

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/23/3316313

8 Buckleys Close, Wickham Bishops, Essex CM8 3PA

- 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 & Mrs Jack Willis against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/22/01163, dated 17 November 2022, was refused by notice dated 2 February 2023.
 - The development proposed is erection of two-storey rear extension; infill of existing passageway.
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Decision

1. The appeal is allowed and planning permission is granted for erection of two-storey rear extension and infill of existing passageway at 8 Buckleys Close, Wickham Bishops, Essex CM8 3PA. The permission is granted in accordance with the terms of the application Ref HOUSE/MAL/22/01163, dated 17 November 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The extension and infill hereby permitted shall be carried out in accordance with the following approved plans: 22-2162 D01 Rev 2 (location and block plans), 22-2162 D03 Rev 2 (floor plans), 22-2162 D05 Rev 2 (roof plan) and 22-2162 D07 Rev 2 (elevations).
 - 3) The materials to be used in the construction of the external surfaces of the extension and infill hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed two storey extension on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal property is a two storey detached dwelling in a residential cul-de-sac of similar properties. The surrounding area is predominantly residential in character.
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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. The rear extension would respect the design of the host dwelling with the gable reflecting the existing feature to the rear. However, as the extension would replace the existing conservatory, its width and consequential roof pitch results in a height that is almost the same as the principal built form. Moreover, it would not be inset from the original side building line next to the garage. As such, it would not appear fully subordinate to the original dwelling.
6. Balanced against this, however, the complementary roof pitch to that of the existing rear-facing gable, relative depth in terms of the substantive host dwelling, and matching fenestration and materials mean that, despite its overall size, the extension would integrate visually with the original dwelling. I am mindful also that the location to the rear means that the extension would not readily be visible within the street scene, where there is a greater degree of uniform appearance of dwellings in the cul-de-sac.
7. The side of the extension would be seen in views from the front over the garage, but the extent of such views would be limited. It would also be visible from the rear in between Nos 41 and 45 Wellands. However, it would be seen in relative isolation and only in passing views from which the visual integration due to its design and overall appearance, rather than its size, would be apparent.
8. Therefore, for these reasons, I conclude that the proposed two storey extension would not have a harmful effect on the character and appearance of the host dwelling and the surrounding area. Consequently, there is no conflict with Policies D1 and H4 of the LDP, as described above, or with the National Planning Policy Framework, which promotes good design.
9. I agree with the Council that the infilling of the existing passageway between the garage and house would amount to minor works that, with use of matching materials, would not materially alter the appearance of the dwelling.

Conclusion and Conditions

10. For the reasons given above, the appeal should succeed. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of the proposal, one requiring development to be carried out in accordance with the approved plans. I agree that a condition requiring external materials to match those of the existing dwelling is necessary in the interests of the character and appearance of the area.

J Bell-Williamson

INSPECTOR