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## Appeal Decision

Site visit made on 31 January 2022

**by John Felgate BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities**

**Decision date: 3<sup>rd</sup> February 2022**

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**Appeal Ref: APP/X1545/D/21/3273965**

**33 New Road, Tollesbury, Essex CM9 8RE**

- 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 Mrs Lisa Smart against the decision of Maldon District Council.
  - The application Ref HOUSE/MAL/20/01314, dated 7 December 2020, was refused by notice dated 12 February 2021.
  - The development proposed is a first floor side extension.
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### Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 33 New Road, Tollesbury, Essex CM9 8RE, in accordance with the terms of the application, Ref HOUSE/MAL/20/01314, dated 7 December 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 development shall be carried out in accordance with the following approved plans: proposed Floor and Roof Plan, No MA-1060-02, and Proposed Elevations, No MA-1060-03.
  - 3) The external surfaces of the development shall be constructed in materials matching those used on the existing building, as shown on the approved plans.

### Reasons

2. On my visit, I saw that New Road is an attractive, varied street, with a wide variety of different dwelling styles and sizes. No 33 is a double-fronted, 2-storey detached house, set a few metres back from the road. On one side, it has a single-storey projection, about the size of a single garage, set about two metres further back behind the line of the main front wall. The front elevation of this existing extension has a mixture of brickwork matching the main house, together with a central panel of white-painted horizontal timber boarding and white joinery. The development now proposed would extend the house at first level, above the existing single-storey part.
3. The proposed new extension would be modest in scale, compared to the existing house. It would match the existing building in terms of its style, form, and fenestration. The main facing material would be a horizontal cladding similar to the existing panel at ground floor level. The roof would have a lower ridge than the main house, but would otherwise follow the line and pitch of the

- existing. The whole structure would be set back from the main front elevation, as at present, albeit with a small overhang, giving a touch of articulation.
4. To my mind, the design of the new extension would relate well to the existing building. The use of cladding as the main material would break up the overall width of the extended dwelling, avoiding any impression of over-dominance in relation to the street scene. Together with the extension's recessed position and lower height, this would also express the subservient role of this new element. Overall, in my view, the proposed development would represent a well-mannered and harmonious addition; indeed it seems to me that it could quite fairly be described as a 'textbook' example of its type.
  5. I appreciate that the development would result in some loss of space between No 33 and its neighbour, at first floor level. But that existing space is only visible even now from a very short section of New Road. Its contribution to the street scene is therefore limited. Elsewhere in the street, the spacing between buildings varies, with other examples of closely-spaced properties being readily apparent within a few metres from the appeal site itself. On the evidence before me, I can see no reason why maintaining a gap above the ground floor projection at the appeal property should be seen as a matter of particular importance in this respect.
  6. For these reasons, I conclude that the proposed extension would cause no harm to the character or appearance of the appeal property or to the street scene. In this respect it would represent a design-led development, optimising the use of the site, and respecting and enhancing its local context, as required by Policies H4 and D1 of the Maldon District Local Plan, adopted in July 2017.
  7. The appeal is therefore allowed, subject to the conditions set out at paragraph 1 above. The condition that I have imposed regarding the approved plans is necessary for the purposes of certainty, and that relating to the materials is needed to ensure a satisfactory appearance.

*J Felgate*

INSPECTOR