
Appeal Decision

Site visit made on 1 September 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2020

Appeal Ref: APP/X1545/D/20/3252984

55 Nipsells Chase, Mayland, Essex CM3 6EH

- 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 S Blundell against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/19/01328, dated 13 December 2019, was refused by notice dated 3 March 2020.
 - The development proposed is new first floor extension.
-

Decision

1. The appeal is allowed and planning permission is granted for new first floor extension at 55 Nipsells Chase, Mayland, Essex CM3 6EH in accordance with the terms of the application, HOUSE/MAL/19/01328, dated 13 December 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 following approved plans: 001; 002 Rev A; 003;
 - 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, except where indicated as weatherboarding on drawing 002 Rev A.

Main Issues

2. The main issues are the effect of the development on:
 - the character and appearance of the host dwelling and the surrounding area;
 - the living conditions of 53 Nipsells Chase, with particular reference to overbearing impact.

Reasons

Character and appearance

3. 55 Nipsells Chase is a single storey bungalow located within a residential street which is characterised by detached and semi detached dwellings. The dwellings vary in their appearance and design and heights range from two storey to single storey chalet bungalows. In particular the differing size and scale of properties create a varied street scene.

4. The development includes the raising of the roof to provide first floor accommodation over the entire footprint of the existing bungalow and includes the provision of both front and rear dormers.
5. Having regard to the modest scale of the existing bungalow, in comparison to the neighbouring properties, the increased roof height would not appear overbearing or over dominant within the street scene.
6. The proposal also includes the introduction of a front dormer, which would be visible from the public highway. The pitched roof design of the dormer and its modest proportions, having regard to the overall scale of the roof, result in a proposal which is subservient to the main roof. Overall, I find that the development would be a sympathetic and proportionate addition that would not detract from the overall character and appearance of the host dwelling.
7. The proposed rear catslide dormer would extend almost the entire width of the rear roof slope, but would be partially set behind the rear gable of the rear extension. Examples of other full width dormer windows were visible within the vicinity of the site and given the siting on the rear, I consider its size and scale would not be overly dominant or overbearing. Whilst the side elevation of the dormer would be visible from the public highway, its proportions, in combination with the other changes proposed, would not appear discordant or incongruous.
8. Having regard to the general character of the area with its range of dwelling styles and heights, the proposed first floor extension would contribute to the overall character of the area, and along with the other changes to the property would not be detrimental to it.
9. I therefore conclude that the proposal would not have a harmful effect on the character and appearance of the area and would comply with policies D1 and H4 of the Maldon District Approved Local Development Plan 2017 (LP), which seek to ensure design quality within the built environment, providing development which respect and enhances the character and local context and maintains the character of the original building and be of an appropriate scale and design.

Living Conditions

10. The proposed first floor extension would be constructed on the boundary with 53 Nipsells Chase. On the rear elevation this would be above the existing single storey projection and the increased height of the rear roof slope of the main dwelling. Both of which project beyond the rear elevation of no. 53. The modest increase in height of the proposed extension above the existing eaves would not have a significant enclosing effect on next door's outlook from their garden or rear windows, having regard to the impact of the existing extension. Similarly, the increase in the ridge height which would be set off the boundary, would not result in any material impact on the outlook from no. 53.
11. As such, the proposal would not harm the living conditions of the occupants of the most relevant neighbouring property with regard to outlook. The proposal would not have an overbearing impact, and nor would it lead to a sense of enclosure. It complies with policy D1 of the LP, which seeks to protect the amenity of surrounding areas taking into account outlook.

Conditions

12. The Council has suggested conditions which I have considered against the advice in the Framework and Planning Practice Guidance. I have imposed conditions to ensure that the proposal is built in accordance with the approved plans to provide certainty and that seek to safeguard the character and appearance of the area.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

G. Pannell

INSPECTOR