



Appeal Decision

Site visit made on 22 October 2024

by Mark Philpott BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2024

Appeal Ref: APP/W1525/W/24/3345684

210 Baddow Road, Great Baddow, Chelmsford, Essex CM2 9QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jamie Broughton against the decision of Chelmsford City Council.
 - The application Ref is 23/01975/FUL.
 - The development proposed is described as 'demolition of garage and construction of detached dwelling (re-submission of 23/01375/FUL)'.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The site includes a Victorian dwellinghouse, an attached double garage, and a front garden with a parking area served by a vehicular access. A brick wall with fencing above extends along the site's front boundary and between its garden and 212 Baddow Road, whereas a low fence is along the shared boundary with 208 Baddow Road. The dwelling is well-proportioned, balanced and detailed despite having been subject to alterations. Nevertheless, the main parties do not consider it to be a non-designated heritage asset in the terms of the National Planning Policy Framework (Framework), and I have no compelling reasons to disagree.
4. The part of Baddow Road in the vicinity of the site features housing of varying ages, sizes and designs but much of it comprises Victorian terraces. However, there is also a high proportion of 20th Century development evident nearby, mostly at Meadgate Avenue. The dwelling on site is set back from Baddow Road more than most of the other buildings on the south-western side of the highway, but it nevertheless contributes positively to the character and appearance of the streetscene.
5. The Council's objections are limited to the purported effects of a two storey projection to the side of the main part of the proposed dwelling. The projection would have a mansard style roof with a front dormer window. An undercroft with an open front, side and rear would be located below it, which would principally be used for parking but also as an access to a rear garden.

6. The proposed dwelling would be in line with the front wall of the existing one, and the side projection would be set back further still from Baddow Road. However, the upper parts of the projection would be visible above the front garden's boundary treatment and behind the vehicular access, including from around the junction with Meadgate Avenue. The undercroft would also be visible from Baddow Road behind the access and the fence with No 208.
7. There are no comparable mansard roofs with front dormers on the existing housing fronting the highway. Roofs and undercrofts similar to those proposed are present at a recent infill scheme at Rochester Mews, but that is a private road and the housing there is substantially set back behind the Baddow Road building line so public views of those features are very limited. A similar undercroft is also located at 259 Baddow Road, but it is in a narrow gap between buildings such that visibility of it from the highway is very limited too. The proposed development would be comparatively more prominent. An undercroft is also present at 180 Baddow Road, but it is not comparable either as it provides access to the car park of an ostensibly purpose-built modern housing block. Alterations at 113/115 Baddow Road are also not comparable to the development proposed. Consequently, the side projection would include features that are not reflective of the prevailing character or appearance of the area as perceived along the highway.
8. I acknowledge that the side projection would be subordinate to and in many ways reflect the existing dwelling and the main part of the proposed dwelling. However, the undercroft element would appear contrived and not befit the otherwise traditional design of the existing and proposed dwellings. In addition, the mansard roof would relate poorly to and be visually incoherent with the roof of the main part of the dwelling, which would feature a front facing hipped roof with a gabled double storey projection. Though the position and design of the dwelling would be satisfactory in other respects, and the somewhat awkwardly juxtaposed garage would be removed, these matters do not outweigh the issues identified.
9. Consequently, the proposal would harm the character and appearance of the site and the surrounding area. It therefore conflicts with policy DM23 of the Chelmsford Local Plan. Amongst other things, this requires development to be compatible with its surroundings and have visually coherent elevations. It is also contrary to Section 12 of the Framework, which sets out that development should be sympathetic to local character.

Other Matters

10. An application¹ for similar development at the site was approved following the Council's refusal of this scheme. However, the approved dwelling did not include a comparable two storey side projection and thus it does not indicate that the harm I have identified in this case is permissible.
11. The site is in the zone of influence of Blackwater Estuary Special Protection Area and Ramsar, which is a habitats site as defined by the Framework. If I were minded to grant permission, I would need to consider whether the development would adversely affect the integrity of this or any other potentially relevant habitats site. However, even if there would be no adverse

¹ Council reference: 24/00862/FUL

effects on habitats sites, this would constitute a neutral consideration rather than a benefit weighing in favour of the scheme.

12. Nevertheless, the proposal would contribute towards the Council's housing supply and make use of land in an accessible location. I also have no reason to doubt that the dwelling would be energy efficient, and the Council has not sought to contest that the site is previously developed. However, the weight of the benefits is limited by the small amount of housing proposed and does not outweigh the harm identified. I have not therefore considered the habitats sites matter further, as any findings in this respect would not have any bearing on the outcome of the appeal.

Conclusion

13. For the above reasons, the proposal conflicts with the development plan taken as a whole. Material considerations do not indicate that a decision should be taken other than in accordance with the development plan.
14. Accordingly, the appeal is dismissed.

Mark Philpott

INSPECTOR