



Appeal Decision

Site visit made on 22 July 2025

by A Phillips MPlan BA CertHE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th August 2025

Appeal Ref: APP/H1515/D/25/3364643

2 Park Lane, Herongate, Essex CM13 3PJ

- 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 Lee Walker against the decision of Brentwood Borough Council.
 - The application Ref is 24/01366/HHA.
 - The development proposed is detached garage & gym with external staircase up to games room with front dormers.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect on the character and appearance of the local area.
 - the effect of the development on the Herongate Conservation Area.

Reasons

Character and Appearance

3. Park Lane forms a crescent shape highway formed of two no through road sections, though can be walked from one end to the other. The entrance to this end of Park Lane is defined by a one and a half storey dwelling, with the host dwelling and its adjacent neighbour to the north having large open driveways/front gardens. The proposed development seeks to replace an existing single storey timber garage located in front of the main dwelling. There are other examples of single storey outbuildings located in front of the main dwelling in the local area, though no taller outbuildings in front of the main dwelling were seen during my site visit.
4. The proposal by virtue of its significant increase in size, specifically from its height, in comparison to the existing garage in the prominent location in front of the main dwelling of 2 Park Lane would not be in keeping with the local area and would detrimentally harm the overall character and appearance of this area of Park Lane.
5. I therefore conclude that the proposal would detrimentally harm the character and appearance of the local area. The proposal on this basis does not comply with Policy BE14 of the Brentwood Local Plan 2022 (Local Plan), which seeks to ensure high quality and attractive design that responds positively and sympathetically to its context.

Herongate Conservation Area

6. The Conservation Area (CA) spans from the buildings around the Green Man Public House to the north, past the Boar's Head Public House to the east and Heron Court as well as common land forming the southern boundary. The majority of the CA is located on the east side of the A128, with the allotment gardens next to St Andrew's Methodist Church being opposite the entrance to Park Lane. There is a small area of CA on the opposite side of the A128 being near the appeal site.
7. The significance of the CA stems from its historical ties to the Tyrell family and the range of buildings from the 15th-20th century, as well as 13 listed buildings and the open spaces that include a village pond and Button Common.
8. The duties contained in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) contains duties whereby special regard should be given to preserving or enhancing the character or appearance of the CA.
9. The proposal is near the CA, though it is noted that the two buildings closest to the development are considered to have a neutral and negative contribution to the CA as detailed in the Herongate Conservation Area Appraisal and Management Plan. In addition, the proposal would have no material impact on the significance of the CA due to it being located away from the open spaces and buildings that positively add to the character and appearance along the A128.
10. The proposal does preserve the setting of the character and appearance of the conservation area. On this basis the proposal does not conflict with the expectations of the Act. In terms of National Planning Policy Framework (the Framework) the proposal does not cause harm to the significance of the heritage asset of the CA. Therefore, there is no need for the proposal to be weighed against the public benefits as defined in Paragraph 215 of the Framework.
11. Regarding the impact on the CA, I conclude that there is no harm to its character or appearance. The proposal, therefore, complies with Policy BE16 of the Local Plan as it sustains the significance of the of CA by not causing any harm to this heritage asset.

Other Matters

12. The lack of harm to the CA and to neighbouring properties are neutral factors in the determination of this appeal, as the lack of material harm does not mean there is a material benefit of the proposal.

Conclusion

13. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

A Phillips

INSPECTOR