
Appeal Decision

Site visit made on 17 October 2023

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th October 2023

Appeal Ref: APP/Z1510/D/23/3329209

Lones Garden, Lones Hole Lane, Shalford, Braintree, Essex CM7 5JB

- 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 P Mitchell against the decision of Braintree District Council.
 - The application Ref 23/00918/HH was refused by notice dated 19 June 2023.
 - The development proposed is extensions incorporating the conversion of the garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding street scene.

Reasons

3. The appeal dwelling is a detached predominantly two-storey property situated at the end of a row of three dwellings in a rural setting. There is a single - storey side projection and to that side of the dwelling is a detached garage building. The proposal includes a single-storey side extension linking the existing side projection in the host dwelling to the garage. In addition, the proposal includes the conversion of the garage to habitable accommodation with a first-floor extension above. I note that a first-floor addition has been granted planning permission in a similar form, and whilst this has now lapsed, it remains a material consideration.
4. From my observations, the cumulative impact of the proposed single-storey and first-floor additions, including the balcony to the rear, due to their size, scale and form, would result in a significantly substantial and unacceptably dominant built form, out of keeping with the other two dwellings, which are significantly more modest in their proportions and scale. In particular, due to the overall width of the property together with the arrangement of two-storey and single-storey elements, the building would appear as an incongruous unacceptably dominant addition to the streetscene. This would be to the detriment of the rural character and traditional appearance of the street scene.

5. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes duties requiring special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
6. The appeal property is prominent in the streetscene being situated at the entrance to the group of properties. The other two dwellings are both listed buildings. They are both traditional in design with thatched roofs. I consider the significance of these buildings to be their traditional design and their settings to be their immediate grounds in this rural setting. Whilst the approach to these dwellings would alter, due to the separation distance between them and the appeal property, together with the location of the proposed extension away from these dwellings, I consider that the proposal would preserve the immediate grounds of these buildings and would not harm their significance. Nevertheless, due to the substantial harm I have identified above, this does not justify allowing the appeal.
7. In reaching my conclusion, I have had regard to all matters raised. For the reasons stated above, I conclude that the proposal would have an adverse effect on the character and appearance of the surrounding street scene. Thus, the proposal would be contrary to Policies SP7, LPP36, LPP47 and LPP52 in the Braintree District Local Plan 2013 – 2033 (2022), particularly where they seek a high standard of design and layout. In addition, the proposal would be contrary to policy in the National Planning Policy Framework and guidance in the National Planning Policy Guidance, particularly where they seek to achieve well designed places.

J L Cheesley

INSPECTOR