
Appeal Decision

Site visit made on 10 July 2025

by A Oyebade MSc FCILT

an Inspector appointed by the Secretary of State

Decision date: 08 October 2025

Appeal Ref: APP/W1525/D/25/3363992

1 Mearns Place, Chelmsford CM2 6TT

- 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 Vlad Curuci against the decision of Chelmsford City Council.
 - The application Ref is 24/01519/FUL.
 - The development proposed is retrospective application for new boundary wall and annexe as-built.
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Decision

1. The appeal is dismissed

Main issue

2. The effect of the development on the character and appearance of the area.

Reasons

3. The appeal site lies at the end of a short row of 2-storey terraced residential properties in a cul-de-sac off Golding Thoroughfare, next to this road's junction with New Dukes Way. The side and the rear of this building flank the two roads respectively. Its surrounding area is predominantly residential.
4. Many of the residential properties at this location have high boundary walls or fences, but the additions to them in the form of rear extensions, conservatories, garages and storerooms are just slightly taller than their boundary walls or fences. Most of the outbuildings and extensions to the original dwellings appear as being clearly subservient to the main dwelling on each plot, which are much more prominent.
5. Prior to the erection of the appeal development, the modest and generally low structures in the rear of the dwelling, including its boundary walls and those of the neighbouring dwellings at Nos 3 and 5 Mearns Place, complemented with the large landscaping area abutting New Dukes Way, create a sense of openness. As a result, these properties appear to be well stepped back from New Dukes Way, when viewed from this road, thereby creating a sense of space.
6. The original rear and part of the side boundary walls of the appeal site have been replaced by the annexe, while the remaining section of the side wall has been raised. The annexe, as built, is much higher than the new side boundary wall.
7. Looking towards the rear of the appeal site from New Dukes Way, the annexe building appears very tall in the context of the host dwelling and its neighbours, with only the small upper sections of the first-floor windows of the primary building

remaining visible. The annexe building has therefore disrupted the rhythm of openness and affected the character of the streetscape.

8. In addition, the annexe has removed the clear view of the skyline that would have existed when exiting Golding Thoroughfare onto New Dukes Way on foot. This has subsequently harmed the established quality of the streetscape in this locality. While my attention has been drawn to several examples of taller walls in the wider area, none of these are directly comparable and none of a similar annexe structure of a comparable scale to the appeal scheme. These local examples do not indicate that the appeal scheme is acceptable.
9. The appellant has mentioned the occurrence of vehicles crashing into the boundary walls of the appeal site in the past. However, it is a matter that can likely be addressed through other means following discussions with the Local Highway Authority.
10. For these reasons, the proposed development would be harmful to the character and appearance of the wider area. Therefore, in this regard, it would conflict with Policy DM23 of Chelmsford Local Plan (Adopted 27 May 2020), which states that planning permission will be granted for new buildings, extensions and alterations to existing buildings that are of a high quality design, have visually-coherent elevations and compatible with the character and appearance of the area and the host building, in terms of their siting, scale, form and massing.

Conclusion

11. For the reasons given above the appeal should be dismissed.

A Oyebade

INSPECTOR