
Appeal Decision

Site visit made on 15 December 2020

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/Z1510/D/20/3263443
35 Notley Green, Great Notley CM77 7US

- 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 and Mrs Lambert against the decision of Braintree District Council.
 - The application Ref 20/00748/HH, dated 4 May 2020, was refused by notice dated 29 September 2020.
 - The development proposed is described as 'Two storey front extension and loft conversion.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Notwithstanding the description of development used on the application form, the proposed front extension would be single storey in height. The Council considers that the front extension would be acceptable. I see no reason to disagree and have framed the main issue accordingly.

Main Issue

3. The main issue is the effect of the proposed front and rear dormers on the character and appearance of the existing building and the surrounding area.

Reasons

4. The appeal property is a detached two storey dwelling with a steeply pitched roof running parallel to the road. The property's siting behind roadside planting helps to filter views from the highway. However, it is positioned fairly close to the footpath, from where it has an imposing presence.
 5. The proposed dormers would be 2.63m wide and centrally located within the front and rear roof slopes and their front walls would align with the main front and rear walls of the existing dwelling. As such, there would be only a narrow strip of tiling between the bottom of the dormer walls and the eaves. Moreover, the ridge of the dormer roofs would be only slightly lower than the ridgeline of the main roof. By virtue of their size and positioning therefore, the dormers would dominate the front and rear slopes of the main roof. This would be at odds with the advice in the Essex Design Guide which states that '*Dormers should normally be a minor incident in the roof plane.*' The use of render for the dormer walls would do little to mitigate the dominating effect.
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6. Notwithstanding the roadside planting, the front dormer would be glimpsed in views from the highway and would be prominent in views from the footpath. Its dominating scale and positioning would upset the composition of the front elevation of the property by making the roof overly bulky. This would exacerbate the already imposing presence of the property and result in an obtrusive roof-form. This would jar with the generally more restrained scale and form of the roofs in the area.
7. The rear dormer would be less visible in public views, although it would still be seen from the shared access which runs to the side of the property. As with the front dormer, it would dominate the roof slope and unbalance the rear elevation of the building. The appellant argues that the rear dormer could be constructed using permitted development rights. However, it forms part of the appeal proposal which I am required to determine. It would be open to the appellant to pursue a proposal for a rear dormer in isolation under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
8. Whilst there are some examples of dormers in the front roof slopes of properties in the area, they are not prevalent and most are modest in size. The appellant has drawn my attention to front dormers at 7 Widgeon Close, 17 Notley Green and 37 Great Notley Avenue. In the first two cases, the pairs of dormers are modest in size and sit comfortably within the roof slopes. In the third case, the dormer, whilst larger, is fairly discreetly positioned at the junction of two roofs and set back from the roadside elevation of the property. Reference has also been made to a property opposite the appeal site. However, that dormer appears to be part of the original design of the dwelling and, again, sits comfortably within the roof slope. As such, I find that the cited examples do not provide a robust justification for the proposed dormers.
9. Consequently, I find that the proposed front and rear dormers would have a harmful effect on the character and appearance of the existing building and the surrounding area. Therefore, notwithstanding that the front extension would be unobjectionable, the proposal as a whole would conflict with saved Policies RLP17 and RLP90 of the Braintree District Local Plan Review 2005 and Policy CS9 of the Council's Core Strategy 2011. Together, these policies require extensions to dwellings to be compatible with the original building in their bulk, form and siting and to not materially impact on the character of the area.
10. Nor would the proposal accord with Policies LPP1, LPP38, LPP50 or LPP55 of the emerging Braintree District Draft Local Plan, the Essex Design Guide or paragraph 127 or 130 of the National Planning Policy Framework (the Framework) to the extent that they have similar aims. The appellant has cited Framework paragraph 126. However, this deals with the formulation of policies and guidance, rather than decisions on individual proposals.

Conclusion

11. For the reasons set out above, the appeal should be dismissed.

Simon Warder

INSPECTOR