



Appeal Decision

Site visit made on 22 November 2021

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd December 2021

Appeal Ref: APP/V1505/D/21/3278609

Tunlake, Tye Common Road, Billericay, CM12 9NX

- 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 Sarah Owen-Hughes against the decision of Basildon Borough Council.
 - The application Ref 21/00136/FULL, dated 20 January 2021, was refused by notice dated 20 April 2021.
 - The development proposed is two storey rear extension over existing ground floor extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the host building and the surrounding area.

Reasons

3. The appeal site is a semi-detached house in a row of 5 houses fronting Tye Common Road between the residential streets of Cherry Tree and Fairfield Rise. Houses within the row vary in terms of their design. Extensions and alterations to the front and rear of the host property have changed its appearance such that it is different to that of its adjoining neighbour. The rear of the appeal property includes a roof dormer which fills most of the roof plane and connects to the flat roof of a ground floor extension. The ground floor extension is stepped back where it adjoins the neighbouring property.
4. The proposed development comprises a first floor extension to part of the existing roof dormer. It would project back over part of the ground floor extension but not where it meets the adjoining neighbour. According to the Design and Access Statement submitted with the application, this is to ensure a 45 degree site line from the neighbouring property and to reflect the stepped back design of the ground floor.
5. The Council referred to the Essex Design Guide (2018 Edition) (EDG) in its reason for refusal. Notwithstanding the main reference to dormers in the EDG relates to new housing, it advises that they should be to light the roof space rather than to provide habitable room within it which can make them over dominant. Although the existing dormer already dominates the roof an addition to it, projecting beyond the eaves level and out over the ground floor, would

lead to a disjointed appearance and a bulk and form at odds with the surrounding roofscape. It would therefore harm the appearance of the host property and the wider area. Furthermore, most views of the rear ground floor are obscured by intervening boundary walls and vegetation so any attempt to reflect the design of it would not be readily apparent.

6. The Council are concerned that the proposed development would be highly visible from Cherry Trees and Fairfield Rise. It would be visible from the rear windows and gardens of properties on both roads. It would also be partially visible from houses at the back of the turning head for Cherry Trees, and from both streets across the rear gardens of properties at the junction with Tye Common Road. I accept that boundary walls and trees limit some views of the rear roofscape, particularly outside of the winter months. Nonetheless, it would be visible to an extent that would harm both the character and appearance of the host property and the surrounding area and therefore conflict with Paragraph 130 of the National Planning Policy Framework, Policy BAS BE12 of the Basildon District Local Plan Saved Policies (2007) and the objectives of the EDG which seek to prevent development that would cause harm to the character of the surrounding area and ensure development is appropriate to its setting and context.

Other Matter

7. The appellant has provided a montage of different roof styles in the area. However, none of the examples of roof dormers extend beyond the eaves, or have additional projecting sections, as would be the case with the proposed development. As such these developments are not directly comparable with the proposal. In any case, have come to my own view regarding the development rather than relying on the approach the Council may have taken elsewhere.

Conclusion

8. I have considered all other matters raised in support of the appeal including the absence of public representations. However, for the reasons above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR