

Appeal Decision

Site visit made on 18 April 2017

by Les Greenwood MRTPI

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

Decision date: 2nd May 2017

Appeal Ref: APP/D1590/D/16/3165976

19 Warrior Square Road, Shoeburyness, Essex SS3 9PZ

- 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 P Baggs against the decision of Southend-on-Sea Borough Council.
 - The application Ref 16/01386/FULH was refused by notice dated 5 October 2016.
 - The development proposed is a 2 storey rear extension, loft conversion and internal alterations.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are:
 - i) whether the proposal would preserve or enhance the character or appearance of the Shoebury Garrison Conservation Area; and
 - ii) the effect on living conditions at the adjacent neighbouring properties, in terms of overlooking and loss of privacy.

Reasons

Character and appearance

3. The site is within the former Shoebury Garrison site, designated a conservation area and notable for its handsome Victorian military buildings. The Council's conservation area leaflet advises that the area's architecture and buildings remain largely as originally designed, with well spread out buildings, wide tree lined roads, open spaces and sea views. Use of this area for fortifications dates back to the iron age and part has been also designated a Scheduled Ancient Monument.
 4. 19 Warrior Square Road is a handsome 20th Century Georgian style detached house, sitting in the centre of a row of 5 well-spaced, similar houses facing onto a cricket pitch. The house has a box-like, rectangular form and a low hipped roof partially obscured behind a parapet. The proposal is to build a 2 storey extension at the back while also converting the loft space under an extended hipped roof with a flat top and a new rear dormer opening onto a roof terrace.
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5. Although the well-mannered uniformity of these houses is part of their character, I see no overriding reason why sensitively designed changes at the back would necessarily harm their character or appearance. This proposal would, however, fail to integrate well with the existing building on a detailed level. The continuation of the side walls to the rear without a step in or other articulation would create a disproportionately long stretch of full height wall and would make it difficult to match the old and new brickwork. The use of a flat, crown roof continuing into a flat roofed dormer structure would be out of character with the pitched roofs of other local buildings. The need for side privacy screens on the proposed roof terrace would further emphasise this part of the proposal, creating an overly extended roof structure.
6. None of these design elements would be particularly harmful if taken on its own, but the overall effect would be to create an unsympathetically designed, overly bulky structure. I see that No 17 next door has already been extended at the back, but on a significantly smaller scale. I have also taken note of the more recently built houses on the other side of the cricket pitch, which are similar to the proposal in some ways, but also have design differences. I have assessed this proposal on its own merits.
7. The nearest listed buildings are set well away from No 19. I agree with the Council that there would not be any harm to the setting of these buildings or to that of the Scheduled Ancient Monument. I conclude, however, that the proposal would harm the character and appearance of the conservation area. It therefore conflicts with the aims of Core Strategy (CS) Policies KP2 and CP4, Development Management Document (DMD) Policies DM1 and DM5 and the Council's Supplementary Planning Document *Design and Townscape Guide* (SPD), to secure good quality, innovative design that contributes positively to the creation of successful places and respects the historic environment.
8. In the terms of DMD Policy DM5(2) and National Planning Policy Framework paragraph 134, I find this harm to be towards the lower end of 'less than substantial'. There are, however, no overriding public benefits which would justify the proposal in this respect.

Living conditions

9. Due to the generous spacing between the houses and low level obstructions, there is little existing overlooking of neighbouring gardens from No 19's first floor windows. The proposed new roof terrace would potentially create new high level views of these gardens which would be intrusive, causing a significant loss of privacy unless this is prevented by side screens on the roof terrace itself. The partial screens shown on the proposed elevations would not appear to be sufficient for this purpose.
10. This overlooking could be addressed by a condition requiring larger side screens, but only at the expense of local character and appearance. In the circumstances, I conclude that the proposal would unduly harm living conditions at the adjacent neighbouring properties due to increased overlooking and loss of privacy. The proposal therefore also conflicts with the aims of CS Policy CP4, DMD Policy DM1 and the SPD, to protect the amenity of neighbours. The Council also cites CS Policy KP2 here, but I see no direct relevance to this issue.

Conclusion

11. I sympathise with the appellant's wish to improve his family home and recognise his concern to maintain the look and feel of the house. Nevertheless, for the reasons set out above and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR