The Planning Inspectorate

Appeal Decision

Site visit made on 23 February 2022

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th March 2022

Appeal Ref: APP/M1595/D/22/3291157
29 Orsett Heath Crescent, Chadwell St Mary RM16 4UZ

- 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 T Palmer against the decision of Thurrock Council.
- The application Ref 21/01482/HHA, dated 26 August 2021, was refused by notice dated 22 November 2021.
- The development proposed is a hip to gable loft extension including rear dormer and front rooflight, the rendering of the dwelling and other fenestration alterations.

Decision

1. The appeal is dismissed.

Procedural matters

2. The appeal relates to an application for planning permission for development that has been implemented following the issue of a Lawful Development Certificate[1] (the LDC) by Thurrock Council (the Council), where the development, as implemented, does not accord with the scheme to which the LDC relates and is not permitted development as defined by the General Permitted Development Order (as amended). The application is, therefore, retrospective. I have determined the scheme on this basis accordingly.

3. As the description of the development varies between the documents submitted for the purposes of this appeal, I have used the description from the Council's decision notice, as this more accurately describes the development.

Main Issues

4. The main issue is the effect of the development on the character and appearance of the appeal property and that of the local area.

Reasons

5. The appeal property is a detached house situated on a corner site on the inside of a bend in the street, which is developed on one side with detached houses, including the appeal property, and on the other side has an extensive green open space. The wider local area is predominantly residential, with houses of varying scale and design surrounding the open space.

[1] Planning Ref: 20/01440/CLOPUD

6. The appeal dwelling forms part of a run of good-sized detached houses that are predominantly in brick, with hanging tiles and with hipped roofs. It appears from my site visit that these, excepting the appeal property, have generally been the subject of limited extension and alteration, which, as part of a planned estate, gives the local street scene visual consistency and coherent character.

7. The main part of the development is the roof extension, which takes the form of a large rear dormer across the full width of the property. This results in the elimination of the original hipped roof and creation of large unbroken and expansive gable ends. Given the corner location of the appeal property, these gables are very prominent in views from both the street and the open space. This results in a roof extension that appears as a disproportionate and obtrusive addition to the appeal property that dominates and unbalances its appearance.

8. The development not only differentiates the appeal property from its neighbours, but also appears as an addition and alteration that is obtrusive, overly dominant and incongruous when viewed in concert with neighbouring houses. For this reason, the development causes harm to the character and appearance of the appeal property, the wider street scene and townscape.

9. The appellant has argued that the development would have the same effect on the character and appearance of the appeal property and that of the local area as the LDC scheme. However, not only does the rendering of the appeal property result in the dormer extension not matching the previously existing materials, but the extent of the dormer extension also varies from that which was the subject of the LDC. This extension reaches across the full width of the property, resulting in the gable ends of the appeal property being single expansive vertical planes. The LDC scheme proposes that both gables would be broken into two separate vertical planes, by a slight set back at roof level, which would have expressed, as a palimpsest, the original side eaves lines of the appeal property.

10. The development does result in a roof extension of almost the same scale as the LDC scheme. However, the small setback in the gable, proposed by the LDC scheme, would have been critical in creating gable ends with recessive qualities. I find, therefore, that the extension permitted by the LDC would cause less harm to the character and appearance of the appeal property, and that of the local area, than the implemented development.

11. The appellant argues that a rendered finish to the elevations has enhanced the host dwelling's distinctiveness and represents an expression of a contemporary aspiration that should be viewed as a contemporary evolvement of the built environment. I find, however, that within the context of the other houses on the street and their brick and tile materials, which play a critical part in defining the appearance of the street scene and unity of local character, the rendering appears as an overly prominent, discordant and dominating feature. When viewed from the street, the open space and private vantage points, the harm that I have identified above is, therefore further accentuated by the white rendering of the property.

12. Whilst the design guidance given in the Thurrock Residential Alterations and Extensions Supplementary Planning Document (2017) does not impose a presumption against the creation of gable ends or full width dormer extensions,

it does set out design guidance for such developments that, for the reasons given above, the development fails to accord.

13. I concur with Thurrock Council in finding that the window alterations and front roof light are not uncharacteristic of the area or visually intrusive and result in no harm to the character and appearance of the appeal property or that of the local area. Lack of harm is, however, a neutral factor in my considerations.

14. For the reasons given above, the development fails to comply with Policies PMD2 and CSTP22 of the Thurrock Core Strategy and Policies for Management of Development (2015) and Section 12 of the National Planning Policy Framework (2021) (the Framework), which collectively seek to ensure that development demonstrates high quality design and responds to the sensitivity of the site and its surroundings.

Conclusion

15. The development is in conflict with the development plan and there are no considerations that outweigh this conflict. Accordingly, for the above reasons and with paragraph 11 of the Framework in mind, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR