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## Appeal Decision

Site visit made on 21 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/X1545/D/22/3305892**

**St Lawrence, 105 Imperial Avenue, Mayland, Essex CM3 6AJ**

- 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 Clark against the decision of Maldon District Council.
  - The application Ref HOUSE/MAL/22/00649, dated 20 May 2022, was refused by notice dated 15 July 2022.
  - The development proposed is the erection of a linked double garage with new front wall.
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### Decision

1. The appeal is dismissed.

### Main Issue

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

### Reasons

3. The appeal property is a detached, two-storey dwelling with an attached garage to one side and is set recessed behind a reasonably deep and largely open frontage, with a low front boundary wall and ungated carriage-style access to Imperial Avenue. Imperial Avenue is a long and straight residential no-through road comprising an eclectic mix of property types, sizes, ages and designs lining both sides for the majority of its length, but with an open field directly opposite the appeal site. The proposal includes the erection of a double width garage to the front of the existing side attached garage with a boot room linking it to the dwelling. In addition, new front and side boundary enclosures are proposed, with the application drawings showing a new single gated point of access with 5 No brick piers to the front measuring 1500mm high and a 600mm high dwarf wall between, with railings on top.
4. Imperial Avenue has a strong sense of spaciousness that is derived from a combination of factors including the width of the road, the generally low and informal front boundary enclosures with natural vegetation most dominant, and the recessed position of most dwellings making them largely incidental features within the street scene. This spacious quality is especially prevalent towards the western terminal end of Imperial Avenue where it is further accentuated by the open countryside that extends along its south side.
5. In isolation, the garage and boot room would appear as a well-considered addition to the appeal property that would match its style and detailing, and which would not appear out of keeping in principle with the mixed architecture

in the locality. However, its visual presence would stand in stark contrast to the established spacious qualities of street scene.

6. The extension would project over 10m in front of the main bulk of the existing dwelling and would only be recessed behind the front boundary of the site by just over 3m at its nearest point. Despite there being no formal or regimented continuous building line to the properties along the north side of Imperial Avenue at this point, the significant projection of the extension forward of the existing dwelling would appear alien and incongruous. Regardless of any planting proposed, its intrusive presence would be further exaggerated by the height and bulk of the extension, with a tall pyramidal pitched roof and an overall scale that would be physically dominant within the frontage of the property and out of keeping with the very modest proportions and inconspicuous form of the neighbouring and adjacent bungalow at No 107.
7. The new front boundary would create a noticeably stronger sense of enclosure than currently exists. However, it would be appropriately residential in scale and character being neither overly tall nor imposing. Furthermore, the use of railings would retain a degree of openness that in my assessment would ensure overall that the new front boundary could be successfully integrated into the street scene without any significant impact or harm.
8. Notwithstanding my findings with regard to the proposed boundary treatment, I find that due to the size, height, scale and siting of the linked double garage, the proposal would be harmful to the character and appearance of the area. As such, there would be conflict with Policies D1 and H4 of the Maldon District Approved Local Development Plan 2014 – 2029 (2017) as far as they seek to achieve high quality design that respects the local character and context of the area. For the same reasons there would be conflict with the National Planning Policy Framework's objectives for achieving well-designed places.

#### *Other Matters*

9. The appellant has referred to other properties along Imperial Avenue with forward projecting linked or attached garages. In many cases these simply reflect the architectural composition of the individual dwellings involved but regardless, I saw that in most instances there remained a significant set back from the road, thereby maintaining and contributing to the area's spacious qualities. I saw nothing within the immediate context of the appeal site that would be comparable to the size, form or visual impact of the appeal proposal.
10. I understand the appellant's desire to make secure parking provision for his vehicles, but I have been presented with no evidence to suggest the existing garage provision is somehow unsuitable for this purpose, or that alternative means of achieving security are unattainable.

#### **Conclusion**

11. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

*John D Allan*

INSPECTOR