
Appeal Decision

Site visit made on 9 January 2023

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 30th January 2023

Appeal Ref: APP/X1545/D/22/3309666

Beldores, 2 Park Road, Burnham-On-Crouch, CM0 8ER

- 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 Harper and Ms Dawes against the decision of Maldon District Council.
 - The application Ref. HOUSE/MAL/22/00701 dated 8 June 2022, was refused by notice dated 3 August 2022.
 - The development proposed is raising the ridge height, rear dormers and revised fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for raising the ridge height, rear dormers and revised fenestration at Beldores, 2 Park Road, Burnham-on-Crouch in accordance with the terms of the application, Ref HOUSE/MAL/22/00701, 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 approved plans Nos. L1 – Location, 01D – floor plans and site plan, and 02D – Elevations and Sections.
 - 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 Issues

2. The main issues in this case are: i) the effect of the proposed development on the character and appearance of the existing dwelling and the streetscene; and ii) the adequacy of the parking provision on the site.

Reasons

The effect of the proposed development on the character and appearance of the existing dwelling and the streetscene

3. Policy HO.8 of the Burnham-on-Crouch Neighbourhood Development Plan states that proposals for housing development should produce high quality schemes that reflect the character and appearance of their immediate

surroundings. At the district level, policy H.4 of the approved Maldon District Local Development Plan which states (as relevant here):

"Alterations, Extensions or Additions

Development which includes the alteration, extension and / or addition to a building must:

- 1) Maintain, and where possible enhance, the character and sustainability of the original building and the surrounding area;*
- 2) Be of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area and where possible enhance the sustainability of the original building; and*
- 3) Not involve the loss of any important landscape, heritage features or ecology interests".*

4. The application site is located on the eastern side of Park Road within the settlement boundary of Burnham-on-Crouch. The site is occupied by a detached chalet-style dwelling with rooms in the roof. Park Road is lined by detached dwellings of various designs. The properties are predominately single storey or single storey with rooms in the roof. Of note is No.10, 4 doors away on the same side of the road, which is a conventional 2-storey house with a hip-gable roof. It is also the case that the end house on the other side of Park Road is 2-storey, in that case with a standard gable end that faces onto the road.
5. The proposal involves raising the chalet into a conventional two-storey form but with three floors, the second-floor being within the roof-space and served by rear facing dormer windows. Bedroom numbers would increase from four to five. This involves a roof ridge level 1.6m higher than the existing house. The roof would remain in the hipped gable form with 2 flat roofed dormers in the rear roof slope. This part of Park Road is a cu-de-sac which ends in front of this property, so that the taller building form would not be set within a row of bungalows.
6. What I find particularly telling, with regard to this issue, is that, as already noted, No.10 is a full 2-storey house with a hipped-gable roof, of very similar proportions to the appeal proposal. This house sits between chalet bungalows, with the 2 bungalows towards the appeal site having effectively the same front elevations as the present dwelling at No.2. What I saw at my site visit did not lead me to think that there was any unfortunate juxtaposition between the height and mass of No.10 with its neighbours. It is however true that No.4 Park Road is a small bungalow with a main roof in a pyramid form, so that its scale with the appeal proposal would be marked. Nevertheless, there is a good degree of separation between the 2 dwellings, so that I do not find this relationship of sufficient visual concern to change my view of the appeal proposal.
7. In light of the above, I find that there would be no harmful effect arising from the proposed development on the character and appearance of the existing dwelling and the streetscene.

The adequacy of the parking provision on the site

8. The Council's adopted Vehicle Parking Standards Supplementary Planning Document (SPD) contains the parking standards which are expressed as maximum standards. This takes into account government guidance which

encourages the reduction in reliance on the car and promotes methods of sustainable transport. Parking spaces are required to measure 2.9m by 5.7m as contained within the SPD. The block plan indicates that three off-street parking spaces are to be provided within hardstanding to the front of the application site. However, the officer's report notes that it is not clear how the most southerly car parking space would be accessed without a car being in conflict with the porch.

9. Whilst the submitted plan does show a degree of conflict with the front porch, I also note that this space is next to a point where the site boundary slays off to the south. I would thus appear that the space could be slightly re-orientated to avoid this conflict. The highway authority response to the proposal was that it would not alter the existing access arrangements to the local highway network and will provide parking provision within the curtilage of the site. Therefore, from a highway and transportation perspective, the impact of the proposal is acceptable to that Authority
10. I consider that adequate parking provision has been made on the site.

Overall conclusion

11. Having taken account of all the matters raised, and in view of my reasoning above, I conclude that the appeal should be allowed.

Conditions

12. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance (PPG). I consider that 2 of these conditions should be imposed for the following reasons: condition 2 is required for certainty and avoidance of doubt as to the development permitted, and condition 3 is to ensure that the appearance of the development permitted integrates with the existing in a visually satisfactory manner.
13. The council also suggested a third condition, which it sets out as follows: "*The garage shall not be used other than for the accommodation of private motor vehicles or for any other purpose incidental to the enjoyment of the dwelling house as such and shall not at any time be converted or used as habitable space / living accommodation*". It suggests that this is necessary in the interest of highways safety. This appears to me to be misguided, partly because the appeal proposal itself includes converting the garage into a utility room at the rear, and cycle storage at the front, and secondly, the proposal includes adequate off-road car parking. For that reason, I will not impose it.

Terrence Kemmann-Lane

INSPECTOR