



Appeal Decision

Site visit made on 1 November 2024

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th November 2024

Appeal Ref: APP/M1520/D/24/3347102

104 Common Lane, Thundersley, Benfleet, Essex SS7 3RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Andrea Hannay against the decision of Castle Point Borough Council.
 - The application Ref is 24/0072/FUL.
 - The development proposed is a part 2 storey side extension, conversion of existing roof space with front and rear dormers, and rear single storey extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed front roof dormers on the character and appearance of the host property and area.

Reasons

3. This part of Common Lane is generally defined by rows of wide fronted buildings often containing pairs of semi-detached bungalows of similar styles and built to simple gabled forms. Although Number 109 has a front box-like dormer, most buildings in this area have flat fronted facades and undisrupted front roof slopes, which give them a strong sense of balance and unity. Together they contribute positively to the area's appreciably consistent and cohesive residential character and appearance.
4. In this context, the appeal property's undisrupted front roof slope, which forms half of the well-balanced and largely symmetrical façade to the building containing Numbers 102 and 104, reflects and reinforces the prevailing character and appearance of the area.
5. The pitched roofs, proportions and siting of the proposed front dormers would align with a number of elements of RDG7 of the Castle Point Residential Design Guidance, Supplementary Planning Document, Adopted 2013 ("the SPD"). However, whilst those are relevant factors to my assessment of the appeal proposal, RDG7 of the SPD requires a proposal's roof design to be compatible with the host dwelling, including causing no detrimental disruption or loss of symmetry to a pair or group of dwellings, or to the prevailing character of the area.
6. Although not box-like in appearance, the proposed front dormers would be sizeable additions to the appeal dwelling's façade, which would include its

existing and proposed front roof slope. The proposed front dormers would harmfully unbalance the front facade of the pair of semi-detached bungalows (Numbers 102 and 104) and would markedly erode their sense of symmetry in the street scene.

7. Seen in the context of the predominantly undisrupted sloping roofs of the buildings fronting onto this part of Common Lane, they would appear as visually discordant additions to the roofscape. As such, they would cause a significant degree of harm to the established character and appearance of the host property and area, contrary to the overarching guidance on roof design in RDG7 of the SPD.
8. The front box-like dormer to Number 109 opposite the appeal site is the only example of its type along this part of Common Lane. Therefore, it does not set a sufficiently strong visual context within which the harmful effects of the proposed front dormers would be absorbed.
9. Large box-like dormers on front and rear roof slopes are found on nearby streets, including along Cedar Park Close and Bracken Way. Several rear dormers along Lewes Way are visible with the appeal property across the Recreation Ground. However, those properties front on to different roads and none of their dormers have a discernibly strong visual relationship with the appeal property's façade in street level views, which is primarily experienced amongst the row of building facades fronting Common Lane.
10. As such, those examples do not alter my conclusions on the visual effects of the proposed front dormers, which I have assessed on their individual merits based on their site-specific context and surroundings.
11. For the reasons given above, I conclude that the appeal proposal's front dormers would be harmful to the character and appearance of the host property and area. As such, the appeal proposal would be contrary to Policy EC2 of the Castle Point Borough Council Local Plan, Adopted 1998 ("the CPBCLP"), which requires high quality development, appropriate to its setting and not harmful to the character of its surroundings.
12. For the same reasons, it would conflict with Paragraph 135.c) of the National Planning Policy Framework ("the Framework"), which seeks to ensure that development is sympathetic to local character, including the surrounding built environment.

Other Matters

13. The proposed dormers would contribute to enlarging the living space within the dwelling. However, such benefits would be confined to the occupiers of the property and would carry limited weight in its favour, insufficient to outweigh the harm I have found above.
14. Other than the visual effects of the proposed front dormers, the Council found that no other harms would arise from the appeal proposal. On the evidence before me, I see no reason to disagree with that assessment. However, an absence of harm is a neutral consideration that would not weigh in the proposal's favour, nor alter my conclusions above.

Conclusion

15. The appeal proposal would be harmful to the character and appearance of the host property, contrary to CPBCLP Policy EC2. Whilst it would not conflict with any other development plan policies, the harm identified brings it into conflict with the development plan when read as a whole. The material considerations, including the provisions of the Framework, do not indicate that the appeal should be decided other than in accordance with the development plan. Therefore, the appeal should be dismissed.

G Sylvester

INSPECTOR