
Appeal Decision

Site visit made on 11 October 2016

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 October 2016

Appeal Ref: APP/M1520/D/16/3156771

4 Lansdown Avenue, Hadleigh, Benfleet SS7 2UL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Papworth against the decision of Castle Point Borough Council.
 - The application Ref 16/0373/FUL, dated 11 May 2016, was refused by notice dated 26 July 2016.
 - The development proposed is triple, pitched-roof dormers to the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for triple, pitched-roof dormers to the front elevation at 4 Lansdown Avenue, Hadleigh, Benfleet SS7 2UL, in accordance with the terms of the application, Ref 16/0373/FUL, dated 11 May 2016, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 766/00/B The Location Plan; 766/01/A Existing & Proposed Site Plan; 766/02 Existing Plans; 766/03 Existing Plans; 766/04 Existing Elevations; 766/05/B Proposed Plans; 766/06/B Proposed Plans, and; 766/07/a Proposed Elevations.
 - 3) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and on the surrounding area.

Reasons

3. Lansdown Avenue is a short street in which the majority of dwellings appear to be bungalows without significant roof development, save for Nos 6,8, and 10 which have developed flat-roofed dormers across a significant portion of the lengths of their front roof slopes. The house the subject of this appeal has an uncommonly steep pitch which gives it an unusually great area of roof slope which adds to the character of the townscape of the street. The Council considers that the proposed dormers would be prominent in scale and would dominate the roofscape of the house, and that they would be at odds with the character of the area.
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4. Given the dormers on the front roof slopes of Nos 6, 8 and 10, the development of dormers on the front slope of this roof presents no conflict with the character of the roofscape in the street. I appreciate the Council's point that the neighbouring dormers are flat-roofed, more modest in their vertical proportion in the roof slope, and set further up the roof plane. However, the proposed dormers would retain a significant verge beneath their feet, and a significantly greater area of roof plane to their sides than do the dormers on the neighbouring plots. Their ridges would be set well below the ridge of the main roof which would diminish further their scale in relation to its area.
5. I note the Council's comparison of the proposed dormers to those on Nos 6, 8 and 10. However, if the proposed dormers had flat roofs instead of pitched, like those on the neighbouring houses, I estimate that their proportion in the roof plane would be little different. In any event, because of the space around them and their proportion to the large area of the main roof, I disagree that the present design makes them appear dominant in the roof plane. I acknowledge that by being pitched the proposed dormers would be dissimilar to the flat-roofed dormers of the neighbours; however, these are not of such compelling townscape that they should bind the roof form of this proposal. Indeed, there are numerous examples of pitched dormers on the front roof slopes in the area, including on the house on the opposite side of this street.
6. I conclude that the proposal would not have an adverse effect on the character and appearance of the host building and the surrounding area. It would not conflict with Policy EC2 of the Castle Point Borough Council Local Plan 1998 (LP) which seeks a high standard of design, and development that does not harm the character of its surroundings. Nor would it conflict with the guidance in section RDG7 of the Council's Residential Design Guidance Supplementary Planning Document 2013 referred to under LP Policy H17, which suggests that dormers should be an ancillary feature that must not dominate the roofscape and that they should be provided with substantial verges above, below, and to their sides. For these reasons I do not consider the proposal to conflict with the advice in the design section of the National Planning Policy Framework 2012.

Other Matters

7. I have considered the concerns of the occupiers of 40 Bramble Road regarding overlooking, and over-enclosure within their back garden. However, two of the three proposed windows would serve bathrooms, and because of the acute angle of vision and the distance of around 21m between the habitable room window of the proposal and No 40, there would be no risk of material harm from overlooking. Given that No 4 is set back a substantial distance across the rear boundary of No 40 and the limited increase in the silhouette of the proposed roof compared to the existing, the proposal would not introduce an adverse sense of over-enclosure, or otherwise harm these occupiers' living conditions.

Conclusion

8. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be allowed.

Patrick Whelan

INSPECTOR