



Appeal Decision

Site visit made on 12 May 2021

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/X1545/W/20/3261811

70 Colchester Road, Great Totham CM9 8DG

- 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 H. Cooper against the decision of Maldon District Council.
 - The application Ref: FUL/MAL/20/00867, dated 25 August 2020, was refused by notice dated 20 October 2020.
 - The development proposed is described as a new dwelling.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr H Cooper against Maldon District Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

4. The appeal site is located at the end of a line of mainly detached and semi-detached houses in a semi-rural setting, served by a service road and which face Colchester Road.
5. The appearance of the area is characterised by mainly red brick, two storey properties, though some also include white render to their elevations. Roofs are double pitched. The houses are generally low density in a landscape setting. Windows are predominantly single height and serve individual rooms. Frames are normally white.
6. The proposed dwelling would be comparable to the adjoining properties in terms of its height, density and massing but, unlike the existing dwellings in the area, it would have many long, narrow windows, often spanning two floors. Frames would be black and external walls would be white rendered.
7. The proposed property would be visible from the public realm and owing to its many long, narrow windows and black frames to its front elevation, it would unacceptably jar visually with the neighbouring properties which mainly have a

more traditional style of fenestration, thereby ensuring that houses blend together cohesively in the semi-rural setting.

8. While the local planning authority objects to the black window frames, the colour could be controlled by condition. However, this would not overcome my other identified concerns above.
9. The National Planning Policy Framework 2019 (the Framework) stresses that great importance should be attached to the design of the built environment. Good design is a key aspect of sustainable development. Paragraph 131 gives encouragement to innovative designs but expects them to fit in with the built form and layout of their surroundings. While the proposed development would have the general form of its surroundings, it would nevertheless include a contrasting form of fenestration, appearing incongruous amongst the more traditional window patterns of dwellings in the area.
10. I therefore conclude that the proposed development would be contrary to policy D1 of the Maldon District Local Development Plan 2017 (MLP) which requires new development to respect and enhance the character of an area including local architectural styles and would also be contrary to the design requirements of the Framework. Policy H4 of the MLP which is concerned with the effective use of land and density, is not directly relevant to the main issue.

Conclusion

11. For the reasons outlined above, the proposal would not accord with the development plan for the area. There are no identified material planning considerations which outweigh the conflict with the development plan. Therefore, the appeal should be dismissed.

Steven Hartley

INSPECTOR