The Planning Inspectorate

Appeal Decision

Site visit made on 15 May 2017

by J L Cheesley BA(Hons) DIPTP MRTPI

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

Decision date: 19 May 2017

Appeal Ref: APP/D1590/D/17/3170941
15 Fillebrook Avenue, Leigh-On-Sea, Essex SS9 3NS

- 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 Marco Silvagni against the decision of Southend-on-Sea Borough Council.
- The application Ref 16/01986/FULH was refused by notice dated 23 December 2016.
- The development proposed is to replace existing concrete tiled roof with hipped ends and tiles dormers with new steeper slate tiled roof with gable ends, and render dormers.

Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be the effect of the proposal on the character and appearance of the existing dwelling and surrounding area.

Reasons

3. Guidance in the Council's Supplementary Planning Document: Design and Townscape Guide (SPD) (2009) seeks to ensure that additional roof accommodation respects the style, scale and form of the existing roof design and character of the wider area. Dormers should appear incidental in the roof slope.

4. The appeal property is a modest detached chalet bungalow in a distinct group of two chalet bungalows and a bungalow within a wider area that includes two-storey dwellings of various designs. The resultant character and appearance of the surrounding area is one of harmonious residential development.

5. The proposal includes the raising of the roof by some 0.8 metres, hip to gable front and rear alterations and two catslide dormers on either side. There is an existing small dormer to one side of the existing roof. The adjacent chalet bungalow at No. 17 has dormers to either side. These are not to such a length as the proposed dormers at the appeal property, which would both cover a considerable length of each side of the roof.

6. From my observations, due to the dominance of the proposed dormers, together with the proposed hip to gable extensions, I consider that the

proposal would appear as a discordant addition, totally overwhelming the modest character and appearance of the existing dwelling. In particular, due to their bulk, position and design, I consider that the proposed dormers would appear as incongruous additions. This would be to the detriment of the character and appearance of the existing dwelling. In such a location, the dominance of the proposed alterations and their unsympathetic design would be visible to a considerable extent in the streetscene. For the above reasons, I consider that the proposal would be unacceptably dominant in the streetscene, to the detriment of the character and appearance of the surrounding area.

7. In reaching my conclusion, I have had regard to all matters raised including the fall-back position regarding the size of a dormer allowed under permitted development rights. This is a material consideration and is likely to take place. In my opinion, the fall-back position would cause significantly less material harm to the character and appearance of the existing dwelling and wider streetscene than the proposal before me, primarily due to the difference in scale between development permitted under such rights and the scale of the proposed dormers before me. Therefore, I have attributed limited weight to the fall-back position in my determination of this appeal.

8. For the reasons stated above, I conclude that the proposal would have an adverse effect on the character and appearance of the existing dwelling and surrounding area. Thus, the proposal would be contrary to guidance in SPD and contrary to Policies KP2 and CP4 in the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 in the Southend-on-Sea Development Management Document (2015), where they seek high quality design that respects existing character.

9. As the Core Strategy policies precede the National Planning Policy Framework, it is necessary for me to determine whether these policies are in accordance with the Framework. I consider that these policies referred to above are broadly in accordance with the Framework as far as they meet the Framework's core principles; particularly that planning should be seeking to ensure high quality design and should be taking account of the different roles and character of an area.

J L Cheesley

INSPECTOR