
Appeal Decision

Site visit made on 25 August 2021

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 02 September 2021.

Appeal Ref: APP/Z1510/D/21/3274375

Juniper House, Parsonage Hill, Bures Hamlet, CO8 5DH

- 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 Tullin against the decision of Braintree District Council.
 - The application Ref 21/00382/HH, dated 3 February 2021, was refused by notice dated 4 May 2021.
 - The development proposed is first floor extension to front and rear of existing residential dwelling within existing building footprint.
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Decision

1. The appeal is allowed and planning permission is granted for erection of first floor extension to front and rear of existing residential dwelling within existing building footprint at Juniper House, Parsonage Hill, Bures Hamlet, CO8 5DH, in accordance with the terms of the application Ref 21/00382/HH, dated 3 February 2021, and the plans submitted with it, 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: location plan, block plan, existing and proposed elevations and proposed first floor plan.

Main issue

2. I consider that the main issue in this case is its effect on the character and appearance of the conservation area.

Reasons

3. The appeal property is a modern detached two storey house of brick with a rendered side extension, painted a light cream colour. It lies within the Bures Hamlet conservation area.
4. S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCAA) states that "with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area when considering applications for planning permission in that area".

5. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset (such as conservation areas), great weight should be given to the asset's conservation.
6. I consider that the relevant policies in this case include RLP3, RLP17 and RLP95 of the Adopted Local Plan 2005 (the local plan), which relate to residential development and the preservation and enhancement of conservation areas. They require, among other things, proposals to be compatible with the original dwelling, with no material impact on the identity of the street scene and the scale, character and historic interest of the area. Building materials are required to be of high quality, authentic and complementary to the building's character.
7. The Council also refers to policies LPP38, LPP50, LPP55 and LPP56 of the emerging Section 2 of the Draft Local Plan (Section 2). These carry forward similar criteria to those set out in the local plan policies. They are consistent with the National Planning Policy Framework 2021 (the Framework) and therefore carry some weight in this appeal.
8. The proposed extension would be constructed over the existing ground floor footprint of the side element of the property. It would reflect the form and design of the main part of the house in terms of its roof line and fenestration. The Council have raised no objection to the form or size of the proposal and I see no reason to disagree with this.
9. The main concern is whether the proposed use of fibre cement cladding on both the new and existing parts of the side element is acceptable in the conservation area. Neither the Council nor the appellant has put forward an assessment of the significance of the property itself or the wider conservation area in accordance with the guidance in the Framework. The Council has not provided a Conservation Area Appraisal for Bures Hamlet, or a convincing explanation as to why the proposed cladding would be inappropriate, other than that it would be 'non-traditional'.
10. From my observations in the conservation area it appears that it has a very mixed character in terms of the form, design, size and materials of the mainly residential properties. There is also a range of building periods evident throughout the area. Some of the older properties have timber framing, with infill panels, but a large number are of brick. There are numerous examples of simple render and some of patterned render. There are few examples of timber weatherboarding visible from public vantage points and apart from two buildings coloured dark grey in Bridge Street just outside the conservation area, most were coloured in variations of light cream. Overall, there is no one architectural style or use of materials which gives the area a cohesive character.
11. The appeal property is a modern house, most of which, including its prominent garage to the front, is of red brick. It is set approximately 7m back from the road. The proposed extension and the existing ground floor side element would be clad in fibre cement boarding. It would not be visible in views from the north as it would be obscured by the rest of the house. It would be partially visible from the south only in close views from nearby as some screening is provided by vegetation.

12. The appellant has drawn my attention to two examples of the type of fibre cement boarding in use in other parts of the conservation area. The cladding is similar in appearance to timber weatherboarding but, in my view, lacks the texture of timber. It would not be in keeping with an older, vernacular style of building. However, Juniper House is a modern house and Council policies encourage the use of materials which complement but do not necessarily replicate the local architectural character. They also encourage the use of materials with low overall energy requirements.
13. The appellant wishes to improve the insulation of his property and I am persuaded that in this respect the proposed cladding would be appropriate. On balance, I find that it would harmonise with the modern character of the building and would not appear unduly out of place among the similar modern buildings and wider variety of house styles and materials throughout the conservation area.
14. I conclude that the proposal would preserve the character and appearance of the conservation area and would not cause harm to its significance. It is consistent with local plan policies RLP3, RLP17 and RLP95, policies LPP38, LLP50, LPP55 and LLP56 of the Section 2 plan and the Framework.
15. For the reasons given above, the appeal is allowed.

Conditions

16. I have considered the conditions put forward by the Council, having regard to the tests set out in the Framework. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt.
17. The submitted plans show proposed materials which do not match the existing brick and render and I consider that the condition requiring the materials to match the existing is not relevant in this case. The condition requiring the development to be carried out in accordance with the plans is sufficient to control that aspect of the development since they specify the use of 'Hardieplank'.

PAG Metcalfe

INSPECTOR