
Appeal Decision

Site visit made on 13 March 2017

by J L Cheesley BA(Hons) DIPTP MRTPI

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

Decision date: 07 April 2017

Appeal Ref: APP/B1550/D/17/3168340

191 Daws Heath Road, Rayleigh, Essex SS6 7NT

- 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 and Mrs Ferrari against the decision of Rochford District Council.
 - The application Ref 16/00841/FUL was refused by notice dated 18th October 2016.
 - The development proposed is a two-storey side extension with hipped roof to existing flat roof dormer.
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Decision

1. The appeal is dismissed in so far as it relates to the two-storey side extension. The appeal is allowed in so far as it relates to the hipped roof to the existing flat roof dormer, the blocking of the existing front doorway and its repositioning and the insertion of double doors in the rear elevation of the existing kitchen.
2. Planning permission is granted for the hipped roof to the existing flat roof dormer, the blocking of the existing front doorway and its repositioning and the insertion of double doors in the rear elevation of the existing kitchen at 191 Daws Heath Road, Rayleigh, Essex SS6 7NT in accordance with the terms of the application Ref 16/00841/FUL dated 22 August 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; 1614 SH 1; and 1614 SH 2A; in so far as relevant to that part of the development hereby permitted.

Main Issue

3. I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding area.
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Reasons

4. The appeal site lies within a primarily residential area comprising predominantly of two-storey and single-storey properties of modest size. The appeal property is a two-storey detached dwelling of similar design to its immediate neighbour. It is situated on a prominent corner location.
5. The proposal includes a side extension which would fill a large part of the existing side garden, leaving a gap of one metre to the side boundary. From my observations, the existing side garden with its boundary fencing and hedging, together with the front gardens of properties on the opposite side of the junction to Winbrook Road create a significant undeveloped entrance to Winbrook Road, creating an open and verdant character to this entrance. I consider this makes a positive contribution to the character and appearance of the surrounding area.
6. The proposed two-storey side extension would continue the ridge height of the existing main roof and would extend out from the existing main front and rear elevations. In addition, there would be a front gable and a single-storey side projection. I consider that the proposed front gable would appear as an incongruous addition in that it would form an inconsistent relationship with the front elevation of the existing dwelling due to the differing heights of the eaves of the proposed projection and the eaves height of the existing roof.
7. From my observations, due to the proposed height, bulk and design of the proposed side extension, I consider that it would overwhelm the character and appearance of the existing dwelling, creating a dwelling that would be disproportionate within this locality. In addition, due to the width and bulk of the proposed side extension, I consider that it would unacceptably erode the gap at the junction of Winbrook Road. This would be exacerbated by the loss of the existing hedging and the height and position of the proposed flank wall close to the side boundary. In my opinion, there would be little room for any significant soft landscaping along the side boundary to mitigate this harm.
8. In reaching my conclusion, I have had regard to all matters raised including examples of other developments in the vicinity. I do not consider those examples to be directly comparable to the proposal before me, particularly in terms of design and prominence. I have determined the proposal before me on its individual merits. For the above reasons, I conclude that the proposed side extension would have an adverse effect on the character and appearance of the surrounding area. Thus, the proposed side extension would be contrary to Policy CP1 in the Rochford District Council Core Strategy (2011) and Policy DM1 in the Rochford District Council Development Management Plan (2014), where they seek to promote good high quality design that promotes the character of the locality.
9. The proposal includes a hipped roof to the existing flat roof dormer, the blocking of the existing front doorway and its repositioning and the insertion of double doors in the rear elevation of the existing kitchen. The Council has not raised concern over these proposed alterations. Indeed, the Council has recognised that the proposed hipped roof to the existing flat roof dormer would create a feature which would be in greater sympathy to the property than the existing flat roof. I concur with this opinion and consider that the proposed front and rear door alterations would be in keeping with the character and appearance of the existing dwelling.

10. As these parts of the proposal can be undertaken independently from the proposed side extension, I consider it appropriate to issue a split decision in this respect. The Council has suggested the imposition of standard time, matching materials and plans conditions. I consider it reasonable and necessary to impose such conditions.

J L Cheesley

INSPECTOR