
Appeal Decision

Site visit made on 20 October 2020

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 November 2020

Appeal Ref: APP/X1545/D/20/3251500
32 St Giles Crescent, Maldon, CM9 6HS

- 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 Graham Wollington against the decision of Maldon District Council.
 - The application Ref. FUL/MAL/20/00058, dated 3 November 2019, was refused by notice dated 7 April 2020.
 - The development proposed is extension and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development given on the planning application form is 'new dwelling and new vehicle accesses'. However, the description on the Council's decision notice and the appeal form is 'extension and associated works'. As this reflects the development shown on the submitted plans I have applied this description in the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal property, the street scene and the surrounding area.

Reasons

4. The appeal property is a semi-detached house located on a prominent corner site at the junction of St Giles Crescent and Cherry Garden Road. The wider residential area comprises mostly semi-detached dwellings similar in design to the appeal property, but also includes blocks of flats, single-storey and chalet-style properties. Whilst the area appears cohesive, this is mostly derived from repeated house styles, materials and construction period, but it is not uniform and allows for some variety. The streetscene appears particularly open at this point due to a play area and green space at the junction.
5. The appeal site is larger than most in the area, and part of the side garden that would contain the proposal is fenced from the house and overgrown. The dwelling is prominent in the street scene, with the front and side elevations being equally visible. As a result, any two-storey extension on this part of the site would be highly visible.

6. The proposed extension would be relatively wide compared to the host property. The appellant advises that it would be just under three-quarters of the size of the original dwelling. This would nevertheless create a dominant addition that would appear disproportionate to the size of the original building. Whilst I appreciate the appellant's view that internally this would provide an adaptable building with functional and usable rooms for modern healthy living, this would translate into an overly large and bulky addition when viewed externally. The modest set back behind the existing front elevation would offer limited relief to the mass and scale of the resultant building. The extension would be highly visible in the street scene due to its position, notwithstanding its containment within the 'building line' of properties in Cherry Garden Road.
7. This adverse visual impact would conflict with the aims of Policy D1 of the Maldon District Approved Local Development Plan 2014 – 2029 (2017) [LP], which amongst other criteria requires development to respect and enhance the character and local context and make a positive contribution in terms including architectural style, height, size, scale, form, massing and proportion. I recognise that the proposal would not appear cramped on the site, which is large enough to retain generous gaps between the extension and the boundaries with the adjacent footpaths, but that would not be sufficient to mitigate the visual harm. The proposed 'uplift' to the appearance of the site with new landscaping and fencing and the removal of an asbestos garage need not be dependent on the appeal proposal, and would not in any event offset the visual harm that I have identified from the extension itself.
8. I acknowledge the appellant's view that the proposal would make more effective use of land and contribute to the housing mix, including accommodation suitable for semi-independent living. However, the requirement in LP Policy H4 to optimise the use of land is subject to regard for the location and setting of the site and the existing character of the surrounding area. As proposed, the extension would not be of an appropriate scale and design that makes a positive contribution to the character of the original dwelling and the surrounding area as required by the policy.
9. The appellant has drawn comparisons with an extension at 34 St Giles Crescent on the opposite side of Cherry Garden Road. The Council advises that planning permission was granted for the two-storey extension in 2000. Neither party has provided details of the permission, but from my assessment there appear to be differences between the two extensions that materially alter their impact. For example, the set back at No.34 appears to be deeper, to allow the retention of a side-facing window that features on this dwelling type; the depth of the proposal would result in the loss of this opening at the appeal property. The rear section of the extension at No.34 has also been inset to add a visual break to the side elevation. The siting of the two buildings also differs, with the original front elevation of No.34 being the most prominent feature in the streetscene, and the side extension clearly recessed.
10. I find no objection in principle to a two-storey side extension at the property, but in its current form the proposal would not accord with the current national and local planning policies¹ which promote the creation of high quality buildings and places. Whilst I do not share the Council's view that little weight should be

¹ The appellant has queried the change in policies since 2000, but the National Planning Policy Framework was published in 2019, with supporting Planning Practice Guidance, and the National Design Guide 2019; and the current Local Plan was adopted in 2017.

given to the extension built at No.34 due to its age, there appear to be distinctions between the two which do not support the appeal proposal.

11. I therefore conclude that the proposal would detract from the character and appearance of the appeal property, the street scene and the surrounding area, in conflict with the design aims of the National Planning Policy Framework and LP Policies D1 and H4. For the reasons given above I conclude that the appeal should be dismissed.

H Lock

INSPECTOR