



Appeal Decision

Site visit made on 2 July 2021

by Julie Dale Clark BA(Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2021.

Appeal Ref: APP/W1525/D/20/3261892

Hazeleigh, Riffhams Lane, Danbury, Chelmsford CM3 4DS

- 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 M Dorsett against the decision of Chelmsford City Council.
 - The application Ref 20/00874/FUL, dated 9 June 2020, was refused by notice dated 4 August 2020.
 - The development proposed is - Single storey rear extension. First floor extension. 1No. roof window to front and 1No. roof window to side.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are the effect of the proposal on 1) the character and appearance of the area; and 2) the living conditions of the occupiers of Ramor.

Reasons

Character and Appearance

3. The appeal site is a detached dwelling set back from Riffhams Lane. There is a notable difference in land levels and Hazeleigh provides living accommodation on one floor but with a garage beneath the dwelling and accessed from the driveway off Riffhams Lane. Access to the dwelling is elevated and reached via steps. To the rear, the land is on a higher level where the dwelling is single storey only and accessed directly from the rear garden. The land also rises along Riffhams Lane from the north-east to the south-west with the adjacent houses, Skerries, sited at a lower level than Hazeleigh and Ramor at a higher level.
4. Local Plan¹ Policy DM23 sets out design criteria for new development and indicates that permission will be granted for development which respects the character and appearance of the area. A high quality of design is expected which is also reflected in the National Planning Policy Framework.²

¹ Chelmsford Local Plan 2013 – 2036, adopted 27 May 2020.

² Ministry of Housing, Communities and Local Government National Planning Policy Framework, February 2019 (the Framework).

5. The proposal would add a first floor to the dwelling which due to the land levels would give the appearance of a two / three storey dwelling at the front (including the lower ground level garage) and a two-storey dwelling at the rear. Hazeleigh is currently quite different in appearance than its neighbours being white rendered and incorporating arched opening on its front elevation. It is though quite low key as it is essentially a bungalow and with a much lower ridge height than its neighbours. Generally, the houses in the lane differ in design, scale and detailing, including materials.
6. Whilst the proposal would result in a house that would appear substantially larger than it is now, the plot is a generous one and the additions would add extra height more in keeping with those around it. Whilst its impact would be notably different than the existing dwelling, this is mainly due to its low height compared to its neighbours. The area has scope to accommodate individually designed or altered properties as is evidenced by the mix of houses along the lane. Also, the dwelling is set back some distance from the lane and the plot of land is of a size able to accommodate a larger dwelling than the existing one.
7. However, the proposed scheme comprises a mix of features including the existing arched openings, proposed dormer windows and a large two storey gable which together fail to achieve a cohesive design. The proposal would appear unduly fussy and would not achieve the standard of design required by Policy DM23 or the Framework. On this issue therefore, I consider that the character and appearance of the area would be harmed.

Living Conditions

8. Ramor lies to the west of Hazeleigh and is sited some way forward, closer to Riffhams Lane and Hazeleigh extends further back to the rear than Ramor. Although there is substantial screening between the properties in the form of various vegetation, enlarging Hazeleigh is likely to have an effect on the living conditions of the occupiers of Ramor. This is due to the extent of the rear projection, together with the added height and the proximity to the shared boundary. I accept that Ramor is at a higher level than Hazeleigh, and this goes some way in lessening the impact of the proposal but not sufficiently to not overcome my concerns. The proposal would conflict with Local Plan Policy DM29 which seeks to safeguard the living environment of the occupiers of nearby residential properties in that it would appear overbearing very close to the boundary. On this issue therefore, I consider that the living conditions of the occupiers of Ramor would be harmed.

Conclusion

9. I note that this proposal amends a previous scheme and from the information I have seen, it clearly goes some way in addressing the previous concerns. However, I still find the proposal unacceptable for the reasons stated above. I have considered all matters raised but none alter my conclusion.
10. I conclude that the proposal would have a harmful effect on the character and appearance of the area and on the living conditions of the occupiers of Ramor. This would conflict with the policies referred to and therefore the appeal fails.

J D Clark
INSPECTOR