
Appeal Decisions

Site visit made on 14 November 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th December 2016

Appeal A Ref: APP/D1590/W/16/3153377

62 Elm Grove, Thorpe Bay, Southend-on-Sea, Essex SS1 3EZ

- 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 J and D Steward and Burling against the decision of Southend-on-Sea Borough Council.
 - The application Ref 15/01900/FUL, dated 17 November 2015, was refused by notice dated 14 January 2016.
 - The development proposed is to demolish existing house and build new 4-bed detached house.
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Appeal B Ref: APP/D1590/W/16/3153378

62 Elm Grove, Thorpe Bay, Southend-on-Sea, Essex SS1 3EZ

- 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 J and D Steward and Burling against the decision of Southend-on-Sea Borough Council.
 - The application Ref 16/0457/FUL, dated 22 March 2016, was refused by notice dated 18 May 2016.
 - The development proposed is to demolish existing house and build new 4-bed detached house (amended proposal).
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Decisions

1. Appeal A is dismissed.
2. Appeal B is allowed and planning permission is granted to demolish existing house and build new 4-bed detached house (amended proposal) at 62 Elm Grove, Thorpe Bay, Southend-on-Sea, Essex SS1 3EZ in accordance with the terms of the application, Ref 16/0457/FUL, dated 22 March 2016, subject to the conditions set out in the Schedule attached to this decision.

Procedural Matter

3. As set out above there are two appeals on this site. They differ only in the detail of the design of the proposed new detached house. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated. As with the respective appeals the proposals are referred to as Scheme A and Scheme B.
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Main Issue

4. The main issue in both cases is the effect of the new house on the character and appearance of the area.

Reasons

5. Elm Grove is a straight, tree-lined avenue of attractive, mainly inter-war suburban housing of varied design, including a mixture of detached and semi-detached dwellings. No 62 is a detached house of this period and the first property along the southern side of the street at its eastern end. This house occupies a prominent corner plot at the junction of the rear service road to development fronting onto the Broadway.
6. The existing house is a full two-storeys with rendered walls and a hipped roof clad in tiles. The dwelling is built to a common eaves level with subsidiary lower ridged elements to the side and rear. Both appeal schemes involve demolishing this structurally unsound house and replacing it with a larger dwelling.
7. Whilst the character of the area alters to the east, the existing dwelling is an integral part of the housing along Elm Grove and the design of any replacement dwelling should relate acceptably to its character. In this respect, I consider that the front elevations of both schemes draw appropriately on design elements of housing in this street, such as through the two-storey front bay with gable above, the tile hanging feature, the open porch and the brick plinth with rendered walls above.
8. Scheme A is for a wider, slightly taller house than that existing, with a staged reduction in its width towards the rear reflecting the tapered plot. The appellant refers to its overall bulk being comparable to the perceived mass of a semi-detached pair of houses, such as those next door to No 62. However, semi-detached houses have their own character and this proposal should be judged on whether it provides an acceptable design for the replacement of a single detached house.
9. In this respect, the massing of Scheme A accentuates the overall bulk of the proposed house. The single span hipped roof over the main rear part of the dwelling necessitates the ridge almost reaching the height of the main gabled roof. The combination of the dominance of the rear hipped roof areas and the side gable provide the Scheme A dwelling an overly bulky appearance.
10. The prominent end gable in Scheme A, with disproportionately high eaves adjacent to a cut back section, juxtaposed with the rear hipped roof elements would also appear overly complex and contrived. The side elevation would have more contemporary, but less satisfactory appearance than the more traditional and better designed front elevation.
11. The appellant refers to other dwellings in Elm Grove which are considered to compare with Scheme A. No 14 is a wider dwelling than that proposed but is generally well-proportioned and so does not appear overly bulky. No 60, the semi-detached house next door, has a gable end but, similarly, this is in proportion with the overall scale of this pair of dwellings. Other dwellings in Elm Grove are referred to by the appellant as having complex roof designs but the example cited, at No 54, appears more balanced and straight forward than the arrangement proposed in this scheme.

12. I am not persuaded that Scheme A would gain any material support by providing a clear visual 'stop' to the end of the row of housing beyond that which might be provided by a more satisfactory design.
13. The appellant refers to the Southend Character Study, which formed part of the evidence based underpinning the Council's development plan policy. This study refers to the Arcadian character of the housing in Elm Grove and recognises that housing in Southend generally displays a high degree of variation between plots, which are often bound together by common features such as consistent building lines, finishing materials and detailing. Scheme A would be of an individual design that would reflect the overall grain of development along Elm Grove and conform with the general building line and height and scale of development. Whilst larger than the dwelling it would replace, the house would not be of an excessive scale in relation to the available plot so would not appear unduly cramped.
14. However, for the reasons explained above, Scheme A would, due to its scale and the arrangement of its roofing, appear overly bulky and of an incongruous appearance which would be detrimental to the appearance of the street scene. As a consequence this proposal would not be of the quality of design sought under Core Strategy¹ (CS) Policies CP4 and KP2 to maintain and enhance the character of this residential area. Due to the architectural approach, massing and proportions Scheme A would not provide the design quality necessary to gain the support of Development Management Document² (DMD) Policy DM1 or the Supplementary Planning Document 1 Design and Townscape Guide³ (SPD). Consequently, Scheme A would not meet the requirement of the National Planning Policy Framework (the Framework) in respect of good design.
15. Scheme B was submitted to seek to address the Council's concerns over Scheme A, which the appellant nonetheless considers are unfounded. Scheme B is slightly narrower in width than Scheme A and the roof form is simplified by removing the cut-back element to the side gable and the overall mass reduced by introducing cropped hips to the sides of the main roof and a double gabled roof to cover the rear projection.
16. This scheme overcomes the previous concerns over the contrived and unsatisfactory appearance of the east elevation and I agree with the Council that this simplified scheme would harmonise with the architecture of the surrounding housing. The reduced width of the dwelling, and the introduction of cropped hips to the roof, would help reduce the overall bulk of the house. The double pitched roof to the rear would reduce the height of this part so it would appear more subordinate to the main dwelling which would reduce the overall massing of the dwelling and make it better proportioned.
17. As a consequence, Scheme B would be of the quality of design necessary to satisfy CS Policies CP4 and KP2 and gain the support from DMD Policy DM1 and the SPD. This would satisfy the requirements in the Framework over good design.

¹ Southend-on-Sea Core Strategy – Development Plan Document One – adopted December 2007

² Southend-on-Sea Development Management Document July 2015

³ Southend-on-Sea Supplementary Planning Document 1 Design and Townscape Guide 2009

Conditions

18. Consideration has been given to the conditions suggested by the Council in respect of Scheme B. In addition to the standard time limit for commencement a condition is necessary in the interest of certainty that the development is carried out in accordance with the approved plans.
19. Conditions requiring agreement and implementation of the means of meeting 10% energy needs through on-site renewable sources and of water efficiency measures are necessary in the interests of providing for sustainable development. A condition requires that the development meets Part M4(2) of the Building Regulations to enable lifetime living.
20. Conditions governing the use of materials, already stated in the application, and for the proposed bathroom window to be obscure-glazed are considered superfluous. No special circumstances would justify the removal of permitted development rights for this proposal.

Conclusion

21. For the reasons set out above, I conclude that Appeal A should be dismissed and Appeal B should be allowed

Jonathan Price

INSPECTOR

Schedule of Conditions
Appeal B Ref: APP/D1590/W/16/3153378
62 Elm Grove, Thorpe Bay, Southend-on-Sea, Essex SS1 3EZ

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan at 1:1250 on A4, Block Plan at 1:500 on A4, 15/36 – 1b, 15/36 – 2a, 15/36 – 6.
- 3) A scheme detailing how at least 10% of the total energy needs of the dwellinghouse will be supplied using on-site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwellinghouse. This provision shall be made for the lifetime of the development.
- 4) Details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting, shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwellinghouse.
- 5) The dwelling hereby approved shall be built in accordance with Part M4(2) of the Building Regulations, as shown on the plans hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

---End of Conditions---