

Appeal Decision

Site visit made on 25 April 2023

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th May 2023

Appeal Ref: APP/X1545/D/23/3315552

18 Mayland Close, Heybridge, Essex CM9 4YR

- 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 D Moore against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/22/00953, dated 25 October 2022, was refused by notice dated 7 November 2022.
 - The development proposed is a single storey side and rear and two storey rear extension with single storey splayed front bay and canopy.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side and rear and two storey rear extension with single storey splayed front bay and canopy at 18 Mayland Close, Heybridge, Essex in accordance with the terms of the application, Ref HOUSE/MAL/22/00953, dated 25 October 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1331/1 and 1331/2.
 - 3) The materials used shall match those of the dwelling and the en-suite bathroom window shall be obscure glazed.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on highway safety.

Reasons

3. The council accept that the changes to the front of the dwelling would add interest to the appearance of the property. However, they are concerned that the single storey side extension would not appear as a subservient addition. This element would be set back from the frontage and would be single storey attached to the two storey main house. It would be entirely subservient to the height, bulk and form of the dwelling. It would extend to the side boundary, which forms the front boundary to the neighbouring property. However, its low eaves and sloping roof would ensure that it would not be overly dominant for
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those residents. Given that the house is set on a private shared drive that serves properties that do not have a frontage onto the public highway, I have no concerns with regard to the side extension.

4. To the rear of the property there would be a new rear facing two storey gable that would bring development just over two metres closer to the rear boundary with 13 Coopers Avenue. The elevation would include a first-floor bathroom window which could be obscure glazed. The gable would be more dominant than the existing built form when in the neighbouring garden but it would be set away from the boundary. As it would be viewed against the backdrop of the existing two storey element of the house, it would not be unacceptably overbearing. The proposal also includes the continuation of the main roof in a cat slide form to provide storage to a bathroom with a larger single storey extension below. Whilst this would be close to the boundary, it would have an eaves height of approximately 2.5 metres and an overall gable height of around 3 metres. The neighbouring houses are set well away from this boundary and these elements would not significantly impact on those residents.
5. The works to the rear do include a range of elements and roof forms. They would have no impact on the wider area but in any event, I have no concerns with regard to the design proposed which, to a large extent, makes good use of the site whilst reducing impacts on neighbouring properties. Heybridge Parish Council have raised a concern that the development would overwhelm the plot but given that the large garden would remain and the elements closest to the boundaries are single storey, I am not satisfied that this would be the case.
6. The extensions proposed would be of a suitable design and have been detailed in order to reduce impacts on neighbouring residents. Overall, the works to the front, which are the only works likely to be visible from the public realm, would improve the appearance of the property. The proposal would not therefore conflict with Policy D1(1) of the Local Development Plan 2014–2029 (2017) which requires respect and enhancements to the character and local context; or Policy H4(Alterations, Extensions or Additions part 1) as it would maintain and enhance the character of the original building without any wider impact on the surrounding area. These policies are consistent with the National Planning Policy Framework's design and amenity requirements and can therefore be afforded full weight.
7. The council has also raised concern that there would be insufficient car parking available to the residents. They advise that the Maldon District Vehicle Parking Standards SPD 2018 requires the provision of a minimum of three spaces. The property has a garage. It falls below the recommended size but is capable of accommodating a modern vehicle. The driveway in front is long enough to accommodate two cars. The plans also show a parking space in front of the proposed new kitchen, although this would be adequate for only a small car. I find this level of parking provision to be satisfactory for a dwelling of this size. Any overflow parking, if required, could take place on the highway without any significant impact on highway safety. The proposal would not meet the full recommended dimensional standards of the SPD but I do not find that the shortfalls result in significant conflict with Policy D1(5) which requires safe and secure vehicle and cycle parking having regard to the council's adopted parking standards.

8. In conclusion, the proposal would improve the limited public appearance of the dwelling and would be of a form that would be acceptable with regard to the impact on neighbouring residents and the local area. Parking provision would be adequate for a dwelling of this size and would not lead to concerns with regard to highway safety. As there are no other matters that weigh against the proposal, I allow the appeal.
9. I have imposed conditions relating to the commencement of development and the details of the approved plans for the avoidance of doubt and in the interests of proper planning. A condition to require that the materials match is necessary to ensure that the works would have a satisfactory appearance. I have also required that the en-suite bathroom window be obscure glazed in the interests of privacy.

Peter Eggleton

INSPECTOR