



Appeal Decision

Site visit made on 22 October 2019

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 November 2019

Appeal Ref: APP/X1545/D/19/3235447

**Stansgate Abbey Lodge, Stansgate Road, Steeple, South Minster, Essex
CM0 7NU**

- 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 Kevin Kirby against the decision of Maldon District Council.
 - The application Ref: HOUSE/MAL/19/00324, dated 1 March 2019, was refused by notice dated 20 June 2019.
 - The development proposed is to convert the detached bungalow into a house with a first-floor extension over the original bungalow.
-

Decision

1. The appeal is allowed, and planning permission granted to convert the detached bungalow into a house with a first-floor extension over the original bungalow at Stansgate Abbey Lodge, Stansgate Road, Steeple, South Minster, Essex CM0 7NU, in accordance with the terms of the application, HOUSE/MAL/19/00324, dated 1 March 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; 2357/1/B; 2357/5/A; 2357/6/A; 2357/7/A; 2357/8/A; 2357/9/A; and 2357/10/A.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the surrounding area and countryside.

Reasons

3. The appeal site contains a detached bungalow, with the boundary treatments being a combination of planting, trees and fencing. The site is adjacent to Stansgate Road, which leads to a relatively small number of buildings. The site and the immediate surroundings are outside of allocated settlement boundaries.

4. Whilst the height of the dwelling would increase, I note that the character of the surrounding area can be defined by the presence of occasional buildings arranged within open countryside. These buildings are generally of multiple storeys and constructed in a variety of materials. Accordingly, the creation of an extended dwelling would not appear unduly strident or incongruous within this context. This means the intrinsic quality of the countryside would be retained.
5. The design of the extension includes a hipped roof, which is consistent with the roof form of the existing bungalow. This roof form also serves to minimise the massing, and therefore the impacts, of the proposed extension. As a result, the proposed development would not appear unduly bulky and is an appropriate form of development within its setting as it would maintain the openness of the rural surroundings.
6. The appeal site's boundaries, in addition to the surrounding area, contains several trees that would diffuse views of the appeal site. Furthermore, there is a fence and hedge present on the boundary of the appeal site adjacent to Stansgate Road. These circumstances would prevent the proposed development from being readily viewable from areas in proximity to the site owing to their cumulative screening effect.
7. The site is accessed from Stansgate Road, which contains several curves throughout its length. In consequence, direct views of the appeal site occur comparatively infrequently. Therefore, the development would not be particularly prominent and would ensure that the general rural and more open character of the vicinity is retained.
8. The proposed extension would be constructed using cladding as a finishing material. Whilst this differs from the render used on the existing bungalow, the viewable buildings within the vicinity of the appeal site are constructed from several different palettes of materials. I have had regard for the lack of prominence of the development and in consequence the use of cladding would not result in notable harm to the character and appearance of the surrounding countryside.
9. I conclude that the proposed development would not cause any undue harm to the character and appearance of the surrounding area, and countryside. The development accords with the requirements of Policies D1, H4 and S8 of the Maldon District Approved Local Development Plan 2014-2029 (2017). These policies, amongst other matters, seek to ensure that developments in the countryside protect the landscape, in addition to its intrinsic character and beauty; respect and enhance the character and local context; not involve the loss of important landscapes; and be of an appropriate scale and design.

Conditions

10. In addition to the standard implementation condition, a condition defining the approved plans is necessary and reasonable in the interests of precision.
11. I have noted that the Council has requested a condition requiring the extension to be constructed from materials of the same type as the existing dwelling. However, the submitted plans and planning application form indicate that the finished extension would feature cladding. For the reasons set out previously, I have found these materials to be acceptable, however, in order to manage the

impacts on the surrounding countryside, a condition enabling the Council to approve the specification of these materials is necessary and reasonable. Due to the nature of the development, these details need to be agreed in advance of works commencing.

Conclusion

12. For the preceding reasons, I conclude that the appeal should be allowed, and planning permission granted, subject to conditions.

Benjamin Clarke

INSPECTOR