



Appeal Decision

Site visit made on 25 October 2022

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd January 2023

Appeal Ref: APP/B1550/D/21/3288179

Camelot, 20 Hatfield Road, Rayleigh SS6 9AR

- 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 Thomas Martin against the decision of Rochford District Council.
 - The application Ref. 21/01057/FUL, dated 22 September 2021, was refused by notice dated 16 November 2021.
 - The development proposed is to extend hipped roof to form gable with dormers to front and rear. Demolish existing single storey rear extensions and construct new single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted to extend hipped roof to form gable with dormers to front and rear. Demolish existing single storey rear extensions and construct new single storey rear extension at Camelot, 20 Hatfield Road, Rayleigh SS6 9AR, in accordance with the terms of the application, Ref. 21/01057/FUL, dated 22 September 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved drawings: Site Location Plan (1:1250), Block Plan (1:500) and drawing no. 1b.

Procedural Matter

2. The appellant has stated that a rear extension to the property has been erected as a Permitted Development. I saw on my visit to the site that the appearance of the property did not match the submitted drawings in respect of what appeared to be a recently constructed rear extension. For the avoidance of doubt, I have determined the appeal based on the submitted drawings.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the host property and the area, and;

- the living conditions of the occupiers of the property, with particular regard to the amount of outdoor amenity space.

Reasons

Effect on the character and appearance of the host property and area.

4. Hatfield Road is fronted predominantly by semi detached single storey bungalows set back from the Road on discernible building lines and arranged in a regular pattern. The majority have hipped roofs, although I saw on my visit that a number have gabled roofs and dormers of varying forms, giving the roofscape a mixed appearance.
5. The appeal property is a modest semi detached bungalow with a simple hipped roof form. It is attached to No 18, which has been enlarged with the addition of a gabled main roof, a large dormer on the rear roof slope and a matching pair of dormers with gabled roofs on the front roof slope. Together, the pair of semi detached bungalows (Nos 18 and 20) have an unbalanced appearance that is somewhat discordant in the street scene.
6. According to the Council, the front dormers at No 18, do not appear to benefit from the planning permission granted in 2012, being "far more dominant" in appearance than those which were permitted. However, I have no evidence that the Council is seeking to remedy this apparent breach of the planning permission. Therefore, I have determined the appeal on the basis of what I saw at the time of my site visit.
7. The proposed front and rear dormers would not be identical to those at No 18, but they would be very similar in scale and design. They would be arranged in a similar position on the roof slope, with similar spacings between them. Together with the hip to gable roof enlargement, the proposed dormers would harmonise with the appearance of No 18, and would restore a sense of balance and uniformity to the pair of semi detached properties. As such, I find that the appeal property, in its proposed extended form, would be sympathetic to the roofscape in the locality.
8. The flank wall of the rear dormer would be inset from the gabled roof verge and views of it would be largely obscured by the gabled roof of No 22, which stands on elevated ground. As such, I do not find that the rear dormer would be visually dominant or intrusive in the street scene, and it would not create the perception of a flat roofed two storey extension.
9. On this issue, I conclude that the proposed development would respond positively to the character and appearance of the host property and the wider area, consistent with the aims of Policy DM1 of the Rochford District Council Local Development Framework Development Management Plan (2014) ("DMP"), and Policy CP1 of the Rochford District Council Local Development Framework Core Strategy Adopted Version (2011) ("CS"), which requires high quality design that relates positively to existing buildings. These policies are consistent with Paragraph 130 of the National Planning Policy Framework (2021) ("Framework"), which amongst other objectives, requires extensions to be sympathetic to the host property and those in the wider locality.
10. The proposed dormers would conflict with the specific guidance in the Rochford District Council Local Development Framework – Supplementary Planning Document 2 – Housing Design (2007) ("SPD2") and the Essex Design Guide

(2018) ("EDG"), which require dormers to be proportionate additions that maintain substantial roof verges below any projecting dormer. However, for the reasons given above, I find that they would be acceptable in the context of the existing dormers at No 18, outweighing the conflict with the specific guidance in the SPD2 and the EDG.

11. My attention is drawn to the matching pair of front gable roofed dormers at No 38, that are said to comply with SPD2. However, I judge that a smaller pair of front dormers to the appeal property, akin to those at No 38, would appear visually discordant alongside the larger dormers at No 18, and would fail to achieve a sense of balance and uniformity to the pair of semi detached properties. For these reasons, the conflict with the guidance in the SPD2 and the EDG, does not lead me away from my conclusion on this main issue.

Living conditions of the occupiers

12. For a 5 bedroom home, the size of the garden area at the appeal property would be smaller than the minimum size of 100 square metres in area. This is set by the guidance in the SPD2, for houses with 3 or more bedrooms "when built". To my mind, the words "when built", indicate that the guidance is aimed at new build properties, to ensure that adequate garden sizes are designed in from the outset, rather than seeking to protect against a reduction in size through subsequent development. In support of my approach, I note that criterion (viii) of Policy DM3 of the DMP, requires adequate amenity space for "the proposed dwelling...".
13. That said, garden size is not immaterial. Even if the guidance in the SPD2 applies to proposals to enlarge dwellings after they are built, I saw on my visit to the property that the garden area shown on the drawings would not be unduly cramped and its rectangular shape would aid usability. I estimated there would be sufficient outdoor space to accommodate a range of domestic paraphernalia and allow routine household activities to be carried out, along with recreation and relaxation for well-being. For example, I judged there would be sufficient space to establish a seating area for relaxation and socialising, and to accommodate play equipment and space for the drying of washing. Furthermore, the existing garage appears capable of storing domestic paraphernalia when not in use, allowing the occupiers to bring items out into the garden area only when needed, allowing for efficient use of the space.
14. For these reasons, I conclude that the garden area shown on the drawings would contribute to providing adequate living conditions for the occupiers of the appeal property in its proposed extended form. Notwithstanding the conflict with the quantitative space standards in the SPD2, which are also contained in the EDG, I find the proposal to be consistent with the broader aims of Policy DM3 of the DMP, and the SPD2, which require adequate amenity space to be provided for occupiers.
15. I also find the appeal proposal to be consistent with Paragraph 130 of the Framework, which requires development to promote well-being and provide a high standard of amenity for existing occupiers, amongst other objectives.

Other Matters

16. I note the concerns raised by an interested party that the enlargement of the appeal property would reduce the availability of two bedroom bungalows, diminishing opportunities for persons seeking to downsize to smaller properties. However, I have not been provided with any substantive evidence that there is a shortage of such homes in the area, or policies that seek to restrict the loss of smaller homes, including bungalows, arising through extensions and alterations. For new housing developments, as distinct from alterations to existing homes, the Framework requires a mix of house sizes, types and tenures to be delivered based on local needs. For these reasons, the concerns raised do not justify dismissing the appeal. I also note that the Council did not find the loss of the two bedroom bungalow to be a reason for refusing planning permission.

Conditions

17. For certainty, it is necessary for the development to be carried out in accordance with the approved drawings. To be in keeping with the appearance of the area, it is necessary for external materials to match the host property.

Conclusion

18. For the reasons given above, I conclude that the proposal is consistent with the development plan as a whole and there are no considerations that indicate otherwise. Therefore, the appeal should be allowed.

G Sylvester

INSPECTOR