



Appeal Decision

Site visit made on 3 June 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th June 2025

Appeal Ref: APP/Z1510/W/25/3360518

Grassels, High Street Green, Sible Hedingham, Essex CO9 3LH

- 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 Mark & Mrs Nicole Moss-Robins against the decision of Braintree District Council.
 - The application Ref is 24/01227/FUL.
 - The development proposed is for a replacement dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether it is necessary to secure the development as a self-build dwelling.

Reasons

Character and appearance

3. The appeal site, Grassels, is located on the north-eastern side of High Street Green, forming part of a residential ribbon development within the countryside, outlying the village of Sible Hedingham. On the opposite side of the road is open countryside. Comprising a single storey dwelling, the site is sandwiched between two storey dwellings in a wider plot than its neighbours. The road is gently undulating, rising gently up from the north to the south, with the dwellings sitting elevated to it.
4. On this stretch of road, properties are generally two storey and detached. Typically, the dwellings are of twentieth century construction, of various styles including having simple hipped, pitched and gable roof forms. Aside from the dwelling immediately adjacent, which has a forward projecting gable and a ground floor bay, the majority have relatively simple, flat frontages with single storey porch style additions. There is a mixed material palette comprising render, red bricks, hanging tiles and timber cladding. A commonality of the dwellings is their consistent set back distance from the road and their relatively simple designs and features.

5. The proposed dwelling would be wider than the bungalow it would replace. Its front projecting gables and ground floor bay windows take influence from the adjacent dwelling. However, the adjacent dwelling has only a single forward projecting gable and a single ground floor bay window. This starkly contrasts with the appeal scheme which would boast three gables which protrude into the roof line. Furthermore, the central full height apex window, coupled with the bay windows either side, would provide for a visually confusing, incoherent design. This overly fussy frontage would be at odds with the simpler roof forms and the typically simpler, flatter dwelling frontages on this stretch of the road, which would be made all the more striking from the proposed white render. The combination of the increased width together with the overly complicated design, would result in it appearing dominating in the street scene and out of keeping for its context. This would have a demonstrably harmful effect of the character and appearance of the area.
6. The appellant has drawn my attention to an appeal decision, in Appendix 4 of their statement of case. This relates to a householder development in Hockley within the jurisdiction of Rochford District Council some 30 plus miles away. In this decision the Inspector referred to the surroundings as 'uninspiring' with architecture displaying features that had led to the desire to improve design standards reflected in the development plan policies. The Inspector found the appeal proposal improved the context.
7. However, this finding is in contrast to the appeal before me. Whilst the character and appearance of this area lacks a uniformity in house types, there are commonalities that I have identified. The lack of an architectural trend does not lead me to a finding that the area is uninspiring. I acknowledge that Paragraph 135 of the National Planning Policy Framework (the Framework) guides that development should not prevent or discourage appropriate innovation or change. National Design Guidance also reflects this principle. Indeed, innovation is also encouraged by Policy LPP52 of the Braintree District Local Plan 2013-2033 Section 2 (2022) (Local Plan S2). However, fundamentally it should still be sympathetic to and complement local character, which I find the appeal scheme would not.
8. For the reasons set out above, the proposal would conflict with Policy SP7 of the Braintree District Local Plan 2013-2033 Section 1 (2021) (Local Plan S1). Amongst other things this expects high standards of urban and architectural design that respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Conflict is also identified in respect of Policies LLP35 and LPP52 of the Local Plan S2. Amongst other things, these policies require that development should relate to the character of the site and its immediate surroundings, as well as the wider locality in terms of the scale, layout, height and massing of buildings and overall elevation design should reflect or enhance the area's local distinctiveness, in harmony with the character and appearance of the surrounding area.
9. Whilst not cited within the Council's reason for refusal, I also find that the development conflicts with criterion (b) of Policy LPP37 as the replacement would have a more harmful effect than the original dwelling in terms of its character and design.

Self-Build

10. No policy context has been cited within the Council's second reason for refusal. It asserts that the proposal would not secure the development as a self-build dwelling given the lack of legal mechanism to control this. It has not been clearly articulated by the Council as to why it would be important to secure this development as a self-build dwelling as opposed to a market dwelling, or indeed what the consequences would be of not doing so.
11. In support of their case, an appeal decision¹ is referenced relating to two detached dwellings. They point to the Inspectors conclusions that a planning obligation was necessary to secure the appeal dwellings as self-build. However, in that case, the appeal site related to an undeveloped location where policies in the Neighbourhood Plan offered support for self-build or custom dwellings as an exception to the presumption against development in a countryside location. The appeal before me has a very different context as there is no dispute that the principle of a replacement dwelling is acceptable here. Consequently, I do not find this appeal decision to be directly relevant to this appeal and give it limited weight.
12. The appellant asserts that the only relevance for the need to secure self-build in relation to this appeal is in respect of Biodiversity Net Gain (BNG). However, BNG is not part of the Councils case and therefore I do not need to consider this matter any further.
13. Therefore, based on the evidence before me, I do not find it necessary to secure the development as a self-build dwelling.

Conclusion

14. For the reasons set out above, the development conflicts with the development plan as a whole, and there are no material considerations that indicate the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

C Walker

INSPECTOR

¹ APP/Z1510/W/23/3332000