



Appeal Decision

Site visit made on 20 December 2023

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd January 2024

Appeal Ref: APP/H1515/W/23/3322321

Bishop's Gate, William Hunter Way, Brentwood, CM14 4EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Canaveral against the decision of Brentwood Borough Council.
 - The application Ref 18/00799/COND/3, dated 12 December 2022, sought approval of details pursuant to condition No 6 of planning permission Ref 18/00799/FUL, allowed by appeal decision dated 10 February 2020 (Ref: APP/H1515/W/19/3237743).
 - The application was refused by notice dated 8 February 2023.
 - The development is the erection of a building to provide 5 units of accommodation.
 - The details for which approval is sought are the external materials.
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issue

2. The part two-storey, part three-storey development permitted at appeal in 2020 has been completed (Ref: APP/H1515/W/19/3237743). External materials have previously been agreed and these include a zinc roof with a standing seam detailing. Instead of this, the appeal seeks approval for a rubber roof membrane with a stick on roll joint which is in situ.
3. Therefore, the main issue is the effect of the rubber roofing material on the character and appearance of the surrounding area, including the adjacent Brentwood Town Conservation Area.

Reasons

4. In allowing the previous appeal, the Inspector referred to the need to ensure a high design quality in the finished building and imposed a condition relating to external materials to that end. The roof is an important part of the overall composition and the dark colour of the material used complements the grey brick, light render and joinery of the block. However, it has a grainy, rippled appearance which spoils the overall development. The rubber roof lacks the crisp, monotone appearance of zinc as exhibited in buildings nearby and fails to achieve the high quality expected.
5. The appeal building is readily visible from William Hunter Way and is seen with other recent residential developments of similar height and scale. There is a mix of materials but, whilst in a backland plot, the appeal building forms an important part of the townscape in a prominent position on the periphery of the town centre. The immediate cluster of development also serves to obscure the

undistinguished backs of the properties along the High Street and gives a generally pleasing edge to this side of William Hunter Way. In this context the poor quality of the roof finish detracts from the character and appearance of the surrounding area.

6. The site is immediately outside the northern boundary of the extensive Brentwood Town Conservation Area. This primarily derives its significance from the linear, historic High Street. Whilst unsatisfactory the roofing material installed has no bearing on the main qualities of the conservation area and does not harm its setting.
7. Paragraph 140 of the National Planning Policy Framework (revised in December 2023) warns against the quality of approved development being materially diminished due to changes made to the permitted scheme. Changes to approved details such as materials are cited as one example of this. The proposal to retain the sub-standard roofing material falls precisely into this category. These national policy provisions are therefore a significant material consideration and count against allowing the appeal.
8. In the event that the appeal is dismissed, it will be a matter for the local planning authority to decide whether it is expedient to pursue enforcement action. However, it is reasonable to assume that this is a likely outcome. Removing the existing roof covering would be disruptive and cause some inconvenience to residents but no detail of the actual implications has been given. The roof covering in place was not approved and so those works were undertaken at risk. In any event, the possible consequences of rectifying what has been done do not outweigh the harm caused to the character and appearance of the locality.

Conclusion

9. For the reasons given, the roof covering for which approval is sought is unacceptable and therefore the appeal does not succeed.

David Smith

INSPECTOR