
Appeal Decision

Site visit made on 9 September 2025

by **K Allen MEng (Hons) MArch PGCert ARB**

an Inspector appointed by the Secretary of State

Decision date: 30 September 2025

Appeal Ref: APP/H1515/W/25/3367011

63 Priests Lane, Shenfield, Brentwood, Essex CM15 8HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Wickford Development Company Limited against the decision of Brentwood Borough Council.
 - The application Ref is 24/00856/OUT.
 - The development proposed is the demolition of existing dwelling and construction of nine residential apartments.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme relates to an outline proposal, with access, layout and scale to be considered at this stage and appearance and landscape reserved for future consideration. Although labelled as indicative, given the above, I have considered 3757.01 Rev G as part of my assessment of the proposal with 3757.02 and 3757.07 used indicatively.
3. An alternative block plan was submitted, drawing number 3757.F1 Rev B, however this was not what was considered by the Council during its determination, nor on which interested people's views were sought. Whilst the proposal remains for 9 no dwellings, the appeals process should not be used to evolve a scheme and as such I have not considered this drawing.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on highway safety, with particular regard to access arrangements and parking provision;

Reasons

Character and appearance

5. The area is suburban, characterised by large, detached properties set back from the highway within verdant plots. The appeal site comprises a substantial detached house in line with the prevailing building line of the street with large front and rear gardens. Although the mature planting within the site has been cleared, the

boundary is lined by a variety of mature trees and hedges, and the openness of the site contributes to the surrounding verdant garden character.

6. The proposal would introduce a substantial built form along a considerable portion of the southwestern boundary. The block plan indicates that the existing neighbouring trees would screen and break up much of the mass of the flank elevation. Nevertheless, the proposal would make a significant incursion into the root protection areas of several groups of trees on neighbouring land.
7. The Tree Survey does not reference this incursion, and I have no substantive evidence before me to indicate that it has been taken into account. As such, it is likely that these trees would be lost as a result of the proposal. Although landscaping details have been reserved for future consideration, the proposed block of flats would be positioned extremely close to the boundary with no space for adequate replacement screening.
8. Whilst the existing building line would be maintained and the ridge height would be equal to that of the existing dwelling, it would fill the majority of the width of the site. Consequently, due to its overall depth and width, the proposal would appear unduly bulky and prominent when viewed from both the highway and neighbouring properties.
9. The existing hedge to the front of the site would be retained. However, the site would be dominated by built development and hardstanding, appearing incongruous in relation to the surrounding verdant plots.
10. Therefore, I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies HP03, BE14 and NE07 of the Brentwood Local Plan 2016-2033 (March 2022) (BLP). Collectively these policies seek to ensure development responds positively and sympathetically to context and that the form and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area.
11. Similarly, there would be conflict with the National Planning Policy Framework (the Framework) where it requires development to function well and add to the overall quality of the area, be visually attractive as a result of good architecture and layout and be sympathetic to local character, including the surrounding built environment and landscape setting.

Highway Safety

12. Priests Lane is a Secondary Distributor Road. It has a single narrow carriageway in each direction, with footpaths to each side. At the time of my site visit it appeared to be a busy through route. There are parking restrictions 10-11am weekdays and all of the properties on this section of Priests Lane benefit from off-street parking commensurate with their scale.
13. The Council suggests that a minimum of 19 car parking spaces should be provided based on the appeal site's location. The proposal would provide 11 spaces in total.
14. The appeal site benefits from access to public transport with numerous services and facilities within the locality. The appellant has also provided an assessment of car ownership which suggests that the proposed parking provision would be sufficient with the future occupiers more likely to use other modes of transportation.

15. Whilst I acknowledge the above, the Essex Planning Officers Association Parking Guidance (September 2024) takes connectivity of a site into account and states that standards are the same whether the dwelling is a house or a flat. Although the submitted assessment indicates a total provision of 11 spaces, this does not consider the allocation of spaces and hence there would be an overspill of at least 5 vehicles based on the proposed allocation.
16. As such, I am not satisfied that the appeal site's location warrants a reduction in parking provision against the prescribed standards and given the substantial shortfall in spaces, the proposal would lead to an increase in on street parking within the area. Although there is no evidence of parking stress within the area, an increase in on-street parking would impede the flow of traffic and decrease visibility to the detriment of highway safety.
17. Notwithstanding the above, the existing accesses would provide ample visibility. Despite the intensification of use, the imposition of a one-way system, including signage and traffic flow plates or similar, would prevent conflicts between vehicles entering and exiting the site, maintaining the flow of traffic on Priests Lane. This could be secured via condition.
18. Although I am satisfied that the proposal would provide adequate access arrangements, there would be a substantial shortfall in parking provision. Therefore, I conclude that the proposal would harm highway safety. It would conflict with BE09, BE12, BE13 and BE14 of the BLP where collectively they require development to not have an unacceptable impact on the transport network in terms of highway safety and sensitively provide adequate parking provision.
19. There would also be conflict with the Framework where it requires development to not have an unacceptable impact on highway safety, with parking integral to schemes.

Other Matters

20. My attention has been drawn to the adjacent Cala Homes Development for 97 dwellings, 25 of which are apartments. The appellant suggests there are a number of similarities between the proposals and that the Council have failed to make consistent assessments. Nevertheless, there are significant differences between the proposals, including the scale, layout, surrounding context and tenure of the dwellings. As such, it does not lead me to an alternative conclusion in the assessment of the appeal before me.
21. The appellant asserts that if permitted development rights were used, the host dwelling would be materially higher and therefore have a more prominent appearance with a much greater impact upon the streetscene when compared to the proposal. However, I have been provided with no details of this alternative scheme and therefore cannot be sure that it would be a realistic or probable alternative nor that it would have a worse effect on the character and appearance of the area.

Planning Balance

22. The Five-Year Housing Land Supply Statement as 1 April 2024 (December 2024) indicates a 5.01-year supply. The appellant asserts that this is not accurate, based on doubts surrounding the deliverable supply calculations. However, I have no

detailed evidence before me which would confirm the housing land supply position or the extent of any alleged shortfall.

23. The Framework requires that developments add to the overall quality of the area, are visually attractive as a result of good architecture and layout; are sympathetic to local character and do not have unacceptable impacts on highway safety. I have concluded that the proposal would appear prominent, bulky and incongruous, harming the character and appearance of the area. Further, the proposal would harm highway safety. Therefore, the conflict between the proposal and Policies HP03, NE07, BE09, BE12, BE13 and BE14 and the Framework should be given significant weight in this appeal.
24. Nevertheless, the Framework seeks to boost the housing supply and highlights the important contribution small sites can make, whilst supporting development which makes efficient use of land. The proposal would make an efficient use of previously developed land, providing eight additional dwellings within an accessible site and contribute towards the boroughs housing supply. However, eight additional flats, would make little difference to the overall supply of housing. The diversity of housing would also increase, potentially broadening local demographics. There would also be limited economic benefits of development during the construction and occupation stages of the development. Overall, the benefits would be of moderate weight.
25. A net gain in biodiversity would be secured. However, this would be expected of any well-designed development and so would be neutral in my assessment.
26. Consequently, even if the Council were unable to demonstrate a 5-year housing land supply, the adverse impacts of the development on the character and appearance of the area and highway safety would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole and the proposal would not benefit from the presumption in favour of sustainable development.

Conclusion

27. Overall, for the reasons given above, I conclude that the proposal would conflict with the development plan, as a whole, and there are no material considerations, including the provisions in the Framework and the benefits of the proposal, which indicate that the development should be determined other than in accordance with it. Therefore, the appeal is dismissed.

K Allen

INSPECTOR