



Appeal Decision

Site visit made on 11 November 2025

by Jonathan Price BA(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/W1525/D/25/3373712

Deshmukh Cottage, Cherry Garden Lane, Danbury, Chelmsford CM3 4QP

- 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 Mr/Mrs Manish/Rajeshwari Thakare/Deshmukh against the decision of Chelmsford City Council.
 - The application Ref is 25/01049/FUL.
 - The development proposed is erection of front porch with overhang roof with change of roof profile of existing dormers from flat to pitch.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the host property and surrounding area.

Reasons

3. The proposal relates to a chalet dwelling with the upstairs accommodation served by flat-roofed dormer windows. The dwelling occupies a triangular corner plot where Cherry Garden Lane joins the main A414 at an acute angle. There are two dormers on both the front and rear roof slopes, all road fronting, and another on the hipped roof facing the highway junction. Trees and vegetation partly screen the property, particularly from along Cherry Garden Lane. Nevertheless, because of the corner location and despite the varying site levels, the dormers are publicly visible from the respective sections of highway which they face.
4. Deshmukh Cottage is of an individual appearance and, whilst fitting in agreeably in the street scene, does not reflect the designs of the nearby sections of houses and bungalows. These are of a more unified character, with dormer windows being less prevalent. More widely, Danbury contains a diversity of house types, with the presence of dormers of differing forms and proportions being part of the village's varied architectural character.
5. The Council's refusal relates to the change in profile of the dormers at Deshmukh Cottage from flat to pitched roofed, finding no issue with the proposed porch with overhang roof. There is a reasonable rationale for this proposal, with pitched roofed dormers being less of a maintenance liability than flat-roofed ones and providing improved structural strength, weather resistance and energy efficiency.

6. It might generally be the case that pitched roofing, including on dormers, provides the more sympathetic response in terms of architectural quality. However, individual design issues need to be assessed in relation to the case in question. Although already visible from the road and of variable width, the existing flat roofed dormers are of a simple form and limited height. The hanging tiles around the windows match those of the main roof. As such, they are visually subordinate features within a main area of roof which is a dominant design character of this cottage. Replacing the flat-roofed dormers with a coherent set of well-proportioned, pitched roof versions might not have altered this. However, sitting pitched roofs over the varying width flat-roofed dormers, despite their common ridge height, would create an inharmonious miscellany of bulkier, more prominent and less well-proportioned features. The rather discordant clutter of these more prominent roof features would detract from the currently quite composed character of the existing dwelling and its appearance in both the street scenes.
7. For these reasons, the proposal would conflict with Policy DM23 of the Chelmsford Local Plan and Policy DNP4 of Danbury Neighbourhood Plan. This is insofar as these seek developments which respect the character and appearance of an area by the requirement of high quality, well-proportioned and visually coherent interventions to the visible elevations of buildings. These policies are consistent with the National Planning Policy Framework, which continues to place significant emphasis on the requirement for high quality design. The conflict found with these policies therefore attracts significant weight.

Conclusion

8. The proposal would have an adverse effect upon the character and appearance of the host property and surrounding area. The benefits sought, including improved energy efficiency, weather resistance and sound proofing, could be achieved by more sympathetic measures and so would be insufficient to outweigh the harm identified. I therefore conclude the appeal does not succeed.

Jonathan Price

INSPECTOR