



Appeal Decision

Site visit made on 24 September 2024

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd October 2024

Appeal Ref: APP/X1545/D/24/3349644

25 The Colliers, Heybridge Basin, Essex, CM9 4SE

- 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 Martyn Hodges against the decision of Maldon District Council.
- The application reference is HOUSE/MAL/24/00408.
- The development proposed is extension to front porch including canopy projection and rooflights. Single story lean-to front extension.

This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 27 September 2024.

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the proposal as I feel it describes the proposal more concisely.

Main Issue

3. The main issue is the impact of the proposal upon the character and appearance of the site and the surrounding area.

Reasons

4. The appeal site is a detached, two storey, residential property. The property benefits from a detached garage, and driveway, with a small porch structure to the front elevation which currently provides access to the property as well as a WC and cupboard. At the time of my site visit I found that the existing porch, due to its shallow projection from the front elevation, is not a notable feature within the street scene and the current set back, from the edge of the pavement, allows the property to benefit from a front lawn area. The existing porch does not visually dominate the site nor project notably forward of the front elevation of the detached garage. At the time of my site visit I noted that a number of the properties, along The Colliers, benefit from porch projections. Some of these are similar in form to the existing porch at the appeal site but I note that some do vary in terms of scale and massing and roof design.
5. The proposal before me seeks to extend the existing front porch, add a canopy projection, as well as construct a single storey lean-to front extension to create a downstairs bedroom, a wet room as well as changing the point of access to the other side of the porch compared to existing. The existing porch would be

extended by in the region of 1.23 metres in depth, towards the edge of the pavement, and measure the same width as existing with the canopy projection being in the region of 0.75 metres in depth. The lean-to extension would be in the region of 2.86 metres in width and 1.34 in depth off the existing front elevation. The materials to be utilised within the proposal are acknowledged to be proposed as matching the host dwelling.

6. When approaching the appeal site within the street scene, I find that an extension to the existing porch of in excess of a metre would look at odds (due to cumulative depth) in terms of a projection from the front elevation of the host property. When viewed from the east the total porch projection would be visually comparable to half of the depth of the two-storey element of the host dwelling in terms of width of the side elevation fully visible. The proposed projection would then be visually exacerbated by comparison to the front elevation of the detached garage given that the existing porch only projects marginally past this as a building line for the plot in question.
7. In addition to the depth of the porch extension itself, the addition of the canopy projection over the relocated front door would contribute to visual harm and the single storey lean-to front extension would visually unbalance the property when viewing the front elevation. Whilst, as outlined above, I do acknowledge the presence of porches to the front elevation of properties within the locality of the appeal site I do not find that there are any examples of the cumulative proposals that are before me nor porches of comparable depth which means that the proposals would be uncharacteristic for the area.
8. I note the appellant's comments that the refusal reason appears to solely relate to the proposed extension of the existing porch and addition of the door canopy to the front of the dwelling, however, the whole appeal proposal is before me for consideration. Notwithstanding the structure of the reason for refusal stated by the Council I find that the single storey lean-to front extension would visually unbalance the host property as set out above. It is acknowledged that the proposal does not stand within any areas of designation, such as a Conservation Area, however, a lack of such designation does not lessen the overall requirement for good design which is at the heart of the National Planning Policy Framework 2023 (the Framework) which confirms that good design is a key aspect of sustainable development.
9. I acknowledge that The Colliers is characterised by some diversity in design and that the front projections/porches, within the vicinity of the appeal site, are varied, however, the proposals before me, cumulatively, and as a result of proposed depth would be uncharacteristic in the context of the street scene. I do not find that the variation in design supports the overall proposed projection and front extension as is before me. I acknowledge that the existing porch already results in a blank wall facing the road and that the existing porch essentially lacks architectural merit, but I do not find that the incorporation of new windows and a front door would provide relief to the overall depth and projection of the proposed porch extension.
10. The appellant's commentary regarding the Framework is noted, however, the starting point for determination is the Local Plan in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. Whilst the Framework is a material consideration, the proposal is not one which falls to be considered in the context of the tilted balance against the three dimensions of

the planning system contributing towards sustainable development. Based upon my findings, the proposal would fail to be consistent with the environmental role of sustainable development due to the impact which I have identified.

11. I do not find that the proposal in terms of scale, massing and proportion would appear visually subservient to the original dwelling. The projection, in addition to the existing porch, I find would appear uncharacteristic in depth and, cumulatively, the proposals would unbalance the front elevation of the property. The proposal would be inconsistent with the immediate street scene and character of the area. I note that other dwellings, along The Colliers, are set closer to the road than the appeal property but find that their overall scale is, comparatively, more modest than the cumulative impact of the proposals which would be constructed to the front elevation of the host dwelling.
12. The proposed extension of the existing porch, addition of a door canopy and the proposed single storey lean to front extension would, by reason of scale, position and impact on the street scene appear as an incongruous and visually dominant feature within the street scene which I find would be detrimental to both the character and appearance of the appeal site itself as well as the surrounding area when viewed within the street scene. The proposal would result in an uncharacteristically large, in terms of depth, porch and would appear visually unbalanced as a result of the single storey lean to extension.
13. I note, within the appellant's statement, that it is stated that the proposals are required to meet the appellant's future accommodation needs, however, no further details are provided as to the needs of the occupant of the appeal site. Despite this, there is no evidence before me that, for example, there are no other alternatives to provide future accommodation needs for remodelling of the existing property layout in this case. The development and permission would also run with the appeal site and be present beyond the lifetime of current occupants leaving a longer term impact if allowed for the reasons I have set out.
14. The proposal would be contrary to Maldon District Local Development Plan 2017 (LP) Policy D1 which requires proposals to respect and enhance the character and local context and make a positive contribution in terms of size, scale, form, massing and proportion and LP Policy H4 which requires that extensions to a building be of an appropriate scale that makes a positive contribution to the character of the original building and the surrounding area.

Conclusion

15. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR