



Appeal Decision

Site visit made on 9 March 2022

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

an Inspector appointed by the Secretary of State

Decision date: 18TH March 2022

Appeal Ref: APP/M1595/D/21/3280756

49 Fyfield Drive, South Ockendon RM15 5QE

- 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 Unsal Keray against the decision of Thurrock Council.
 - The application Ref 21/00810/HHA, dated 11 May 2021, was refused by notice dated 29 July 2021.
 - The development proposed is a loft conversion with rear dormer and three front roof lights.
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

3. The appeal property is a gable ended two storey semi-detached house that sits on a relatively small plot in an area characterised by similar small semi-detached properties, which form part of a recently constructed planned estate of closely developed properties. To the front, the appeal property appears to have been the subject of an earlier enclosed porch extension.
4. The original planning permission¹ that allowed the construction of the appeal property, as part of a planned estate, was made conditionally. This, amongst other matters, restricts permitted development under the provisions of Article 4 of the Town and Country Planning (General Permitted Development) Order (as amended) (the GPDO) for rear dormer extensions, such as that proposed, which would otherwise be permitted development in accordance with the GPDO.
5. Although the appellant has drawn my attention to the fact that, in line with the National Planning Policy Framework (2021) (the NPPF), permitted development rights under the GPDO should only be restricted in exceptional circumstances, these circumstances do include local amenity. Although,

¹ Planning Ref: 94/00631/FUL

without this restriction, the proposal could be considered as permitted development, it remains the fact that this restrictive condition continues to be in place. Planning Permission is therefore required for an extension of the type proposed and it is an appeal relating to an application for just such a permission that is before me. I have however given significant weight in my considerations to the recent amendments to the GPDO that are intended to allow homes to adapt to meet the needs of occupiers.

6. The proposed rear dormer roof extension would take the form of a box dormer that would extend across the full width of the appeal property and would extend the brick built rear elevation by a full floor. It would have a flat roof that would meet the height of the existing roof ridge and would extend the existing brick built gable end in the same plane.
7. Due to the proposed extent and form of the proposed rear dormer extension it would not accord with the design guidance for roof extensions given in Section 5.4 of the Thurrock Residential Alterations and Extensions Supplementary Planning Document (2017) (the SPD. The design guidance given in the SPD is advice that should be considered along with the individual circumstances.
8. The scale and design of the proposed dormer extension would result in it appearing as a disproportionate addition to the appeal property, which would dominate and unbalance its appearance. This would be the case when viewed from the rear, but also, from the street and a communal garage and parking area, from where the rear roof slope of the appeal property is currently visible.
9. The entrance to this parking area separates the appeal property from a neighbouring semi-detached pair of houses. This presents a wide gap in the street frontage, in comparison to the more closely spaced semi-detached pairs in the local area and results in the gable of the appeal property being particularly prominent in street views
10. This prominence and the obtrusive effect of the proposed dormer roof extension would result in it differentiating the appeal property from its neighbours, but it would also appear as an addition and alteration that would result in the appeal property appearing as incongruous when viewed in concert with neighbouring houses.
11. The appellant has drawn my attention to other rear dormers in the local area that appear to be of a similar form and scale to that proposed. However, no further details of these have been provided. From my site visit it was clear that, whether these are the subject of a planning permission and considered on their own terms and qualities, or are permitted development, they are not as prominently located as the proposal, and I have given this little weight in my considerations and have considered the proposal on its own merits.
12. I concur with Thurrock Council in finding that the proposed front rooflights would not be visually intrusive and would result in no harm to the character and appearance of the appeal property or the local area. However, lack of harm is a neutral factor in my considerations.

13. For the reason given above, I find that, when considered as a whole, the proposed development would result in significant harm to the character and appearance of the appeal property and that of the local area. The proposal would not, therefore, accord with Policies CSTP22 and PMD2 of the Thurrock Core Strategy and Policies for Management of Development (2015) and Section 12 of the Framework, which collectively seek to ensure that development, including extensions, demonstrate high quality design and responds to the sensitivity of the site and its surroundings.
14. I have considered this harm against the benefits of extending the house to meet the needs of its occupiers, however these benefits are predominantly private and do not outweigh the significant harm that I have identified.

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