
Appeal Decision

Site Visit made on 22 June 2021

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2021

Appeal Ref: APP/B1550/D/20/3261819

3A Hedgehope Avenue, Rayleigh, SS6 9LS

- 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. Justin Baker against the decision of Rochford District Council.
 - The application Ref 20/00503/FUL, dated 2 June 2020, was refused by notice dated 11 September 2020.
 - The development proposed is form ground floor front extension extending existing bathroom and kitchen, at first floor forming a staircase enclosure to new second floor extension forming a master bedroom with ensuite and 2 no. further bedrooms, alterations at first floor level is altering master bedroom/bedroom 2 into a kitchen/dining area and kitchen into a home office.
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Decision

1. The appeal is allowed and planning permission is granted for Construct second floor extension forming rooms in new roof with rooflights to front and rear flat roof dormer and window in new wall end. Construct two storey rear extension at 3A Hedgehope Avenue, Rayleigh, SS6 9LS in accordance with the terms of the application, Ref 20/00503/FUL, dated 2 June 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1094 01, 1094 02B and 1094 03A
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and as detailed on the approved plans.

Preliminary Matters

2. The description of the development provided on the planning application form has been replaced by a different version on the appeal form. I consider that the subsequent description to be usefully more precise and I have therefore used it within this decision.
3. An appeal¹ has also been submitted for the adjoining semi-detached dwelling for a second floor extension which I have considered separately.

Main Issue

¹ APP/B1550/D/20/3261817 1 Hedgehope Avenue, Rayleigh, SS6 9LS

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

Reasons

5. 3A Hedgehope Avenue is a semi-detached two storey dwelling, which has been subdivided into two flats, within a residential cul-de-sac, comprising similar two storey dwellings. Whilst the estate is modern, with no outstanding architectural merit, the consistency in the design of the dwellings and in particular the flat roofed design is a notable feature that adds to the character of the area.
6. However, the pair of dwellings opposite the site has had a hipped roof addition and a number of properties have also been extended to the side, but these alterations have not diminished the overall uniformity which is still evident in the style of the dwellings within the cul-de-sac.
7. The development includes the introduction of a pitched roof to provide second floor accommodation over the entire footprint of the main dwelling. Having regard to the alterations to the roof which have taken place opposite the site the increased roof height would not appear overbearing or dominant within the street scene.
8. Whilst the proposed gable end roof form is not a feature of the host dwelling and is not evident on the neighbouring roof extension, other examples of gables are evident within the vicinity of the site. Therefore, it would not appear incongruous when viewed within the context of the area.
9. I have considered carefully how the proposed roof extension would extend over a greater width than the other examples, as a result of the existing two storey side extension. However, this bulk and width already exists in terms of footprint and massing and has been assimilated into the overall design of the existing dwelling. As a result, the proposed extension would not cause unacceptable harm to the character and appearance of the area, despite its overall width.
10. The rear elevation of the dwelling would not be seen from public viewpoints. Moreover, I have nothing before me to convince me that the rear of the dwelling and those of the surrounding properties have any special merit. Given this context, I consider that the appearance of the proposed extension and the introduction of a rear dormer would not be at odds with its surroundings having regard to the view from within rear gardens.
11. Therefore, having consideration for the general character of the area with other dwellings within the cul-de-sac having been altered and extended, the proposed alterations to the roof would contribute to the overall character of the area and I therefore conclude that the proposal would not have a harmful effect on the character and appearance of the area.
12. The development would comply with policy DM1 (x) and (xi) of the Rochford District Council – Local Development Framework Development Management Plan which seeks to ensure that the design of new developments promote the character of the locality and creates a positive relationship with existing and nearby buildings and is of a scale and form appropriate to the locality.

Other Matters

13. I note that concerns have been raised with regard to the potential for overlooking and loss of privacy, however I am content that there would be no impact on the living conditions of existing occupiers as the neighbouring dwellings are likely to experience a degree of mutual overlooking from the existing first floor windows in the appeal site, as well as the other windows within the neighbouring properties. Furthermore, as a result of the distance from neighbouring properties, the proposal would not result in an overbearing impact nor dominate the outlook from neighbouring dwellings.

Conditions

14. The Council has suggested conditions which I have considered against the advice in the Framework and Planning Practice Guidance. As well as the standard implementation condition, I have imposed a condition to ensure that the proposal is built in accordance with the approved plans to provide certainty and a condition in respect of materials to safeguard the character and appearance of the area.
15. The Council's officer report makes reference to a condition requiring the works to be carried out jointly with 1 Hedgehope Avenue, however this was not put forward within the Council's list of suggested conditions. In any event I am not persuaded that such a condition would meet the relevant tests.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

G Pannell

INSPECTOR

