



Appeal Decision

Site visit made on 12 December 2023

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 29th December 2023

Appeal Ref: APP/M1520/D/23/3327582

2 Broughton Road, Hadleigh, Benfleet, SS7 2HD

- 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 Trinna Chivere against the decision of Castle Point Borough Council.
 - The application Ref 23/0167/FUL, dated 20 March 2023, was refused by notice dated 18 May 2023.
 - The development proposed is a front dormer.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Originally permission was sought for the construction of a single storey front infill extension and front dormer, but the agent subsequently contacted the local planning authority to request an amendment to this proposal to reduce the development to the construction of a front dormer only. The amendment was accepted and as such this decision relates solely to the construction of a front dormer. Whilst the appeal form continues to describe the proposed development as construction of a single storey front infill extension and front dormer, the appellant's appeal statement confirms that the only development to be considered now is the front dormer. I have therefore changed the description of the proposal accordingly in the banner heading above.

Main Issue

3. The main issue in this case is the effect of the proposed dormer on the character and appearance of the pair of semi-detached dwellings and that of the wider street scene.

Reasons

4. The appeal site is a two-storey semi-detached chalet bungalow, located on the eastern side of Broughton Road, Hadleigh. It is a chalet bungalow by virtue of a large dormer window in the rear roof slope and roof lights in the front roof slope. It has a gable end but was originally hip-roofed as the attached neighbour continues to be. Within the street scene there is a mixture of bungalows with pitched roofs, converted bungalows, two storey dwellings and a 1½ storey chalet-style bungalow which is located adjacent to the appeal bungalow.

5. Policy EC2 of the council's adopted local plan seeks a high standard of design in all developments. Regard is to be given to the scale, density, siting, design, layout and external materials of any development, which shall be appropriate to its setting, and which should not harm the character of its surroundings. This is consistent with paragraph 128 of the National Planning Policy Framework (the Framework).
6. Policy EC2 is supported by the council's Residential Design Guidance Supplementary Planning Document (SPD) of 2013, which at RDG7, dealing with 'Roof Development', includes the following: "*Dormers should be an ancillary feature on the roofscape and must not dominate the roofscape. They must be provided with substantial roof verges above, below and to the sides. Dormers projecting above the ridge line or beyond a roofline, e.g. hip, will be refused*". Policy RDG7 also stipulates that any form of development which results in the detrimental disruption or loss of symmetry to a pair of dwellings will be refused.
7. The officer's report, whilst objecting to the further intrusion in the roof and loss of symmetry, indicates that the proposed dormer meets the guidance set out in the SPD, to the extent that it would have a pitched roof and appear as an ancillary feature, and of itself it is well designed.
8. However, I do not agree with that conclusion, because the ridge of the dormer projects out from the same level as the main ridge of the bungalow which policy RDG7 of the SPD clearly resists. The reason for this objection is that, as in this case, aligning the dormer ridge with the main ridge produces a dominant and discordant element. At the same time, the window in the dormer does not align well with the bay window below. Both these features would increase the degree of prominence and therefore exacerbate the degree to which the symmetry of the pair has already been marred. An additional matter that weighs against the proposal is that dormers that are not part of an original design are not regular features in the area, which again would bring added prominence to this proposal.
9. The appellant's appeal statement includes photographs of dormers in various locations elsewhere in the Hadleigh. These do not support a proposal that does not conform to the policies that I have referred to, and a number help to illustrate the outcome which the policies seek to avoid. Furthermore, the plan put forward that shows the locations of dormers indicates that their prevalence is not in the immediate area of the appeal site.
10. Also within the appellant's appeal statement, attention is drawn to various measures that the government has been introducing, such as increased permitted development rights, including building upwards on existing buildings. These matters are not germane to the issues in this case, and nor is the example of a permission for a dormer that was given by Rochford District Council.

Conclusions

11. I have taken account of all other matters raised, including the extracts from the Framework, which are of a general nature, not bearing on the details of this case. None of these other matters outweighs the conclusion that I have reached, that the proposed dormer does not accord with the policies in the council's SPD. It would be a dominant and discordant element, that by way of

increased prominence would exacerbate the degree to which the symmetry of the pair has already been marred.

12. As a result the proposed dormer would have a harmful effect on the character and appearance of the pair of semi-detached dwellings and that of the wider streetscene. For these reasons I will dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR