

Appeal Decision

Site visit made on 15 March 2023

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th April 2023

Appeal Ref: APP/X1545/D/22/3313122

1 Hall Cottages, Hall Road, Heybridge, Essex CM9 4NG

- 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 Kenneth Clark against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/22/01001, dated 15 September 2022, was refused by notice dated 9 December 2022.
 - The development proposed is single storey extension to rear with a single storey garage to side.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling and the street scene.

Reasons

3. The appeal property is a two storey semi-detached dwelling on the northern side of Hall Road, which includes a mix of various types of residential properties and commercial uses.
 4. Policy D1 of the Maldon District Approved Local Development Plan 2014-2029 (2017) (the LDP) concerns design quality and the built environment. It requires development to respect and enhance the character and local context, and make a positive contribution against a number of criteria, including architectural style and height, size, scale, form, massing and proportion. Policy H4 of the LDP, concerning the effective use of land, requires that extensions should maintain or enhance the character of the original building and the surrounding area.
 5. No 1 Hall Cottages is a brick building of modest proportions, which shares the same design and appearance as its adjoining neighbour. While the built development along Hall Road is highly varied, the largely unaltered uniform pair of cottages nonetheless make a positive contribution to the character and appearance of the street scene.
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6. The side extension would be positioned on the existing driveway, running the full depth of the dwelling and then joining with the rear extension. From views directly in front of the appeal property and approaching from the east along Hall Road, the extension would appear as a modest addition due to its limited height and width. Furthermore, the front roof slope would reflect the roof profile of the host dwelling. However, due to the car park in front of the neighbouring commercial use, in views to the side and approaching from the west, the full depth of the extension would be readily visible within the street scene.
7. From this perspective the height of the extension would be proportionate to the scale of the original building. However, there would be an extensive area of flat roof, which would not respect the existing pitched roof of the two storey dwelling. Moreover, the small gable to the front, while reflecting the main roof form would, in combination with the flat roof, appear contrived and incongruous seen in profile from the side. The pitched roof of the rear extension would also be visible above the adjoining flat roof to the rear of the property, further adding to the various awkward roof profiles. Consequently, the side extension would not integrate visually with the host dwelling, nor would the side extension integrate effectively with the rear extension. While the garage would provide further off-street parking, there is no evidence to suggest that the existing parking arrangements at the property are inadequate.
8. I agree with the Council that the rear extension, while of an appropriate depth, would not represent good design due to the varied heights of the eaves and awkward relationship with the existing upper floor window. However, given its position to the rear of the property it would be less visible than the side extension.
9. The appellant draws attention to extensions to the property known as The Limes on the opposite side of the commercial use next to the appeal property. I accept that this extension shares some similarities with the appeal proposal. However, I have no context for its construction, including the policy background at the time. Moreover, in my view it should not be seen as a positive precedent for similar development as it does not complement the host dwelling and has an unbalancing effect on the pair of similar dwellings. As such, this existing development is not a sufficient reason to overcome the harm found with regard to the appeal proposal.
10. Accordingly, for the above reasons, I conclude that the proposed extensions would have a materially harmful effect on the character and appearance of the host dwelling and the street scene. Consequently, the proposal is contrary to Policies D1 and H4 of the LDP, as described above. It is also contrary to the National Planning Policy Framework, which promotes good design.
11. I have had regard to the representation made by Heybridge Parish Council, which reflects matters raised under the main issue.

Conclusion

12. For the reasons given it is concluded that the appeal should be dismissed.

J Bell-Williamson INSPECTOR