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# Appeal Decision

Site visit made on 16 December 2019

**by G Pannell BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 7th January 2020**

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**Appeal Ref: APP/P1560/D/19/3237559**  
**40 Maltings Road, Brightlingsea CO7 0RG**

- 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 Ms Abi Coates against the decision of Tendring District Council.
  - The application Ref 19/00753/FUL, dated 15 May 2019, was refused by notice dated 30 July 2019.
  - The development proposed is a front dormer window.
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## Decision

1. The appeal is dismissed.

## Procedural Matter

2. I have amended the description of development in the banner heading above to ensure that it accurately captures the scope of the proposal. The description of development on the application form is wholly unclear as it reads: "variation on previously proposed front dormer".
3. Both the Council and the appellant refer to policies from the emerging Tendring District Council Local Plan 2013-2033 and Beyond Publication Draft June 2017 (ELP). Although Section 1 of the plan has been through public examination, it remains the subject of outstanding concerns that were raised by the Inspector, and Section 2 will not progress until these matters have been resolved. Therefore, the emerging local plan does not yet form part of the development plan and due to the unresolved objections to it, I have afforded its policies only limited weight in the determination of this appeal.

## Main Issue

4. The main issue is the effect of the development on the character and appearance of the surrounding area.

## Reasons

5. The appeal site comprises a semi-detached bungalow which fronts onto Maltings Road, in a residential housing estate comprising predominantly pairs of semi-detached bungalows, with a limited amount of two storey development. Although it is possible to see evidence of loft conversions, with rooflights and dormer windows having been constructed in both rear and front roof slopes, there remains a high degree of uniformity in the overall estate insofar as front roofs of bungalows remain largely unaltered, which adds to the character of the area.

6. The proposed dormer would be inset from each end of the roof and would include 2 windows. The dormer has been designed with a hipped roof and it has been put to me that this design reduces the bulk and mass of the proposed dormer. However, this style of roof is not evident elsewhere within Maltings Road and therefore the introduction of a hipped roof would be uncharacteristic of the wider area and would therefore appear inappropriate.
7. This, in combination with its overall width and the proposed siting close to the ridge of the roof, results in a dormer which would be highly visible from within Maltings Road and would appear as a prominent and incongruous feature within the street-scene. I do not consider this would be adequately mitigated by the use of matching materials or the size and scale of the proposed window openings.
8. Whilst other dormer windows are present within Maltings Road and surrounding side streets, a number of these are sited on rear roof slopes and are commensurate with the scale of the host dwellings and do not lead to the same impact on the character and appearance of the area. I was also able to see, during my site visit, the dormer window on the front elevation of a nearby property, 67 Samsons Road. However, I do not have the full details of the circumstances of that development and so cannot be sure that they represent a direct parallel to the appeal proposal. In any event this example confirms that such dormer extensions can be detrimental to the character and appearance of an area and therefore should not be used as a reason to allow a similar development such as that before me.
9. In conclusion, the proposed dormer would harm the character and appearance of the surrounding area. Therefore, it would fail to comply with Policies QL9, QL10 and QL11 of the Tendring District Local Plan 2007 which seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed. It was also be in conflict with emerging policy SPL3 (ELP) which sets out similar requirements and the Essex Design Guide 2005 which gives guidance on the design of dormers.

### **Other matters**

10. I have taken into account the existing poorly configured first floor accommodation at the appeal property which results in issues with poor head height and lack of a safe means of access along the first floor landing. Whilst the proposal would resolve these issues it would not outweigh the harm to character and appearance that I have identified and the conflict with the development plan in that regard.

### **Conclusion**

11. For the reasons given above I conclude that the appeal be dismissed.

*G. Pannell*

INSPECTOR