The Planning Inspectorate

Appeal Decision

Site visit made on 18 September 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 25th September 2017

Appeal Ref: APP/X1545/D/17/3180676
Brecknell Cottage, 55 Mell Road, Tollesbury, Essex CM9 8SW

- 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 Jeremy Heigham against the decision of Maldon District Council.
- The application Ref HOUSE/MAL/17/00469, dated 27 April 2017, was refused by notice dated 30 June 2017.
- The development proposed is described as 'room in the roof with small dormer'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council issued its decision in June 2017 it has adopted the Maldon District Approved Local Development Plan 2014 – 2029 (adopted July 2017) (LDP). The LDP has replaced the Maldon District Replacement Local Plan, including Policies BE1 and BE6 therein.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is an end of terrace two storey period house located at the junction of Mell Road and Crescent Road. The appeal property is located in a row of other similar dwellings although the chalet bungalow to its immediate rear and the houses opposite appear to date from later periods. The period semi-detached and terraced properties in the vicinity of the appeal site have been altered over time but they nevertheless retain a semblance of the original design and composition. The majority of roof planes in the surrounding houses have not been broken by dormer windows but they are not a wholly absent architectural feature on properties in the vicinity of the appeal site.

5. The appeal scheme is for the construction of a box dormer window that would be inserted in the rear roof plane of the appeal property. The drawings demonstrate that the dormer window would be around 3.05 metres deep at its maximum extent and approximately 1.93 metres tall. Within the dormer window would be double doors with a toughened glass Juliet balcony. The dormer cheeks would be boarded.

6. The proposed dormer window would be a tall and deep addition to the roof which would appear overly large when viewed against the roof plane. As such, it would not be a well-proportioned insertion that would complement the roof scape of the terrace or harmonise with the size or design of the other windows in the dwelling. Consequently the proposed dormer window would be a strident and discordant addition to the property.

7. The boxed form of the dormer window need not be unacceptable in isolation as there are others nearby and such features can often be added by enacting permitted development rights[1]. Nevertheless, the proposed boxed form, alongside the suggested height and depth, would result in an oversized addition to the property that would be harmfully evident from Crescent Road in views looking south towards the junction with Mell Road.

8. In coming to the above view it is important to note that dormer windows are present at other properties in the wider vicinity of the appeal site. In particular there is a box dormer in the front roof plane of Crescent Lodge, which is the chalet bungalow that adjoins the rear boundary of the appeal site. Nevertheless, this dormer window is more in proportion with the roof plane within which it is positioned and therefore it is not directly comparable to the appeal scheme. The same can be said of the dormer at 51 The Chase.

9. The dormer window at 65 Mell Road, whilst large and visible, is not as prominent as the proposed dormer window at the appeal property would be. As such its presence does not justify the harm that would otherwise arise from the appeal scheme. The dormer at 39 Woodrolfe Road, whilst large, utilizes a complimentary form and pallet of materials. As such it is reasonably harmonious with the host property whereas the appeal scheme would not be for the reasons set out earlier in this decision.

10. I therefore conclude that the proposal would harm the character and appearance of the host dwelling and the surrounding area. The appeal scheme would therefore be contrary to Policy D1 of the LDP, which seeks to ensure new development respects and enhances the local context and would have an appropriate size, form and proportions.

Conclusion

11. The appeal scheme would be contrary to the development plan taken as a whole and material considerations do not indicate planning permission should be forthcoming in spite of this. Accordingly, for the reasons given above, and having regard to all other matters raised, including the lack of any objections from interested parties such as the Parish Council, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR

[1] Through the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended