



Appeal Decision

Site Visit made on 21 September 2021

by Philip Mileham BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2021

Appeal Ref: APP/W1525/D/21/3276697

4 Orton Close, Margaretting, INGATESTONE, CM4 9JN

- 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 Alan Pears against the decision of Chelmsford City Council.
 - The application Ref 21/00637/FUL, dated 9 April 2021, was refused by notice dated 28 May 2021.
 - The development proposed is the installation of two front dormers.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised National Planning Policy Framework in July 2021, and as such, I have had regard to this in my determination of the appeal.

Main Issue

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

Reasons

4. The appeal site is a two-storey semi-detached dwelling with a pitched roof located at Orton Close, Margaretting. Orton Close itself comprises a number of pairs of semi-detached single and two-storey dwellings and short terraces of two storey properties with pitched roofs.
5. The close is characterised by the regular patterns of the semi-detached dwellings and short terraces which are predominantly symmetrical in appearance. The properties in the close have a consistent rhythm and the simple pitched roof style found in the close provide a consistent identity to the street scene. From my observations on site, the roof-planes of the front elevations of the properties in Orton Close appear to remain unaltered. As such, the introduction of the proposed two front dormers to the front roof-plane of host dwelling would disrupt the simple rhythm of the roof planes by introducing features which are otherwise absent. This would result in an erosion of the consistency in appearance of the close.
6. The appeal site is a semi-detached dwelling and the proposed development would introduce features to the front roof plane of the host property. The proposed development would result in an imbalance with the adjacent property due to the two dormers adversely affecting the symmetry of the pair of semi-

detached dwellings. The dormers would appear incongruous when viewed alongside the simple pitched roof present in the adjacent dwelling. Whilst the appellant indicates that the proposal would complement the existing property by utilising matching tiles and would not extend or increase the roof ridge height, the presence of front dormers would nonetheless introduce features into the front elevation of the property that would appear awkward and out of character against the adjoining property. As a result, I consider that the proposal would be an incongruous feature in the street scene and would result in harm to the character and appearance of the area and the host dwelling itself.

7. Policy MD23 of the Chelmsford Local Plan (CLP) (2020) indicates planning permission will be granted for alterations to existing buildings that are compatible with the character and appearance of the area. In addition, the Margaretting Village Design Statement (MVDS) (2007) provides guidelines for development in the village. Whilst this pre-dates the adoption of the CLP, it provides helpful guidance for the different character areas in the village, and as such, I have afforded it moderate weight. The MVDS reflects that in the Orton Close character area, dormer windows should only be installed if they are compatible with the existing street scene. As set out above, I consider that the proposed front dormers would not be compatible with the character of the area and would therefore not accord with policy DM23 or the design guidelines in the MVDS.
8. The appellant has drawn my attention to examples of front dormers in Maldon Road which is in close proximity to the appeal site. Maldon Road has a more mixed character with a number of single and one and a half storey detached properties which have a range of pitched, hipped and half-hipped roof types. As such, the properties in Maldon Road do not collectively have a consistent, cohesive rhythm and uniformity to the dwellings that is otherwise found in Orton Close. Due to the more mixed style of dwellings, I consider that character of Maldon Road is sufficiently different to Orton Close that the presence of front dormers in this area does not alter my findings in respect of the appeal proposal and the harm I have identified.
9. In light of the above, I conclude that the proposed development would result in harm to the character and appearance of the area. As such, it would conflict with policy DM23 of the Chelmsford Local Plan (CLP)(2020) as set out above. It would also be contrary with the MVDS which indicates dormer windows should only be installed if they are compatible with the street scene.
10. The proposed development would also fail to accord with the design aims of the NPPF and paragraph 134 of the Framework indicates that development that is not well designed should be refused, especially where it fails to reflect local design policies.

Conclusion

11. In light of the above, and taking into account all relevant matters, I conclude that the proposal would fail to comply with the development plan when read as a whole. There are no considerations evident which would outweigh the conflict identified, and as such, there is nothing to indicate this appeal should be determined other than in accordance with the development plan.
12. As such, the appeal is dismissed.

Philip Mileham

INSPECTOR