
Appeal Decision

Site visit made on 9 June 2020

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2020

Appeal Ref: APP/M1595/D/19/3244019

3 Duarte Place, Chafford Hundred, Grays, Essex RM16 6PQ

- 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 Jebarson William against the decision of Thurrock Borough Council.
 - The application Ref 19/01466/HHA, dated 26 September 2019, was refused by notice dated 11 December 2019.
 - The development proposed is loft conversion with rear dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and surrounding area.

Reasons

3. The appeal relates to a detached two storey house with a pitched roof that has front and rear roof slopes and side gable ends. The house is part of an estate of recent construction comprising mainly two storey houses with pitched roofs. The houses are of varying size and design, laid out informally on short roads.
4. The proposal is to construct a room in the roof that would be served by a rear dormer, 2 front roof lights and a window to one side gable end. The dormer would occupy most of the width of the house but would be set in from both sides and set above the eaves. It would have a wide window and a flat roof.
5. Policy CSTP22 of the Thurrock Core Strategy and Policies for Management of Development (2015) (TCS) requires development proposals to demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context. Policy PMD2 of the TCS requires the design and layout of proposals to respond to the sensitivity of the site and its surroundings and to contribute positively to the character of the area in which it is proposed.
6. There are no dormers visible on dwellings in the immediate vicinity of the site in views from either the back garden to the appeal site or from along the length of Duarte Place. In this respect, the proposal would be at variance with the local context. The absence of dormers in the immediate vicinity may in part be due to the removal of permitted development allowances in the permission for the block including the appeal site in 1985.

7. Further to the north and north-east of the site there are dormers over side garages to 8 and 10 Davis Road and timber dormers to 49 Devereux Road. But these have pitched roofs and are narrow in comparison with the flat roof box dormer proposed at the appeal site.
8. The Council has produced a design guide, the Residential Alterations & Extensions SPD (2017) (RAE), to provide guidance for residents in balancing their own needs with what is also best for the wider community. In relation to roof alterations Table 1 to the RAE guides the appropriate dormer size in 3 categories. Utilising the appellant's own figures, the dormer would measure 3.07m rising up the roof slope in relation to the ridge to eaves distance of 5.28m. The dormer would not occupy three-fifths of the overall distance and would therefore satisfy the requirements of category 3 for "a rear roof slope that is not visible from a public space".
9. The rear roof slope to 3 Duarte Place is readily visible in private views from the windows and gardens of dwellings in the immediate cluster of dwellings to the rear and sides of the site, but not in public views. Nonetheless, the rear dormer would be seen from Davis Road near to the junction with Camden Road through the gap between nos. 13 and 15. It would also be seen between the garage to 14 Devereux Road and the flank wall to the recessed house at 16 Devereux Road. To the south of the site is a parking area that would afford a side profile view of the dormer from closer quarters, but this area does not form part of the public highway.
10. As the dormer would be "visible from a public space", the proposal should be assessed in relation to category 2, "visible but less prominent side or rear roof slope". This advises that dormers should not occupy more than half the width of the roof and have a maximum width of 2m. The proposed dormer would have a width of about 4.5m and would occupy more than half the width of the roof. It would therefore not comply with the guidance of the RAE.
11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The RAE is a material consideration but is not supportive of the proposal. The flat roofed rear dormer would be a large and overly dominant feature that would detract from the appearance of the host property and be out of keeping with and harmful to the character of the roofscape in the surrounding area. The proposal would thereby be contrary to Policies CSTP22 and PMD2 of the TCS. There would also be conflict with Paragraph 127 of the National Planning Policy Framework which requires planning decisions to ensure that developments "*are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation and change*". I acknowledge the aspirations of the appellant to enlarge the house, but the proposal would result in the harm I have identified.

Conclusion

12. For the reasons given, and having regard to all other matters raised, the appeal is dismissed.

Rory MacLeod

INSPECTOR