

Appeal Decision

Site visit made on 2 May 2024

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 05.06.2024

Appeal Reference: APP/Z1510/D/24/3340836

'Shalom', Peverel Avenue, Hatfield Peverel, Essex CM3 2NA

- 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. T. Mummery against the decision of Braintree District Council.
 - The application (reference 23/02971/HH, dated 8 December 2023) was refused by notice dated 1 February 2024.
 - The development proposed is described in the application form as "*Replacement windows and roof covering and addition of external weatherboarding cladding*".
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Decision

1. The appeal is allowed and planning permission is granted for "Replacement windows and roof covering and addition of external weatherboarding cladding", at 'Shalom', Peverel Avenue, Hatfield Peverel, Essex CM3 2NA, in accordance with the terms of the application (reference 23/02971/HH, dated 8 December 2023), subject to the conditions set out in the attached Schedule of Conditions.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the host building and its surroundings.

Reasons

3. The appeal site is located in Nounsley, a short way to the south of the main built-up part of Hatfield Peverel. The wider area, to the south of the A12 trunk road, is predominantly rural in nature but Nounsley itself is mainly characterised by built-up residential areas. Peverel Avenue is a residential cul-de-sac, which is essentially suburban in character and appearance, although the road itself is unmade and somewhat uneven.
4. The dwellings along the road frontages in Peverel Avenue are mixed in style and size. Most are detached properties, although a small number are semi-detached. The buildings are mainly single storey with some two-storey buildings in the form of chalet bungalows. A few exhibit some architectural flair but most are undistinguished in their design.

5. The existing dwelling at 'Shalom' is a modest semi-detached bungalow, near the end of the cul-de-sac, with a front elevation that mirrors its neighbour. Both are faced in brickwork, with a rendered panel feature that carries across the two properties. They share a tiled roof but the front windows no longer match each other. The bungalows date from the mid twentieth century and are unassuming in appearance, of limited architectural merit and no significant historic interest.
6. It is now proposed to carry out improvements to the existing bungalow, to improve insulation and create a more contemporary appearance. The works involved would include replacing windows, changing the roof covering and adding external weatherboarding cladding.
7. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history.
8. These basic principles also underpin the Development Plan. Policies SP7 and LPP52 of the 'Braintree District Local Plan' are general design policies that are intended to generate high standards of layout and design. Policy LPP36 deals specifically with "Residential Alterations, Extensions and Outbuildings" and raises the same considerations, stating that alterations and extensions "should be compatible with the original dwelling and character of the area".
9. 'Hatfield Peverel Neighbourhood Development Plan 2015-2033' also forms part of the Development Plan, having been "adopted" in May 2019. Policy HO1 is particularly relevant to this appeal, as it deals with "Design of New Housing Developments", and it seeks to ensure that new development should be in harmony with its surroundings.
10. 'The Essex Design Guide' is also relevant but it does not have the force of the statutory Development Plan.
11. In this case, the streetscene in Peverel Avenue does not exhibit a consistent pattern of development, in view of the variation in building forms and the variety of external materials that have been used. Of course, the existing pair of semi-detached houses closely match each other but the preservation of this characteristic and the maintenance of symmetry is not of great importance in the context, bearing in mind that variety (and even a clear contrast) can create an interesting townscape character, as it does in Peverel Avenue.
12. The proposed new materials would not be out of place in the wider streetscene and, although they would not match the existing materials, they would not be so out of place on the host building itself as to justify a refusal of planning permission. In this case, it would not be appropriate to require the existing design and materials to be preserved for their own sake.
13. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, and the proposed alterations would amount to a modest improvement in the building stock, including by increasing the quality of the insulation of the building. I am convinced that the proposed

development would not have a materially harmful effect on the character or appearance of the host building and its surroundings and I have concluded that the project would not be in conflict with the Development Plan.

14. In short, I am persuaded that the scheme before me can properly be permitted and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
15. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal). In particular, I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained.
16. The Council's suggestion that the materials to be used in the development shall match those used in the existing building would undermine the purpose of the project. For the avoidance of doubt, however, a more specific condition has been imposed to require the submission of details of the proposed construction materials, since the drawings themselves provide only limited information in this respect (regarding colours, for example).

Roger C. Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number 736/01B (Location Plan);
 - drawing number 736/02A (Block Plan);
 - drawing number 736/03A (Site Plan);
 - drawing number 736/04A (Floor & Roof Plans as Existing);
 - drawing number 736/05A (Elevations as Existing);
 - drawing number 736/07C (Floor & Roof Plans as Proposed);
 - drawing number 736/08D (Elevations as Proposed).
3. No materials shall be incorporated into the external surfaces of the development hereby permitted until samples (or specifications) of those materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the approved materials.