



Appeal Decision

Site visit made on 24 June 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2025

Appeal Ref: APP/H1515/W/25/3361728

Standing Stone, Beehive Chase, Hook End, Brentwood, CM15 0PA

- 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 Mrs Nicola Scott (née Coote) against the decision of Brentwood Borough Council.
 - The application Ref is 24/00984/FUL.
 - The development proposed is extensions and alterations of existing garage/annexe to create separate dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs Nicola Scott against Brentwood Borough Council and this is the subject of a separate Decision.

Main Issues

3. The main issues in this case are: i) the effect of the proposed development on the character of the surroundings; ii) the effect on the living conditions of neighbouring occupiers through the scale of the development and the manoeuvring of cars to park and to leave the development.

Reasons

4. The area around the site is of mixed character with large detached properties fronting Hay Green Lane to the north and rear of the site. Beehive Chase itself is mixed, with 1½ and 2 storey dwellings, almost exclusively detached, with the properties having different setbacks from the road frontage.
5. The site is of an irregular shape occupied by a detached dwelling, Standing Stone, its garage/annex, various outbuildings and outside pool. The existing dwelling is a 1960s/70s chalet with its main windows at the front and rear. To its side is a garage of similar design with ancillary accommodation on the first floor provided by lean-to dormer windows front and rear, with an external staircase facing the dwelling. The site has a narrow frontage to the street and then widens to the north where the appeal proposal is situated.
6. The current garage and main dwelling are on a part of the site which rises away from the road, so that they are on higher ground than the road frontage and their

neighbours. This is where the existing buildings sit behind the line of 3 dwellings along Beehive Chase. Much of the rear and side boundaries of the site are enclosed with vegetation, particularly tall confers.

7. The application proposes the sideways extension of the garage, extending it eastwards 3.375m towards the main dwelling, at the height of the existing building. The front and rear dormer windows would be widened across the side extension, with a front door and 2 side windows in place of the garage door. Thus the building would be converted with residential accommodation on two floors to become a separate dwelling. At the rear, a single storey extension is proposed (7.43 m x 4m), with lantern. The proposed dwelling and the existing dwelling would use the same access and the parking and turning facilities would be in front of the two dwellings.

The effect of the proposed development on the character of the surroundings

8. The proposed development relates to an existing building currently providing a garage at the front with a utility room, wc and a store on the ground floor, with a studio, kitchen and bathroom on the first floor. There is no clarity as to the way in which this is used in conjunction with Standing Stones, but there is a substantial difference in the use and impact of this and the separate dwelling proposed. This would be an extended building, having its own curtilage, with an entrance hall, lounge, kitchen/dining room, study, utility room and wc on the ground floor, with 3 bedrooms, one en suite, and a bathroom at first floor.
9. At present, this building can be glimpsed from the street, but is clearly seen as an ancillary garage building with accommodation in the roof, having a gap between it and Standing Stones. The proposal would, from this viewpoint, largely fill the gap between the 2 buildings and would be seen from a wider area of street frontage. This, in itself, would not conform to the character of the surroundings.
10. In addition, whilst there is a good tree screen of tall conifer hedging between the appeal site and the 3 frontage houses to the south, that screen is unlikely to last for the lifetime of the development and could be vulnerable to other factors which could cause its demise, including action by occupiers of the proposed dwelling. Such possibilities are not fanciful, and the effect on the character of the area in the future needs to be considered.
11. From the point of view of the 3 neighbours to the south, any such change would alter not only the general character of the area, but substantially the character of their own immediate surroundings.
12. All these factors justify the refusal of the proposal.

The effect on the living conditions of neighbouring occupiers through the scale of the development and the manoeuvring of cars to park and to leave the development.

13. Policy NE07 (Protecting Land for Gardens) of the Brentwood Local Plan 2016-2033 (BLP) states that the development of existing gardens will only be permitted where sufficient space is retained, the form of development is appropriate to the locality; the amenity of neighbours is protected and adequate parking and turning facilities are provided. This policy is related to BLP Policy BE14 (Creating Successful Places) which is a broader design and placemaking policy.

14. Relative to the above considerations, I am satisfied that overlooking of these neighbours from the first floor of the proposed dwelling, even if the tree screen were removed, would not be a problem, assuming that there was effective control over the nature of the windows in the proposed front elevation. However, this would not overcome the unfortunate presence of the new dwelling in their immediate vicinity. These neighbouring houses have relatively short gardens compared with many in the area, and they are entitled to be protected from changes that would adversely affect the enjoyment of the private open spaces.
15. As to car parking, the application drawing 2026_14 rev B shows 3 parking spaces each for the existing and proposed dwelling, albeit that 2 of the spaces are in tandem form for the proposed house. This form of parking arrangement could be generally acceptable, but is likely to involve additional manoeuvring on occasion when the inner vehicle is needing to be used and has a car behind it. This would not be a problem in many locations, but here would represent additional disturbance on top of the normal comings and goings of 2 households. However, it is not the tandem spaces in themselves, but the general disturbance from the parking provision for 2 houses in a confined space in close proximity to the private garden areas to the south that is significant.

Conclusion

16. There are matters considered above that represent a worse case, but taken overall, I am led to conclude that the proposed new dwelling would have an adverse effect on the character of the surroundings and the living conditions of neighbouring occupiers. I recognise that an additional dwelling, bearing in mind the governments drive to increase the nation's housing supply, would be a contribution to the overall total, but the council is able to demonstrate a five year land supply, and significantly in excess of 80% delivery in its last declared figures to April 2024 (published December 2024). This is not a case where the curtilage of Standing Stones is not being used effectively, and in this context it is not 'previously developed land'.
17. For these reasons I conclude that the appeal proposal would be contrary to policy BE14 and NE07 of the Brentwood Local Plan and paragraph 129 and Section 12 - Achieving well-designed places, of the National Planning Policy Framework. Therefore the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR