



Appeal Decision

Site visit made on 2 June 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) DipTP MRTPI

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

Decision date: 23 June 2020

Appeal Ref: APP/M1520/W/19/3243476

309A London Road, Hadleigh, Essex SS7 2BN

- 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 Clive Morris against the decision of Castle Point Borough Council.
 - The application Ref 19/0360/FUL, dated 22 May 2019, was refused by notice dated 16 July 2019.
 - The development proposed is a single storey first floor rear extension with a flat roof over, loft conversion with flat roof rear dormer, 3no Velux windows to the front slope of the roof, creation of 1-bedroom studio flat to the second floor.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal would provide satisfactory living conditions for the future occupiers of the proposed second floor studio flat, with regard to outlook and internal space.

Reasons for the Recommendation

Character and Appearance

4. The appeal site comprises a two-storey terraced dwelling located on the north side of London Road. A hairdressing salon occupies the ground floor whilst the first floor is a two-bedroom flat. There is parking to the rear of the property which is accessed via a lane off London Road. The lane provides rear access for loading/unloading by the many retail units which occupy the ground floors of the properties within the terrace. This gives the area at the back of the terrace a somewhat utilitarian feel. This is reinforced by ventilation extraction units as

well as by the large rear extensions neighbouring the appeal property that appear to be used for storage, back-offices or kitchens.

5. The proposal would result in a flat-roofed first floor rear extension as well as the formation of a second-floor studio flat with a flat-roofed staggered dormer. The property would then comprise two self-contained residential units.
6. The proposed second floor dormer would occupy the whole of the rear roof slope and project over the roof slope of the existing rear projection. I concur with the Council in that it would appear bulky. Also, its flat-roof and staggered nature would not be attractive and, when viewed with the proposed first floor rear extension, the development as a whole would be excessive and therefore appear top-heavy and dominant.
7. Notwithstanding the proposed tile cladding and appearance of the neighbouring rear extensions, in my view, the development would constitute poor design. Its scale and stepped appearance would jar with the roof form of the terrace as a whole which is devoid of roof extensions. It would thus negatively impact the character and appearance of the host building and surrounding area. I acknowledge it would not be visible from London Road, however, it would be visible from Oak Road North as well as from the rear elevations of the properties on Church Road during the winter months.
8. In light of the foregoing, the proposal would conflict with Policy EC2 of the Castle Point Borough Council Local Plan as well as the National Planning Policy Framework (the 'NPPF') which together seek to ensure new extensions and alterations to existing buildings are appropriately designed and do not harm surrounding character. The proposal would also conflict with Policy RDG7 of the Council's Residential Design Guidance which seeks to ensure proposals for roof development are compatible with the host dwelling and informed by the prevailing character of the area and surrounding forms of roof development.

Living Conditions

9. The proposed studio flat would be very modestly sized at only 23.6 square meters. I find it would not allow for adequate internal circulation space or provide enough space for storage and other reasonable requirements of day to day living. The flat would be congested and would thus not allow satisfactory living conditions. Furthermore, the proposed studio would offer poor levels of outlook with only a small kitchen window located over the sink providing any view at eye level. Whilst I consider the three roof lights would allow for appropriate light to enter the flat, these would not allow the future occupants to conveniently look out from the front elevation due to their oblique angle and high position within the roof slope.
10. I therefore find the development would not provide satisfactory living conditions for the future occupiers of the proposed studio flat, with regard to outlook and internal space. The proposed development would conflict with Policy RDG16 of the Residential Design Guide which aims to ensure new dwellings provide appropriate internal space and circulation, and the NPPF which aims to ensure a high standard of amenity for residents.

Other Matters

11. I note the shortfall in the five-year housing land supply, nonetheless, the benefit of providing a single poorly sized additional residential unit, even if it

would not have a detrimental impact on the living conditions of neighbouring occupiers, is limited. Therefore, the harms I have identified would significantly and demonstrably outweigh the benefit.

Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR