



Appeal Decision

Site Visit made on 25 October 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th November 2021

Appeal Ref: APP/W1525/W/21/3275956

131-141 Springfield Road, Chelmsford, CM2 6JW

- 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 K Goodwin (Vancouver Ltd) against the decision of Chelmsford City Council.
 - The application Ref 21/00186/FUL, dated 6 January 2021, was refused by notice dated 8 April 2021.
 - The development proposed is proposed addition of second floor to each building for residential use, together with 3 storey rear extensions to provide stairwells & accommodation to create 4 new dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the appeal form as it is a clearer description of the appeal proposal.

Main Issues

3. The main issues are:
 - The effect on the character and appearance of the area,
 - Whether the proposed development would provide acceptable living conditions for future occupiers and the effect on living conditions of neighbouring residents; and,
 - The effect on a European Designated Site.

Reasons

Character and appearance

4. The appeal site occupies a prominent corner plot at the junction of Springfield Road and Victoria Road. It is a two-storey building at the end of a terrace of two-storey buildings along Springfield Road. The properties in the terrace are of similar height, with the eaves and ridgelines stepping down on the approach to the junction with Victoria Road. The appeal property consequently has the lowest eaves and ridge in this terrace. The houses to the rear of the site on Victoria Road are similar in scale to the appeal property and this group of buildings presents a consistent scale on this corner of the junction.

5. The proposed additional storey would significantly increase the mass and bulk of the building. While the windows to the street elevations would largely align with those in the existing building, the varied eaves line would result in a cluttered roofscape that would contrast unfavourably with the relatively simple roofscape of the existing building and its immediate neighbours.
6. The additional extensions to create a staircase to the rear of 131-135 Springfield Road and to raise the height of and extend 139-141 Springfield Road would further add significantly to the bulk and height of the appeal property. This would result in a disproportionately large building on a relatively small plot, with a series of different ridge and eaves lines, in some cases with windows breaching the eaves, that would result in a conflicted and incoherent roofscape. The use of cladding to the proposed second floor would highlight the additional mass and draw attention to the disjointed roofscape.
7. The immediately surrounding area comprises a mix of commercial and residential properties, mainly of two storeys in height, although the eight storey Rivers House sits on the other side of Victoria Road and there are commercial properties in the vicinity of two to two and a half storeys in height. Nevertheless, due to its prominent corner location and siting at the end of a terrace of properties of consistent height, the proposed extensions would result in the building appearing unduly large and bulky in its immediate setting. My attention has been drawn to a permission previously granted for a similar rear extension to the property, but that development did not include the additional storey proposed to the existing building in this instance, and therefore only carries limited weight in determining this appeal.
8. The proposed development would therefore result in harm to the character and appearance of the area. This would conflict with Policies S1 and DM23 of the Chelmsford Local Plan 2020 (the LP). These policies require, amongst other things, that new development respect the character and appearance of the built environment and be compatible with the host building in terms of the form, massing, materials and detailing, be well-proportioned and have visually-coherent elevations.

Living conditions

9. The apartment created over 139-141 Springfield Road would have habitable room windows facing onto the void between the twin rear projections. The void is narrow in width, and the windows to the bedroom, kitchen and living/dining room would face onto blank walls at a short distance. These windows would therefore provide very limited outlook and natural light, particularly for the bedroom to this apartment, resulting in a poor quality of accommodation for future occupiers. Similar relationships are in place for existing units at the site, but this does not justify the creation of further accommodation of poor quality. In any case, the increased height of the rear projections would also cause a reduction in outlook for the existing ground floor and first-floor accommodation facing into the void. This would cause harm to the living conditions of the occupiers of these rooms and apartments.
10. The increased height and depth of the building along the shared boundary with the neighbouring properties on Springfield Road would cause a reduction in outlook from these properties. While no drawing has been provided for this elevation of the proposed building, the floor plans indicate that this would be a

blank wall and would therefore be an oppressive feature when seen from neighbouring properties due to its height and depth.

11. The accommodation created by the proposed rear extension would provide acceptable living accommodation for future occupiers, as would the apartments facing onto both Victoria Road and Springfield Road.
12. Nevertheless, overall the development would fail to provide acceptable living conditions for future occupiers and would cause harm to the living conditions of neighbouring residents. It would therefore conflict with the requirements of Policies DM26 and DM29 of the LP. These policies require, amongst other criteria, that new dwellings achieve a suitable living environment for residential occupiers and that new development not be overbearing to any nearby residential property.

European Designated Site

13. The site is in an urban centre, and there is no suggestion that wildlife would be harmed by the development itself. However, it also lies within the zone of influence of the Blackwater Estuary Special Protection Area, where it is likely that new residential development will cause additional recreational pressure resulting in a significant impact to this European Designated Site. A financial contribution to the Essex Recreational Disturbance Avoidance and Mitigation Strategy is sought to secure mitigation measures against that impact. No contribution has been made, and therefore the development would be likely to result in significant impacts to the Site.
14. The proposed development would therefore conflict with Policy DM16 of the LP, the requirements of which include that developments likely to have an adverse impact on European Designated Sites must mitigate against impacts where identified.

Planning Balance

15. The development would result in the creation of four new dwellings, supporting the Government's objective of significantly boosting the supply of homes. However, the development would cause harm to the character of the area and to the living conditions of neighbouring occupiers and existing occupiers of the properties, would fail to provide acceptable living conditions for future occupiers and would fail to provide mitigation for the likely adverse impact to a European Designated Site arising from increased recreational pressure resulting from the proposed development. In this instance the benefits of the proposed development would not outweigh the harm that would result. There are therefore no material considerations to indicate that the appeal proposal should be determined otherwise than in accordance with the development plan.

Conclusion

16. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR