the detriment of the appearance of the property. Even though it would be of a similar height to
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adjacent properties, in such a prominent location in the streetscene, this unbalancing of the proportions of the dwelling would be to the detriment of the character and appearance of the surrounding area.

6. The proposed dormer in addition to the double hip to gable additions could not be constructed using 'permitted development' rights. I have taken into consideration the fallback position of constructing a smaller rear dormer. This is a material consideration. I note that there are examples of rear dormer windows within the surrounding rear garden environment. However, these are limited in size and volume. Due to the harm I have identified above, the fallback position does not warrant approval of the proposal before me.
7. In reaching my conclusion, I have had regard to all matters raised including the example of the dormer and gable on the adjacent semi-detached dwelling at No. 37 York Road and the example of development at No. 5 York Road. None are directly comparable to the proposal before me, which I have determined on its individual merits.
8. For the reasons stated above, I conclude that the proposal would have an adverse effect on the appearance of the existing dwelling and the character and appearance of the surrounding area. Thus, the proposal would be contrary to Policy BE14 in the Brentwood Local Plan 2016 – 2033 (2022) where it seeks to ensure that development proposals respond positively and sympathetically to their context. In addition, the proposal would be contrary to the National Planning Policy Framework where the Framework seeks to ensure good design that is sympathetic to local character.

J L Cheesley

INSPECTOR