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## Appeal Decision

Site visit made on 21 December 2017

**by Chris Forrett BSc(Hons) DipTP MRTPI**

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

**Decision date: 22<sup>nd</sup> January 2018**

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**Appeal Ref: APP/H1515/W/17/3179057**

**17 South Weald Road, Brentwood, Essex CM14 4QZ**

- 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 Graham Miles against the decision of Brentwood Borough Council.
  - The application Ref 17/00464/FUL, dated 28 March 2017, was refused by notice dated 2 June 2017.
  - The development proposed is a single house on residential plot.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

### Reasons

3. The appeal site is located on the north side of South Weald Road which is within the Homestead estate which has attractive tree lined roads with properties set in large plots. The area is characterised by frontage development with a fairly regular building line with large rear gardens. There is a variety of different styles of property in the area. To the north of the site is open countryside beyond which is the A12. The rear gardens to the properties in the area, including the appeal site, contain mature trees and vegetation which contributes to the verdant character of the area.
4. The site itself includes the existing driveway for 17 South Weald Road together with the garage and the whole of the rear garden, although some of the site would remain as the garden area to the existing property. The site falls away from South Weald Road and from the evidence before me is between 5 and 8.6 metres below the road level. At the northern end of the site is a woodland and some stables.
5. The new dwelling would be sited a substantial distance back from South Weald Road when compared to the existing properties in the area. The lack of direct road frontage would not be characteristic of the existing dwellings on South Weald Road, or the Homestead estate in general, and as a result the dwelling would form an incongruous feature in the area.

6. In coming to that view, I acknowledge that the proposed dwelling would not be visible from the street frontage, nor would it be visible from other public vantage points. However, the development would be visible from the rear of other properties in the area including their gardens.
7. Turning to the potential impact of the development on the existing trees and landscaping, the access driveway would be in proximity to several trees along its length, together with the extended driveway to the existing stables. Given the land level differences it is not clear whether the access driveway would impact on the root systems of the retained trees. I have noted that the Design and Access Statement indicates that the existing land levels would be raised to construct the driveway. However, exact details are not provided. Given that the driveway is within the root protection areas of several trees there is insufficient detail to demonstrate that the access driveway could be constructed on the suggested alignment without any harm to the retained trees. The loss of such trees would seriously affect the verdant character of the site and the wider area.
8. In respect of the dwelling itself, it is noted that this is close to some of the trees on the eastern boundary. The proposal would invariably involve some pruning work to these trees, but from the limited evidence before me it would be possible to retain these as part of the development. It would also be possible to construct the dwelling with little impact on the important trees close to it subject to an appropriate method of construction.
9. The Council are also concerned that the introduction of a new dwelling would harm the low density nature of the area. However, in this instance, I consider that the introduction of one additional dwelling would not give rise to any significant harm in this respect.
10. However, I have already noted that there is not any tandem development in the vicinity of the site. Given the long gardens in the area, should I allow this appeal, the development would start to change the overall character of the area and make further proposals for similar development difficult to resist. The Appellant has stated that there are no such similar sites in the area where such a development could be replicated. Notwithstanding that, the principle of such tandem development could be replicated on a number of sites. Whilst I have determined this appeal on its individual merits, I agree with the Council that further development of this nature would significantly harm the low density and verdant character of the area.
11. Given the location of the new dwelling, it would not result in any significant harm to the streetscene. Furthermore, as a result of the demolition of the prefabricated garage, it could be considered to have a limited streetscene benefit. However, this does not outweigh the harm I have found.
12. I have also had regard to the planning history to the site, including the previous applications for four and three dwellings respectively<sup>1</sup>. However, these developments were for a much more intensive form of development than the current appeal proposal. Moreover, each application must be considered on its individual merits.

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<sup>1</sup> Applications 13/00295/OUT, 14/00871/OUT and the subsequent appeal APP/H1515/W/15/3017895.

13. The Appellant has also indicated that the development would be constructed by sustainable self-build methods. However, in the absence of any mechanism to ensure that the development comes forward as such, I give this very little weight.
14. For the above reasons the development would harm the character and appearance of the area contrary to Policies CP1 and C5 of the Brentwood Replacement Local Plan (2005) which amongst other matters seek to ensure that development does not have a detrimental impact on the character and appearance of the surrounding area, should be compatible with its location and surrounding development, and that existing trees and hedges should be retained with new landscape works to enhance new development. The proposal would also be at odds with the design aims of the National Planning Policy Framework.

### **Conclusion**

15. Taking all matters into consideration, including the letters of support for the development, I conclude that the appeal should be dismissed.

*Chris Forrett*

INSPECTOR