
Appeal Decision

Site visit made on 24 October 2019

by Mr J P Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2019

Appeal Ref: APP/W1525/D/19/3233983

8 Nalla Gardens, Chelmsford CM1 4AX

- 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 Jonathan Lloyd-Gane against the decision of Chelmsford City Council.
 - The application Ref 19/00843/FUL, dated 9 May 2019, was refused by notice dated 23 July 2019.
 - The development proposed is to add a front dormer within a loft conversion measuring 2.74m (9ft) wide by 2.2m high with a single window.
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Preliminary matters

1. The front dormer window subject of this appeal is now built. I understand it was constructed as part of more extensive alterations to the property, which included, among other things, altering the ridge and the angle of slope for the dwelling's front roof plane. These works were shown on the submitted plans, and those plans appeared to reflect what I saw on site. However, in making this decision I have considered only the merits of the front dormer window, and this appears to be the basis on which the Council also considered the proposal.

Decision

2. The appeal is allowed and planning permission is granted for a front dormer within a loft conversion measuring 2.74m (9ft) wide by 2.2m high with a single window at 8 Nalla Gardens, Chelmsford CM1 4AX in accordance with the terms of the application, Ref 19/00843/FUL, dated 9 May 2019 and the plans submitted with it.

Main Issue

3. The main issue in this case is the effect of the front dormer window on the character and appearance of the area.

Reasons

4. Nalla Gardens is a lengthy suburban road lined by numerous semi-detached bungalows. The appeal property is at the extreme northern end, being one half of the second pair of dwellings on the west side.
5. The bungalows along Nalla Gardens are of broadly similar designs, each with a front projecting wing coming forward from the main body of the house. Whilst many of the properties have been subject to various minor alterations over

time, the repetitive form of the buildings gives the streetscape a great sense of uniformity and visual cohesion. This is due in part to the limited roof work, as there are only 3 other front dormer windows in the road. Of these, 2 are on the opposite side at houses well down the street. The third is next-door-but-one to the appeal property at 4 Nalla Gardens, which is in the first pair of houses on the western side. That dormer window is of a broadly similar design and scale to the appellant's, albeit varying in detail as it is not quite as deep, the window bars are slightly different and the house is higher resulting in a different relationship to the ridge.

6. I consider the structure subject of this appeal sits comfortably as a subservient element on the roof, maintaining adequate space to either side and to the guttering below. Moreover, there is no fundamental reason why dormer windows are inappropriate on dwellings of this style. Therefore, I have no basis to consider that what is before me harms the appearance of the property.
7. In relation to its impact on the wider streetscape, when coming from the south along the road the dormer window at No 8 only becomes visible from the pavement on the opposite side of the road when in front of No 7 whilst, because of the projecting wing, it is only readily apparent on the west side of the road when outside the appeal property itself. Coming from the opposite direction along Skerry Rise it is more apparent, but in that instance it is viewed not in isolation but very much in the context of the dormer window at No 4.
8. Consequently, its position at one end of Nalla Gardens and its concealed nature when approaching from the south means the dormer window before me does not harm the wider street scene. From where it can be seen it is in the context of the comparable structure at No 4. As such, I find it is not unduly dominant, discordant or incongruous in this location but has an appropriate visual relationship with its surroundings.
9. Finally, the interface distance and the public nature of the intervening road mean the dormer window does not cause an unacceptable loss of privacy in the houses on the opposite side of Nalla Gardens.
10. Mindful it has been constructed I see no reason for any conditions to be imposed.
11. Accordingly, I conclude that the dormer window does not cause unacceptable harm to the character or appearance of the area, and so is not contrary to Policies DC45 and DC47 in the *Core Strategy and Development Control Policies Development Plan Document 2011-2021*. The appeal is therefore allowed.

J P Sargent

INSPECTOR