



Appeal Decision

Site visit made on 2 November 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 DECEMBER 2022

Appeal Ref: APP/M1595/W/22/3293146

46 Calshot Avenue, Chafford Hundred, Grays RM16 6NS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Syed Miah against Thurrock Borough Council.
 - The application Ref. 21/01356/HHA, is dated 2 August 2021.
 - The development proposed is a front porch.
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Decision

1. The appeal is allowed and planning permission is granted for a front porch at 46 Calshot Avenue, Chafford Hundred, Grays RM16 6NS, in accordance with the terms of the application, Ref. 21/01356/HHA, dated 2 August 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 18/782/006 A, 18/782/009 C and 18/782/010 C.
 - 3) The external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The description of development on the application form is "*Loft conversion with three front roof lights and a rear dormer with Juliet balcony. Front porch.*" During the course of the application, amended plans were submitted to the Council, firstly to amend the loft conversion, dormer window and porch, and then to remove the loft conversion, dormer windows and roof lights altogether, leaving just a front porch.
3. The Council did not re-consult the occupiers of neighbouring properties on the final set of submitted drawings, but is satisfied, that as the porch was unchanged, no parties would be prejudiced should the appeal proceed on the basis of these plans. I also note that neighbours have been consulted and have submitted representations on the appeal.
4. I have therefore determined the appeal based upon the latest set of drawings, for the front porch alone. The description of development has been amended accordingly.

5. This appeal is against the failure of the Council to give notice of a decision within the prescribed period. The Council's appeal statement confirms that had it determined the application, it would have refused planning permission for the porch, on the grounds that its scale, enclosed design and appearance would be at odds with the prevailing character of the area.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

7. The appeal property is a semi-detached house situated within a modern residential estate location. It currently has a mono pitch porch canopy above the front door. The semi-detached houses are not symmetrical, and the estate comprises a mixture of house types, porch canopy styles and front door colours and styles.
8. Whilst I acknowledge that fully enclosed porches are not a common feature within this estate, they do exist and form part of the character and appearance of the area. The proposal, due to its very modest scale, matching materials and lean to roof form, would not appear incongruous in the streetscene.
9. I conclude that the proposal would not harmfully detract from the character or appearance of the area and as such, it would accord with Policies CSTP22 and PMD2 of the Thurrock Core Strategy and Policies for Management of Development (as amended) (January 2015), which seek to ensure, amongst other things, that new development is of high-quality design that responds positively to the site and its surroundings. I also find no conflict with the National Planning Policy Framework with regard to design.
10. In reaching this conclusion I have had regard to the Thurrock Design Guide Residential Alterations and Extensions SPD (July 2017) (the SPD), which advises at paragraph 5.1.3, that in areas where entrance canopies or open porches form a particular feature of the original dwelling, these should generally not be enclosed as porches. However, this is general guidance only and not policy. Moreover, the language used within the SPD does not prevent porches such as that proposed. Given my findings on the main issue, there would be no conflict with the purpose of the SPD, which amongst other things requires porches to complement the character of the street.

Other Matters

11. The principal elevation of adjoining No.48 Calshot Avenue projects slightly further forward than that of the appeal property. Its nearest ground floor window is set in from the boundary by approximately one metre. Due to the staggered front elevation, the porch would project less than one metre beyond the principal elevation of No.48. It would have a maximum height of three metres. Consequently, it would not result in any harm to the living conditions of occupiers of No.48, with regard to loss of light. Given the scale and nature of the development, it would also not result in any significant or long-term disturbance during its construction.

Conditions

12. In addition to the standard time limit, I have conditioned the list of approved drawings, for the avoidance of doubt as to what has been approved. It is also necessary to condition matching materials, in the interests of protecting the appearance of the dwelling and its surroundings.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

R Bartlett

INSPECTOR