



Appeal Decision

Site visit made on 26 November 2024

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/Z1510/D/24/3353214

80 London Road, Braintree, Essex, CM7 2AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Smith against the decision of Braintree District Council.
 - The application Ref is 24/01566/HH.
 - The development proposed is the erection of a single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey extension at 80 London Road, Braintree, Essex, CM7 2AS in accordance with the application Ref 24/01566/HH, 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 following approved plans and documents: 2075/23/01; 2075/23/02 C; 2075/23/03 A; 2075/23/04 C.
 - 3) The materials to be used in the construction of the external surfaces of the roof of the development hereby permitted shall match those used in the existing dwelling.

Reasons

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the dwelling and the area. The appeal site contains a very large dwelling that stands on a good sized plot accessed from a long private drive off London Road that forms part of a wider site under the same ownership in use as a van sales business. Whilst seen from the surrounding area, it has a 'stand alone' setting, with undeveloped land including the river and an area of woodland to the north and separated by public open space from a housing estate to the south.
3. The dwelling has a traditional character with a steeply sloping main roof over the original part of the dwelling relieved by small dormers and with bay windows on the front elevation. It has a long planning history, having been substantially extended with a large 1.5 storey, pitched and hipped roof, gable-fronted cross wing extension on its northern side elevation that was granted permission in 2023 by the Council. There is a large, four bay detached garage

building with a pitched roof to the south of the dwelling that was also granted permission in 2023. The external materials of small red clay tiles, grey weather boarding and matching grey render used in both the original and new parts of the dwelling and the garage are of a high quality and enhance its traditional character. A proposal for a matching 1.5 storey extension on the southern side elevation was dismissed on appeal (APP/Z1510/D/24/3337935) earlier this year on the grounds of its scale, bulk and complexity.

4. The current proposal is for a single storey extension to the southern side elevation that would have the same footprint as the scheme dismissed on appeal and the same style as that scheme and the existing extension. It would have a lower ridge and eaves height but a larger off-centre area of hipped roof where it would adjoin the main ridge. The overall bulk of the extension would be significantly reduced because the height would be reduced by 1.5m from 8m to 6.5m and the length of the main ridge of the existing dwelling (which was not referred to in the planning officer's assessment) would be reduced from 20m to 18.5m.
5. On the front and rear elevations, unlike the previous scheme, the extension would be the smallest part of the building seen and together with the existing extension would appear subordinate to the original dwelling. It would also bring some symmetry to the building (which the previous inspector identified), by replacing the imposing gabled end of the existing dwelling with a pitched and hipped roof at a steep pitch to match that of the northern side extension.
6. Although there would be no reduction in the sizeable length of the extension from the previous scheme, and this would be apparent when looking at its side elevation, its bulk on that elevation would be significantly reduced as a result of the lower ridge and eaves height. Furthermore, the new roof, by reason of the colour of the roof tiles proposed, would have a more subtle appearance than the existing white rendered gable end which is overly prominent, particularly when seen from the housing estate to the south and west.
7. The dwelling is sited on land at a significantly lower level than the public open space and housing to the south and west and from there only the roof of the proposed extension would be clearly seen and this would be at some distance. It would be seen against the backdrop of the higher roof of the existing extension and within the context of the large expanse of roof of both the dwelling and the garage (that has been built since the previous appeal decision) with a backdrop of taller mature trees beyond. This would mean that despite its size, it would sit comfortably within its surroundings and the off-centre hipped part of the proposed roof, whilst a somewhat contrived element, would not be unduly conspicuous or harmful.
8. I conclude, therefore, that the proposed extension differs significantly from the previous scheme and would satisfactorily overcome the concerns of the previous inspector. It would not cause significant harm to the character or appearance of the dwelling or the area and would accord with development plan policies LPP1, LPP36, LLP47 and LPP52 of the Braintree District Local Plan 2013-2033 (2021) which together require that proposals are of a high quality design, subordinate in terms of bulk, height and position to the original dwelling and cumulatively with previous extensions, respect the character of the original dwelling. It would also accord with the National Planning Policy Framework which also seeks to encourage a high standard of design.

Conditions

9. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, to provide certainty. A condition for matching external materials is also necessary in the interests of the character and appearance of the site and the area.

Conclusion

10. For the reasons given above, I conclude that the proposal would accord with the development plan and there are no material considerations that would outweigh that. The appeal should be allowed.

Sarah Colebourne

Inspector