



Appeal Decision

Site visit made on 28 September 2021

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

an Inspector appointed by the Secretary of State

Decision date: 07 October 2021.

Appeal Ref: APP/X1545/D/21/3272331

9 Steeple Meadows, Southminster CM0 7UY

- 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 Julian Hoad against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/20/01116, dated 31 October 2020, was refused by notice dated 7 January 2021.
 - The development proposed is single storey rear extension, garage conversion and external fenestration alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, garage conversion and external fenestration alterations at 9 Steeple Meadows, Southminster CM0 7UY in accordance with the terms of the application, Ref HOUSE/MAL/20/01116, dated 31 October 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: -
 - *Drawing Nos: - 1186/01; 1186/02; 1186/03; 1186/04; 1186/05; 1186/06; and 1186/07.*

Main Issue

2. I consider that the main issue is the effect of the proposed rear extension on the living conditions of the occupiers of the existing dwelling, 9 Steeple Meadows.

Reasons

3. In addition to a single storey rear extension the proposal includes the conversion of the garage to a garden room with a study above. This would involve the addition of dormer windows in the front and rear roof slopes; bi-fold doors opening into the garden and removal of the garage door and replacement with a new wall and a glazed panel. Also included are modest

fenestration alterations to the house. The reason for refusal on the decision notice refers to the rear extension only and I have no reason to consider any harm arising from the other works proposed. My assessment therefore is mainly based on the rear extension.

4. Steeple Meadows is a cul-de-sac made up of closely spaced houses. No 9 is located towards the head of the cul-de-sac with a separate garage and a relatively modest sized rear garden. Local Plan Policy D1¹ sets out criteria for the design quality of the built environment, including the provision of sufficient and useable private amenity space, amongst other things.
5. The Maldon District Design Guide² advises that an adequate amount of amenity space is provided for dwellings and cites the Essex Design Code indicating a minimum requirement of 100m² of private amenity space for a 3+ bedroom dwelling. The Council state that the existing garden is less than this and the extension would further reduce it. A copy of the Essex Design Guide has not been submitted.
6. I agree that the garden is already modest in size and the extension would reduce it further. However, the extension would enable the rear of the house to be opened out into the garden by the provision of bi-fold doors and the proposed garden room in the converted garage would also provide amenity space in the garden. I am also mindful that the rear garden appears to have an open aspect to the rear. Whilst the rear garden would be small, it would still provide a useable area of private amenity space in accordance with Policy D1.
7. I have considered the Council's suggested conditions in terms of the Planning Practice Guidance³ and agree that a condition requiring matching materials is necessary in order to achieve a satisfactory appearance. Also, for the avoidance of doubt and in the interests of proper planning, the development should be carried out in accordance with the approved plans. I impose a condition accordingly.
8. I have considered all matters raised but none alter my conclusion. I conclude that the rear extension would not have a harmful effect on the living conditions of the occupiers of the existing property, 9 Steeple Meadows. Therefore, the appeal is allowed.

J D Clark

INSPECTOR

¹ Maldon District Approved Local Development Plan 2014 – 2029, July 2017.

² Maldon District Design Guide Supplementary Planning Document (SPD), December 2017.

³ Planning Practice Guidance. Published 6 March 2014, Last Updated 23 July 2019.