



Appeal Decision

Site visit made on 6 August 2019

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2019

Appeal Ref: APP/W1525/D/19/3232349

Ferrers House, The Street, Woodham Ferrers, Chelmsford CM3 8RG

- 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 Gary Jones against the decision of Chelmsford City Council.
 - The application Ref 19/00449/FUL, dated 19 March 2019, was refused by notice dated 13 May 2019.
 - The development proposed is two storey rear extension. Two first floor side windows and rear Juliette balconies
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development shown on the appellant's appeal form and the Council's decision notice is more precise than the description shown on the planning application form. I have therefore used the description of development shown on the appeal form and decision notice in the banner heading and determined the appeal on this basis.
3. The Council has previously granted conditional planning permission (Ref 18/01572/FUL) for a proposed two storey rear extension and two first floor side windows, and construction works are currently being carried out at the appeal property.

Main Issue

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

Reasons

4. Ferrers House is a two storey detached dwelling, which is located within the defined settlement of Woodham Ferrers. The existing house has a pitched roof with gables. The houses in the area are of varied design, however they generally have pitched roofs. A public right of way is located to the rear of the appeal site.
5. The two storey rear extension approved under planning application Ref 18/01572/FUL would have 2 rear gables with a valley between them to form an 'M' shape. In comparison to the previously approved planning application, the appeal scheme proposes to infill the space between the gables, which would

create a flat roof with pitches to the sides. The appeal scheme also shows rear Juliette balconies at first and second floor levels.

6. The proposed development would appear bulky and dominant in relation to the dwelling due to the large area of flat roof and the significant mass of the proposed extension. The dominant appearance would be exacerbated by the large second floor Juliette balcony on the rear elevation.
7. The proposed extension would fail to respect the form and scale of the dwelling, which consists of a pitched roof with gables of modest size. Furthermore, the bulky roof form of the proposed extension would appear out of keeping with the form and scale of neighbouring buildings in the area, which generally have modest pitched roofs.
8. Whilst the bulky appearance of the proposed extension would not be conspicuous in the street scene, it would be visible from the gardens of neighbouring houses and from the public right of way that runs to the rear of the appeal site. In any event, the lack of visibility from main roads does not obviate the need to achieve good design.
9. For the reasons outlined above, I conclude that the proposed development would cause significant harm to the character and appearance of the dwelling and surrounding area. The proposal would therefore be contrary to Policies DC45 and DC47 of the adopted Core Strategy and Development Control Policies Development Plan Document 2008 and chapter 12 of the National Planning Policy Framework, which, amongst other things, seeks well designed buildings and an appropriate visual relationship with the character and appearance of development in the surrounding area.
10. The Council has referred to Policy MP1 of the Chelmsford Draft Local Plan (CDLP), which, amongst other things, seeks high quality design that is compatible with the character and appearance of the area. This policy has not been adopted and so it does not have the same statutory force accorded to adopted policies under s38(6) of the Planning and Compulsory Purchase Act 2004. Given the status of the CDLP, I afford Policy MP1 limited weight as a material planning consideration. However, and for the reasons outlined above, the proposal would not achieve good design and so there would also be conflict with Policy MP1 of the CDLP.

Other Matters

11. The proposed roof plan shows 2 rooflights on the front roof slope, which are not shown on the proposed elevation drawings. However, it is not necessary for me to pursue this matter with the parties as this would not overcome my overall conclusion on the main issue.

Conclusion

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

C Osgathorp

INSPECTOR