



Appeal Decision

Site visit made on 20 October 2025

by **C J Leigh BSc(Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/H1515/D/25/3371050

370 Ongar Road, Pilgrims Hatch, Essex, CM15 9JH

- 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 Martin Winter against the decision of Brentwood Borough Council.
 - The application Ref is 25/00359/HHA.
 - The development proposed was described as 'dormer loft conversion, enlarged porch and part one part two storey rear extension'.
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Preliminary matters

1. The description of the proposed development on the Council's decision notice was 'Demolish front porch and attached rear outbuilding, construct part single part two storey rear/side extension, with rear facing balcony, add rear dormer, front rooflights and replacement porch. Layout parking and construct 1.8m high front boundary wall and sliding gate.' That is a more accurate description of the proposals and I have determined the appeal on that basis.

Decision

2. The appeal is dismissed.

Main issues

3. The main issues in this appeal are the effect of the proposed development on i) the character and appearance of the area, and ii) the living conditions of adjoining occupiers.

Reasons

Character and appearance

4. The appeal property is one half of a pair of semi-detached houses. I saw at my site visit the adjoining house of No. 372 has been substantially extended to the rear with a gable-ended extension that rises to roof level, and with a side dormer in that roof, all of which is a somewhat irregularly proportioned and detailed addition to that house. The other adjoining property of No. 368 has a brick and half-timbered appearance, with a ground floor projection of modern design. Other houses to the west are of different design again, and there is little consistency in the rear elevations in the area.
5. The proposals in this appeal are for a rear extension of contemporary design, with a two-storey addition of render and brick, with metal-framed windows. The rear dormer would be plain tiled, matching the existing roof. In the context of the notably

varied design approach of neighbouring houses I consider there is no intrinsic harm in this architectural approach. And, with regards to the scheme itself, I consider it well-balanced in terms of proportions and relationship to the host property and neighbours.

6. The proposed works include a new gate and wall/posts at the front of the property, to provide access to Ongar Road. There is no gate at present, and the front of the site is open, with informal planting and two large trees at the frontage. I saw that the southern side of Ongar Road is characterised by hedgerows and trees, and where there are gates to houses these are set within such soft landscaping; there is not a character of solid wall and gate frontages to the houses. The adjoining house of No 368 illustrates well how, where there is a vehicular gate, it is set next to good landscaping.
7. Although gates, walls and hardstanding can be seen elsewhere on Ongar Road, the appeal property is in a section of the road where there is a strong verdant, landscaped character to the area, which contributes positively to the wider street scene. Removal of all the soft landscaping at the front and creation of a hard wall and gate the width of the plot would have a harmful effect on this character.
8. I also have concerns regarding the direct impact on trees. I saw at my site visit the mature trees on the frontage play an important role in the character of the area, and the drawings show the new wall and gate in very close proximity to these trees. There is no information from the appellant explaining the effect of the proposal on these trees, and I am concerned the works would lead to their loss or long-term. I note the Council shared this concern when determining the application.
9. Policy BE14 of the Brentwood Local Plan (2022) seeks to ensure that development is of a high design standard which, amongst other matters, responds positively and sympathetically to its context and retains or enhances existing features which make a positive contribute to the character and appearance of the local area. The rear extension would not conflict with these objectives. However, the works at the front of the building would be harmful to the street scene of the area due to the design, scale and siting of the new means of enclosure, and likely harmful effect on important trees. Thus, when considered as a whole, my conclusion on the first main issue is that the proposal would be harmful to character and appearance of the surrounding area.

Living conditions

10. The rear extension would project a limited amount beyond the adjoining extension at No. 372 and would not be imposing upon the light or outlook of neighbouring occupiers. However, I do share the concerns of neighbours relating to the potential for overlooking from the proposed first floor terrace. This is located on the boundary with No. 372. Although there would be a privacy screen along that boundary, that would only prevent some views directly down to the immediately adjoining area: it is clear to me that the position and height of the terrace would still permit elevated views across the private rear garden of No.372.
11. I acknowledge that there is a first-floor roof terrace to No. 368. However, that is set a considerable distance off the boundary with No. 370, which means the propensity for overlooking is lower and hence that does not lead to the loss of privacy which would occur with the proposal in this appeal. I also note the side dormer window to No. 372. The height and side-orientation of that window mean there are only limited

views down to the garden of No. 370. In any event, the existence of that window and any limited degree of overlooking arising does not justify the creation of a roof terrace where my judgement is there would be a clear and appreciable loss of privacy to the neighbouring occupants.

12. On the second main issue it is therefore my conclusion that the proposed development would be harmful to the living conditions of adjoining occupiers. This would conflict with the requirement in Policy BE14 that all development proposals avoid unacceptable overlooking or loss of privacy.

Conclusions

13. I have found the proposed works at the frontage of the property conflict with the development plan due to the effect on character and appearance. Whilst I have found that the general design approach and scale of the rear extension would not conflict with the development plan on that matter, since the extension incorporates a raised terrace that leads to a loss of privacy, I cannot conclude that rear extension is acceptable. Hence, the scheme as a whole is contrary to the development plan and so, for the reasons given, the appeal is dismissed.

C J Leigh
INSPECTOR