
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: 3rd November 2022

Appeal Ref: APP/X1545/D/22/3302698

The Berries, Harfred Avenue, Heybridge Basin, Essex, CM9 4RH

- 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 Mrs Sam Mawdsley against the decision of Maldon District Council.
 - The application Ref. HOUSE/MAL/22/00361, dated 25 February 2022, was refused by notice dated 9 May 2022.
 - The development proposed is single storey rear and front extension, second floor loft conversion with a dormer to the rear and rooflights to the front, a first floor extension to the front and changes to fenestration.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the appeal property and the surrounding area.

Reasons

3. The appeal property is a detached dwelling located in a street scene with a mix of single- and two-storey properties. There are a few examples of two-storey houses with rooms in the roof space in the locality, but these are not prevalent. There is no characteristic building style or strong common theme requiring replication, and the existing property sits between a steeply pitched bungalow and a two-storey house.
4. The dwelling is prominently positioned near a bend in the road, and there are wider views from nearby St George's Close, which links to public footpaths. Due to the alignment of Harfred Avenue, the rear roofline of the dwelling is also visible from the road in views across neighbouring gardens.
5. The existing two-storey wing of the dwelling appears proportionate on the front elevation, but its increase in height and introduction of a glazed apex window would lend it a three-storey appearance. With the creation of a matching wing, increased main ridge height and array of rooflights, the façade would have a far more imposing and dominant impact on the street scene than at present. The dwelling would become visually intrusive and appear out of place given the prevailing scale and form of the surrounding properties.

6. In isolation, the impact of the proposed single-storey front extension on the dwelling would be acceptable, but considered cumulatively it would add to the apparent bulk and scale of the extended building. Whilst I note the appellant's view that there would be no victims of a dominating effect, by intruding into the street scene and 'drawing the eye' in the manner proposed the resultant dwelling would not be a positive feature. It would conflict with the requirement for building extensions and alterations to be of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area, as set out in Policy H4 of the Maldon District Approved Local Development Plan 2014 – 2029 (2017) [LP].
7. The proposed rear dormer window would be a large addition that would dominate the rear roof slope of the dwelling. This would be as a result of its significant width, proximity to the side and lower eaves and the roof ridge, and the reasonably limited amount of undeveloped rear roof slope that would remain; in my assessment, the distances from the ridge and eaves would not be particularly generous. Given the width, depth, height and design of the dormer window, I do not share the view that it would be relatively compact and with a degree of finesse. Its adverse visual impact would not be resolved by the use of quality materials and contemporary detailing.
8. There may be scope to add a rear dormer window through the exercise of Permitted Development¹ (PD) rights, but with the raising of the main roof ridge there is no suggestion that this proposal would be PD. As a fallback position is likely to be of reduced scale, I have given it limited weight in support of the proposal. I agree with the appellant that Harfred Avenue and adjoining streets are not immune from 'box' dormers, and that they are not harmful features simply because they do not already exist. However, considering the proposal in its current context, such development on two-storey dwellings is not prevalent, and this would make all the more incongruous and conspicuous a flat-roofed dormer window of the scale proposed.
9. Cumulatively, the additional bulk arising from the extensions would be excessive relative to the scale of the original building, to the detriment of the dwelling and its setting. As a result, the proposal would conflict with the aims of LP Policy D1, which amongst other criteria requires all development to respect and enhance the character and local context and to make a positive contribution in terms such as architectural style, detailed design features, height, size, scale, form, massing and proportion.
10. The Council does not oppose the single storey rear extension and I consider it to be acceptable in design terms and in its impact on neighbouring properties. However, this does not alter my conclusion overall.
11. I therefore conclude that the scale, bulk and design of the proposed front extensions and rear dormer window would detract from the character and appearance of the appeal property and the surrounding area, contrary to the design aims of LP Policies D1 and H4, and the requirements in the National Planning Policy Framework for developments to be sympathetic to local character including the surrounding built environment.

¹ By virtue of the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Other Matters

12. A number of representations were submitted raising concerns about matters including the effect of the proposal on privacy, access to light and overshadowing. I have considered these concerns but have reached the same conclusions as the Council on each point, and find that the proposal would not represent an unneighbourly form of development.

Conclusion

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

H Lock

INSPECTOR