



Appeal Decision

Site visit made on 6 August 2019 by Emma Worby BSc (Hons)

by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th September 2019

Appeal Ref: APP/Z1510/D/19/3230524

50 Broadway, Silver End, Witham CM8 3RA

- 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 Miss Elizabeth Trott against the decision of Braintree District Council.
 - The application Ref 18/01583/FUL, dated 6 September 2018, was refused by notice dated 29 March 2019.
 - The development proposed is a two-storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey rear extension at 50 Broadway, Silver End, Witham CM8 3RA in accordance with the terms of the application, Ref 18/01583/FUL, dated 6 September 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2018-169-001, 2018-169-010, 2018-169-011 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the terrace in which it is located and the Silver End Conservation Area.

Reasons for the Recommendation

4. The appeal property is a mid-terraced dwelling located within a row of four matching two-storey properties. The site is located within the Silver End Conservation Area which is a designated heritage asset. Section 72(1) of the

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

5. The Conservation Area covers a number of streets which predominantly form the Silver End Garden Village. The significance of the Conservation Area relates to the architecture of the houses, the layout of the development and its relation to the garden city movement. The appeal site forms part of this garden village, as part of the group of modernist style houses, and therefore makes a positive contribution to the significance of the Conservation Area.
6. Although the proposal would be the only two storey extension to the row of four terraced dwellings, there is a conservatory at 54 Broadway, and other two storey rear extensions are apparent on similar modernist properties nearby within the Conservation Area. Therefore, although it would be visible from a public recreation ground to the rear of the site, the extension and the appearance of the resultant house would not be out of keeping with these types of property. Overall, it is not considered that the proposal would have a harmful impact upon the terrace. Furthermore, it would reflect the characteristics of the Conservation Area and so would preserve its character and appearance.
7. The Council's Historic Building Consultant has stated that the proposal would prevent the neighbouring properties from having two-storey rear extensions due to the harmful impact upon the Conservation Area caused by a number of separate extensions. However, possible future planning applications are not part of the consideration for this appeal. It is also noted that the Historic Building Consultant has stated that the best method of extending the terrace would be to group rear extensions between two properties as seen in previous planning applications for 28 Broadway and 30 Broadway. However, although this may be the preferred method, it is not the proposal before me. The consultant has not objected to this particular proposal.
8. Accordingly, I find the proposal would not harm the character or appearance of the Silver End Conservation Area and would not harm its significance as a designated asset. As such, it would not be in conflict with Policies RLP17, RLP90 and RLP95 of the Braintree District Local Plan Review (July 2005), Policy CS9 of the Braintree District Core Strategy (19 September 2011) and Policies SP1, SP6, LPP1, LPP38, LPP50 and LPP56 of the Braintree District Publication Draft Local Plan (June 2017) which collectively seek to protect and enhance the character of the area and the historic environment including the character and appearance of Conservation Areas.

Conditions

9. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.

Conclusions and Recommendation

10. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR