
Appeal Decision

Site visit made on 5 August 2019

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2019

Appeal Ref: APP/X1545/D/19/3230435

Wincroft, Little Baddow Road, Woodham Walter, Maldon, Essex CM9 6RP

- 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 R Simpson against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/19/00124 was refused by notice dated 20 March 2019.
 - The development proposed is ground floor side extension, additional living space in roof, pitched roof added to existing garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The name of the appeal dwelling was High Prospect on the planning application form. The dwelling has since been renamed as Wincroft.

Main Issues

3. I consider the main issues to be the effect of the proposal on the character and appearance of the existing dwelling, streetscene and surrounding area.

Reasons

4. Policy D1 in the Maldon Local Plan 2014 – 2029 (adopted 2017) seeks to ensure that new development respects and enhances the local context and character. Policy H4 requires new extensions to be of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area.
 5. The appeal property lies on an elevated prominent corner in a primarily residential road in a rural setting. The dwelling is a small detached bungalow with a pitched roof. The surrounding area comprises dwellings of mixed design and scale, including semi-detached bungalows immediately adjacent to the site and two-storey properties. The predominant roof style is for there to be pitched roofs of traditional design.
 6. The proposal includes a first floor within a half hipped roof and a side extension situated towards the corner with Top Road. It would take up a considerable
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width of the plot. From my observations, due to the scale, height and roof design, I consider that the proposal would totally overwhelm the character and appearance of this modest bungalow. In such a prominent location with a vast expanse of half hipped roof that is not of a characteristic design in this area, I consider that it would appear as an incongruous addition to the streetscene. It would not be in keeping with the character and appearance of the existing dwelling, streetscene and wider area.

7. In reaching my conclusion, I have had regard to all matters raised. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. I note the need for a larger internal living space to accommodate the specific needs of an elderly relative. It is clear that the proposed floorplan would provide these needs and that the existing layout does not. However, I do not consider the proposal before me to be the only way to satisfy the requirements, which could be met by a much smaller extension which would not cause the harm I have identified above. I do not consider the extent of the proposed extension to be essential accommodation and it does not follow from the PSED that the appeal should succeed.
8. For the reasons stated above and having taken into consideration all matters raised, I conclude that the proposal would have an adverse effect on the character and appearance of the existing dwelling, streetscene and surrounding area contrary to Local Plan Policies D1 and H4. These policies are broadly consistent with the National Planning Policy Framework where it seeks to ensure good design that is sympathetic to local character.

J L Cheesley

INSPECTOR