
Appeal Decision

Site visit made on 28 January 2025

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th March 2025

Appeal Ref: APP/W1525/W/24/3348529

43 Mill Road, Stock, Ingatestone, Essex CM4 9LN

- 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 & Mrs Adams against the decision of Chelmsford City Council.
 - The application Ref is 24/00552/FUL.
 - The development proposed is the demolition of existing dwelling and construction of new 5-bedroom dwelling.
-

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 appeal site and surrounding area.

Reasons

3. 43 Mill Road is a two-storey detached dwelling situated on a large corner plot at the junction with Common Lane. It has simple proportions to the front, with a deeper plan below twin hipped roofs. It has an open frontage and a side garden to the east, which is separated from Common Lane by a boundary of mature vegetation and trees. Mill Road features wide grassed verges and opposite No 43 is a cul-de-sac arranged around a small grassed open area with large mature trees. Therefore, the area around the site has a sylvan feel and a pleasant sense of spaciousness.
4. In terms of built form, the area is predominately residential and characterised by detached dwellings of varying scales and styles. That said, when viewed from the junction with Common Lane, No 43 reads as part of a short row of similarly scaled houses which stagger gently up this north section of Mill Road and offer a pleasing, informal rhythm to the street scene. No 43 also has an additional roof form to the rear, but this is set back and does not impose on the way the house integrates with the row. The properties within the row are also all set back from the road with softly landscaped front gardens set behind low front walls or hedges. No 43's front and side landscaped gardens add interest to the street scene and contribute to the verdant appearance of the area.
5. The proposed dwelling would appear significantly larger than the neighbouring properties on the northern side of Mill Road due to its additional bulk and width. The set back from the road would be reduced and the dwelling would extend into the eastern side garden. This would erode the open feel of the plot and the sense

of spaciousness which characterises this part of Mill Road. The height and size of the new dwelling would disrupt the staggered arrangement of the built form. As this is an intrinsic issue of scale, it would not be mitigated with the use of finished materials otherwise sympathetic to the character of the area.

6. Although the proposed crown roof would not be readily apparent, the amount of proposed roofscape would be excessive and would contribute to the overall bulk of the dwelling. Also, whilst the appellant suggests that the size of the plot means there is scope for an increase in built form, the proposed dwelling would be read as a disproportionate and visually dominant addition to the streetscene given its overall scale, its siting close to the south-eastern boundary, and its prominent position on a corner plot.
7. Whilst the appellant contends that there would still be space for landscaping at the front and side, there would be a noticeable reduction in garden space in the south-eastern corner, and so any new landscaping would logically also be less substantial. Moreover, the plans also show that a large proportion of the front garden would consist of hardstanding for the new vehicular access.
8. In support of the appeal, my attention has been drawn to other developments in the area. However, most of these are not situated on prominent corner plots and are therefore not comparable. The development on the corner of Whites Hill and Mill Road features considerable separation gaps between the building and its boundaries, which are heavily landscaped with mature trees and vegetation. I do not have full details of the circumstances that led to planning permission being granted for this development or for those at the end of the Paddock and the dwelling at 128 Mill Road. I cannot be sure that they represent a direct parallel to the proposal, including in respect of scale, location and development plan policy. In any case, I have determined the appeal on its own merits.
9. Consequently, the proposed development would harm the character and appearance of the appeal site and surrounding area. It would conflict with Policy DM23 of the Chelmsford Local Plan insofar as it seeks to ensure that development respects the character and appearance of the area in which it is located and is compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. I have also had regard to the Planning Practice Guidance insofar as it relates to design, and to the National Design Guide', in particular the content related to context, identity and built form.

Other Matters

10. Five Houses, which is a Grade II listed building, is located to the north-east of the appeal site. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving its setting. The verdant surroundings of Five Houses positively contribute to its significance. Nevertheless, given the degree of separation between the proposed development and the garden of Five Houses, I consider that it would preserve the setting of this listed building and the contribution it makes to its significance.
11. The proposed house would offer a modern layout, would feature solar panels, and would comply with Building Regulations M4(2) Standards. These are positive aspects of the scheme but do not outweigh the harm I have identified. I also recognise that the Parish Council has not registered an objection to the scheme.

Conclusion

12. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
13. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR