

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

Appeal Ref: APP/X1545/D/23/3314260

6 Strawberry Lane, Tolleshunt Knights, Essex CO5 0RX

- 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 Richard Wright against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/22/00866, dated 27 July 2022, was refused by notice dated 19 October 2022.
 - The development proposed is alterations and extension to remove carport and workshop and construct external store with covered way.
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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 bungalow in a residential road of mixed property types.
 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. Nos 4 to 10, including the appeal property, form a coherent group of uniform paired bungalows within what is otherwise a street scene of varied built development. While of modern construction, the uniform built form and overall consistent appearance of the four dwellings makes a positive contribution to the character of the street scene.
 6. The principal change would be removal of the existing car port and workshop, and their replacement with an external store, which would be positioned next
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to the shared boundary and set back from the host dwelling's frontage with a single storey covered structure in front of this. The larger extension would be of similar height and depth to the host dwelling.

7. Due to the driveways and garages between Nos 6 and 8 there is a relatively wide gap between the dwellings. Despite the setback from the front of the appeal property, the extent and particularly the height of the rear extension would be readily apparent from the road frontage as well as the gardens of neighbouring dwellings and from Brook Close to the rear.
8. From these views the rear extension would not appear as a subordinate addition. As a brick-built structure forming a gable end of similar scale and appearance to that of the host dwelling, it would appear as a dominant feature that would unbalance the proportions of the original built form of the host dwelling and would compete visually with it. Moreover, it would upset the largely uniform character and appearance of the group of four bungalows. As such, due to its overall extent and position, and despite the matching materials, it would be an incongruous and uncharacteristic addition. The single storey structure to the front would result in a limited, proportionate change which would not be harmful.
9. Nonetheless, for the above reasons, I conclude that the proposed rear extension 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 advocates good design.
10. I acknowledge that there were no objections and that the proposal is intended to create additional domestic space. I have also had regard to the appellant's contention that it would enhance security. However, these matters do not overcome the harm and conflict with development plan policies that I have found would result from the proposal.
11. I acknowledge also that the appellant may be frustrated with the process involved in pursuing this proposal. However, this matter is outside the scope of this appeal, which is only concerned with the planning merits of the proposed development.

Conclusion

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

J Bell-Williamson

INSPECTOR