



Appeal Decision

Site visit made on 24 November 2020

by Sarah Colebourne MA, MRTPI

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

Decision date: 19/01/2021

Appeal Ref: APP/H1515/W/20/3252877

Camilla Lacey, 7 Hillwood Close, Hutton, Brentwood, Essex, CM13 2PE

- 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 and Mrs Ben and Victoria Oates against the decision of Brentwood Borough Council.
 - The application Ref 19/01302/FUL, dated 10 September 2019, was refused by notice dated 20 November 2019.
 - The development proposed is the demolition of existing dwelling and erection of new dwelling and outbuilding and associated landscaping works.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing dwelling and erection of a new dwelling and outbuilding and associated landscaping works at Camilla Lacey, 7 Hillwood Close, Hutton, Brentwood, Essex, CM13 2PE in accordance with the terms of the application, Ref 19/01302/FUL, dated 10 September 2019 subject to the conditions attached at the end of this decision.

Reasons

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area. The development plan includes policy CP1(i) and (iii) in the Brentwood Replacement Local Plan (2005) (LP) which seeks to ensure that proposals are of a high quality design that does not have a detrimental impact on the character or appearance of the area. LP policy H15 refers specifically to the Hutton Mount estate and requires that proposals reflect the character and density of the area. They are consistent in those respects with national policy in the National Planning Policy Framework (the Framework). The policies in the emerging Local Development Plan, however, carry only limited weight due to its status and stage in the process.
3. Hutton Mount is a mature residential area whose attractive character derives from the large detached houses of individual styles set well apart from one another in leafy, spacious plots. Many retain their period, mock Tudor character of steeply pitched gables, hipped roofs, tall chimneys and brickwork whilst others have a clear contemporary style of crown roofs and modern materials such as render. The dwellings in Hillwood Close are perhaps more modest than many on the estate and gaps between dwellings are generally smaller, yet even here there is a wide variety of styles, plan forms, roof designs and materials. Most dwellings here are of two storeys, although the adjacent dwelling at no 6 is partly of three storeys. Some have single storey

elements but others occupy most of the width of the plot at both ground and first floor levels.

4. The road slopes down towards the appeal site which stands at the head of the cul-de-sac and is seen clearly in the approach. It comprises a detached two storey house of traditional appearance with varying pitched, hipped and gabled roofs that has had several extensions over the years. The property had a previously approved scheme to extend and refurbish the existing dwelling which included a new crown roof and raised ridge height (14/00312/FUL) which has not been implemented.
5. The replacement contemporarily-styled dwelling would have a splayed plan form, widening at the rear. It would have a crown roof with projecting gables on both front and rear elevations. It would comprise four storeys, including a basement and a third storey within the roof. Whilst the splayed plan form and crown roof differ from the plan and roof forms in the immediate area, there is a variety of plan and roof forms within the street and I saw at my visit many of the examples given in the appellants' evidence which indicates that there are other similar plan and roof forms within the wider area. The siting of the proposal would occupy much of the plot width but would have a gap of between 1.7m and 2.8m with its boundaries.
6. Although the proposed dwelling would have a greater mass and bulk than the neighbouring and existing dwellings, its front elevation would not be significantly wider than either the existing or the neighbouring dwelling at no 6. The new dwelling would be 1.5m higher than the existing and around 1.0m higher than the previously approved scheme (according to the appellants' Appendix M and contrary to the Council's assertion of a height difference of 2.5m from the existing). Despite being 1.2m higher than no 6 which sits at a lower ground level, it would be only 0.5m higher than the neighbouring dwelling at no 8. Crucially, its position at the head of the cul-de-sac with the neighbouring dwellings set at an angle around the curve of the road is such that its additional mass and bulk would not be unduly dominant and would assimilate acceptably within the street scene.
7. The proposed materials of a slate roof with lead roll ridge, natural stone cladding, porcelain tiles and powder coated aluminium windows are high quality materials which would avoid the need for large expanses of render and would have a rather more muted appearance. In this street scene of widely varying materials and colours, they would be acceptable together with the limited amount of render proposed and would complement the contemporary style of the dwelling.
8. I have noted a third party objection to the proposal but the Council has not objected with regard to the effect on neighbouring residents' living conditions and I am satisfied that both the new dwelling and the proposed outbuilding, pool and associated landscaping works would be sited a sufficient distance from neighbouring properties so as to not harm their living conditions.

Conditions

9. The Council has suggested a number of conditions should the proposed development be acceptable. I have amended some of those slightly for reasons of precision and clarity. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out

in accordance with the approved plans, in order to provide certainty. Conditions requiring full details of external materials and the approval of a landscaping scheme are necessary in the interests of the character and appearance of the area. A Construction Method Statement is required in the interests of highway safety and to safeguard the living conditions of neighbouring residents. Obscured glazing of the first floor side windows is also necessary to protect the living conditions of the neighbouring occupiers.

Conclusion

10. For the reasons given above, I conclude that the proposed development is of a high quality design that would not harm the character or appearance of the area. It would accord with the development plan policies referred to earlier and there are no other material considerations that warrant determining the appeal otherwise. The appeal is allowed subject to the conditions attached.

Sarah Colebourne

Inspector

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 013/B; 001; 002; 003; 004/B; 005/B; 006; 007/B; 008/B; 009; 010; and specifications.
- 3) No development shall take place until full details of the external materials have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in constructing the development;
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v. wheel washing facilities;
 - vi. measures to control the emission of dust and dirt during construction;
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - viii. hours of working, hours during which deliveries may be taken at the site and hours during which demolition shall take place.
- 5) No development shall take place until a landscaping scheme showing details of new trees, shrubs and hedges and a programme for their planting, and any existing trees/hedges to be retained and the measures to be taken for their protection, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall be carried out as approved. Any newly planted tree, shrub or hedgerow, or any existing tree, shrub or hedgerow to be retained, that dies, or is uprooted, severely damaged or seriously diseased within five years of the completion of the development, shall be replaced within the next planting season with another of the same species and of a similar size, unless the local planning authority gives prior written consent to any variation.
- 6) The first floor windows in the side elevations (both sides) shall be:- a) glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration and b) non-opening below a height of 1.7m above the floor of the room in which the window is installed. The windows shall be installed prior to the first occupation of the building or use of the rooms in which the windows are installed. Those windows shall remain so glazed and non-openable. (Note the application of translucent film to clear glazed windows does not satisfy the requirements of this condition).

End of conditions.