



Appeal Decision

Site visit made on 4 February 2025

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th February 2025

Appeal Ref: APP/H1515/D/24/3355740

37 Hatch Road, Pilgrims Hatch, Essex CM15 9PU

- 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 A Staples against the decision of Brentwood Borough Council.
 - The application Ref is 24/00974/HHA.
 - The development proposed is described as proposed construction of first floor gable to the front elevation, together with enlargement of existing dormer to the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for proposed construction of first floor gable to the front elevation, together with enlargement of existing dormer to the front elevation at 37 Hatch Road, Pilgrims Hatch, Essex CM15 9PU in accordance with the terms of the application, Ref 24/00974/HHA, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. Following submission of the appeal, the revised National Planning Policy Framework (the Framework) was published on 12 December 2024 and updated on 7 February 2025. The parts of the Framework most relevant to the appeal have not substantively changed from the previous version. As a result, I consider that there is no requirement for me to seek further submissions in respect of these matters, and I am satisfied that no party's interests would be prejudiced by my taking this approach.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site comprises a detached chalet bungalow set back from the highway with an area of hardstanding used for parking.
5. The appeal site lies within a predominantly residential area characterised by a mix of detached and semi-detached properties, including two-storey houses and single storey properties. In the locality properties exhibit a wide range of designs, external materials and roof styles, including hipped and gable form. Furthermore, properties display varied front elevation designs with front dormer windows of varying proportions and designs being a common feature of the streetscene.

Accordingly, there is no consistent design or style for dwellings within the immediate site context.

6. The front elevation of the proposed development includes an extension to the depth of the existing dormer window and the addition of a front gable. The increased depth of the dormer window would be limited and would be acceptable. The proposal would increase volume within the roof slope. Nevertheless, the proposed front gable would be set below the ridge line of the main roof and would not protrude beyond the existing front elevation. Furthermore, the design would be sympathetic and subordinate to the host property. Given the eclectic mix of properties within the locality the proposed front gable would not be an incongruous addition that would be out of keeping with the existing character and appearance of the streetscene.
7. Whilst reference has been made to the Essex Design Guide, I have not been provided with a copy of the document. Nevertheless, the design policy of the development plan is generally consistent with the Framework in this regard.
8. For the reasons stated above, I conclude that the proposed development would not be harmful to the character and appearance of the area. As such the proposal accords with Policy BE14 of the Brentwood Local Plan 2016-2033, insofar as it requires proposals to deliver high quality and attractive places to live, responding positively and sympathetically to their context. It would also comply with the design policies of the Framework.

Other Matters

9. I note the evolution of the proposal from previously refused schemes. However, I have considered the appeal proposal on its own merits based on the evidence before me.

Conditions

10. The Council has suggested several conditions. I have included those which meet the six tests set out in the Framework and the Planning Practice Guide.
11. A standard time condition is necessary to meet legislative requirements. Conditions for approved plans and materials to match existing are included for reasons of certainty.
12. A condition for the western flank window to be obscure glazed is reasonable and necessary to safeguard the living conditions of neighbouring occupiers.
13. A condition for the submission of a scheme of sustainable drainage features is not reasonable for the scale and nature of the development. Furthermore, a condition is unnecessary having regard to the existing areas of hardstanding and that the development would not result in additional run-off from the site.

Conclusion

14. For the reasons stated, I find no conflict with the relevant development plan policies. The appeal is therefore allowed.

R Gee

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun 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: 05 Site location plan, 06 Proposed block plan, 08 Proposed roof, 09 Proposed side (east) elevation and 10 Proposed elevations.
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.
4. The proposed window located on the first-floor western flank (indicated on drawing number 10) shall be glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and be non-opening below a height of 1.7m above the floor of the room in which the window is installed. The window shall be installed prior to the first occupation of the room and shall remain as such in perpetuity.

*****End of Schedule*****