
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/16/3158733
67 Glenbervie Drive, Leigh-on-Sea, SS9 3JR

- 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 & Mrs Marns against the decision of Southend on Sea Borough Council.
 - The application Ref 16/01263/FULH, dated 31 March 2016, was refused by notice dated 1 September 2016.
 - The development proposed was described as 'a two storey side extension and new dormers to rear elevation'.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension, dormer to front, extend dormer at rear and extend existing vehicular access at 67 Glenbervie Drive, Leigh-on-Sea SS9 3JR in accordance with the terms of the application, Ref 16/01263/FULH, dated 31 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: BA/1584/01A; BA/1584/02A; BA1584/03; BA/1584/04B; BA/1584/05; BA/1584/06; BA/1584/07.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Issue

2. Although the proposal was described by the appellant on the application form as set out in the banner heading above, the description of development on the Council's decision notice more accurately reflects the extent of works applied for and as shown on the submitted plans. I have therefore adopted that description in my formal decision above.

Main Issue

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

Reasons

4. Number 67 Glenbervie Drive comprises a part two storey semi-detached property located on the northern side of the road and close to its junction with Pavillion Drive and Recreation Avenue. The appearance of the pair is the same with larger dormer windows to front and rear together with ground floor bay windows. However, within the immediate locality along Glenbervie Drive, there is a variety of architectural styles and use of materials, together with a range of house types, including detached, semi-detached and bungalows.
5. The Council is concerned that the proposed extension would unbalance the pair of semi-detached properties and in particular would be contrary to design guidance in its SPD1 Design and Townscape Guide 2009 (SPD), which advocates that side extensions should be designed to be subservient to the parent building. Whilst that design guidance is well conceived, drawing on good design principles, I consider that in this instance, it is not critical that it be rigidly adhered to.
6. The design of the proposed extension itself would reflect that of the existing dwelling, including the style of dormers, decorative bargeboards and matching materials. Although the Council takes issue with the overhanging roof feature on the frontage, I find no harm in that respect since the front eaves line of the roof would be the same across the full width of the dwelling and would align with that of the adjoining semi-detached property. I also agree there would be no harm arising from the relocation of the front door to the front of the property. I acknowledge that by continuing the ridge height of the main roof at the same height and adding additional dormer windows, the extension would not be subservient and would unbalance the existing pair of semi-detached properties visually. However, the key issue is what harm would result?
7. In that respect and as noted above, there are a variety of architectural styles in the vicinity. The adjoining properties to the west Nos 69/71 Glenbervie Drive are larger in scale than the appeal property and to a different design with double height bay windows and front gable roof features. To the east, No 63 Glenbervie Avenue is of a broadly similar style but is detached and with differing architectural features on the frontage. Beyond that Nos 59/61 are to a different design again and set back from the frontage of No 63. Directly opposite the site are two detached bungalows whilst to the east of these Nos 54/56 were a matching pair of semi-detached properties with large front dormers at some stage, but No 56 has since been extended with a large two storey side extension which unbalances the pair visually.
8. Given the above architectural diversity, I do not consider that there would be any harm arising to the character and appearance of the area in this particular instance as a result of the pair of semi-detached properties appearing somewhat unbalanced visually. The extension would not be prominent when viewed from the east, notwithstanding the slightly forward siting of Nos 65/67 compared to No 63. From the junction, it would be in close proximity to Nos 69/71 and although on a slightly different front alignment, the ground floor element would be set back in line with No 69 and an irregular building line also arises in other parts of the road as noted above.

9. Although I have reached my findings on the particular site circumstances of this location, that may not be the case in other situations where the need to retain a balanced appearance might be more critical. For that reason my findings in this appeal should not necessarily be treated as a precedent for other cases where the same design issues arise.
10. For the above reasons, there would be no harm to the character and appearance of the area. The proposed development would therefore comply with Policies KP2 and CP4 of the Council's Core Strategy 2007 and Policy DM1 of the Council's Development Management Document 2015, in that it would respect and retain the character of the site and area. Although it would not fully comply with guidance within the Council's SPD, for the reasons set out above, there are material reasons why strict compliance with such guidance is not necessary in this particular instance.
11. The Council raise no objections from an amenity point of view, nor to the increase in width of the existing vehicular access, and I see no reason to take a different view.
12. A condition requiring the development to be carried out in accordance with the approved plans is necessary in the interests of certainty, whilst a condition requiring matching materials is necessary in the interest of good planning and visual amenity.
13. Accordingly the appeal should be allowed and planning permission granted.

Kim Bennett

INSPECTOR