



Appeal Decision

Site visit made on 23 September 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2025

Appeal Ref: APP/X1545/D/25/3368009

8 Head Street, Goldhanger, Maldon, CM9 8AY

- 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 Grant Everiss against the decision of Maldon District Council.
 - The application Ref is 25/00379/HOUSE.
 - The development proposed is to part demolish rear lean-to single storey extension; erection of new single storey rear extension with alterations to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted to part demolish rear lean-to single storey extension; erection of new single storey rear extension with alterations to fenestration at 8 Head Street, Goldhanger, Maldon, CM9 8AY in accordance with the terms of the application, Ref 25/00379/HOUSE, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The external materials used in the construction of the development hereby permitted shall be those specified on the application form and the plans.
 - 3) The flat roof area shall not be used as a storage area, balcony, roof garden or similar amenity area.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character of the dwelling and the surrounding area.

Reasons

3. Number 8, the appeal site, is a two storey Victorian semi-detached red-brick house with a hipped slate roof, situated on the northern side of Head Street. It is within the defined settlement boundary of Goldhanger, and within the Goldhanger Conservation Area. There are a mix of residential dwellings in the immediate area, varying in size, age and design. The adjoining house, No.10, has had additions permitted over the years, including a single storey side extension and a part single storey, part two storey rear extension.
4. The proposal involves the demolition of the existing rear lean-to addition, save for 2 walls which would be incorporated into the new structure. Half of the extension, on the western side, would have a pitched vaulted roof, and half towards the eastern

side, a flat roof. The extension which would step in from the flank elevation by a small amount. The ridge of the pitched part would meet the top of the existing first-floor rear elevation just below eaves level.

5. The existing house makes a positive contribution to the special character and appearance of the Goldhanger Conservation Area. The officer's report criticises the height of the pitched part of the roof and its angle. This is on the basis that it is at odds with that of the existing dwelling; the fenestration on both elements would bear no relationship with each other or the existing dwelling; and due to its height and form, it would not be in keeping with the scale and appearance of the flat roof part, resulting in a discordant and incongruous design.
6. I do not agree with that appraisal. The proposed single storey, flat-roofed element of the extension would comprise an acceptable addition to the host dwelling due to its design and size. Although it is relatively deep, at 4m, this is not uncommon and would not result in any harmful impact in terms of character and appearance. The pitched roof element makes an interesting addition which would be clearly modern, contrasting with the existing house. It is not unusual to have flat roofed elements in combination with a pitched roof at the rear of dwellings. The proposed extension would not be prominently visible from any public part of the Goldhanger Conservation Area, and would cause no harm to it. Therefore the proposal does not conflict with policy D3 of the Maldon District Local Development Plan, chapter 16 of the National Planning Policy Framework or with the duty set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
7. In reaching my conclusion I have noted and taken account of the consultation response from the council's Principal Conservation and Heritage Officer. For the reasons I have given, the appeal will be allowed.

Conditions

8. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested 3 conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance. The first of the suggested conditions is that the materials match those of the existing building; the second is that the development shall be carried out in accordance with the approved plans; and the third is that the flat roof area shall not be used as a storage area, balcony, roof garden or similar amenity area.
9. The first of these is inappropriate because the appeal proposal includes elements of the materials that are dissimilar to the existing. Therefore the condition needs to relate to the materials specified in the application form and on the plans. The second suggested condition is necessary for certainty and avoidance of doubt as to the development permitted, but it can be incorporated in the terms of the permission itself. The third is necessary to safeguard the living conditions of neighbouring occupiers.

Terrence Kemmann-Lane

INSPECTOR