



Appeal Decision

Site visit made on 17 December 2024

by **Jonathan Price BA(Hons) DipTP DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 January 2025

Appeal Ref: APP/Z1510/D/24/3349798

16 Queenborough Lane, Braintree, Essex CM77 7QE

- 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 Andrew Hobson against the decision of Braintree District Council.
 - The application Ref is 24/00656/HH.
 - The development proposed is block built detached garage to the side, within the boundary fence adjacent to Maylands Drive, clad externally to match existing house.
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Decision

1. The appeal is allowed and planning permission is granted for a block built detached garage to the side, within the boundary fence adjacent to Maylands Drive, clad externally to match existing house at 16 Queenborough Lane, Braintree, Essex CM77 7QE in accordance with the terms of the application, 24/00656/HH, 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: Proposed garage plans and elevations reference 001-2, 1:200 scale site plan, location plan 1:1250.

Main Issues

2. The effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property occupies a plot at a road junction, thus fronting the public highway on two sides. The two-storey dwelling falls within a suburban residential area containing housing of a mixed but generally complimentary design and density. The front garden of this house is defined by a low fence which preserves the open character at this corner location. The back garden is bound by a taller fence that runs along the roadside boundary and behind which the detached garage is to be sited.
4. The dwelling has had single storey additions to the front and side, possibly displacing an original garage directly adjacent to the original house. The Council's refusal reason relates to the detached garage being forward of the building line

established by the extended side to the main house and thus being unduly prominent and harmful to the open character of this prominent corner location.

5. However, the small, detached garage would be both of matching materials to the main house and enclosed by the pre-existing tall, close boarded fencing. Therefore, despite being forward of the building line and adjacent to the road, it would neither appear unduly discordant nor be of significant harm to the open character of the street scene at this visible corner site.
6. The Council's refusal notice referenced conflict with three policies of the Braintree District Local Plan 2013-2033. For the reasons I have given, the proposal would be without material adverse detriment to the existing character of the settlement, thus complying with Policy LPP 1. The proposal would not amount to over-development, taking account of the cumulative impact of extensions and outbuildings on the original character of the property and its surroundings, and be both compatible with and subordinate to the existing house, in accordance with Policy LLP 36. The proposal would not detract from the character and appearance of this residential area and satisfy all relevant criteria of Policy LPP 52, in respect of the layout and design of development.

Conclusion

7. The extensions proposed satisfy the relevant policies of the development plan. Accordingly, the appeal succeeds.

Jonathan Price

INSPECTOR