

# Appeal Decision

Site visit made on 17 April 2023

**by J Bell-Williamson MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5 May 2023**

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**Appeal Ref: APP/W1525/D/22/3312931**

**16 Meadgate Avenue, Great Baddow, Chelmsford, Essex CM2 7LG**

- 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 Mrs Oana Ionescu against the decision of Chelmsford City Council.
  - The application Ref 22/01347/FUL, dated 13 July 2022, was refused by notice dated 23 September 2022.
  - The development proposed is described as 'this planning application is for the erection of a roof, on the existing flat roof, which will be associated with a loft area, at 16 Meadgate Avenue, Great Baddow, Chelmsford, Essex CM2 7LG. The new proposal dormer window will contain obscure glass and will be completely fixed shut! The proposed roof and loft area will be transformed into a prayer room and a guest toilet, which would serve the family needs of 3 children. The property had continually & significant improvements in order to fulfil the family needs and with a better design in mind for the local area/neighbourhood'.
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## Decision

1. The appeal is dismissed.

## Main Issue

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

## Reasons

3. The appeal property is a two storey end-of-terrace dwelling in a residential road of similar terraced dwellings as well as semi-detached properties.
  4. Policy DM23 of the Chelmsford Local Plan (2020) requires that development, including extensions, should be of high quality design and compatible with the character and appearance of the area in terms of siting, scale, form, massing, materials and detailing.
  5. The appeal property currently has a linear extension to the rear that runs perpendicular to the dwelling along the full depth of the garden. This includes a garden room at the rearmost part with covered storage areas connecting this to the host dwelling. Despite its overall depth, the existing extension is relatively discreet due to its single storey height and flat roof. The proposal
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involves adding a tiled roof form to the garden room to provide additional space.

6. The effect of the proposal would be to create a two storey outbuilding in the rear part of the garden. Due to its overall height, size and features such as the dormer window, the extended building would no longer have the proportions and appearance of a typical domestic outbuilding; instead it would compete visually with the host dwelling and would appear incongruous and uncharacteristic in this location to the rear of the back garden. Furthermore, the uneven, asymmetric roof would represent poor design in its own right. This would further draw attention to the incongruous appearance of the extended building in this location.
7. The surrounding area is predominantly residential gardens and there are no other examples of similarly large outbuildings. The extended building would be prominent in views from the surrounding dwellings and their gardens, from which views the effects described would be readily apparent. While it would not be visible from in front of the appeal property on Meadgate Avenue, it would be seen in passing views from Baddow Road, across the car park of the church to the rear of the appeal property. It would also be particularly prominent from views within the church car park.
8. The development at No 181 Baddow Road, drawn to my attention by the appellant, does not have a direct bearing in relation to the appeal proposal as it is well-separated from the appeal site and involves new dwellings rather than an extended outbuilding. Similarly, the development at No 46 Wallace Crescent appears to involve roof extensions to the main dwelling and not changes to an outbuilding as proposed here. As such, these developments and the church to the rear of the appeal property are not directly comparable to the effects of the appeal proposal simply because they involve buildings of greater height or bulk.
9. Accordingly, for these reasons, I conclude that the proposed extension would have an unacceptably harmful effect on the character and appearance of the surrounding area. Consequently, it is contrary to Policy DM23 of the Chelmsford Local Plan, as described above. It is also contrary to the National Planning Policy Framework, which advocates good design.
10. I acknowledge that the proposed extension is intended to create additional living space. However, these personal circumstances do not overcome the harm and conflict with development plan policies that I have found would result from the proposal.

### **Conclusion**

11. For the reasons given it is concluded that the appeal should not succeed.

*J Bell-Williamson*

INSPECTOR