



Appeal Decision

Site visit made on 11 November 2025

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

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/Z1510/D/25/3373799

4 Keats Avenue, Braintree, Essex CM7 1HB

- 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 Liam Benson against the decision of Braintree District Council.
 - The application Ref is 25/00849/HH.
 - The development proposed is first floor rear extension above existing ground floor extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposal on
 - the character and appearance of the host dwelling and surrounding area, and
 - the living conditions at 183 Notley Road, with particular regard to outlook.

Reasons

Character and appearance

3. Number 4 is a fairly conventional two-storey dwelling with a pitched roof. It is set back behind the main building line, with its rear elevation close to the side boundary with the adjacent end terrace house at 183 Notley Road. The main garden is thus to the side, between the house and tall walling fronting Notley Road. The gable end of No 183 lies adjacent to this side garden.
4. There is a single storey extension at the rear of the house, occupying the area adjacent the side boundary with No 183. The proposal is to remove the lean-to roofing over this ground floor addition and build upwards with rendered block work to provide a first floor extension. This would have a flat-roof at eaves level to the main house, which would be of an ungainly and bulky appearance. The scale and height of the flat-roofed addition would sit uncomfortably with the pitched roofed design of the existing house and detract markedly from its architectural character.
5. The first floor extension would not be seen from Keats Avenue, being to the rear of a dwelling already set back in the street scene. It would only be glimpsed from public vantage points along Notley Road, due to the screening afforded by No 183 and the high walling and vegetation growth alongside the street. Nevertheless, the design, bulk and form of the extension would not be compatible with the appearance of the original dwelling. In failing to provide the high standard of design

necessary to harmonise with its surroundings, this proposal would be in conflict with policies LPP 1, LPP 36 and LPP 52 of the Braintree District Local Plan 2033 (LP).

Living conditions

6. The two-storey gable end to No 183, which appears to be a more recent addition to the originally built house, already bears down quite dominantly upon the side garden at No 4. However, this is an existing situation and provides no support for extending the two-storey element at No 4 further towards the boundary, increasing its visual presence as experienced from the neighbouring back garden. The present occupiers at No 183 have confirmed they have no objection to this. However, the first floor rear extension would increase the overall visual presence of No 4 and have an enclosing effect on the present outlook from the next-door property. As such, this proposal would be in conflict with LP policies LPP 1, LPP 36 and LPP 52, insofar as these resist developments causing overbearing impacts, so as to preserve acceptable living conditions as part of the wider requirements for securing good design.

Conclusion

7. I have given weight to the family benefits the additional bedroom accommodation would provide, and the fact that neighbours have petitioned their support. However, none of the photographs provided, or from what I saw at my visit, indicate the Council has allowed comparable two-storey flat roofed additions of this nature in the vicinity.
8. The concerns expressed over the earlier advice from the Council, and its later requirements, are matters the appellant would need to take up with that party. From the point of view of reaching a decision on this appeal, the extension would detract from both the character and appearance of the host dwelling and surrounding area and the present living conditions at No 183 due to an overbearing impact upon rear outlook. The conflict with the aforementioned LP policies is given significant weight due to their consistency with the National Planning Policy Framework over ensuring sympathetic design and a high standard of amenity for existing and future occupiers. For the reasons given above, I conclude that the appeal does not succeed.

Jonathan Price

INSPECTOR