
Appeal Decision

Site visit made on 30 April 2025 by F Bradford BA (Hons)

Decision by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2025

Appeal Ref: APP/W1525/D/25/3359550

16 Church Road, Ramsden Heath, Billericay, Essex, CM11 1PA

- 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 Neil Smith against the decision of Chelmsford City Council.
 - The application reference is 24/01459/FUL.
 - The development proposed is described as “extension/alterations to existing boundary treatment to include additional height to the piers and the inclusion of metal railings in between. To replicate the style and materials of those used within the current boundary treatment”.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. The front boundaries of the first five dwellings on the western edge of Church Road are uniform in that they are setback from the highway. This includes the appeal dwelling, sited immediately next to the Carsey Close junction. After the junction, the setbacks of the front boundaries become less regular along this edge of the road. In contrast, all the boundaries of the dwellings on the eastern edge are set back from the highway because of the public pavement.
5. In design terms, there is a variety of front boundary treatments along this part of Church Road. However, solid boundaries are low with hedging affording any height and dominance within the street scene. Boundary treatments and their setback from the highway cumulatively contribute positively to the character of the area, creating a sense of openness and spaciousness within the street scene along this part of Church Road.
6. The proposed development would vertically extend beyond the existing boundary wall and introduce railings atop, creating a structure of between about 1.9 and 2.1 metres in height facing Church Road. The proposed development would have a substantial physical presence, creating a visually dominant structure within the street

scene to the front boundary of the appeal dwelling. This would not only be at odds with the design of the boundary treatments within the street-scene but would also disrupt and subsequently diminish the sense of spaciousness and openness in this part of Church Road. I do recognise that the use of railings would be somewhat less harmful than solid brick in that it would be visually permeable, though the cumulative impact of their height when considered alongside the solid brick piers would be such that the development as a whole would materially harm the character and appearance of the area.

7. For the above reasons, I conclude that the proposed development would conflict with policy DM23 (High Quality and Inclusive Design) of the adopted 2020 Chelmsford Local Plan 2013-2036. This policy, among other things, aims to ensure that development respects its contextual character and appearance including having regard to boundary treatments.
8. The appellant has identified developments believed to be similar in design terms. Though the boundary treatments at 48 and 52 Church Road are somewhat similar, these dwellings do not form part of the street scene that the host dwelling is located within due to their distance and obscurity from the appeal site's context. Furthermore, Downham Road is of notably different character from Church Road, with a sense of enclosure afforded by structures and hedgerows directly adjacent to the highway. As such, I do not find that the developments identified represent a relevant basis for comparison. I have therefore afforded their existence limited weight in terms of my determination of this appeal.

Other Matters

9. I have considered the personal circumstances of the appellant and recognise their motivations for the proposed development. However, there is no evidence before me to suggest that the containment of pets on the premises could not be achieved through other measures and which would not cause the same degree of harm to the character and appearance of the area. In any event, the harm that would be caused to the character and appearance of the area would be significant. This is a matter of overriding concern and outweighs the personal circumstances outlined by the appellant.

Conclusion and Recommendation

10. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Finlay Bradford

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

D Hartley

INSPECTOR