



Appeal Decision

Site visit made on 4 November 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen BA (Hons) BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2019

Appeal Ref: APP/X1545/D/19/3234997

Saffron Cottage, Witham Road, Tolleshunt Major CM9 8JT

- 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 Stephen Dolphin against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/19/00483 dated 24 April 2019, was refused by notice dated 25 July 2019.
 - The development proposed is single storey extension and balcony.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the character and appearance of the area.

Procedural/Preliminary Matters

4. The description of the development on the planning application form does not include the balcony. I have taken the wording used on the appeal forms and the Council's decision, which does include the balcony, in the above header as it more accurately describes the proposal.

Reasons for the Recommendation

5. The appeal property is a semi-detached dwelling located within a corner plot at the junction of Witham Road with Brick House Road. It is common ground between the parties that, in its context, the appeal property is unique in its design and location, and it was apparent from my site visit that residential dwellings in the area feature different styles and designs, with the majority of properties being detached dwellings. However, they all appear to be well contained forms of development on their plots.
6. The existing dwelling has two parts with a single storey aspect attached to the main two-storey house, creating a staggered building line. The proposed extension would extend and stagger the dwelling further with a building that,

due to its design, would appear distinct from the main house. It would appear as an extension to an extension and would contrast with the contained form of the existing dwelling. I note that the Council raise no concerns in respect of the footprint of the extension itself, and I acknowledge that the overall mass of the dwelling with the extension would be less than nearby dwellings. Nonetheless, this does not mitigate the sprawling effect of the proposal. Also, the proposed balcony, located towards the front of the appeal dwelling, would be highly visible, and would appear as an alien feature in its setting.

7. The building materials proposed for the extension include light grey boarding. The main part of the existing dwelling is finished in a cream painted render, with a small porch fronting Witham Road faced in red brick. The introduction of a third type of material, and over all its elevations, would appear incompatible and incongruous. I appreciate that extensions do not always need to look exactly the same as the main house, and in fact the existing porch in red brick is an attractive addition to the original dwelling; but they should compliment the existing character and appearance, which, on this scale, the materials proposed for the extension do not.
8. I acknowledge that the adjoining semi-detached dwelling is not identical or symmetrical to the appeal property, but the dwellings have a similar scale and character. The proposed extension and balcony would detract from the pair, with both aspects appearing as discordant additions and resulting in a harmful effect on the character and appearance of the streetscene.
9. Although existing landscaping is present within the appeal site along the boundary with Witham Road and Brick House Road, it is not sufficient to mitigate the harm that would be caused by the development as the extension would not be completely screened, especially in winter months.
10. On this basis, the proposed development would harm the character and appearance of the area and would be contrary to Policies D1, H4 and S8 of the Maldon District Approved Local Development Plan 2014-2029 (July 2017) which seek amongst other things to ensure that development respects and protects local character. Policy D1 also seeks to ensure development makes a positive contribution in terms of architectural style and use of material, layout and orientation.

Other Matters

11. The personal reasons for the appellant wishing to construct the extension are understood, however these considerations do not outweigh the harm identified.
12. I note that the Council states the proposed development is acceptable with regard to a number of planning matters including living conditions of the occupiers of neighbouring properties, parking and amenity space. The lack of harm in these respects carries neutral weight.

Conclusion and Recommendation

13. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR