

Appeal Decision

Site visit made on 29 November 2016

by A Napier BA(Hons) MRTPI MIEMA CEnv

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

Decision date: 15 December 2016

Appeal Ref: APP/D1590/D/16/3156440

104 Royston Avenue, Southend-on-Sea, Essex SS2 5LA

- 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 Christopher Dawson against the decision of Southend-on-Sea Borough Council.
 - The application Ref 16/01012/FULH, dated 17 May 2016, was refused by notice dated 21 July 2016.
 - The development proposed is described as 'proposed single storey rear extension to kitchen and dining area and roof extension via gable and dormer to form bedroom and en-suite'.
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Decision

1. The appeal is allowed and planning permission is granted for proposed single storey rear extension to kitchen and dining area and roof extension via gable and dormer to form bedroom and en-suite at 104 Royston Avenue, Southend-on-Sea, Essex SS2 5LA in accordance with the terms of the application, Ref 16/01012/FULH, dated 17 May 2016, subject to the following conditions:
 - 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: 104-1 and 104-2.
 - 3) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. At the time of my visit to the site, single-storey side and rear extensions to the appeal dwelling had been constructed, together with a rear patio area. Whilst a rear extension forms part of the appeal proposal, the details shown on the submitted plans do not reflect those of the extension that currently exists on site. Details of the works undertaken have not been provided and there is nothing before me to indicate that these extensions formed part of the appeal scheme considered by the Council. Moreover, whether or not these works received or require permission is not a matter that is before me as part of this appeal, as separate mechanisms exist to determine such issues. Consequently, to avoid potential prejudice to the interests of others, I intend to consider the appeal on the basis of the details as submitted.
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Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The immediate vicinity of the appeal site is largely residential in character and is predominantly comprised of semi-detached dwellings with hipped roofs. The appeal dwelling is set back a short distance from the road and forms part of a linear pattern of similar properties in this location, with relatively limited side-to-side separation between the pairs of houses. These dwellings have a high degree of consistency in their scale and incorporate a number of similar features, such as bay windows and a common palette of materials. However, design details vary between dwellings, with some appearing to have been altered or extended over time.
5. The proposed hip-to-gable extension of the roof would materially alter the appearance of the appeal dwelling and would result in a different roof form to that of the attached neighbouring property, which would result in some visual unbalance to the pair of dwellings. However, due to the siting of the dwelling relative to the highway and neighbouring properties, the roof is predominantly seen obliquely and is not a particularly prominent feature within the streetscene, which would significantly limit the visual impact of these proposed alterations. In addition, the scale of the proposed extension would not be excessive and a reasonable separation between the appeal dwelling and the neighbouring house would be maintained at first floor level.
6. Consequently, within this context, whilst the roof extension as proposed would alter the existing visual relationship of the appeal dwelling to neighbouring properties, I am satisfied that it would not unacceptably disrupt the existing rhythm and pattern of development along the road and its overall impact would not be inappropriately dominant. As such, I consider that the proposal would not be detrimental to the streetscene or have an unacceptable impact on the character of the area.
7. The majority of houses within the street have hipped roofs, although it appears that a number of hip-to-gable extensions have previously taken place to some properties within the area. I do not have full details of those schemes or the background to those decisions and, as such, have considered the appeal proposal on its merits and in light of all representations made. Nonetheless, the existing development within the area provides a relevant context for the proposal and does not lead me to alter my findings above.
8. Notwithstanding the above issues, the Council has not raised specific concerns about the scale and design of the proposed dormer window or rear extension elements of the appeal scheme in relation to this issue. Having regard to the effect of these proposed elements on the visual amenities of the area, there is nothing before me that leads me to an alternative view in these respects.
9. Accordingly, for the above reasons, I conclude that the proposal would not have a harmful effect on the character and appearance of the area. It would accord with the *Southend-on-Sea Development Plan Document 1: Core Strategy 2007* Policies KP2 and CP4 and the *Southend-on-Sea Development Management Document 2015* Policy DM1, and would not conflict with the

advice within the Council's *Design and Townscape Guide SPD 2009*, where they collectively seek to protect local character and appearance. It would also meet the aims of paragraph 17 of the National Planning Policy Framework, to achieve high quality design and take account of the different roles and character of different areas.

Other matters

10. Local concerns have been expressed about the impact of the proposed alterations on the living conditions of neighbouring occupiers. However, having regard to the relatively modest scale of the proposed development, its siting in relation to nearby dwellings and the respective orientation of the properties concerned, I am satisfied that the proposal would not result in unacceptable loss of light or outlook to neighbouring occupiers.
11. Concerns have also been expressed about noise and disturbance. However, the proposal seeks to enlarge an existing single family dwelling and there is nothing before me to suggest that this use is intended to alter. In addition, detailed matters concerning construction are controlled by other legislation. As such, I am not persuaded that the impact of the proposal in this regard represents an appropriate reason to find against the scheme.
12. Although the submitted details indicate a garage within the site, this had been removed by the time of my visit. Nonetheless, the site frontage provides some on-site parking and there is nothing before me that leads me to consider that the impact of the proposal in this regard would be unacceptable. Consequently, I am also satisfied that this matter should not count against the proposal.
13. The appellant has identified a number of potential benefits of the proposal and raised concerns about the processing of the planning application by the Council. These concerns are not matters that are primarily before me as part of this appeal, but are issues for the local planning authority in the first instance. In any event, given my findings above, it is not necessary for me to consider either these concerns or the potential benefits of the scheme further.
14. The Council's officer report indicates that a hip to gable extension could be carried out using 'permitted development rights'. Whilst there is nothing substantive before me in this regard, given my findings above that the proposal would be acceptable, it is not necessary for me to consider this matter in detail.

Conditions and conclusion

15. The Council has suggested a condition requiring the use of matching external materials for the extensions which, in the interests of the character and appearance of the area, is necessary. In addition, for certainty, it is necessary that the development is carried out in accordance with the approved plans.
16. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Napier

INSPECTOR