

Appeal Decision

Site visit made on 20 December 2016

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 3rd January 2017

Appeal Ref: APP/D1590/D/16/3158901

1 Somerton Avenue, Westcliff-on-Sea, SS0 0ED

- 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 O'Keeffe against the decision of Southend on Sea Borough Council.
 - The application Ref 16/00789/FULH, dated 5 May 2016, was refused by notice dated 19 July 2016.
 - The development proposed is a roof extension and side extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are; the effect of the proposal on the character and appearance of the area; and whether the proposal would result in the loss of an accessible and adaptable dwelling for older residents.

Reasons

Character and appearance

3. The appeal property comprises a detached bungalow located on the corner of Somerton Avenue and Langport Drive. Although there are occasional two storey dwellings in the vicinity, the character of built development is very much that of detached and semi-detached bungalows. Most are of a similar design with hipped roofs and a distinctive front projection which is lower in height than the main roof behind.
4. The appellant argues that the proposed extension would not be out of character, that there have been alterations to other bungalows in the vicinity and that its corner location allows for a slightly different design approach. However, although I noted that there have been some alterations to other properties in the area, the distinctive and strong character of the front projection of the local design characteristic has prevailed. That is the case for both the adjacent property No 3 Somerton Avenue, and also for Nos 7 & 9, where the main character, form and scale of the original dwellings have been maintained notwithstanding minor roof alterations and changes from hipped projections to gable projections in some instances.
5. In contrast, the proposed extensions would significantly change the character and appearance of the dwelling. The front projection would be lost and

replaced by a largely gable frontage, albeit with a small hipped roof element, which because of its width, would be out of scale and proportion to its previous character. That would be repeated by the large half hipped gable on the south western elevation which would be prominent in views from Langport Drive. Additionally, the extent of roofspace proposed would result in a top heavy appearance, particularly on the north east elevation which would also be apparent from Somerton Avenue. In my view, a combination of those alterations would result in an appearance, bulk and form which would be alien to the character and appearance of the existing dwelling and the immediate local area.

6. Although I acknowledge that the property is at the end of the road, it relates closely to the character of bungalows along Somerton Avenue, and also those at the end of Langport Drive, which despite the appellant's suggestions to the contrary, are similar in design with their distinctive forward projections and hipped roofs as an integral part of their character. I also note reference to a new development of housing recently granted permission along Somerton Avenue to the north east of the site. Although I observed that construction has just commenced, the details of the proposal are not before me and I am therefore unaware as to what the issues were in connection with that development. Given that, and its distance from the immediate locality, it has not been decisive in reaching my findings above.

Whether loss of an accessible and adaptable dwelling for older residents

7. The appellant rightly points out that compliance with Building Regulation M4 (2) is a matter for that particular legislation. However, paragraphs 2.44 – 2.48 of the Council's Development Management Document 2015 (DPD), points to the important role which bungalows have in providing accommodation for the Districts' older residents where it has a higher than national average. Consequently Policy DM3 (part 4) of that document seeks to resist conversions of single storey dwellings unless they would not harm the character and appearance of the area, and would not result in a loss of housing accommodation suitable for the needs of Southend's older residents. Given that the policy is a recently adopted policy as part of the Council's Local Planning Framework, I attach significant weight to it.
8. In view of my findings above, the proposed extension would clearly not satisfy criterion (i) of part 4 of the Policy in relation to character and appearance. In relation to criterion (ii), the appellant suggests that the property could be easily converted to provide suitable accommodation for older persons. However, whilst such matters as widening doorways could be easily accommodated, I am less convinced about the practical implications for increasing the size of the downstairs shower room to provide wheelchair access, nor as to how older persons would gain access to the upper floor accommodation were they not able to use stairs. Without such information before me, and whether it would be practical in any case, it is not possible at this stage to say with any confidence that the property could continue to be suitable for the needs of older residents. A planning condition would not be appropriate as a result and in any event the proposal would not satisfy criterion (i) of part 4 of Policy DM3 as explained above.

Conclusion

9. I acknowledge that the proposal would improve the appellant's living accommodation and to that extent would accord with objectives within the National Planning Policy Framework. However in this instance, I attach greater weight to the harm I have set out above in respect of the main issues identified. For those reasons the proposal would harm the character and appearance of the area and would fail to demonstrate that it would not result in a net loss of housing accommodation suitable for the needs of Southend's older residents. It would therefore be contrary to Policies KP2 and CP4 of the Council's Core Strategy 2007, Policies DM1 and DM3 of the Council's DPD and advice contained within the Council's SPD1 Design and Townscape Guide, in that it would not respect the design and character of the existing dwelling or of the wider area in terms of its scale, form and proportions, and insufficient evidence has been submitted to show that the property could provide for the needs of older residents in the long term.

10. Accordingly, the appeal should be dismissed.

Kim Bennett

INSPECTOR