
Appeal Decision

Site visit made on 18 February 2020

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2020

Appeal Ref: APP/M1595/W/19/3241244

36 Rookery View, Grays, Essex RM17 6AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Russell Cherry against Thurrock Borough Council.
 - The application Ref 19/00983/HHA, is dated 16 June 2019.
 - The development proposed is a part single storey rear extension with roof lantern, first floor part rear and part side extension with roof alterations with the addition of one no. Roof light and a Juliet balcony and front storm porch.
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Decision

1. The appeal is dismissed and planning permission for a part single storey rear extension with roof lantern, first floor part rear and part side extension with roof alterations with the addition of one no. Roof light and a Juliet balcony and front storm porch is refused.

Procedural Matters

2. I have omitted the word proposal from the description found on the amended Application Form, as this does not describe the development. I note that this is a revised description agreed between the parties, which superseded the description of development found on the original Application Form.
3. The appeal is against the Council's failure to determine an application for planning permission. The Council has provided an Officer Report for the appeal which states that in its opinion the proposal is unacceptable, however, these are not formal determinations of the Council as the jurisdiction to determine the applications transferred from the Council upon valid receipt of the appeal. However, the Council has set out its reason for concluding the scheme would be unacceptable and would have refused the application had it been empowered to do so. I have therefore taken this reason into account in determining the Main Issue below.

Main Issue

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

Reasons

5. The residential area within which the appeal site is situated is formed of a range of house types with a varied appearance. The site is within a cul-de-sac

to the northeast of the street, which incorporates a small number of properties. The appeal property has previously been extended to the side and rear, including the existing flat-roofed dormer window serving the converted roof space. However, the scale and form of the extensions to the property ensures that they remain subservient to the property and do not have a negative effect on its individual character and appearance or how this contributes to the surrounding area.

6. The highest part of the proposed first-floor extensions to the side and rear of the property would be marginally lower than the existing ridgeline. However, the first-floor rear extension would be attached to the existing dormer window and extend significantly from the rear roof slope. The roof form to the rear would incorporate two small gables with a part hipped and flat roof configuration between. Together with the scale and form of the proposed first-floor extensions, the convergence with the dormer window would lead to a roof form that would be unduly dominant and inharmonious with the existing house.
7. Furthermore, the proposed first-floor side extension, offset at the rear beyond the eastern flank wall of the property, would incorporate a gable perpendicular to the ridge of the house. This would have an uncomfortable relationship with the existing house, particularly its roof.
8. Given the layout of Rookery View, public views would be available of the proposal across the gardens of neighbouring properties from the street, to the west. Parts of the proposal would also be visible from the street directly in front of the house and from a footpath and allotments to the east. However, the majority of the proposal would be prominent in views from neighbouring properties or their gardens. I appreciate that there are elements of the design of the first-floor extensions that pick up on features of neighbouring properties, including Juliet balconies. Nonetheless, they would jar with the existing architecture of the property and appear as dominant and imposing additions, the bulk and mass of which would overwhelm the property.
9. Meanwhile, given their scale and relationship with the existing house, the proposed single storey rear extension, rooflight to the front roof slope and front storm porch, would not be harmful to its individual character and appearance or contribution within the surrounding area.
10. Despite my favourable consideration of the proposed single storey rear extension, rooflight and front storm porch, I conclude that the development comprising the first-floor extensions to the side and rear would have an unacceptably harmful effect on the character and appearance of the existing house and the surrounding area. Hence, the proposal would not accord with Policies PMD2 and CSTP22 of the Council's Core Strategy and Policies for Management of Development (as amended) (Adopted January 2015) and the Thurrock Design Guide Residential Alterations and Extensions SPD (July 2017). Together these policies and guidance require that development must contribute positively to the character of the area in which it is proposed and to surrounding areas that may be affected by it through, amongst other things, a thorough understanding of the local context and the treatment of the visible façades and roof forms.
11. The proposal would also conflict with Paragraphs 127 and 130 of the National Planning Policy Framework, which require that developments are visually

attractive as a result of good architecture and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Other Matters

12. I have noted that the Council did not object to the proposal on grounds of the living conditions of neighbouring occupiers or flood risk. I am also not aware of any objections from neighbouring occupiers. However, the absence of harm in respect of these matters would weigh neither for nor against the proposal.
13. The appellant has referred to the conduct of the Council in the determination of the planning application, including the information required to be able to determine the application. However, this is primarily not a matter for me to consider as part of this appeal and, in any event, I have considered the proposal afresh and arrived at my own conclusions on its individual merits.
14. Similarly, I note that due to the nature of other works previously undertaken, remedial work is required to the property, and I understand that it would be more convenient and cost effective for the appellant to undertake this work alongside the proposal. However, these personal circumstances are not sufficient to outweigh the harm that I have identified in the main issue.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed and planning permission is therefore refused for the appeal scheme.

Paul Thompson

INSPECTOR