
Appeal Decision

Site visit made on 19 October 2022

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd November 2022

Appeal Ref: APP/X1545/D/22/3299917

Wicke Pin, 9 Katonia Avenue, Mayland, Essex, CM3 6AD

- 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 Michael Sullivan against the decision of Maldon District Council.
 - The application Ref. HOUSE/MAL/22/00398, dated 7 March 2022, was refused by notice dated 13 May 2022.
 - The development proposed is described as 'moving the front wall of the front dormer and moving the rear wall of the rear dormer both to align with the external walls below for support. This is a change to the approval 20/01257/HOUSE'.
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Decision

1. The appeal is dismissed.

Procedural Matters & Background

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form a different wording has been entered, but as the parties have not provided written confirmation that a revised description of development has been agreed I have used the one given on the original application.
3. Although not included in the description of development, the submitted Design Statement advised that the application included the replacement of two roof lights on the rear extension with one central rooflight. This is shown on the submitted plans, and the Council considered this amendment as part of the application.
4. At the appeal site visit it was evident that a single storey extension has been built, and work has commenced on a porch. The Council's officer's report lists the planning records for the property, which suggest that planning permission ref. 20/01257/HOUSE (included in the description above) was an amendment to earlier permissions refs. 20/00713/HOUSE and 20/01064/NMA, which were also revisions to planning permission ref. 20/00070/HOUSE, for the 'demolition of existing conservatory and erection of rear extension, front and rear dormer roof alterations and front porch'. I have not been advised which permission has been implemented, but there appear to be some differences between the development as built and the proposed elevations shown on drawing no. 2MS/p/2h submitted with this appeal. For the avoidance of doubt, I have

assessed the appeal on the basis of the development 'as proposed' on the submitted plans.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the appeal property and the area.

Reasons

6. The appeal property is a detached single-storey dwelling that benefits from a planning permission which includes the raising of the roof ridge height and the insertion of front and rear dormer windows with 'catslide' roofs. The street scene comprises mostly bungalows and chalet-style properties, many of which have large flat-roofed dormer windows. Although the appellant advises that the character and appearance of the area is very varied, the scale and form of buildings is fairly consistent notwithstanding individual extensions that have been built and some two-storey houses.
7. The principle of dormer windows at the property is not in dispute, but the proposed re-positioning of the approved front and rear walls would materially increase their depth and bulk, and would diminish the gap below each dormer to the roof eaves. The proportion of undeveloped roof slope would be reduced to such an extent that the front and rear additions would appear overly large and dominant, and unsympathetic to the scale and design of the host dwelling. I do not share the appellant's view that the increase in size would hardly change the appearance of the dormer windows which have already been approved.
8. The proposed front dormer window would be highly visible in the street scene, and its adverse impact would be exacerbated by its awkward relationship with the pitched roof of the porch below. Although the proposed rear dormer window would be less visible, it would be apparent due to the proposed raising of the roof ridge height, and would add to the overall bulk of the roof extensions. Considered together, their dominance on the property would detract from the character and appearance of the street scene and wider area.
9. I appreciate that large dormer windows are prevalent in the locality, but with few exceptions they appear to be more proportionate, having much more generous spacing to the roof ridge and eaves than proposed in this case. This includes the examples of dormer windows built off the ground floor supporting walls to which the appellant refers, and for the majority in the locality the impact is offset by less roof coverage overall. No details of any planning permissions have been identified for the examples cited by the appellant, and as such the planning policies against which they were assessed is not known. However, as I have not found them to be comparable in size, proportion and impact to the appeal proposal they offer limited support.
10. The replacement of two rooflights with the proposed single rooflight on the rear extension would be acceptable in design and other terms.
11. I therefore conclude that as a result of their size, scale and design, the proposed front and rear dormer windows would detract from the character and appearance of the appeal property and the area. This would conflict with the overarching design aims of the National Planning Policy Framework, and Policy H4 of the Maldon District Approved Local Development Plan 2014 – 2029

(2017) [LP], which amongst other criteria requires building extensions to be of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area; and with the requirement in LP Policy D1 for development to respect and enhance the character and local context and make a positive contribution in matters including architectural style, detailed design features, height, size, scale, form, massing and proportion.

12. For the above reasons, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR