



Appeal Decision

Site visit made on 6 October 2020

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2020.

Appeal Ref: APP/H1515/D/20/3253592

The Ridings, Hunters Chase, Hutton, BRENTWOOD CM13 1SN

- 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 John Day against the decision of Brentwood Borough Council.
 - The application Ref 19/01757/FUL was refused by notice dated 22 May 2020.
 - The development proposed is the erection of front garden wall adjoining driveway and road. Proposed measurements of wall: left hand pier 460mm wide x 1.60m high; gate 6.70m wide x 1.70m high; right section of wall 8.350m wide x 1.60m high.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:

whether the proposal would amount to inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies, and if so, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal;

the effect of the proposal on the openness of the Green Belt; and

the effect of the proposal on the character and appearance of the surrounding streetscene.

Reasons

3. The Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence
 4. The proposal is for a front boundary wall and gate to a residential property. The planning application specifies that the wall height will be 1.6 metres and the gate 1.7 metres in height. I note that the partially constructed wall is currently lower than that height. I understand that the appellant submitted
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revised drawings for the wall, pier and gate to be reduced in height to 1.40m. Nevertheless, the Council determined the planning application on the basis of the original heights and thus I have determined this appeal on the same basis.

5. The construction of new buildings in the Green Belt is inappropriate unless in accordance with exceptions in the Framework. One exception is the extension or alteration to a building providing it does not result in disproportionate additions over and above the size of the original building. The Council has assessed the proposed development on this basis and has concluded that whilst the proposal would have an impact on the openness of the Green Belt, as it proposes development to an open space, it would have minimal impact upon the Green Belt due to the surrounding built form and low level proposed development. From my observations, I concur with this view. Due to the scale of the proposal in relation to the original dwelling, I do not consider it would result in disproportionate additions over and above the size of the original building and would not have an adverse effect on the openness of the Green Belt. I conclude on this matter that the proposal would not constitute inappropriate development in the Green Belt.
6. The wall is partially constructed and has a front rendered façade. The appeal site lies within an area of primarily residential development. Front boundaries are predominately open or soft landscaped with some low walls and fences. The overriding characteristic is one of an open verdant front garden setting. I consider this makes a positive contribution to the character and appearance of the surrounding streetscene.
7. From my observations, due to the design, bulk and scale of the proposed wall and gate, I consider that they would appear as stark solid incongruous additions to the predominately verdant front boundaries within the streetscene. In such a prominent location, this would be to the detriment of the character and appearance of the surrounding area. There is limited space in front of the wall for significant planting to overcome my concerns.
8. Whilst I have found that the proposal would not constitute inappropriate development in the Green Belt, I have found that it would have an adverse effect on the character and appearance of the surrounding streetscene. Thus, the proposal would be contrary to Policy CP1 (i) and (iii) in the Brentwood Replacement Local Plan (2005) where it seeks to ensure a high standard of design that is compatible with its location. I consider this policy to be broadly in accordance with the Framework, particularly where the Framework seeks to promote good high quality design and reinforce local distinctiveness. In addition, the proposal would be contrary to guidance in the National Design Guide (2019), particularly where it seeks good design that responds to local character. The harm would be so significant that it has led me to dismiss the appeal.

J L Cheesley

INSPECTOR