

Appeal Decision

Site visit made on 21 February 2017

by Michael Evans BA MA MPhil DipTP MRTPI

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

Decision date: 9th March 2017

Appeal Ref: APP/C1435/D/16/3165703

Maynards Oak, Frary Walk, Maynards Green TN21 0DH

- 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 Miss Ewa Rix against the decision of Wealden District Council.
 - The application Ref WD/2016/2187/F was refused by notice dated 28 October 2016.
 - The development proposed is described on the application form as 'proposed front facing dormer window'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I saw at my site visit that, although not finished, the frame of the proposed dormer addition has been constructed. I shall nevertheless consider the appeal strictly on its planning merits.

Main issue

3. The main issue in this appeal is the effect on the character and appearance of the locality and streetscene.

Reasons

4. The Wealden Design Guide Supplementary Planning Document (SPD), November 2008, contains a number of criteria to be applied to proposed dormer windows with the purpose of preventing a detrimental visual impact. These include that the ridge of dormer additions should be significantly below that of the main roof, the roof form should be appropriate to the building's character and a horizontal emphasis should normally be avoided. Such development should also not be overly dominant.
 5. Wealden Local Plan (LP) Policy EN27 (1) intends that matters such as the form of development should respect the character of adjoining development. When considering proposals in the High Weald Area of Outstanding Natural Beauty, within which the site is located, LP Policy EN6, among other things, requires particular regard to be had to building styles and materials. LP Policy DC19 (3) is concerned with extensions outside defined development boundaries, as proposed in this instance. Such development should normally be of an appropriate character relative to the original dwelling and not visually dominate
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or otherwise adversely change the character of the existing building or group of buildings. Core Strategy Local Plan (CSLP) Policy SPO13 seeks to encourage the development of high quality and attractive environments. CSLP Policy WCS14 reiterates the presumption in favour of sustainable development contained in the National Planning Policy Framework (The Framework).

6. The appeal concerns one of a pair of semi-detached dwellings with gabled wings at the end of each property at the front. There is also a fairly modestly sized and gable ended dormer addition at the front of the attached property. The Appellant suggests that the size of the proposed dormer addition would be appropriate given the extent of the host roof slope and the length of its ridge.
7. However, the addition to the front of the property would have a horizontal emphasis, due to its excessive width and a mono-pitched roof with a fairly shallow slope down from the ridge of the main roof which it would abut. As a result of these factors, it would abruptly contrast with the predominant form of dual pitched relatively steeply sloping gables found at the front of the pair of dwellings, appearing overly dominant and intrusive, while also conflicting with the SPD. The inappropriate character would be contrary to LP Policy DC19 (3).
8. I have carefully considered the photographs of dormer additions in the locality submitted by the Appellant. There is a dormer extension that wraps around the side and rear of the attached dwelling, Little Heath. Although it can be seen from the B2203 onto which the property faces, as well as Frary Walk at the side, it is not located at the front of the pair of dwellings where the current proposal would have a detrimental visual impact.
9. The remainder of those shown in the photos tend to have relatively generous gaps to the ridge of the host roof slope, unlike that now proposed. Moreover, in my view these illustrate the adverse effect such development can have and should not be used as a precedent to justify further discordant additions. I also do not have the full background and details to such cases which may predate the advice in the SPD.
10. In any event, the immediate context of the proposed addition would be the dual pitched roof dormer additions to the nearby dwellings at Oak Tree Cottage, Heffle View and the attached semi. The dormer extension would fail to respect this development, constituting a disharmonious and incongruous feature. The adverse effect would be further exacerbated by the zinc roof being unacceptably at odds with the traditional roof tiles in the host and adjacent roofs. These adverse effects would be readily apparent from the B2203, while also resulting in conflict with LP Policies EN6, EN27 (1) and DC19 (3).
11. For the above reasons, it is concluded that the development would harm the character and appearance of the locality and the streetscene. The failure to create a high quality and attractive environment would be contrary to CSLP Policy SPO13.
12. I am reinforced in my view regarding the adverse impact of the development by the importance placed on design in the Framework. It is a core principle of the Framework that planning should always seek to secure high quality design. Moreover, it is indicated in the Framework that good design is a key aspect of sustainable development and is indivisible from good planning, which would not

be achieved in this instance. The proposal would therefore also conflict with CSLP Policy WSC14.

13. I note the discussions that have taken place regarding this proposal and the difficulties the Appellant appears to have had in communicating with the Council during the application process. Nevertheless, such matters have no bearing on the planning merits of the case upon which I must base my decision.
14. Given the harm that would result and taking account of all other matters raised, it is therefore determined that the appeal fails.

M Evans

INSPECTOR