

Appeal Decision

Site visit made on 10 May 2017

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 May 2017

Appeal Ref: APP/X1545/D/17/3170920

Gwalia, Burnham Road, Althorne, CHELMSFORD, Essex, CM3 6DP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Lee Foster against the decision of Maldon District Council.
 - The application Ref. HOUSE/MAL/16/01091, dated 28 September 2016, was refused by notice dated 19 December 2016.
 - The development proposed is front porch, rear garden room and first floor extensions and internal alterations to existing residence.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal property, the street scene and the general area.

Reasons

3. The appeal property is located within a village setting, and there is considerable variety in the design, scale and form of the dwellings which line the road. Dwellings in two-storey and 1½-storey form are prevalent, and in this context the single-storey appeal property and the attached property, Halcyon, are anomalies in the street scene. Although this pair of dwellings share the same original form, design and detailing, the garage of Halcyon has been converted and extended.
 4. Having regard to the aims of Policy BE1 of the Maldon District Replacement Local Plan (LP) and the prevalence of two-storey dwellings in the vicinity, I find no objection in principle to the creation of first-floor accommodation at the appeal property. However, cumulatively the proposals would result in a visually intrusive and unduly prominent dwelling in the street scene. In particular, the existing modest dwelling would be subsumed by extensions and the overall scale and bulk of these additions would not be compatible with the surroundings or improve the location, as required by LP Policy BE1(a).
 5. I acknowledge the appellants' assessment of the relative building heights and land levels elsewhere along Burnham Road, but on the information provided in this appeal, I am unable to verify precise heights of individual properties.
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However, given the roofscape at this point of the road, I consider that the increase in the height of the appeal property to accommodate the proposed first-floor would appear excessive when viewed alongside the eaves and ridge heights of nearby properties. The proposed main eaves height and expanse of roof would result in significant additional bulk to the building, and given the limited screening at this point, the resultant dwelling would appear unduly prominent in the street scene. Whilst I note that the central front projection would be much lower than the main ridge, it would nevertheless add to the overall mass and bulk of the building.

6. Properties with half-hipped roofs are found elsewhere in the street scene, but their use as proposed would not materially reduce the perceived mass of the building. Moreover, whilst I do not share the council's assessment of harm in respect of the proposed garage roof in isolation, I do not agree with the appellants' view that it would create balance. Instead, it would be one of a number of competing roof forms in the proposal, and this design complexity would not aid the integration of the proposal in the street scene.
7. I agree with the Council's assessment that the proposed single-storey rear extension would be acceptable in terms of its size, bulk and scale, and that it would have limited impact on the character and appearance of the appeal property and the area. However, this does not alter my conclusions in respect of the proposal as a whole.
8. The appellants' have identified other properties along Burnham Road which they indicate have either been extended or constructed as two-storey properties. However, in the absence of specific details of planning permissions granted, the cases made, and the policy frameworks against which the proposals were assessed, I am unable to gauge any direct comparison with the appeal proposal. As such, these properties offer limited support to the proposal except insofar as they form part of the wider context of Burnham Road. However, I have nevertheless found the proposal to be unacceptable in its visual impact when considered in the street scene. The appellants' have drawn attention to outbuildings and designs in the area which they regard as unsympathetic, but these do not support development that would detract in its own way.
9. I note that the development is required to meet the needs of the appellants' growing family, but this would not justify acceptance of the appeal proposal given the harm that I have identified. I also acknowledge the support of the Parish Council and the lack of objection from any local residents, but these would not outweigh the harm.
10. I therefore conclude that the proposal would be detrimental to the character and appearance of the appeal property, the street scene and the wider area, in conflict with LP Policy BE1, and LP Policy BE6, which seeks to resist extensions to residential property that would be detrimental to the general character and appearance of the locality. Having regard to its consistency with the aims of the National Planning Policy Framework (the Framework), the proposal would also conflict with the design aims of Policy D1 of the emerging Maldon District Local Development Plan, in that it would not respect and enhance the character and local context and make a positive contribution in matters including height, size, scale, form, massing and proportion.

Conclusion

11. In conclusion, the Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design, but for the reasons given above the proposal would not comply with this principle and would not be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR