

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/22/3313569

Eastlea, 5 Burnham Road, Southminster, Essex CM0 7EP

- 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 Phillip Warman against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/22/00940, dated 19 August 2022, was refused by notice dated 14 October 2022.
 - The development proposed is two storey front and full side extension. Removal of existing lean-to rear extension.
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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 host dwelling and the surrounding area.

Reasons

3. The appeal property is a semi-detached dwelling in a predominantly residential road, located close to the junction of Burnham Road and Station Road, with St Leonard's Church directly opposite.
4. Reference is made to a previous unsuccessful application for a similar form of development at the appeal property¹. While I have noted this, the current appeal involves a separate proposal which I have considered on its own merits.
5. 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.
6. Nos 5 to 11 form a coherent group of uniform paired dwellings within what is otherwise a street scene of varied built development. While of modern

¹ Ref 21/01274/HOUSE.

construction with some variation in detailing, such as windows and doors, the uniform built form and overall consistent appearance of the four dwellings makes a positive contribution to the character of the street scene.

7. The principal changes would be the widening of the frontage as a result of the side extension and the addition to the front of a two storey extension. With regard to the effect on the host dwelling in isolation, these changes would be proportionate and subordinate to the original built form. The additional width resulting from the side extension would not be substantive and the front extension would be lower than the main roof and of limited depth. However, the appeal property is highly visible in the street scene due to the open aspect to the side and its relationship with the other dwellings of similar design and appearance is readily apparent.
8. The widened frontage of the appeal property would unbalance the pair of semi-detached dwellings and would contrast unfavourably with the other unaltered pair, Nos 9 and 11. The front extension in particular would be seen as an incongruous and uncharacteristic addition, projecting forward of the consistent front building line across the four dwellings. Moreover, it would introduce an alien and incongruous design feature in a particularly prominent position to the front of the dwellings.
9. The appellant draws attention by way of comparison to the extensions to No 15 Burnham Road. However, this is a large detached dwelling of individual design and appearance. As such, it does not bear direct comparison with the group of uniform paired dwellings of which the appeal property is part. Other extensions referred to in the surrounding area are not part of the same street scene as the appeal property and, therefore, do not have a direct bearing on the current 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 surrounding area. 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 acknowledge that there were no objections and that the proposed extensions are intended to create additional living space. However, these matters do not overcome the harm and conflict with development plan policies that I have found would result from the proposal.

Conclusion

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

J Bell-Williamson

INSPECTOR