



Appeal Decision

Site visit made on 7 September 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 October 2022

Appeal Ref: APP/M1595/D/22/3295031

38 Triumph Close, Chafford Hundred, Grays RM16 6RQ

- 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. Mindaugas Dargis against the decision of Thurrock Council.
 - The application Ref 21/02082/HHA, dated 4 December 2021, was refused by notice dated 1 February 2022.
 - The development proposed is described as a double storey/single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a double storey/single storey rear extension in accordance with the terms of the application Ref 21/02082/HHA, dated 4 December 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved drawings listed below:
 - Proposed Elevations, Drg No. Bld-2010-4 Rev A, Dated June 2021;
 - Proposed Block Plan, Drg No. Bld-2010-5 Rev A, Dated June 2021
 - Proposed Floor and Roof Plans, Drg No. Bld-2010-3 Rev A, Dated June 2021
 - 2) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
 - 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 Issue

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

Reasons

3. The appeal site is located along Triumph Close, which forms one of a number of streets in the local area that contains formally laid out speculative housing which appears to date from the late twentieth century. The dwellings within this location are functional in design, two storey dwellings with pitched and gabled roofs with the use of red and grey roof tiles with dwellings having differences in cladding applied to front facades such as mock timber framing, flint, brick, and render. Rear gardens are relatively small, however the tops of trees in rear gardens are visible from gaps in between dwellings. These elements together with vegetated front boundary treatments and front gardens assist in reinforcing positive qualities that contribute to local character and

distinctiveness. A number of additions and extensions are evident throughout the estate, which have a subservient appearance that does not detach from the original proportions of the dwellings that make up the planned estate.

4. The appeal site displays a number of positive qualities which are experienced within the locality and appears to be one of the original properties of the estate, which has since been extended to the rear with a conservatory that infills the area between the single storey garage and rear of the dwelling. Despite this, the dwelling is still able to be read as one of the original properties and with the front garden and similar design elements to the estate contributes positively alongside the other dwellings which make up the locality.
5. In undertaking extensions and alterations to existing dwellings, the Thurrock Core Strategy and Policies for Management of Development (CSPMD) Policy PMD2 and Policy CSTP22 are design led policies which have a number of design criteria to adhere to such as being high quality, renewable and low emission technology, respond positively to the character of the area, promote continuity, amongst others. The Thurrock Design Guide Residential Alterations and Extensions Supplementary Planning Document (SPD) supports the design policies of the CSPMD and provides further guidance on residential extensions, their design and placement.
6. The proposed two storey extension to the rear would be confined to the rear and would consist of two hipped rooved projections from the centre of the pitched roof of the main dwelling. The two storey component would then be set back from the single storey component that would project almost to be in line with the rear wall of the single storey garage. The main concerns from the Planning Officer's Report appear to relate to the visual appearance and the juxtaposition of the extension when seen in association with the rear of the dwelling, which can be experienced from surrounding roads such as Victory Close. Having visited the site, the proposed extension to the rear would not appear overly unusual or incongruous for a dwelling such as this; and would be seen in the context of other similar rear extensions, such as No.10 Victory Close or No.15 Stafford Close, located nearby.
7. In this particular example, the approach undertaken sits appropriately within the rear façade, and is subservient in proportion and style to the existing dwelling and does not exceed the rear wall of the existing garage. The extension would be subservient to the host building in terms of its width, height and construction as well as being subservient when seen in its wider context against neighbouring buildings. I disagree that in this context that the preservation of the building's original character is paramount, and given the existing proportions and design, the original elements are still appreciable.
8. In conclusion of this matter, the proposed scheme would present an appropriate architectural approach which is subservient, high quality and would be in keeping with the site and its context. Consequently, the scheme would be made in accordance with CSPMD Policies PMD2 and CSTP22, which are supported by the SPD as described above.

Other Matters

9. I note comments from interested parties with regards to impact of living conditions caused by the development, particularly with regard to loss of light, privacy, overlooking, and noise. I note that the Planning Officer's report contains a detailed assessment of these issues and found that the proposal would not cause adverse detriment towards living conditions. Having also visited the site, I concur with these findings and have no reason to form a different view.

Conclusion and Conditions

10. For these reasons and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be allowed and planning permission granted, subject to the conditions as detailed in the annex accompanying this decision.
11. I refer to the suggested conditions specified by the Council in their Questionnaire if the appeal was to be allowed and have considered them in accordance with the Planning Practice Guidance (PPG).
12. Suggested conditions 1 and 2 are standard conditions which set the standard time limit and approved plans which are necessary for the avoidance of doubt and in the interests of proper planning. Condition 3 seeks that the external materials match the existing dwelling which is necessary to ensure the development fits in with the surrounding context.
13. The Council have suggested a condition which seeks to remove permitted development rights in that no windows are erected in the side elevations of the extension as well as no windows to be erected in the dwelling which face No's 36, 37, 39, 40 and 41 Triumph Close. The reason given for this condition is in the interests of neighbour amenity and privacy. The General Permitted Development Order seeks that any windows in a side elevation be obscurely glazed and non-openable below 1.7 metres which would be sufficient to overcome concerns raised by the Council within this condition. This condition would therefore not meet the PPG tests for conditions and would be unnecessary. The additional requirement for the removal of permitted development rights on the existing component of the dwelling that is not subject to the extension would be unreasonable given that this element has already been subject to consent and is not part of this specific application for the extension. As such this condition does not meet the PPG tests of the conditions and therefore is not included.

J Somers
INSPECTOR