



Appeal Decision

Site Visit made on 14 June 2021

by **Robin Buchanan BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 July 2021

Appeal Ref: APP/X1545/D/20/3264089

52A, Queenborough Road, Southminster, CM0 7AD

- 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 Oliver Cole against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/20/00799, dated 6 August 2020, was refused by notice dated 1 October 2020.
 - The development proposed is a part two-storey and part single-storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part two-storey and part single-storey side extension at 52A, Queenborough Road, Southminster, CM0 7AD in accordance with the terms of the application, Ref HOUSE/MAL/20/00799, dated 6 August 2020, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host building and the wider area.

Reasons

3. The host building is a detached single-storey bungalow. One half is an original annexe outbuilding to No 52 Queenborough Road with a taller gabled roof. It has been enlarged by an attached double garage with a lower hipped roof, since converted to additional living accommodation. It is located behind nearby rows of two-storey houses fronting Queenborough Road and Sheepcote Lane, next to some detached garage outbuildings, facing countryside to the north and west. This low key, loose knit arrangement and juxtaposition of built form at the rear of development on this edge of Southminster, and its relationship to the spacious open countryside, is locally distinctive.
4. The appeal proposal would redevelop the hipped part of the bungalow with a taller extension attached to the original annexe, including rooms in the roof with dormer windows front and back and a narrow 'lean-to' roof at the rear. It would also enlarge the footprint of this part of the bungalow at the front, side and rear. The development would therefore reverse the existing arrangement of built form on the appeal site — from the appearance of a primary original annexe with a subservient converted garage, to a primary chalet bungalow, with the appearance of a cottage, and a subservient side wing. This step-up in built form would be a reasonably large addition and moderately increase the visual and spatial presence of a dwelling on the appeal site.

5. However, the increased scale, height and bulk of the appeal proposal would not be excessive in height to ridge considering the slightly lowered ground level of this part of the appeal site, or in relation to the original annexe. It would also have a reasonably shallow roof pitch with a low eaves level, limiting the extent of vertical elevation. This part of the building would not be significantly taller or wider than the converted garage or the original annexe, and a gabled roof form would complement the original annexe roof. Furthermore, despite two storeys of internal accommodation the dormer windows would be relatively small and well-proportioned in the roof slopes.
6. Externally, the development would not therefore appear disproportionate in relation to the original annexe and the resulting building would remain ostensibly single storey in overall scale, massing and appearance. In my judgement, it would not 'dominate' or 'dwarf' the existing dwelling, as the Council suggests. Moreover, the proposed external materials would reflect those in the existing building and as a result would remain sympathetic to the original annexe. The development would not therefore be a significant variance from that which exists on the appeal site, would be substantially less extensive in height, scale and massing to nearby houses and be broadly in keeping with the size and pattern of single storey garage buildings near the appeal site.
7. While the appeal site is, by definition for planning policy purposes, outside of the defined settlement boundary of Southminster, in the countryside, it is nonetheless developed with a dwelling and, with its garden, plainly has a domestic character and appearance. On the approach to the appeal site from the access drive, and as would be seen from part of a more distant public footpath, the development would have an immediate facing aspect to the countryside. However, it would be observed in the context of a nearby commercial site on one side, against a backdrop of trees and houses behind and next to some reasonably large domestic outbuildings on the other side.
8. Moreover, it is near houses that are within the defined settlement boundary. Although the appeal site is to the rear of these, in my judgement, visually and spatially the proposed development would have more affinity with, and be part of, the built-up area of Southminster, albeit on the edge, rather than with the open countryside beyond. It would not therefore be overly prominent or conspicuous or unduly erode spaciousness in relation to this rural setting or cause harm to the character or appearance of the countryside. In addition, most of the nearby houses along Queenborough Road and Sheepcote Lane are reasonably closely spaced or their gardens contain intervening fences, trees, hedges or outbuildings, including in the wider gaps next to Southminster Library. As a result, the development would be observed in glimpsed views over some distance, including in relation to the countryside beyond, and there would therefore be no significant visual intrusion in this regard.
9. Consequently, I find that the development would not harm the character and appearance of the host building or the wider area. It would accord with Policies S1, S8, D1 and H4 of the Maldon District Local Development Plan, July 2017 (LDP). Amongst other things, these policies support alterations, extensions or additions to buildings, including in the countryside, and aim to conserve local context and distinctiveness and the natural and historic environments, including the intrinsic character and beauty of the countryside in terms of design, architecture, materials, height, size, scale, form, massing, proportion, landscape and townscape setting, layout and orientation.

10. It would also be consistent with the National Planning Policy Framework (Framework) paragraphs 124, 127(a), (b), (c) and (d), 170(b) and 193 which seek to create high quality buildings and places that add to the overall quality of the area and ensure development is visually attractive as a result of good architecture and layout, sympathetic to local character, including the surrounding built environment and landscape setting and maintains a strong sense of place and protects the natural, historic and local environments, including the countryside.

Other Matters

11. No 52 Queenborough Road¹ is a Grade II listed building (LB) and a designated heritage asset. Accordingly, great weight should be given to its conservation². The significance of the LB derives from its vernacular form and materials as an early 17th-century timber framed and rendered former farmhouse, including large original dormer windows at the front, and its immediate setting which includes the end of its rear garden and the appeal site.
12. The development would not be prominent in key views of the LB and a significant extent of residential development already surrounds it, including the appeal site. While the appeal proposal would increase built form on the appeal site, this would not be by a significant amount and it would therefore have a neutral effect on the special architectural and historic interest of the LB and its setting. Consequently, it would not detract from the way that the significance of the LB is currently experienced. Accordingly, there would be no harm to, or loss of, the significance of this designated heritage asset or its setting³ and the appeal proposal would therefore preserve the LB and its setting.⁴ I note that the Council did not object to the appeal proposal in this regard.

Conditions

13. The Council has suggested some conditions⁵. I have considered these and where necessary I have modified the wording in the interests of clarity and in light of the tests and advice in Framework paragraph 55 and in Planning Practice Guidance⁶. I have included the compulsory standard time limit condition to ensure that the development must be begun not later than the expiration of the specified period. I agree with the Council that a condition is necessary to specify the approved plans and external materials. This will ensure certainty in the interests of the character and appearance of the host building and the wider area.

Conclusion

14. For the reasons given above, I conclude that the appeal succeeds.

Robin Buchanan

INSPECTOR

¹ Also referred to as 'Spratt's Farmhouse'

² Framework paragraph 193

³ Framework paragraph 194

⁴ Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

⁵ Council's appeal questionnaire

⁶ Paragraph ID: 21a-003-20190723

Schedule of 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:
 - 1:1250 Location plan
 - 1:500 Block and roof plan
 - OC 01 Existing elevations and floorplan
 - OC 02B Proposed elevations and floorplans

including details of external materials as also contained in Section 5 of the planning application form, dated 6 August 2020.