



Appeal Decisions

Site visit made on 10 December 2024

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th January 2025

Appeal Ref: APP/H1515/W/24/3343014

24 Pine Drive, Ingatestone, Essex CM4 9EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Kevin Johnson against the decision of Brentwood Borough Council.
 - The application Ref is 23/01338/FUL.
 - The development proposed is to construct a pair of new 2 bedroom bungalows along with associated accessway on land/garden to rear of existing dwelling at 24 Pine Drive.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties have been given the opportunity to make comments on this revision.
3. I have also dealt with another appeal APP/H1515/W/24/3351717 on this site. That appeal is the subject of a separate decision.

Main Issues

4. The main issues are the impact of the proposal on (i) the character and appearance of the area and (ii) the living conditions of the occupants of nearby dwellings, with reference to outlook and noise and disturbance.

Reasons

Character and appearance

5. The appeal site is a relatively large plot of land on which only one bungalow, now demolished, stood. It sits within the Pine Drive street scene where dwellings are arranged in a linear form fronting onto the public highway, some with shorter rear garden areas owing to the presence of a bowling green, tennis courts and a sports club. There is a great variation of housing observed along Pine Drive, ranging from bungalows to split height dwellings with dormers, to two storey dwellings. The appeal site is at a transition point between the bungalows and the dwellings of a greater height.
6. Planning permission has been granted¹ to construct a new dwelling on the frontage of the site. What is proposed by this appeal would add a further two

¹ 23/01180/FUL

dwellings behind that property, accessed by a private drive running adjacent to the boundary with 26 Pine Drive. Such dwellings would sit in a position notably at odds with the pattern of built development in the immediate area in terms of their relationship to other existing dwellings, occupying an uncharacteristic backland position. This would create an incongruous and out of keeping development that would result in significant harm to the character and appearance of the area.

7. There would be limited visibility of the proposed dwellings from the public domain and there is potential for further screening by landscaping and fencing. I also acknowledge that the pattern of development varies in the area owing to the presence of the sports facilities to the west and because of the layout of buildings on some nearby roads, and that the proposed dwellings would each have reasonably sized gardens. Nonetheless, the proposal would be visible from the gardens of adjacent dwellings, and it remains that it would be a form of development out of keeping with the established positioning and layout of residential properties along Pine Drive.
8. The proposal would therefore fail to accord with Policies BE14, NE07 and HP03 of the Brentwood Local Plan 2022 (LP) and Policy 2 of the Ingatestone and Fryerning Neighbourhood Plan 2022 (NP) where collectively they seek to protect character and appearance, including in ensuring that developments respond positively and sympathetically to their context.

Living conditions

9. The proposed dwellings would not be buildings of any substantial bulk or scale. They would be sited well away from each of the nearest dwellings. Whilst the occupiers of those dwellings would be aware of their presence, they would not be so close as to have an undue impact on the outlook from within the dwellings themselves or from within their rear garden areas.
10. The vehicular access to the proposed dwellings would pass alongside the boundary with 26 Pine Drive, on the side elevation of which are a number of windows and a door. However, that dwelling is orientated so that its main elevations face towards the road and its rear garden area. Furthermore, the side windows are set off the boundary, with the nearest rear window being partially screened by a brick wall. Whilst there would be an intensification of vehicle movements in comparison to the previous use of the single dwelling and the garage that sat behind it, the movements would not be significant in number. Coupled with the layout of this existing adjacent dwelling, there would be no undue harm to the living conditions of the occupiers of No 26 from noise and disturbance.
11. Vehicles would not move in close proximity to the dwelling at 2 Pine Close and there would be no harm to the living conditions of its occupants from noise and disturbance in that respect. Any other noise generated from the proposal would be domestic in its nature and thus to be reasonably expected within a residential area.
12. For these reasons the proposal would accord with Policies BE14 and NE07 of the LP and Policy 2 of the NP where, taken together, they seek to safeguard the living conditions of adjacent residents.

Other Considerations

13. The proposal would deliver two new modern dwellings, which would make a valuable contribution to the Government's objective of significantly boosting the supply of homes which is set out in the Framework. It would do so on a smaller, windfall, site that is close to services and facilities, making a more efficient use of land. Acceptable living conditions would be provided for the future occupants and the appellant states that the proposed dwellings are capable of being built out quickly and with the inclusion of a sensitive landscaping scheme. There would also be a time limited benefit to the local economy during the construction phase, and thereafter through spending by the future residents of the dwellings. Whilst the Council accepts that its housing land supply has reduced following the publication of a recent supply statement, it can still demonstrate a supply in excess of 5 years. Due to the quantum of the proposed development, these are considerations which offer moderate weight in favour of the proposed development.

Planning Balance & Conclusion

14. Whilst the proposal would not cause harm to the living conditions of the occupants of nearby dwellings, it would cause significant harm to the character and appearance of the area. Consequently, it would fail to accord with Policies BE14, NE07 and HP03 of the LP and Policy 2 of the NP, and with the development plan taken as a whole. Balanced against this it would provide the benefits I have outlined which collectively offer moderate weight in its favour. Those benefits do not outweigh the harm that would result and the conflict with the development plan.
15. In conclusion therefore, I find that the other considerations in this case do not indicate that a determination should be made otherwise than in accordance with the development plan. Therefore, the appeal should be dismissed.

Graham Wraight

INSPECTOR