
Appeal Decision

Site visit made on 20 September 2016

by Lesley Coffey BA Hons BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 05 October 2016

Appeal Ref: APP/H1515/W/16/3153309

1 Ardleigh Gardens, Hutton, Brentwood CM13 1QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Tom Bonner against the decision of Brentwood Borough Council.
 - The application Ref 16/00392/FUL, dated 16 March 2016, was refused by notice dated 24 May 2016.
 - The development proposed is a two storey house and parking for 2 cars.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal site is located within the urban area of Brentwood where the construction of new dwellings is acceptable in principle. It is adjoined by 1 Ardleigh Gardens, a two storey end of terrace dwelling. The site extends up to the boundary with Fairview Avenue. The surrounding residential area has a spacious character derived from the long front gardens, generous corner plots and small areas of open space scattered throughout the estate. These elements combine to provide an attractive suburban character.
4. Amongst other matters policy CP1 of the Brentwood Local Plan 2005 requires proposals to avoid a detrimental impact on visual amenity, or the character and appearance of the surrounding area. The proposed two storey dwelling would adjoin 1 Ardleigh Gardens and would be similar in appearance. The flank elevation would extend to within 1.5 – 2.5 metres of the boundary with Fairview Avenue and would extend forward of the established building line of the dwellings in Fairview Avenue. It would interrupt the long views from the southern end of Fairview Avenue and would be conspicuous within the street scene, particularly in views from the south. Due to the proximity of the dwelling to the boundary with Fairview Avenue, the open appearance of the corner would be considerably diminished and the proposal would detract from the spacious suburban character of the estate.

5. The Government attaches great importance to the design of the built environment. Whilst paragraph 60 of the National Planning Policy Framework (NPPF) is clear that policies and decisions should not attempt to impose architectural styles or particular tastes, it nonetheless confirms that it is proper to seek to promote or reinforce local distinctiveness. The design of the proposed dwelling is similar to the other properties in the terrace, however due to its proximity to the boundary with Fairview Avenue it would detract from the spacious appearance of the locality and thereby harm the distinctive character of the area.
6. Ardleigh Gardens does not lie within a conservation area or benefit from any protective policy designation. Nevertheless, planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. For the reasons given above the proposal would fail to comply with Local Plan policy CP1.
7. I therefore conclude that the proposal would significantly harm the distinctive character and appearance of the surrounding area and would fail to comply with Local Plan policy CP1.

Other Matters

8. The appellant refers to 15 Springfield Avenue, a corner property which has been extended. No information has been submitted to explain the circumstances of this extension. In my view it does not set a desirable precedent for other parts of the estate. Moreover, the extension reduces to single storey close to the boundary and is not as dominant as the appeal proposal would be. Therefore it is not comparable with the appeal proposal and does not justify the harm that would arise from the appeal scheme.
9. The NPPF states that applications for housing should be considered in the context of the presumption in favour of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. The proposal would provide some limited social and economic benefits however, due to the harm to the character and appearance of the area the proposal would not be environmentally sustainable. Accordingly, looked at in the round, the proposal would not be sustainable development, therefore the presumption in favour of sustainable development does not apply.

Conclusion

10. The proposal would deliver benefits, particularly through the provision of a new dwelling. However, the proposal would fail to accord with the development plan as a whole, and for the reasons given above, and taking account of all material considerations, I conclude that the appeal should be dismissed

Lesley Coffey

INSPECTOR