
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/16/3157811

135D High Street, Shoeburyness, Southend-on-Sea SS3 9AU

- 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 Mrs L Vancoevorden against the decision of Southend-on-Sea Borough Council.
 - The application Ref 16/01177/FULH, dated 27 June 2016, was refused by notice dated 19 August 2016.
 - The development proposed is described as 'retrospective planning for a garage conversion'.
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Decision

1. The appeal is allowed and planning permission is granted for retrospective planning for a garage conversion at 135D High Street, Shoeburyness, Southend-on-Sea SS3 9AU in accordance with the terms of the application, Ref 16/01177/FULH, dated 27 June 2016, and the plans submitted with it.

Preliminary Matter

2. The description in the heading above is that given on the planning application form. At the time of my visit, the works appeared to have been carried out as shown on the submitted plans. I understand that the original planning permission granted for the dwelling is subject to a condition requiring the garage to be provided and permanently retained. From the details provided, the planning application sought retrospective permission to convert the garage to additional living accommodation and I intend to treat the appeal as one for planning permission for the development as originally carried out.

Main Issue

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

Reasons

4. The appeal site is located within a predominantly residential area and forms one of a short terrace of four dwellings. Most other properties along the road comprise two-storey terraced houses. However, the appearance of the dwellings in the appeal terrace is materially different, due to their single-storey form, layout and detailed design. As a result, this short terrace makes a distinctive contribution to the streetscene. In their form and layout, the four dwellings follow a regular pattern and, whilst there is some variation in their appearance, this is relatively minor. Overall, the properties appear largely consistent, which contributes to the cohesive design of the terrace as a whole.
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5. The replacement of the garage door has altered the appearance of the appeal dwelling. However, the design of the window and the external materials used match those existing elsewhere within the dwelling. In addition, the extent of the change appears to have been limited to infilling the previous garage door opening. Consequently, no material alteration has occurred to the important scale and form of the dwelling, or the layout of development on the site. As a result, due to the sympathetic appearance and limited nature of the alterations, their impact on the character and appearance of the dwelling is modest and they do not detract from its overall design.
6. The changes made to the appeal dwelling have resulted in some variety in appearance between the dwellings in the terrace. However, due to the limited extent of the alterations undertaken, their complementary details and modest visual impact, the conversion of the garage does not detrimentally detract from the cohesive design of the terrace or unacceptably unbalance its symmetry. As such, the development does not materially diminish the overall character of the properties or the qualities of the streetscene.
7. Consequently, overall, I conclude that the development does not have a harmful effect on the character and appearance of the area. It accords 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 does 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 also meets 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

8. The reason given for the original condition requiring the provision of the garage refers to the need to provide adequate parking facilities for the dwelling. However, given the parking available within the frontage of the site, I concur with the Council's view that the removal of the garage parking would not be harmful in this respect. In addition, there is nothing before me that leads me to consider that the provision of additional living accommodation as proposed would be likely to have an adverse effect on the living conditions of neighbouring occupiers.
9. My attention has been drawn to the refusal of a previous proposal in 2009 for the conversion of a neighbouring garage to living accommodation. However, I do not have full details of that proposal or the background to that decision. As such, I am unable to assess whether that scheme and the circumstances involved were directly comparable to those of the appeal proposal, which I have considered on its merits and in light of all representations made.

Conditions and conclusion

10. In this particular case, given the retrospective nature of the development, I consider that the application of the Council's suggested conditions would not be necessary.
11. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Napier

INSPECTOR