

# Appeal Decision

Site visit made on 27 October 2020

**by J Bell-Williamson MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 09 November 2020**

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**Appeal Ref: APP/X1545/D/20/3248293**

**13 Cedar Grove, Burnham-on-Crouch CM0 8DQ**

- 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 & Mrs S Allwinkle against the decision of Maldon District Council.
  - The application Ref HOUSE/MAL/19/01113, dated 23 October 2019, was refused by notice dated 18 December 2019.
  - The development proposed is demolition of existing single storey rear addition and erection of new two storey rear extension on the same footprint.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed extension on the character and appearance of the host dwelling and surrounding area.

## Reasons

3. The appeal property is a mid-terrace two storey dwelling in a residential road of similar dwelling types and some semi-detached dwellings.
  4. The parties refer to a previous application for similar development that was refused (reference HOUSE/MAL/19/00820). While I note this earlier application, the current appeal involves a separate proposal, which I have considered on its own merits.
  5. Policy D1 of the Maldon District Approved Local Development Plan 2014-2029 (the Local Plan) concerns design quality and the built environment. It requires development to respect and enhance the character and local context, and make a positive contribution against a number of criteria, including architectural style, use of materials, detailed design features and construction methods.
  6. Policy H4 of the Local Plan concerns the effective use of land. With regard to development which includes the extension to a building, as in this case, it requires amongst other things that the proposal should maintain, and where possible enhance, the character and sustainability of the original building and the surrounding area. Policy H0.8 of the Burnham-on-Crouch Neighbourhood
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Development Plan requires that proposals for housing development should produce high quality schemes that reflect the character and appearance of their immediate surroundings.

7. The staggered building line to the rear of the terrace enables No 13 to have a single storey projection directly next to the side wall of No 11. The proposal involves replacing this existing feature and adding an upper storey.
8. The majority of the terrace is readily visible from the rear gardens due to low boundary fences between gardens. While there are some single storey features to the rear, including conservatories, there are no two storey extensions. As such, the terrace largely retains its original layout and appearance. A consistent feature that informs a good degree of uniformity across the terrace is the pitched roof form, which remains unaltered across the terrace. The single storey elements that exist, including at No 13, have mono-pitched roofs that reflect the pitch of the main roof.
9. The extension would utilise the space that exists due to the staggered building line and would not, therefore, project beyond the existing rear building line. Moreover, it would include external materials to match those found across the terrace. In these respects, it would not represent a prominent change to the host dwelling or terrace. However, to achieve the same eaves height as the existing properties, and to not obscure or impinge on the pitched roof, the submitted plans show the extension with a flat roof.
10. The design and appearance of the flat roof of the extended upper storey would contrast significantly and unfavourably with the uniform roof design across the terrace. It would introduce a contrived and alien design feature that would be incongruous and uncharacteristic. As such, it would draw undue attention to the upper floor extension and would result in material harm to the character and appearance of the host dwelling and terrace.
11. I accept that the appeal property and terrace of which it is a part are not of particular architectural merit, nor are they prominent from views in the public realm to the rear (although the appellants' photographs demonstrate that they can be seen from the rail platform and car park beyond this). Nonetheless, as found above, the terrace retains a good degree of uniformity of character and appearance, which reflects its original planned design and layout. The incongruous and uncharacteristic design of the proposed extension, particularly its roof, would be highly visible from neighbouring gardens from where the harmful effects would be readily apparent.
12. Therefore, for the reasons given, I conclude that the proposed extension would have an unacceptably harmful effect on the character and appearance of the host dwelling and the surrounding area. As such, the proposal is contrary to Policies D1 and H4 of the Local Plan and to Policy H0.8 of the Burnham-on-Crouch Neighbourhood Development Plan, referred to above. These policies are consistent with the National Planning Policy Framework, particularly section twelve concerning good design.
13. I acknowledge that the proposed extension is intended to create additional living space. However, these personal circumstances do not overcome the harm and conflict with development plan policies that I have found would result from the proposal.

14. In reaching this conclusion I have had regard to the representation in support of the proposal from Burnham-on-Crouch Town Council.

**Conclusion**

15. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should not succeed.

*J Bell-Williamson*

INSPECTOR