



Appeal Decision

Site visit made on 10 August 2021

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 7th September 2021

Appeal Ref: APP/X1545/D/21/3271748

1 St Giles Close, Maldon CM9 6HU

- 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 Lee Middleton against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/20/01069, dated 19 October 2020, was refused by notice dated 25 January 2021.
 - The proposed development is for retention of side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a) the impact of the proposal upon the character and appearance of the area.
 - b) The impact of the proposal upon parking and highway safety.

Reasons

The Impact of the Proposal Upon the Character and Appearance of the Area.

3. The appeal property is a red brick semi detached house within the cul de sac of St Giles Close. I consider that St Giles Close itself appears as a collection of houses with a relatively significant design intent in the forms, materials and layout used in the development.
4. I consider therefore that there is a general consistency in the materials, proportions and architectural forms used throughout the development as well as the use of courtyard and linear forms that I consider may well be a diluted response to the traditional vernacular of the wider area. The appeal property exhibits these simple forms and materials in the use of brick and red pantiles that give some overriding character to the streetscene as a whole.
5. The scheme before me seeks to retain a garage extension to the side of the appeal property that is located alongside an existing pedestrian footpath that runs along the boundary. The garage has been constructed from white composite cladding material with external timber battens and as such has introduced something of a departure from the overriding palate of materials used in the property and the surrounding streetscene.

6. Although the overall form of the garage appears generally visually responsive to its context the materials used are of a much lesser quality than those found throughout the rest of the development. Although I recognise that the composite material is deliberately contrasting, I do not accept that this is a positive contrast or one that responds well or effectively to its immediate surroundings. The harm of using this material is also made significantly worse through the retention of timber battens that make the garage appear temporary or somehow flimsy in its construction.
7. As such the garage undermines the distinctive qualities of the streetscene that are important for the quality and sense of place of the area and appears harmful to the character and appearance of the area as a result.
8. In light of this I consider the garage extension is clearly in conflict with Policy D1 Maldon District Local Development Plan that recognises the importance of the local context in achieving good design and seeks to ensure new development makes a positive contribution and preserves and enhances the distinctive qualities of Maldon.

The Impact of the Proposals Upon Parking and Highway Safety

9. It appears common ground between the parties that the garage can accommodate one vehicle. However, the Council feel that the site is not now sufficient enough to accommodate two vehicles and will result in on street parking to the detriment of highway safety.
10. Whilst I recognise that several properties in and around St Giles Close appear to use parking court arrangements I consider that such areas are intended for such use and in doing so they endeavour to avoid the highway being used as a place to park on a regular basis.
11. In the case of the appeal site however, I consider that, due to the existence of the garage, there remains precious little space in which to park a vehicle to the front of the property. Therefore I consider it highly likely that one car from this household would need to park upon the public highway and in doing so there is the potential for an adverse impact upon pedestrian and vehicular safety that the Maldon Supplementary Planning Document on Vehicle Parking standards seeks to avoid. As such I consider that the proposal is contrary to Policy T2 of the Maldon District Local Development Plan.

Conclusion

12. For the reasons above, taking into account all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR