



Appeal Decision

Site visit made on 25 February 2020

by M Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2020

Appeal Ref: APP/X1545/D/20/3245873

28 Ramsey Chase, Latchingdon, Essex CM3 6JT

- 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 Mrs Hayley Booroff against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/19/01017, dated 22 September 2019, was refused by notice dated 5 December 2019.
 - The development proposed is a 2 storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - highway safety, with particular regard to parking provision.

Reasons

Character and appearance

3. The appeal site is a residential property located at the end of a row of houses at the corner of Ramsey Chase and Meadow Way. It has an unbound front garden. The rear of the property is enclosed by fencing and features a garage and a gated driveway. There are relatively few house types within the area. Properties tend to have open frontages with dwellings set back from the highway which gives the area an open and spacious character. This is reinforced by views of the countryside to the north of the appeal site beyond a spur off Meadow Way.
4. The proposed extension would be highly visible to the front, side and rear of the property due to its location adjacent to the highway. It would project almost right up to the boundary at its front corner. Although the rear of the extension would be less tight to the boundary, it would be flush with the dwelling's rear wall and viewed against the backdrop of the countryside. The extension would appear cramped within the site as a result of its size and position and harm the open and spacious character of the area.

5. I note that the extension would be set back from the site's boundary above ground floor level, however, the design and position of the single storey projection would appear awkward and incongruous. Although the extension would also be set back from the front wall and set down from the ridgeline of the existing dwelling these features would not address the harm identified.
6. The dwelling at 47 Ramsey Chase is located roughly opposite the appeal site and appears to have undergone a side extension. I do not have full details of the circumstances that led to the extension being constructed. Whilst the extension would be similar in design to the proposal before me, it appears set back from the property's boundaries and has more space around it due to the larger front garden and the layout of the highway to its side. In any event, the appeal proposal must be assessed on its own merits and I have found that it would be harmful.
7. I consider that the proposed development would be harmful to the character and appearance of the area, contrary to policies D1 and H4 of the Maldon District Approved Local Development Plan 2014-2029 (the Local Plan), the Maldon District Design Guide Supplementary Planning Document and the National Planning Policy Framework (the Framework) which seek, amongst other things, to ensure that development is compatible with and responds positively to the character of its surroundings.

Highway safety

8. The Council's Vehicle Parking Standards Supplementary Planning Document (the Standards) provides guidance on the size of parking spaces for different scenarios and indicates that, in this case, a minimum of 3 off street parking spaces should be provided.
9. Whilst the proposed parking spaces may be smaller than the sizes set out in the Standards, I consider that the area to the front of the property would be sufficiently large for 2 vehicles to park. The existing driveway is also large enough for the parking of one vehicle. In addition, many of the properties in the vicinity have off street parking and, at the time of my visit, parking on street was infrequent. As such, even if some on street parking was to occur, this would not result in significant detrimental effects on the highway.
10. No formal access to the highway is proposed to the front of the property, which would require vehicles to mount the kerb to park. However, this is a matter for the Highway Authority and, in any event, I do not consider that the lack of a dropped kerb in this location would result in danger to users of the highway.
11. I conclude that there would be sufficient parking provision for the dwelling and that the effects of the proposal on highway safety would be acceptable. The proposal is therefore in accordance with policies D1 and T2 of the Local Plan and the Framework, which seek to ensure that development is appropriate in respect of highway safety by way of adequate parking provision.

Other Matters

12. I have carefully considered the reasons why the appellant has applied for planning permission and had due regard to the Public Sector Equality Duty (the Duty) contained within section 149 of the Equality Act 2010. The proposed development would facilitate the dwelling having an internal arrangement which would meet the needs and care requirements of prospective occupiers. However, it does not follow from the Duty that the appeal should succeed as the benefits do not outweigh the harm that I have found.

Conclusion

13. For the reasons set out above, the appeal is dismissed.

Mark Philpott

INSPECTOR