



Appeal Decision

Site visit made on 5 February 2025

by **Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th February 2025

Appeal Ref: APP/H1515/D/24/3351662

Bluebells, Second Avenue, Hook End, CM15 0HH

- 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 Wesley Bishop against the decision of Brentwood Borough Council.
 - The application reference is 24/00405/HHA.
 - The development proposed is increasing the existing roof ridge height to create loft conversion to include large dormer to the rear and 3 x roof lights to front. Existing gable roof raised to create extended open porch.
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Decision

1. The appeal is allowed, and planning permission is granted for increasing the existing roof ridge height to create loft conversion to include large dormer to the rear and 3 x roof lights to front. Existing gable roof raised to create extended open porch at Bluebells, Second Avenue, Hook End, CM15 0HH in accordance with application ref: 24/00405/HHA and the plans submitted with it subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: MON-1123-100/REVB, MON -1123-104/REVC, MON -1123-106/REVB, MON -1123-109/REVB, MON -1123-110/REVB, MON -1123-112/REVB, MON -1123-108/REVB and MON -1123-111/REVC;
 - 3) The external materials used within the development hereby permitted shall match those of the existing dwelling or be as specified on the application form. Materials will be maintained for the lifetime of the development and any changes shall be submitted to, and approved in writing by, the Local Planning Authority;
 - 4) The windows identified on the approved drawings as being obscure glazed shall be glazed using obscure glass to a minimum of level 3 on the Pilkington scale of obscuration and be non-opening below a height of 1.7m above floor level of the room in which the window is installed.

The window(s) shall be installed prior to first occupation of the use of the room of which the window(s) are installed. Those windows shall remain so glazed and non-openable for the lifetime of the development.

The application of translucent film to clear glazed windows does not satisfy the requirements of this condition.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.
3. Since the determination of this application, and the submission of this appeal, the revised National Planning Policy Framework 2024 (the Framework) came into force on 12 December 2024. The refusal reason generically references the Framework. Given the refusal reason and the nature of the main changes to the Framework I am satisfied that the changes do not materially impact upon the determination of the appeal in this case.

Main Issue

4. The main issue is the impact of the proposal upon the existing building and area with regard to character and appearance.

Reasons

5. The appeal site is a single storey, detached, residential dwelling with a pitched roof gable to the front as well as benefiting from a single storey side and rear extension. The site is located within a residential area located off Second Avenue which is a narrow land (single car width, no through road) off Hook End Lane. At the time of my site visit I parked in Nursery Road and walked around, down Hook End Lane, to Second Avenue and noted that the character and appearance of dwellings within the locality is varied in terms of the bulk, scale and design. Properties along Second Avenue are, in particular, highly varied in terms of their design and general appearance. The character and appearance of the appeal site setting is not, therefore, consistent by any means.
6. The host dwelling stands between the White House and Bramble Cottage. Bramble Cottage is a single storey residential dwelling, with a slightly higher ridge height than Bluebells, and the White House is a more modern, flat roof, design which is unique in the context of the locality. The proposal before me seeks to raise the existing roof ridge of the host dwelling in order to create a loft conversion providing a dormer to the rear and three rooflights to the front roof slope. The existing gable roof on the front elevation would also be extended to create an open porch. In order to accommodate the loft conversion, the proposal would increase the existing roof ridge height from in the region of 5.1 metres to 6.1 metres – an increase which would be in the region of a metre. As a result of this height increase the existing pitched roof would adopt a clipped pitched roof design with the flank gable ends facing directly onto the neighbouring properties either side.
7. I do not find that the proposal would result in a bulky top-heavy roof design. The proposal would, ultimately, result in an overall increase in height by in the region of metre which would be consistent and appropriate with the height of adjacent dwellings. Whilst this would, evidently, result in visual change to the host dwelling, given the notable variety of bulk, scale and design of dwellings within the locality, I do not find that the proposal would be of inappropriate design in the site context, nor would the proposal appear dominant or out of scale with the existing building. I also find that there are examples of dwellings, in terms of design, that could be also considered to be “top heavy” in terms of not dissimilar roof proportions just a few properties down Second Avenue to the northeast.

8. The increased roof ridge would also facilitate a dormer to the rear of the property with the dormer proposed to extend across the rear elevation of the host dwelling for a length in the region of 7.3 metres. Whilst their scale may be more limited, I noted, at the time of my site visit, that dormer windows are a strong characteristic and feature within dwellings within the locality. Whilst the dormer would be large, it would be set down from the ridge by in the region of 0.4 metres and set up from the eaves by in the region of 0.85 metres. The dormer would also be set in from the sides of the roof by in the region of a metre each side. On this basis I do not find that the addition of the dormer to the rear elevation would result in a feature that could be said to be inappropriate enough to warrant refusal in the context of the area or the host dwelling itself.
9. The proposal would, overall, evidently result in visual and spatial changes to the host dwelling but in order to facilitate a functional loft conversion I consider that such changes are necessary to achieve a high-quality, usable, development. Notwithstanding this, I do not find that the proposed development by virtue of its scale and design would appear dominant and out of scale with the existing building. In addition, and as outlined, the dwellings within the immediate locality of the appeal site are highly varied which means that I do not find that the proposal would result in harm to the character and appearance of the area.
10. The proposal would be consistent with Brentwood Local Plan 2016 – 2033 LP Policy BE14 which requires proposals to respond positively and sympathetically to their context and build upon existing strength and characteristics and where appropriate, retain or enhance existing features which make a positive contribution to the character, appearance, or significance of the local area. The proposal would be consistent with the Framework which is supportive of upward extensions where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene as well as being well designed.
11. The proposal would also be consistent with paragraph 135 of the Framework which seeks to ensure that developments are sympathetic to local character including the surrounding built environment whilst not preventing or discouraging appropriate innovation or change. The proposal would also be consistent with the National Design Guide which seeks to ensure well designed new development which responds positively to the features of the site itself and the surrounding context beyond the site boundary.

Other Matters

12. I note objections in the context of the neighbouring property, the White House. Impact upon property values is not a material planning consideration. The Council do not raise any reason for refusal based upon neighbouring residential amenity. I have reviewed and considered the Council's assessment as to residential amenity of the White House, set out within their delegated report, and based upon the information before me I have no reason to conclude differently on this matter. In the context of the side windows in the White House the 25-degree angle would not be obstructed and sufficient distance maintained from the shared boundary. There would potentially be some loss of light at the end of the day, as noted by officers, but I do not consider this sufficient to warrant refusal.
13. Comment is made with regard to the Certificate of Ownership declaration and boundary lines. The Council outline that they contacted the agent during the

application process and amended plans/forms were received along with further plans as requested. I have no evidence, therefore, that such matters are now outstanding or incorrect within the information that is before me.

Conditions

14. The Council have suggested four conditions in the event this appeal is allowed which I have considered and applied, as necessary. A time condition is attached to comply with Section 51 of the Planning and Compulsory Purchase Act 2004. A condition requiring development to be in accordance with the approved plans is required to control and define the development which is granted consent. A materials condition is required to ensure an appropriate finish in accordance with the details submitted. A condition relating to obscure glazing relates to the new window serving and en-suite bathroom as labelled on the plans. The application of this condition is in order to prevent an unacceptable degree of overlooking by nearby residential properties as a result of a side facing window.

Conclusion

15. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Marshall

INSPECTOR