



Appeal Decision

Site visit made on 8 December 2020

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11/02/2021

Appeal Ref: APP/X1545/D/20/3255914

23 Maritime Avenue, Heybridge Basin, Essex CM9 4RT.

- 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 Ms R Malyon against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/20/00406, dated 23 April 2020, was refused by notice dated 1 July 2020.
 - The development proposed is a part single and part two storey extension, new dormer and rendering (white) of existing property and extension.
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Decision

1. The appeal is allowed and planning permission granted for a part single and part two storey extension, new dormer and rendering (white) of existing property and extension, in accordance with the terms of application ref: HOUSE/MAL/20/00406 dated 23 April 2020, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this permission.
 - 2) This permission shall relate to the following plans: Location Plan (200/EX/02/A), Block Plan, north side elevation as existing (MALYON/01/8 – GA), proposed elevations (200/S1/01/A), south side elevation as existing (MALYON/01/6 –GA), ground floor plan as existing (MALYON/01/1–GA), First Floor Plan as Existing (MALYON/01/3 –GA), first floor plan as proposed (MALYON/01/4 –GA), front elevation as existing (MALYON/01/5 –GA), rear elevation as existing (MALYON/01/7 –GA), ground floor plan as proposed (MALYON/01/2 –GA).
 - 3) No development shall commence until details / samples of the materials to be used in the construction of all of the external surfaces of the development hereby permitted, to include the external render, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site comprises a modern detached two storey property set within a small modern estate of similar properties. The dwellings are of varying size but of similar appearance in that they are all of brick elevations with tiled roofs.
4. The dwelling on the appeal site is larger than many of the surrounding properties and is set back into a 'corner' of the estate off a short private drive at the end of a cul-de-sac. As such it is not readily seen within the main street scene of Maritime Avenue and only becomes visible when entering the turning head at the end of the cul de sac itself. As noted in an earlier appeal decision¹ the rear of the property is also visible from an elevated public footpath which runs along the sea wall of the estuary. From this easterly aspect it is seen within a row of properties at the far end of Maritime Avenue as well as others to the north, a number of which have been altered and extended resulting in a varied character and appearance.
5. The above appeal allowed a rear extension, garage conversion and internal alterations including a front dormer window clad in a mixture of brickwork, coloured boarding and render. The current appeal proposal is for a similar form of development but includes the rendering of the whole property. The appellant clarifies that the render will be an insulating cladding system.
6. The key concern of the Council is the visual impact of the proposed cladding within the street scene. It would appear that this is mainly in respect of the Maritime Avenue street scene albeit the impact in views to the rear are also relevant. It is the case that the proposed cladding would result in the dwelling having a different and contrasting external appearance to those adjoining it within the Maritime Avenue street scene. The existing approved scheme will result in changes to the built form and appearance of the dwelling and the cladding would introduce a further visual change in this aspect. However, it would give a cohesive appearance to the resulting dwelling whilst at the same time contribute to energy efficiency.
7. The previous Inspector noted that the extended property would stand out as a distinctive building with an appearance unlike others visible from the rear sea wall aspect. The proposed cladding would have a similar impact viewed from a part of Maritime Avenue.
8. As noted by the appellant, there are a number of rendered properties within the wider area. Whilst these do not form part of the Maritime Avenue street scene they do include properties which directly adjoin to the north of the appeal site and are part of its immediate context. Furthermore, I saw on my site visit that in general the wider area is characterised by a mixture of brick and render finishes.
9. I consider that the resulting building would be of a distinctive, high built quality, that would contribute positively to the area despite its contrasting appearance to the properties that it adjoins in Maritime Avenue. Overall, I therefore find that the proposal would accord with Policies D1 and H4 of the Maldon District Local Development Plan (2017) which seek to ensure that development respects and enhances the character and local context and that

¹ AP/X1545/D/18/3204690

alterations and additions maintain and where possible enhance the character and sustainability of the original building and the surrounding area.

10. I consider that the proposal would also comply with the National Planning Policy Framework (the Framework), in particular paragraph 127 which seeks to ensure that development adds to the overall quality of the area, is visually attractive and sympathetic to local character.

Conclusions

11. I have considered the conditions suggested by the Council and find that they meet the tests set out in paragraph 55 of the Framework and are necessary in the interests of the visual amenity of the area and proper planning. I consider that a single condition is sufficient to require details / samples of the external finishes which would include the render as well as the roofing and other materials.
12. I therefore conclude that this appeal should be allowed and planning permission granted.

P Jarvis

INSPECTOR