



Appeal Decision

Site visit made on 2 June 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th June 2020

Appeal Ref: APP/X1545/D/20/3244694

Caper Cottage, Goat Lodge Road, Wickham Bishops, Maldon District, Essex CM9 8BX

- 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 Darren and Jen Smith against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/19/00991, dated 9 September 2019, was refused by notice dated 4 November 2019.
 - The development proposed is two storey side extension to house providing sitting room with single bedroom above, connected to house by glazed link. Separate garage block with bedrooms/storage above.
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Decision

1. The appeal is allowed, and planning permission is granted for a two storey side extension to house providing sitting room with single bedroom above, connected to house by glazed link. Separate garage block with bedrooms/storage above at Caper Cottage, Goat Lodge Road, Wickham Bishops, Maldon District, Essex CM9 8BX, in accordance with the terms of the application, Ref HOUSE/MAL/19/00991, dated 9 September 2019, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved drawings: Site Location Plan; Block Plan; SMITH/01/1; SMITH/01/2; SMITH/01/3; SMITH/01/4; SMITH/01/5; SMITH/01/6; SMITH/01/7; SMITH/01/8; SMITH/01/9 and Tree Survey.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The ground floor of the outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as Caper Cottage.
 - 5) The first floor of the outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Caper Cottage.

Procedural Matter

2. The appellants have stated in their appeal statement, that the post code for the property should be CM9 8BX, rather than the post code CM3 8BX, which was on the application form. Therefore, I have amended the address in the banner heading, as it more accurately depicts the location of the proposal.

Main Issue

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

Reasons

4. The site is located on Goat Lodge Road, a country road with sporadic development on both sides of the road, although development is predominantly on the western side of the road. The existing development in the area is denser towards the ends of the road, with a lower density and properties with large plots in the middle section. Despite the variety in the property styles, the character of the immediate area is predominately large detached properties set back from the road.
5. The host property is a detached chalet style structure, which is set back from the road behind a landscaped frontage with mature trees, hedges and a grass verge. This is only broken up by a driveway leading from the road and a separate timber gated entrance on the other side of the frontage. Due to the dense landscaping, the property and its accompanying grounds are not fully visible from the road.
6. The property has already been extended from its original form and comprises a series of linked elements within the chalet structure, with more recent side and rear single-storey extensions. The proposal is to add to the existing side extension on its eastern side which would create a glazed link to a two-storey side extension. On the same side of the house and separate to the host dwelling, would be a two-storey structure, which is proposed to be a garage at ground floor level and guest accommodation on the first floor.
7. The proposed side extension whilst being a significant addition to the host property, would be in keeping with the nature of the site and surrounding area. The use of matching materials, set back from the principal elevation and design features, would integrate the extension into the existing works of the host property. Although the glazed link would be a more modern addition to the property, it would help to break up the brickwork on the front elevation, which would make it appear less dominant and overbearing. Despite the size of extension, it would not be out of scale with other large properties in the local area and would not appear incongruous within the street scene.
8. The garage and guest accommodation would be separate to the host dwelling, which would leave a gap between the buildings. This would allow views through the site and would break up the development and built form, so that it would not appear overly dominant within the site and wider street scene. The building would have a set back from the principal elevation and be lower in height than the host dwelling. It would also use matching materials and design features, which would mean that it would not appear as an incongruous feature and would be clearly associated with the existing property.

9. I note that an interested party has raised concerns around the loss of trees on the site. However, the trees proposed to be removed are not protected and there would still be a number of mature trees and shrubbery around the site. Therefore, the green surroundings would still be an integral part of the site and the loss of trees would not harm the overall character of the site and surrounding area.
10. I also note that an interested party has raised concerns around the development being outside the development boundary. Policy S8 allows development that does not adversely impact on the intrinsic character and beauty of the countryside, and provided that they are in compliance with policies within the Maldon District Local Development Plan (LDP) (2017), neighbourhood plans and other local planning guidance. As I have identified that the proposal would not harm the character and appearance of the site and surrounding area, it would therefore accord with this Policy.
11. Accordingly, I find that the proposed development, would not harm the character and appearance of the site and the surrounding area. Therefore, the proposal would accord with policies D1, S8 and H4 of the LDP. These policies, amongst other things, require development to maintain, and where possible enhance, the character and sustainability of the original building and the surrounding area and that the intrinsic character and beauty of the countryside is not adversely impacted.

Conditions

12. The Council has suggested a number of conditions, which I have considered against advice in the Planning Practice Guidance and amended accordingly.
13. In addition to the standard condition, which limits the lifespan of the planning permission, I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to materials is necessary to safeguard the character and appearance of the area. I have also imposed a condition to ensure that the use of the outbuilding would remain as part of the existing residential unit. I have removed the reference to parking as the garages are not required to secure sufficient parking spaces on the site, therefore, this element is overly restrictive.

Conclusion

14. For the reasons set out above, I conclude that the appeal is allowed.

D Peppitt

INSPECTOR