



Appeal Decision

Site visit made on 26 May 2022

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10TH June 2022

Appeal Ref. APP/X1545/D/22/3290185

12 Esplanade, Mayland, Essex CM3 6AL

- 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 Paul Rainbow against the decision of Maldon District Council.
 - The application ref. HOUSE/MAL/21/00705, dated 2 July 2021, was refused by notice dated 15 October 2021.
 - The development proposed is described on the application form as a "Part one – part two storey extension to the rear of an existing dwellinghouse."
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development upon the character and appearance of the host dwelling and its surroundings.

Reasons

3. The appeal concerns a 2-storey detached house situated on a corner plot at the junction between Esplanade and a minor access way serving a handful of houses of similar design and age. Whilst no outstanding urban architecture is evident hereabouts, it is nonetheless a pleasant residential area. No. 12 is positioned with a gable end facing Esplanade, so the rear elevation of the house which has a shed dormer feature is as prominent in public views from Esplanade as the front elevation which faces the access way and has a 2-storey advanced bay.
 4. No. 14 is the detached house to the north-east of the appeal property. Their opposing rear elevations are separated by a garage block shared across the common boundary and by their respective short gardens. No. 10 is the detached house to the north-west further along the access way. Its front elevation is set at an angle to the north-western boundary of no. 12.
 5. The principle of extending the property and adapting it to meet the changing needs of the current occupants, including a desire to remain in this property and enhance its thermal efficiency, are not at issue. However, the National Planning Policy Framework (the Framework) also advises that good design is a key aspect of sustainable development; so, development should add to the
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overall quality of the area and be visually attractive as a result of good architecture and sympathetic to local character. I consider that the appeal proposal is ill-judged in these important respects.

6. The proposed 2-storey rear extension, the major part of the scheme, would replace an existing single-storey conservatory and add substantial mass and bulk to the rear elevation. Wholly unlike the conservatory and indeed the 2-storey advanced bay at the front which has a width of only about 4 m, it would extend across well over half the width of the house. Whilst I understand the point the appellant makes in relation to the inaccuracies in the officer's report about the height of the proposed extension's ridge and eaves in relation to those of the existing house, the design does not successfully break up the mass and bulk. The 2-storey rear extension would not be set down sufficiently from the roof ridge. This along with its excessive width would result in it appearing out of proportion with the host dwelling, including the more modest front-projecting gable. It would not be sited along the rear wall to retain the full shed dormer feature. Rather, it would lead to the awkward truncation of that feature with only one cheek remaining and one of its windows being squeezed up against the wall of the extension that would face Esplanade.
7. The extension would appear as a prominent and insufficiently subservient addition to the host dwelling especially in public views from Esplanade. Moreover, the substantial infilling of the gap between the dwelling and its adjacent garage would make the extended building appear cramped in its plot, detract from the welcome degree of spaciousness which positively contributes to the street scene and be out of keeping with the original layout whereby nos 12 and 14 and the garage block were given a purposely balanced relationship as viewed from Esplanade. The development would be disruptive to and detract from the character and setting of these properties. The existing conservatory, being glazed and single-storey, does not have a comparable impact, whilst the hipped end of the garage roof would do little to alleviate this negative spatial change.
8. The proposed extension's scale, bulk and design would be disrespectful of and inappropriate to the character, appearance and setting of the existing dwelling and the surrounding area. It would not generally appear as a subservient addition to the host dwelling. Notwithstanding the separation distance between the extension and Esplanade, the extension would be highly visible within this street scene. The use of matching materials would not overcome the visual deficiencies arising from the design, scale and bulk. I find on the main issue that the proposed development would harm the character and appearance of the host dwelling and its surroundings.
9. Policy D1 of the Maldon District Approved Local Development Plan 2014-2029 (LDP) covers design quality and the built environment. It requires development to respect and enhance the character and local context and make a positive contribution in terms of architectural style, detailed design features, height, size, scale, form, massing and proportion. LDP Policy H4 expects extensions to be of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area. The proposal would conflict with these policies and also fail to respect the key design themes in the Framework insofar as they relate to achieving well-designed places.

10. The Council raised no objections in relation to neighbouring residential amenities, parking and highway safety, private amenity space and flood risk. I see no reason to disagree on any of those matters. Still, my finding on the main issue is decisive to the outcome of this appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other material considerations. For the reasons given above and taking into account all other matters raised, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR