
Appeal Decision

Site visit made on 16 March 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2022

Appeal Ref: APP/M1520/D/21/3286384

60 Wavertree Road, South Benfleet, Benfleet, SS7 5AP

- 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 Ms Angelis against the decision of Castle Point Borough Council.
 - The application Ref 21/0702/FUL, dated 10 July 2021, was refused by notice dated 6 September 2021.
 - The development proposed is extension of existing side dormer and part garage conversion.
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Decision

1. The appeal is allowed and planning permission is granted for extension of existing side dormer and part garage conversion at 60 Wavertree Road, South Benfleet, Benfleet, SS7 5AP in accordance with the terms of the application, Ref 21/0702/FUL, dated 10 July 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan at scale 1:1250, and Drg Nos 110/21/A and 110/21/B.
 - 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.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the host property and wider street scene, and upon the future living conditions within No 60 with particular regard to light, privacy and outlook.

Reasons

Character and Appearance

3. The appeal property is one half of a semi-detached pair of chalet style dwellings that are orientated with the building's dominant front gable facing

Wavertree Road, and with a central ridge dividing the pair. The appeal property has a fairly small, 'box-like' dormer to its side elevation. The attached property at No 62 had a mirror arrangement but has had a further and larger, dormer extension added to the side of the original on the rear part of the side roof slope. Wavertree Road is wholly residential in character comprising a broad mix of property types but with some repeat designs. There is no uniformity to the style, appearance or pattern of the architecture in the area.

4. The proposal would include extending the width of the existing dormer towards both end elevations of the building and increasing its depth towards the single-storey height of the eaves.
5. The Council's *Residential Design Guidance Supplementary Planning Document January 2013* (SPD) includes advice on roof development and detailing. At RDG7 it advises that dormers should be ancillary features that must not dominate the roofscape, and that they must be provided with substantial roof verges above, below and to the sides. At RDG8 the SPD advises that all development should be consistent with the architectural approach of the dwelling and must not result in prominent, dominant, alien or incongruous features which detract from the visual appearance of the dwelling or the public realm.
6. Despite its size, the proposed dormer would be set in from the sides of the roof and up from its eaves. I do not recognise the Council's assertion that there would be '*little or no roof verges below and to the sides*'. Undisputed figures provided by the appellant state that the dormer would be 600mm from the eaves of the roof and 900mm recessed behind the front elevation. It would remain to be set well below the ridge and its flat roof form and sideways projection would reflect the architectural styling of the original building. In my assessment this would all be sufficient to ensure that the dormer would sit comfortable in the roof slope appearing neither dominant nor intrusive.
7. I recognise that there would be an imbalance between the semi-detached pair, but this already exists to some degree as a result of the extensions to No 62. Furthermore, there is little opportunity to appreciate any original symmetry to the building due to the reasonably close relationship between No 60 and the neighbouring dwelling at No 56, which deflects any possible sense of rhythm to the street scene. This relationship would also shield the dormer from being exposed to any direct and open sight in the approach along Wavertree Road from the east.
8. In addition to all of this, I saw several examples of chalet style dwellings along Wavertree Road with dormer windows spanning significant proportions of their roof slopes. Some were perpendicular to the road; for example those at Nos 28, 32 and 34. Others were orientated differently, facing the road and appeared to be part of an original design, such as those at Nos 17, 22 and 24. They all add to the eclectic mix of buildings in the area, and none appeared to me as alien or unduly prominent.
9. Overall, for the reasons given, I am satisfied that the proposed dormer would integrate with the existing building without harm to its character or appearance, or that of the wider area. As such I find no conflict with Policy EC2 of the Local Plan 1998 (LP) insofar as it requires a high standard of design

for alterations and extensions to existing buildings. For the same reason there would be no conflict with the National Planning Policy Framework's (the Framework) objectives for achieving well-designed places.

Living Conditions

10. The existing dormer houses two windows. One serves a bathroom and the other a bedroom. These both look towards the flank wall of No 56 but have sight skywards, over the sloping roof to that dwelling. RDG5 of the SPD states that for windows installed on the first-floor a distance of 9m shall be provided between windows and the boundary they directly face. It goes on to state that primary habitable rooms should be served by windows which are located on the principal elevations of dwellings and that all windows should be sufficiently designed and sized for adequate natural light and ventilation to enter the room they serve. The current arrangement falls short of the distances and window positions required by the SPD. However, I saw for myself that the room was adequately naturally lit and although the outlook was not expansive, it was by no means oppressive.
11. The proposed dormer would have the same window arrangement, albeit that they would be positioned closer to No 56. There are two, first-floor windows to the flank of No 56. These are both obscurely glazed. Movement of the bedroom window at No 60 closer to these would not result in any loss of privacy within either the appeal property or No 56.
12. There is no doubt that the outlook from the bedroom window would be curtailed, to a degree, by the closer proximity to No 56. However, I am not persuaded that the change would be such that there would be a significant degradation of the existing living conditions. Neither is there any substantive evidence to demonstrate that levels of natural light to the bedroom would be unacceptable. Although the arrangement would still fall short of the guidance within the SPD, there would be no reduction in the design quality of the existing building. I am therefore unable to detect any conflict with LP Policy EC2 in this regard, or with the Framework as it relates to standards of amenity for existing and future users.
13. I have noted two appeal decisions relating to other properties within the borough where Inspectors have concluded that the proposed development would fail to provide appropriate living conditions for occupiers of the relevant appeal properties (APP/M1520/D/19/3238858 & APP/M1520/D/19/3242792). However, the Inspector's findings in those cases do not reflect mine as they relate to the case that is before me. They therefore carry no weight in my considerations.

Conditions

14. In addition to the standard time limit condition a condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to ensure that the materials used externally match those on the existing building.

Conclusions

15. For the reasons given, I am satisfied that the proposal would not harm the character or appearance of the host property or the wider street scene. I am also satisfied that there would be no harm to the future living conditions within No 60. Accordingly, and in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR