

Appeal Decision

Site visit made on 22 March 2022

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 28 April 2022

Appeal Ref: APP/W1525/D/21/3289246

25 Galleywood Road, Great Baddow, Chelmsford CM2 8DH

- 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 P Monk against the decision of Chelmsford City Council.
 - The application Ref 21/01749/FUL, dated 25 August 2021, was refused by notice dated 10 November 2021.
 - The development proposed is five brick piers, metal railings and low-level lighting.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Monk against Chelmsford City Council. This application is the subject of a separate Decision.

Preliminary Matter

3. The proposal was amended by the removal of a proposed motorised metal gate before the Council's decision and I have consequently determined the appeal on the basis of the amended scheme.

Main Issue

4. The main issue is the effect of the appeal proposal on the character and appearance of the area.

Reasons

5. The appeal proposes the construction of a gateway at the host dwelling's access. Property frontages at this location are generally characterised by open driveways, soft landscaping and low walls to property frontages. These provide a spacious and verdant quality which contributes positively to the area's appearance.
6. The appeal dwelling is set at an elevated position above the street. As a result, it has a prominent appearance in the street scene. An open drive with mature planting to both sides forms its access.
7. The proposed piers, railings and wall would lie generally in front of the dwelling's existing garden vegetation on the east side of the access. The piers and wall to the west side would lie behind a small section of mature hedgerow, although the larger pier would be visible above this. Whilst there is potential for the existing vegetation to provide some limited screening of the

development, it would generally be clearly visible due to its scale and hard surfaces. The brick structures would have an undue dominance in the street scene as a result of their scale and prominent siting. They would consequently appear incongruous within a setting generally characterised by more unobtrusive wall structures. The harm would arise from the proposed brick structures rather than the railings. Although the walls would include a slanted design from their highest points adjacent to the access, this would do little to reduce the harm which the overall bulk and hard surfaces of the scheme would cause, which would contrast unfavourably with the appearance of the surrounding area.

8. Whilst there are some examples of brick piers or columns of a substantial height adjacent to the street in the vicinity, these do not generally have the elevated position which the appeal scheme would have, and hence they lack the prominence of the proposed development.
9. My attention has been drawn to other wall and pier structures in the vicinity of the appeal site. I have limited details on the circumstances of these. Nevertheless, even if the other developments and circumstances were similar, they would not inevitably provide an example that should be followed even if harm results. Accordingly, the other developments do not alter my conclusions as to the unacceptability of the current scheme.
10. Thus, the appeal proposal causes unacceptable harm to the character and appearance of the area. It consequently conflicts with Policy DM23 of the Chelmsford Local Plan (2020), which states that permission will be granted for development that respects the character and appearance of the area in which it is located, and that development must be compatible with its surroundings having regard to scale, siting, form, architecture and boundary treatments. Further conflict exists with the design provisions of the National Planning Policy Framework (2021).

Other Matters

11. I note the appellant's concerns regarding the Council's approach, however, these are not matters for this appeal, which I have determined on its planning merits.

Planning Balance and Conclusion

12. The proposal may bring about security benefits for occupiers of the host dwelling. Nevertheless, there is nothing to suggest that a scheme which would cause less harm to the area's appearance would not be capable of having similar benefits. Thus, this is a benefit to which I attach only minimal weight.
13. Conversely, the proposal would cause unacceptable harm to the character and appearance of the area. This matter attracts significant weight and outweighs the benefits associated with the proposed development. The proposal would consequently conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
14. Thus, for the reasons given above, I conclude that the appeal should be dismissed.

C Beeby - INSPECTOR