



Appeal Decision

Site visit made on 3 December 2025

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 December 2025

Appeal Ref: APP/X1545/W/25/3373404

Mount Ash, 1 Mell Road, Tollesbury, Essex CM9 8SW

- 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 John Barticek against the decision of Maldon District Council.
 - The application Ref is 25/00466/HOUSE.
 - The development proposed is the erection of side/rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the demand for on-street parking, with particular regard to highway safety.

Reasons

Character and appearance

3. The appeal site (Mount Ash) occupies a corner plot at the junction of Mell Road and Woodrolfe Road. Mell Road is a gently curving route, lined on both sides by a mixture of building types and forms. Woodrolfe Road, in the vicinity of the junction, similarly features a range of building styles. On both streets the buildings help to define a strong edge to the street. A grass verge with street trees runs along one side of Mell Road, complemented by soft landscaped within front gardens, which together create a verdant street scene. The area is primarily residential, although a small number of shops punctuate the street. Brick and render are the prevalent external finishes, with some examples of weatherboarding/cladding. Despite the variety of development, the streets exhibit a cohesive character and appearance, informed by the prevailing consistency in materials, building spacing and rhythm of development.
4. Mount Ash forms one half of a semi-detached pair fronting Mell Road. It has consent for use as a children's care home and has previously been extended, with a close-boarded fence defining its boundaries¹. Together within its attached neighbour (No 3), the two dwellings display an overall balance and symmetry, despite variation in façade materials. This unified composition, combined with the

¹ Council refs: 24/00810/HOUSE, 25/00048/HOUSE and 25/00149/LDP

spacing to the side makes a positive contribution to the character and appearance of the street and the wider area.

5. The proposed extension would be almost as wide as the existing width of Mount Ash. While its ridge height would be slightly lower, the marginal set-back from the front elevation would fail to break up its substantial massing. Despite using matching materials and a similar window pattern on the front elevation, the resulting elongated frontage would dominate and unbalance the adjoining dwelling. With the exception of a door, the proposed side elevation would be blank, and the large flat roof section to the rear would contrast with the pitched roof form of Mount Ash. While there is a gap between Mount Ash and 2 Woodrolfe Road and the fence would provide some screening, the extension's projection interrupts the spacing to the side of the dwelling, beyond the established building line.
6. The Maldon District Design Guide (DG) states that appropriate amenity space has a direct impact on the character of the area. Although rear amenity space would be retained, the area of this space would be less than that recommended in the DG. Furthermore, the limited space remaining to the side of the proposed extension would limit opportunities for new planting to soften the visual impact of the proposal. The DG states that corner sites may provide an opportunity to accommodate distinctive designs. However, the proposal would not deliver a distinctive design that reflects the site context for the reasons set out.
7. Overall, the proposal would fail to respect the strong street edge, spacing and rhythm of existing development, resulting in an incongruous addition on this prominent corner plot.
8. I conclude that the proposed development would result in a harmful effect on the character and appearance of the area. In this regard, it would conflict with Policies D1 and H4 of the Maldon District Approved Local Development Plan 2014-2029 (2017) (LDP) which require design quality and the built environment to respect and enhance the character and local context and make a positive contribution in terms of height, size, scale, form, massing and proportions and to have regard to the location and the setting of the site.
9. For the same reasons, the development would be contrary to the National Planning Policy Framework (the Framework) which required planning decisions to ensure that development maintain a strong sense of place, using the arrangement of streets, spaces and building types to create attractive, welcoming and distinctive places to live, work and visit.

Parking

10. Parking along Mell Road and Woodrolfe Road is largely unrestricted, and while some dwellings benefit from off-street parking, others do not. Although my observations represent only a snapshot in time, during my site visit on-street parking was available along Woodrolfe Road but was more limited along Mell Road. Even in places where unrestricted street parking occurs, there is no substantive evidence before me to indicate that this obstructs the free flow of traffic.
11. The proposal includes one off-street parking space. There is no dispute between the main parties that this would result in a shortfall of one space in line with the guidance set out in the Maldon District Vehicle Parking Standards SPD (the SPD).

Whether the additional bedroom is used as part of a dwellinghouse or as a children's care home, the additional bedroom is likely to be used by a child. On this basis, it is unlikely that the extension would result in a material increase in parking demand, or an increased risk of parked vehicles reducing visibility for motorists, cyclists or pedestrians.

12. Even if increase parking demand were to occur, the site lies within walking distance of the centre of Tollesbury, including its services and facilities and public transport links which would cater for day-to-day needs and occupiers/staff would not need to rely on the use of a private vehicle. Furthermore, no technical or expert evidence to demonstrate a shortage of parking in the area contrary to my observations has been provided.
13. I conclude that the proposed development would not result in an unacceptable demand for on-street parking or result in an adverse effect on highway safety. In this regard, there would be no conflict with Policies D1 and T2 of the LDP which require design quality and the built environment to make a positive contribution in terms of the inclusion of safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards. For the same reasons, the proposal would also comply with Paragraphs 115 and 116 of the Framework which require safe and suitable access to the site to be achieved for all users and advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Other Matters

14. My attention has been drawn to the building located on the corner plot of the junction between East Street and New Road where the side of the building abuts the back edge of the footway. However, it appears that the building was originally constructed in this manner. Even if it was not, the building is terrace rather than a semi-detached pair and is therefore not comparable to the appeal proposal. In any case, I have considered the proposal on its own distinctive merits and site-specific circumstances. This other example do not therefore alter my overall findings.
15. Matters relating to the principle of development and living conditions are not in dispute. The Council has also identified no other harm in relation to the appeal site's location outside of but near to the Tollesbury Conservation Area (CA). The proposal would deliver an extended building to cater for the needs of the appellant and/or extra space in association with child in need of care. Even so, these factors do not overcome the harm identified in relation to the first main issue.

Conclusion

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

H Marriott

INSPECTOR