

Appeal Ref APP/B1550/A/06/2033396
Application No 06/00650/OUT
Appellant Mr & Mrs Tonkin
Location Land adjacent to Treetops, Hillview Road, Rayleigh, SS6 7HX
Decision Dismissed (10.05.07)

The Inspector dismissed the appeal for the proposed erection of two detached houses. The Inspector took into consideration the Rochford District Replacement Local Plan (Policy HP6) and PPS3: Housing.

The appeal relates to an outline application with only the matters of siting and design to be considered at this stage. Subsequent to the lodging of the appeal outline planning permission was given for three houses involving the demolition of Treetops. This proposal is to retain the existing property and to build two new houses alongside it.

Hillview Road is a private and unmade road at the base of Rayleigh Mount. There is a marked contrast between the fairly uniform row of bungalows on the lower northern side and the more varied houses and chalets on the raised southern side. The appeal site is a wide, elevated garden area on the upper side of the road.

The proposed two-storey houses would be staggered and set down at road level rather than well above it like Treetops. As a result, both floors would be expressed visually. It would resemble the adjoining dwelling at No 9 and would not appear out of scale. A gap of 2 metres would be maintained between the proposed houses which accords with the Council's isolation distances. However, the spacing between buildings on this side of the road is generally wider and allows for important glimpses of the trees beyond. Furthermore, the ridge would be parallel to the highway and in order to set it back the front slope of the roof would be extensive and bulky.

The Inspector felt that the houses would appear cramped compared to the more spacious and informal layout of the other buildings on this side of the road and considered that the proposal would not fit comfortably into the locality.

The Inspector concluded that the proposal would harm the character and appearance of the surrounding area and would conflict with Policy HP6 and dismissed the appeal.

Appeal Ref	APP/B1550/A/06/2029640
Application No	06/00514/FUL
Appellant	Mr C Spooner
Location	24 Mount Crescent, Hockley, Essex SS5 5AE
Decision	Allowed subject to conditions (16.05.07)

The Inspector allowed the appeal for the development proposed of rooms in roof and dormers, and to alter existing roof. The Inspector took into consideration the Rochford District Replacement Local Plan (policy HP6), Supplementary Planning Document SPD2 – Housing Design, Supplementary Planning Guidance SPG1 and the Essex Design Guide.

The appeal premises comprise a semi-detached bungalow with a hipped roof. The front dormer and the side gable would be clearly visible from the street, but their impact would be ameliorated by the use of matching materials. The Inspector considered the proposal would permanently alter the appearance of the pair of semi-detached dwellings, and that the symmetry of the pair would be lost.

The Inspector considered the copy drawing stamped as ‘approved’ by the Council for a recent proposal to build rooms in the roof at No 20; there are strong similarities with the appeal that the Inspector felt is a material consideration of significant weight.

The proposal is an amended scheme, which largely addresses the refusal reasons for an earlier application. The Inspector accepts that the revised proposal would be a significant addition to the dwelling, but is not persuaded that its size, form or design would be so unusual that it would have a significantly harmful effect on the character and appearance of the host property, the pair of semi-detached dwellings or the street scene. It would not therefore conflict with policy HP6.

The Inspector granted permission for rooms in roof and dormers, and to alter the roof at 24 Mount Crescent in accordance with the terms of the application Ref 06/00514/FUL, and the plans submitted therewith, subject to the following conditions:

- 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
- 2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed above first floor finished floor level on the side elevation of the dwelling.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the windows marked ‘OBS’ on the approved drawings shall be glazed with obscure glass only and shall be of a design not capable of being opened below a height of 1.7m above first floor finished floor level, and shall be permanently retained as such thereafter.

APPEAL BULLETIN FOR MAY 2007



Appeal Ref	APP/B1550/A/07/2035013
Application No	06/00531/FUL
Appellant	Mr I Hawkins
Location	Southcot, Lower Road, Hullbridge, Hockley SS5 6AP
Decision	Dismissed (31.05.07)

The Inspector dismissed the appeal for the development proposed rear conservatory. The Inspector took into consideration the Essex & Southend-on-Sea Replacement Structure Plan (Policy C2), the Rochford District Replacement local Plan (Policy R5) and Planning Policy Guidance Note 2: Green Belts.

Southcot is a modest detached bungalow within a limited plot on the north side of Lower Road, to the east of the residential area of Hullbridge. The appeal property has been the subject of various extensions in the past, which according to the Council's undisputed figures amount to a total of 37.7m² of habitable floorspace. The proposed rear conservatory on the north-west corner of the bungalow would bring the total additional floorspace to 47.16m².

The conservatory, in the Inspectors view, would have no adverse effect upon the general appearance of the bungalow, but the essence of the objection to the proposal is that it is inappropriate development in the Metropolitan Green Belt.

The proposed conservatory would be of relatively modest size in its own right and barely visible from most points along Lower Road. Although not prominent in the landscape from which there are views from points in the public domain, the conservatory, in combination with other additional development, would exceed the policy limit of 35m² by over 12m², and this would inevitably have some harmful effect on the openness of the Green Belt.

The Inspector concluded there is clear conflict with policies C2 and R5 and no very special circumstances sufficient to outweigh the presumption against inappropriate development in the Metropolitan Green Belt and dismissed the appeal.