

**SITE PLAN ATTACHED**

**WALNUT TREE HOUSE BLACKMORE ROAD BLACKMORE  
INGATESTONEESSEX CM4 0QX**

**FIRST FLOOR FRONT EXTENSION AND INFILL FRONT PORCH, ADD  
PITCHED ROOF TO FRONT**

**APPLICATION NO: 19/01058/FUL**

<b>WARD</b>	Tipps Cross	<b>8/13 WEEK DATE</b>	11.09.2019
<b>PARISH</b>	Blackmore, Hook End And Wyatts Green	<b>POLICIES</b>	
<b>CASE OFFICER</b>	Mrs Carole Vint	01277 312500	
<b>Drawing no(s) relevant to this decision:</b>	Site Plan; 004A; 005A; 006A; 007A;		

**This application is referred to committee at the request of the Parish Council**

It complies with CP1 (i) in the Replacement Local Plan in that it “would not have an unacceptable detrimental impact on visual amenity, or the character and appearance of the surrounding area” & CP1 (iii) in that “the proposal should be of a high standard of design and layout and should be compatible with its location and any surrounding development.....” and s.12 of the *NPPF* (2018).

**1. Proposals**

This application relates to a part two storey and first floor front extension with a pitched roof over the existing front flat roof canopy.

**2. Policy Context**

National Planning Policy Framework (NPPF) 2019  
National Planning Practice Guidance (NPPG)

Brentwood Replacement Local Plan 2005

- Policy CP1 General Development Criteria
- Policy C14 Development Affecting Conservation Areas
- Policy C16 Development within the Vicinity of a Listed Building

## Local Development Plan:

The emerging Local Development Plan went through Pre-Submission (Publication Draft) Stage (Regulation 19) consultation early in 2019. Since that time, the Council has resolved to revise the detail wording of some of the proposed housing allocations and carry out consultation on those revisions. This is to be carried out in Q4 of 2019 and following this, responses will be considered and then the LDP submitted to the Secretary of State for an Examination in Public. This is likely to be held in mid 2020, subject to timetabling by the Secretary of State. Provided the Inspector finds the plan to be sound, it is estimated that it could be adopted by the Council in late 2020.

The Brentwood Replacement Local Plan 2005 remains the development plan and its policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the National Planning Policy Framework (NPPF). Due weight should be given to them, according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

As the emerging plan advances and objections become resolved, more weight can be applied to the policies within it. At this stage there are outstanding objections to be resolved, nevertheless, the Local Plan Pre-Submission (Publication Draft) provides a good indication of the direction of travel in terms of aspirations for growth in the Borough and where development is likely to come forward through draft housing and employment allocations.

### **3. Relevant History**

- 17/01481/FUL: Single storey rear extension, canopy to front, replacement of existing balcony with mono pitched roof, alterations to fenestration. -Application Permitted
- 17/00305/FUL: Two storey and first floor front extension, single storey rear extension and alterations to fenestration. -Application Withdrawn

### **4. Neighbour Responses**

Two letters have been received from occupiers of neighbouring dwellings, one letter supports the proposal, the other raises the following concerns:

- Proposal would detract from the adjacent heritage asset and the character and setting of the Conservation Area;
- Overbearing nature from the close proximity of the proposal to the common boundary;
- Loss of light;
- Loss of light resulting from existing single storey rear extension.

## 5. Consultation Responses

- **Historic Buildings And Conservation Officer:**  
Significance

The application site is located within character zone 1 of the Blackmore Conservation Area, located adjacent to the Grade II listed building of TREES COTTAGE WALNUT TREE COTTAGE, List entry Number: 1297284. 'House, now 2 houses. c1600, extended in C18 and C20. Timber-framed, plastered, roofed with handmade and machine-made red clay tiles' (Historic England 2019 - see full listing text in appendix).

The site is located at the western gateway to the Conservation Area, the Conservation Area Appraisal and Management Plan (CAAMP 2008) cites this group as follows 'At the entrance to the village along Blackmore Road is a significant group, set back behind hedging, Walnut Tree Cottage and Trees Cottage, originally a single house from circa 1600'. The listed building is a landmark building which contributes positively to the character and appearance of the Conservation Area, the development site is one of a neighboring group of properties which are of neutral contribution to the Conservation Area.

### Background

This current application follows a withdrawn application ref: 17/00305/FUL and a subsequent approved application 17/01481/FUL.

### Discussion

No Preapplication has been undertaken. This application is a variant on proposals from the withdrawn application and seeks to place weight of form on the catslide roof element adjacent to the listed building in order to house an internal lift.

I have advised previously this architectural approach is not supported by Conservation, it will result in an unnecessary negative limited impact upon the neighbouring listed building and its legibility from the public realm i.e. setting. Whilst the setting of this listed building has altered considerably over time and it is read in an urban context within the Conservation Area, the proposed additional bulk should be avoided. The catslide feature affords a good spatial gap from the gabled ends of the listed building.

### Recommendation:

As a consequence of the above, I am unable to support this application for approval in the interests of the setting of the listed building and the character and appearance of the Blackmore Conservation Area.

- **Parish Council:**

Although this application will be subject to the professional views of the Conservation Officer (due to the neighbouring property being listed) we offer no objection. The proposed front extension is a visual improvement to the existing roof line and in keeping with the host property. After a careful measured survey it was established that the proposed roof slope on the west elevation did not invade a 45 degree projected line from the neighbouring lounge window sill. (Appendix 5 in the Brentwood Replacement Local Plan). It was therefore felt that there would be no loss of light to the neighbour's window as a result of this ancillary hipped roof projection. It complies with CP1 (i), (ii) & (iii) and s.127 in the NPPF (2018)

## **6. Summary of Issues**

The starting point for determining a planning application is the development plan, in this case the Brentwood Replacement Local Plan 2005. Planning legislation states that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant material considerations for determining this application are the National Planning Policy Framework 2019 (NPPF) and National Planning Practice Guidance 2014 (NPPG). Although individual policies in the Local Plan should not be read in isolation, the plan contains policies of particular relevance to this proposal which are listed in section 2 above.

The main issues which require consideration as part of the determination of this application are:

- The impact of the proposal on the character and appearance of the area and Conservation Area;
- Impact on the setting of the listed building - Walnut Tree Cottage and Trees Cottage;
- Impact on the living conditions of the occupiers of neighbouring properties;

The site has history for an application, reference 17/00305/FUL, for a two storey and first floor front extension, single storey rear extension and alterations to fenestration. This application was withdrawn before the decision notice was issued. However concerns were raised by the Council's Historic Buildings and Conservation Officer, regarding the impact of the proposal upon the setting of the adjacent Listed Building and the character and appearance of the Conservation area, by way of the spread of the two storey gable at the principal frontage introducing an overbearing massing with resultant harm to the setting of the listed building.

Following the withdrawn application, there were discussions between the applicant and officers and advice provided that considered the proposal to extend the roof slope to the immediate proximity of the neighbouring Grade II Listed Building would not be supported and would negatively impact upon the setting of the Grade II Listed Building. It was advised that the gable and any additional massing could be considered acceptable on the eastern side of the dwelling or at the rear.

The current proposal has reduced the height of the front gable and included the formation of a hip roof, however the bulk of the proposal on the western side within the immediate proximity of the neighbouring Grade II Listed Building remains.

#### Design and Character and Appearance of the Area

The application site is on the south side of Blackmore Road, east of the junction with Meadow Rise. It is within the Blackmore Conservation Area which also washes over its neighbours to both sides, the land at the rear and extends east and southwards. The street scene is mainly characterised by detached two storey dwellings, with those to the east having an increase in the set back from the highway. The application dwelling is a detached two storey dwelling dating from the 1960s. The adjacent dwellings to the west comprise of a semi-detached pair of Grade II Listed dwellings. The site has an open frontage with the street, and the development would be to its principal elevation therefore all aspects of the proposal would be visible from the street.

The dwelling currently has a catslide roof, approximately 3.4 m wide, on the right-hand side of the front elevation that continues from the main roof down to a low eaves at single storey level. The proposal is to cut into this roof and create a front facing hipped roof gable that is wider (at 5.5m) than the existing catslide, forming a bulky addition covering approximately half of the front elevation. The end of the existing catslide would be retained in the form of a lean-to in front of the gable. An existing narrow balcony running along the remainder of the front elevation would be clad as a lean-to. That element has been permitted as part of a smaller scheme and is acceptable. The mostly brick dwelling would be rendered.

The extension would form an incongruous addition to the application dwelling and due to the open aspect with the street scene, the proposal would be highly visible resulting in a detrimental impact on the character and appearance of the Conservation Area contrary to Policy CP1 (i) and (iii) of the Local Plan.

#### Impact on the setting of the adjacent listed building

The existing catslide roof arrangement has an air of deference and subservience to the adjacent listed building and avoids competing with the gable ends of the listed building.

The part two storey and first floor front extension would be positioned on the western side of the front elevation forming an additional bulk on the western elevation within the immediate proximity of the Grade II Listed Building. As advised previously at pre-application stage, the increase in bulk on this western elevation would adversely affect the setting of the Grade II Listed Building.

The overall proposal has a cluttered and muddled front elevation, with a prominent bulky gable with a shallower pitch than the main dwelling, and ungainly side elevation facing the listed building. In contrast to the existing front elevation, the proposed gable would increase the scale of the dwelling on its right hand side and impose itself on the setting of the listed building. The additional bulk on the western elevation would reduce the visual gap and narrow views of the gable ends of the Listed Building over the low catslide roof.

The proposal would have a negative impact upon the setting of the neighbouring Listed Building which is a landmark building that contributes positively to the character and appearance of the Conservation Area. There are no public benefits of the proposal to outweigh this harm, contrary to the NPPF 2019 Chapter 16, NPPG and Policies C16, C14 and CP1 (viii) of the Brentwood Replacement Local Plan.

#### Impact on Living Conditions

In terms of overlooking, overbearing impact and lack of privacy, the part two storey and first floor front extension would be positioned on the western side of the front elevation. The proposal has been altered to a hip roof, it would be unlikely to materially reduce the light received by the furthest ground floor window in the side elevation. The dwellings have an angled frontage, with the width increasing towards the front and it is considered that no overbearing effect would occur. Considering the direction of the sun path, it is unlikely that any overshadowing impact would occur. No new openings are proposed in the side elevations and the new openings at the front would overlook the highway. As such the proposal would not result in any undue overlooking, have an overbearing impact or lack of privacy and would comply with Policy CP1 (ii).

#### Other matters

The proposal includes the provision of an internal lift from ground to first floor to ease movement between the two floors. The reasons for this are set out in the planning statement but relate to providing enhanced accessibility around the home. Personal circumstances are rarely determinative in planning applications but nevertheless the case has been given weight. The justification is understood and the applicants attempts to address these circumstances is a positive part of the proposal. Furthermore if such facilities were to be provided they would add to the pool of homes in the borough with enhanced internal accessibility which is also a positive aspect to the proposal. However while such benefits have been

considered as part of the planning balance they are considered not to outweigh the harm identified above.

The comments received from the neighbouring properties have been taken into consideration above. The comments made in relation to loss of light resulting from the single storey rear extension which is not subject to this application and are not a material consideration for this planning application.

#### Other matters

The reason for calling the application to committee indicates a judgement about the proposal with regard to two parts of CP1 (General Development Criteria). As indicated above, officers have reached a different view on those matters but also considered the proposal in the context of other policy requirements. The call in request doesn't address issues relating to the conservation area or adjacent listed building. These latter two factors are central to the recommendation to refuse the application as indicated above.

#### Conclusion

The proposal would therefore be contrary to Policies CP1 (i), (iii) and (viii), C16 and C14 of the Brentwood Replacement Local Plan, the NPPF 2019 and the NPPF.

The application is recommended for a refusal.

### **7. Recommendation**

The Application be REFUSED for the following reasons:-

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The proposal extension would form a bulky incongruous addition to the application dwelling and due to the open aspect with the street scene, the proposal would be highly visible resulting in a detrimental impact on the character and appearance of the Conservation Area. The relationship of the proposal to the immediate proximity of the Grade II Listed Building, the increase in bulk on this western elevation would impact negatively upon the setting of the adjacent Grade II Listed Building and its legibility from the setting and context within the Conservation Area. The additional bulk on the western elevation would reduce the spatial gap that the catslide roof offers from the gable ends of the Listed Building. There are no public benefits of the proposal to outweigh this harm, contrary to the NPPF 2019 Chapter 16, NPPG and Policies C16, C14 and CP1 (i) (iii) and (viii) of the Brentwood Replacement Local Plan.

## Informative(s)

### 1 INF05

The following development plan policies contained in the Brentwood Replacement Local Plan 2005 are relevant to this decision: CP1, C16, C14, National Planning Policy Framework (NPPF) 2019 and NPPG 2014.

### 2 INF20

The drawing numbers listed above are relevant to this decision

### 3 INF25

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development. Details of the pre-application service can be found on the Council's website at [www.brentwood.gov.uk/preapplicationadvice](http://www.brentwood.gov.uk/preapplicationadvice)

## *BACKGROUND DOCUMENTS*

## **DECIDED:**