
Appeal Decision

Site visit made on 1 September 2021

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2021

Appeal Ref: APP/B1550/D/21/3274694

34 Spring Gardens, Rayleigh, Essex SS6 7DQ

- 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 Mrs Gemma Haynes against the decision of Rochford District Council.
 - The application Ref 21/00011/FUL was refused by notice dated 19 March 2021.
 - The development proposed is a first-floor side extension with the crown roof over. Front porch. Change of exterior facing material to black weatherboarding.
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Decision

1. The appeal is dismissed in so far as it relates to the first-floor side extension with the crown roof over and change of exterior facing material to black weatherboarding. The appeal is allowed in so far as it relates to the pitched roof over an existing side dormer and a front porch. Planning permission is granted for a pitched roof over an existing side dormer and a front porch at 34 Spring Gardens, Rayleigh, Essex SS6 7DQ in accordance with the terms of the application Ref 21/00011/FUL dated 4 January 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1406/01 Rev J; 1406/02 Rev J; 1406/03 Rev J; 1406/04 Rev J; 1406/05 Rev J; 1406/06 Rev J; 1406/07 Rev J; 1406/08 Rev J; and 1406/09 Rev J in so far as relevant to those parts of the development hereby permitted.

Main Issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. Guidance in Rochford District Council's Supplementary Planning Document 2 Housing Design (SPD) (2007) explains that side extensions will be decided on their merits, but shall be located a minimum of one metre from the plot boundaries at first floor level. This is to prevent the coalescence of adjacent properties. The roof design should be compatible with the original dwelling.
4. The appeal property is a detached dwelling in an area of primarily residential development of a mixed style with various roof designs and dormer window projections. However, crown roofs are not a predominant roof style in the local vicinity of the site.
5. The appeal property has a clipped gable fronted main roof and two flat topped side roof dormers. The proposal includes a first floor side extension with a crown roof.
6. From my observations, due to the bulk, height and position of the proposed crown roof, I consider that the proposed first floor side extension would unacceptably dominate the existing dwelling. It would appear as an incongruous addition, not in keeping with the scale and design of the existing and nearby dwellings. In such a prominent location, this would be to the detriment of the character and appearance of the surrounding area.
7. From my site visit I was able to establish that the minimum side gap of one metre sought in the Council's guidance would be achievable at first floor level. Nevertheless, from the harm I have identified above I conclude that the proposed first floor side extension would have an adverse effect on the character and appearance of the surrounding area.
8. For the reasons stated above and having taken into consideration all matters raised, I conclude that the proposed first floor extension would have an adverse effect on the character and appearance of the surrounding area. This would be contrary to guidance in the Council's SPD and contrary to saved Policy DM1 in the Rochford District Council Development Management Plan (2014) where it seeks to ensure that new development positively contributes to the surrounding built environment.
9. Since the Council made its decision, the National Planning Policy Framework has been revised. It continues to seek high standards of design. I consider saved Policy DM1 to be broadly consistent with the Framework where the Framework seeks to ensure good design.

Dormer Pitched Roof and Front Porch

10. The planning application includes a front porch. Whilst not specified in the description on the planning application, the proposal also includes a pitched roof over an existing side dormer. The Council has not raised concern regarding these extensions. From my observations, due to their scale and design they would be in keeping with the character and appearance of the existing dwelling. As they are distinctly clearly severable from the proposed first floor side extension, I consider it appropriate to issue a split decision in this respect.

11. The Council has suggested the imposition of standard commencement, materials and plans conditions. I consider it reasonable and necessary to impose such conditions.
12. The proposal includes black weatherboarding facing material and raising the front and side walls of the existing garage. The Council has not raised concern regarding these proposals and I consider that they would be in keeping with the character and appearance of the existing dwelling. However, as they are not clearly severable from the proposed first floor extension, I do not intend to issue a split decision in respect of these proposals.

J L Cheesley

INSPECTOR