



Appeal Decision

Site visit made on 24 January 2022

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th February 2022

Appeal Ref: APP/Z1510/W/21/3282273

39 Saffron Gardens, Wethersfield CM7 4BL

- 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 Claire Paulyn against the decision of Braintree District Council.
 - The application Ref 21/02030/FUL, dated 2 July 2021, was refused by notice dated 18 August 2021.
 - The development proposed is erection of 2 no. bedroom dwelling with associated access and parking.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Miss Claire Paulyn against Braintree District Council. That application is the subject of a separate Decision.

Preliminary Matter

3. It is apparent from the evidence before me that a Section 2 Local Plan (the S2LP) is emerging and has reached examination stage. However, on the basis that it has yet to be found sound, the S2LP is currently at a stage that attracts limited weight. I have seen nothing to clearly indicate otherwise and shall determine the appeal on this basis.

Main Issue

4. The effect upon the character and appearance of the area.

Reasons

5. The appeal property is located within a short cul-de-sac that serves three pairs of similarly designed semi-detached houses. Whilst other housing types exist nearby, semi-detached housing typifies the site's immediate surroundings. Properties tend to be set back consistent distances from the highway and upon generously sized individual plots. Thus, a formal and spacious residential character and appearance is identifiable local to the site.
6. The proposed dwelling would closely mimic the size and proportions of No 39 Saffron Gardens (No 39) and, as a result, would appear as a large and bulky addition to the side of a currently well-balanced pair of semi-detached houses. In the context of a cul-de-sac made up of regularly placed houses, the intended dwelling would be unsympathetic to the host pattern of development.

7. I acknowledge the presence of various extensions and outbuildings serving dwellings located within the cul-de-sac. However, such features can typically be observed to comprise subservient low-level additions. In contrast, the new dwelling would appear as an unduly prominent and discordant addition. Indeed, whilst its front building line would occupy a setback position when compared to the delineation of the western extent of No 41 Saffron Gardens, the new dwelling would remain clearly visible from a range of publicly accessible vantage points.
8. Nearby properties often cover close to the full width of their plots and, as such, are often sited in proximity to each other. Even so, residential plots of generous depth and overall size are prevalent. These circumstances contribute to the formal and spacious residential character and appearance that I have identified. The scheme would noticeably erode the sense of space and openness that presently exists to the northern side of No 39 and an unduly cramped form of development would materialise.
9. My attention has been drawn to planning permission¹ recently granted for a dwelling and associated off-street parking to the side of No 56 Saffron Gardens (No 56). However, the circumstances differ to those that avail at the appeal site. No 56 makes up part of a long row of housing development and is located to a particular stretch of Saffron Gardens where building forms can be observed to vary considerably. In contrast, within the cul-de-sac, semi-detached dwellings are positioned in a routine and loosely symmetrical pattern. I find the approval at No 56 to be of limited relevance to my considerations.
10. For the above reasons, the proposal would cause harm to the character and appearance of the area. The scheme conflicts with saved Policies RLP3, RLP9, RLP10 and RLP90 of the Braintree District Local Plan Review (July 2005), Policy SP7 of the Braintree District Local Plan 2012-2033 Section 1 (February 2021), emerging Policies LPP1, LPP37, LPP50 and LPP55 of the S2LP and the National Planning Policy Framework (July 2021) (the Framework) in so far as these policies require new development to respond positively to local character and context.

Other Matters

11. I have noted objections/concerns raised by interested parties with respect to matters including parking and alleged losses of privacy and outlook for neighbouring occupiers. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore these matters further here.

Planning Balance

12. The Council has asserted that it is able to demonstrate a five-year supply of deliverable housing sites and the appellant has not sought to suggest otherwise. The following observations are made in this context.
13. In terms of the scheme's benefits, one additional residential unit would be provided inside Wethersfield's designated settlement boundary, and the Framework reaffirms the Government's objectives of significantly boosting the supply of homes and making an effective use of land. However, one additional

¹ 21/00505/FUL

unit would not make a clear or noticeable difference to the District-wide housing supply situation and is a benefit that attracts limited weight.

14. The scheme would also create jobs during the construction phase and would, most particularly once occupied, provide support to the local economy and local community facilities. However, these benefits attract limited weight due to the modest extent of development under consideration.
15. The scheme's benefits, considered cumulatively, would not outweigh the considerable harm I have identified in character and appearance terms. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

16. For the above reasons, the appeal is dismissed.

Andrew Smith

INSPECTOR