



Appeal Decision

Site visit made on 29 April 2025

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2025

Appeal Ref: APP/X1545/D/25/3359342

23 Minster Way, Maldon, Essex, CM9 6YT

- 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 Mrs Anna Crozier against the decision of Maldon District Council.
 - The application Ref is HOUSE/MAL/24/00711.
 - The development proposed was originally described as two storey front and side extension and enlarged dormer on the rear elevation with flat roof to provide additional living accommodation.
-

Decision

1. The appeal is allowed and planning permission is granted for first floor front and side extension, loft conversion with dormer extension on the rear elevation with a flat roof, alterations to fenestrations, at 23 Minster Way, Maldon, Essex, CM9 6YT, in accordance with the terms of the application, Ref HOUSE/MAL/24/00711, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Plans and Elevations (including Location Plan) - 5515/02/17/01 Rev 02; and Proposed Plans and Elevations - 5515/02/17/02 Rev 14.

Procedural Matter & Background

2. The description in the banner heading has been taken from the planning application form. However, in the formal decision I have used the description given on the appeal form and the Council's decision notice, as this more accurately reflects the extent of the proposal than as described on the application form.
3. On 30 April 2021, planning permission was granted at the property for 'First floor side extension above the existing garage. Extension to existing loft conversion and rear facing dormer. Installation of three first and second floor side windows in northern elevation' (application ref. HOUSE/MAL/21/00113). The appellant advises that the permission has been implemented.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the appeal property and the surrounding area.

Reasons

5. The appeal property is a detached house located at the end of a cul-de-sac which forms part of a wider housing development. Although there are a range of dwelling styles, this area appears cohesive as a result of similar detailing and materials. In particular, many dwellings appear quite substantial, in part due to the massing of their half-hipped roofs.
6. The appeal property is located in a reasonably secluded part of the cul-de-sac, tucked away to one side and set back from the turning head behind a partly planted boundary. As such, despite its size, the existing dwelling has limited visual impact on the street scene, and I do not share the Council's assessment that it would be highly visible. The northern side boundary of the property is next to a public recreation space, and the existing side and rear elevations of the building are glimpsed above a planting belt to that public area, and from the car park to a community centre. However, there are various properties visible beyond the boundaries of the recreation area and car park, and the appeal property is therefore not an unusual townscape feature.
7. Whilst no evidence has been supplied to confirm that application HOUSE/MAL/21/00113 has been implemented, the principle of adding a first-floor side and front extension and enlarged dormer window was established by that grant of planning permission, under the same development plan policies now in place; the Maldon District Approved Local Development Plan 2014 – 2029 (LP) having been adopted in July 2017. Although the current proposal modifies the previously approved front extension, the scale and form of the side expansion over the existing garage is largely the same in the previous and current schemes. However, the proposed rear dormer window is materially wider than approved, and there are other differences such as fenestration.
8. Whilst the proposal would materially add to the bulk of the dwelling, its scale would not be out of keeping with other dwellings in the wider area. The half-hipped form of the side extension would respect that of the host house, and the front extension would complement the existing primary wing on the opposite side of the façade. As a result, it would appear integrated with the design and scale of the host house. Given the set back position of the dwelling, this increased mass would have little impact on the street scene and the surrounding area. I do not find that the proposal would be detrimental to the rhythm, proportions and alignments within the street scene and locality, as suggested in the Council's report.
9. Due to its siting, the proposed rear dormer extension would have no impact on the front of the dwelling or the street scene. Whilst it would be visible from the public recreation area and car park, it would not appear unacceptably dominant or unsympathetic given the overall scale of the extended building. Although positioned close to the top of the roof hip, space would be retained between the dormer and the side wall of the house. Rather than appearing incongruous, the design would follow that of the existing dormer window, and would appear balanced on the roof. Seasonal planting means that the visual impact would be greater in the winter months, but this would be mitigated by the oblique viewing angles.
10. I therefore conclude that the proposal would be acceptable in its impact on the character and appearance of the appeal property and the surrounding area. In accordance with LP Policy D1, it would respect the character and local context in

terms including architectural style, detailed design features, height, scale, form, and massing. As required by LP Policy H4, the proposal would maintain the character of the original building and the surrounding area, and would be of an appropriate scale and design. In so doing, it would accord with the design objectives of the National Planning Policy Framework.

Conditions

11. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty.

Conclusion

12. For the reasons given above the appeal should be allowed.

H Lock

INSPECTOR