
Appeal Decision

Site visit made on 14 September 2021

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021.

Appeal Ref: APP/M1520/D/21/3277268

3 Tollgate, Thundersley, Benfleet, SS7 2UX

- 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 Joe Smith against the decision of Castle Point Borough Council.
 - The application Ref 21/0305/FUL, dated 27 March 2021, was refused by notice dated 25 May 2021.
 - The development proposed is described as 'proposed single storey rear extension, and hip-to-gable loft conversion with front and rear flat roof dormers'.
-

Decision

1. The appeal is allowed and planning permission is granted for proposed single storey rear extension, and hip-to-gable loft conversion with front and rear flat roof dormers at 3 Tollgate, Thundersley, Benfleet, SS7 2UX in accordance with the terms of the application, Ref 21/0305/FUL, dated 27 March 2021, 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: 200 00; 204 01; 201 00; 202 02; and 203 03.
 - 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.

Procedural Matters

2. The appellant has provided a revised Site/Block Plan 204-01; Proposed Floor Plans 202-02 and Proposed Elevations 203-03 and requested that I determine the appeal against these revisions rather than the earlier versions¹ upon which the Council made their decision. The revisions are minor and include a reduction in the depth of the front dormer and confirm its proposed materials as tile hanging. As such, I am satisfied that no one would be seriously prejudiced by my determination of the proposed in relation to the revised drawings.

¹ Drawing nos. 204-00, 202-01 and 203-02

3. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). I am satisfied that the updates to the Framework do not materially affect its content insofar as it is relevant to the main issues of this appeal, and I am therefore satisfied that no parties have been prejudiced by my having regard to it.

Main Issue

4. The main issue is the effect of the proposed front dormer window on the character and appearance of the pair of semi-detached dwellings of which it forms part, and the surrounding area.

Reasons

5. The appeal property is a semi-detached bungalow located in a road comprising of similar properties although there is some variation in terms of the size of dwellings and roof forms. The appeal property has a hipped roof whilst the adjoining dwelling, 4 Tollgate, has a gabled end and a dormer window on its rear elevation.
6. Policy EC2 of the Castle Point Borough Local Plan, Written Statement, Adopted 17 November 1998 (LP) requires a high standard of design in relation to new buildings and extensions, with particular regard to scale and design, amongst other things.
7. Policy H17 of the LP confirms that the Council will have regard to adopted guidelines with regard to design matters. RDG7 of the Council's Residential Design Guidance² (SPD) states that front and side dormers, and rear dormers which are visible in the streetscene should have pitched roofs, unless the original design features of the dwelling indicates otherwise, or it would rectify an unbalanced or unsymmetrical pair of or group of dwellings. It further states that proposals for any form of roof development which results in the detrimental disruption or loss of symmetry to a pair or group of dwellings, both in respect of the roof planes and/or roofscape, will be refused.
8. The proposed front dormer would have a flat roof, however the Council acknowledge that the design of the dwelling and surrounding forms of development do not dictate that pitched roofs should be used. In my view the proposed dormer would be in keeping with the appearance of the host dwelling and would be of an appropriate size and scale in relation to the roof plane. I also consider that the use of a hanging tile to match the existing roof would be appropriate. The proposal would not be contrary to RDG7 of the SPD in this regard.
9. The appeal property has a steep hipped roof, whilst the roof of the adjoining dwelling, 4 Tollgate, has already been converted to a gable end. The pair of dwellings are therefore, already unbalanced and unsymmetrical. Whilst the appeal proposal would introduce a dormer to the front elevation, the proposed gable end would reflect the roof design of No 4.
10. The proposed front dormer would be seen in the same context as the adjoining pair of semi-detached dwellings, 1 and 2 Tollgate. These dwellings both have front dormers and are more prominently located in relation to the road frontage than the appeal property. Given this context, I am satisfied that due

² Castle Point Residential Design Guidance, Supplementary Planning Document, Adopted 1 January 2013

to the siting of the appeal property adjacent to Nos 1 and 2, the proposed front dormer would not materially harm the character and appearance of the area, including the other dwellings in Tollgate which have unencumbered front roof slopes. Whilst the proposed front dormer would result in an unbalanced appearance with No 4 in this regard, the conversion of the roof of the appeal property to a gable end would be beneficial in terms of the overall balance and appearance of the pair of semi-detached dwellings.

11. This leads me to conclude that overall, the proposal would not have a harmful effect on the character and appearance of the pair of semi-detached dwellings of which it forms part, and the surrounding area. Thus, it would accord with Policies EC2 and H17 of the LP, RDG7 of the SPD and the Framework, which amongst other things, require a high standard of design.

Conditions

12. For clarity I have imposed an approved plans condition in addition to the standard 3 year implementation condition. I have also imposed a condition requiring the extension to be constructed in matching materials to ensure a satisfactory external appearance.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be allowed.

J Davis

INSPECTOR