
Appeal Decision

Site visit made on 7 July 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/M1595/D/21/3269316

16 Birch Close, South Ockenden, RM15 6XD

- 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 & Mrs Tetzlaff against the decision of Thurrock Borough Council.
 - The application Ref 20/01428/HHA, dated 20 October 2020, was refused by notice dated 15 December 2020.
 - The development proposed is a loft conversion with rear dormer and front roof lights.
-

Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with rear dormer and front roof lights at 16 Birch Close, South Ockenden, RM15 6XD in accordance with the terms of the application, Ref 20/01428/HHA, dated 20 October 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 200804 L 020, 200804 L 021, 200804 L 022, 200804 L 023, 200804 L 024 and 200804 L 025.
 - 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.

Preliminary Matter

2. I have simultaneously dealt with another appeal (Ref: APP/M1595/D/21/3274420) on this site. The two proposals are independent of each other and the second appeal is the subject of a separate decision.

Main Issue

3. The appeal site lies within the Green Belt. The Council is satisfied that the proposal would not amount to inappropriate development in the Green Belt. I agree that the roof extension would not result in a disproportionate addition in terms of increasing the size of the original building. The main issue therefore is

the effect of the proposal on the character and appearance of 16 Birch Close and the surrounding area.

Reasons

4. The appeal property is a detached, two-storey dwelling located at the terminal end of a short stretch of an access driveway that serves just a handful of properties. It lies on the fringe edge of a contemporary housing estate, adjacent to and facing a large area of public open space. The proposal would include a 'box-like' dormer to the rear roof slope.
5. The officer's report includes extracts from the Council's *Residential Alterations & Extensions SPD* (2017) including a table with guidelines for their design and appearance.
6. I do not agree with the Council's assessment that the rear roof slope of the property falls within the category of being a visible but less prominent roof slope. The rear roof slope of the property cannot be seen from the public realm due to the position of the dwelling and the surrounding development. In my assessment the proposal would fall into the SPD's category of a rear roof slope that is not visible from a public space. In these circumstances the SPD states that a dormer will be acceptable subject to size restrictions limiting the width to no more than three-fifths of the roof width if the height exceeds three-fifths of ridge-to-eave distance; or no more than three-fifths of the ridge-to-eave distance if the total width exceeds three-fifths of the roof width.
7. I have been provided with no specific measurements from either of the parties to confirm the proportions of the proposed dormer relative to the size of the roof but it would clearly be more than three-fifths of the roof's width. Nevertheless, I am not persuaded by any substantive evidence, or from my own judgement, that its size would exceed three-fifths of the ridge-to-eave distance. As such, I can detect no conflict with the SPD insofar as it relates to size. Moreover, the dormer would be set below the ridge, above the eaves, and in from the gable ends. It would be appropriately framed by the tiles of the existing roof slope and, given its inconspicuous location, I find overall that the dormer would be of a scale and form that would generally respect the character and appearance of the existing dwelling and wider area. As such, there would be no conflict with Policies PMD2 or CSTP22 of the Council's Core Strategy and Policies for Management of Development (as amended) January 2015 insofar as they relate to the quality of design within the local context.

Conditions

8. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to control the external materials to be used.

Conclusion

9. For the reasons given, I conclude that the proposal would not harm the character or appearance of the appeal property or the surrounding area. Therefore, and in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR