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## Appeal Decision

Site visit made on 20 December 2022

**by John D Allan BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17th January 2023**

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**Appeal Ref: APP/Z1510/D/22/3311009**

**26 Mersey Road, Witham, Essex CM8 1LJ**

- 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 Jackson against the decision of Braintree District Council.
  - The application Ref 22/01564/HH, dated 8 June 2022, was refused by notice dated 7 October 2022.
  - The development proposed is the erection of a first-floor front extension.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a first-floor front extension at 26 Mersey Road, Witham, Essex CM8 1LJ in accordance with the terms of the application, Ref 22/01564/HH, dated 8 June 2022, 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 hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 5948/01, 5948/03, 5948/04 and 5948/05.
  - 3) 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.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and wider area.

### Reasons

3. The appeal property is a two-storey, semi-detached dwelling that is part of a group of ten similar houses that sit on the periphery of a wider residential estate development, uniquely facing outwards towards a main distributor road (Spa Road) and set at a significantly higher level behind an expanse of open space, with only pedestrian access to their front elevations.
4. Due to its elevated and exposed position, No 26, along with the others in this group, appears fairly prominent in views from the south-east along Spa Road. However, despite being similar in age and form, and most likely identical in original appearance, I was unable to detect any uniformity or regimentation to

the group of dwellings that was significant. There is no common building line shared between each semi-detached pair, or any noticeable rhythm to their spacing. In addition, there are a number of obvious alterations, including two-storey side and front porch extensions. These have noticeably altered the original appearance of some, including the appeal property and its attached neighbour at No 24, but yet in a sympathetic manner without inherently destroying the cohesion of the group.

5. The appeal property has an existing single-storey, lean-to entrance lobby projection across approximately half the width of its front elevation and positioned towards its outside edge. The attached property at No 24 has no such projection but has a prominent two-storey side extension. Unlike some of the others, there is no existing symmetry to this semi-detached pair. The proposal would add a first-floor extension above the single-storey lobby, with a tiled, hipped roof over.
6. The proposal would undeniably change the appearance of No 26. The addition would be prominent, but I do not agree with the Council's view that it would be unacceptably dominant. The extension would appear as a fully integrated addition with matching materials, fenestration pattern, and profile. The pitched roof would be subservient to the main roof and would tie in to the existing with a continuous eaves line. Due to the staggered forward position of the adjacent semi-detached pair, the first-floor projection would not be seen to protrude as intrusive, or seen to be in any other way out of step with any formal building line.
7. My impression overall is that the proposal would respect the character of the original building, extending it in a sympathetic manner that would be comfortable in its setting and harmonious with the group as a whole. I therefore find no conflict with Policies LPP36 or LPP52 of the Braintree District Local Plan 2013-2033 (2022) as far as they require development to display a high quality of design that respects local character and, in the case of house extensions, the original character of a dwelling. For these same reasons I find no conflict with the National Planning Policy Framework's objectives for achieving well-designed places.

### **Conditions**

8. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the proposals are finished with materials to match the existing building.

### **Conclusion**

9. For the reasons given, I find that there would be no harm to the character or appearance of the host property, or to the wider area. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

*John D Allan*

INSPECTOR

