



Appeal Decision

Site visit made on 13 June 2017

by Timothy C King BA(Hons) MRTPI

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

Decision date:

Appeal Ref: APP/D1590/D/17/3171286
31 Lynton Road, Thorpe Bay, SS1 3BE

- 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 McCoy against the decision of Southend-on-sea Borough Council.
 - The application Ref 16/02271/FULH, dated 21 December 2016, was refused by notice dated 13 February 2017.
 - The development proposed is *'two storey front & rear extensions, single storey and two storey side extension and formation of loft room with rear dormer, single storey summer house at rear and rear swimming pool'*.
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Application for costs

1. An application for costs was made by Mr & Mrs McCoy against Southend-on-sea Borough Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted to demolish existing single-storey rear extension and garage to side, raise ridge height with dormer to rear, erect two-storey rear extension with Juliette balcony at first floor, first floor front extension incorporating porch at ground floor, part single/part two-storey side extension, outbuilding to rear, alter elevations, form outdoor swimming pool at rear, layout hardstanding to front and install vehicular access on to Lynton Road at 31 Lynton Road, Thorpe Bay, SS1 3BE in accordance with the terms of the application Ref 16/02271/FULH, dated 21 December 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: Drawing Nos 1530/16/01, 1530/16/02 Rev i and 1530/16/03 Rev K.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those specified on the application form.

Procedural Matter

3. I have set out the Council's description of the proposal in my decision rather than the description entered in the planning application form as it more fully describes the development involved.

Main Issue

4. The main issue is the proposal's effect on the character and appearance of the area.

Reasons

5. It is proposed that the appeal dwelling, largely unaltered from its original design, would be extended by means of a series of additions which would necessitate the demolition of an existing single-storey side garage which abuts the common boundary with No 29 Lynton Road.
6. The Council, in refusing planning permission, does not actually specify which particular element(s) of the proposal it objects to, merely indicating that the extended dwelling's close proximity to the neighbouring dwelling would result in a bulky, cramped form of development, harmful to the streetscene.
7. The proposed two-storey side extension on the opposite flank would, though, extend close to the common boundary with No 29 and would be visible from the street. To allow for the proposed loft space accommodation the main roof's ridgeline would be heightened by some 200mm which, in the overall context of the development and the dwelling's setting, I consider would be a modest increase. The two storey section of the side extension would be set down from the raised ridge and also recessed behind the dwelling's front building line. I consider that this would make for a visually satisfactory arrangement which would be in accordance with the aims of the Council's Supplementary Planning Document 1 'Design and townscape Guide' (SPD) which requires, amongst other things, that extensions should be both proportionate and subordinate to the host building.
8. As regards the appeal proposal No 29's flank wall is set in from its common boundary with the appeal property and the arrangement that would result from the proposed side extension is not an unusual physical relationship between suburban residential properties such as these. Although the flat-roofed addition would be to a height of some 3m I consider that the distance between the facing side walls, along with the fence divide, would allow for a satisfactory spatial relationship between the dwellings. As a parallel, the dwellings at Nos 25 and 27 are set close to one another, and this relationship, like that proposed, appears visually appropriate to the general streetscene.
9. Lynton Road is characterised by good sized dwellings set within generous curtilages. At my site visit I noted that several of the houses appear to have been enlarged through extension and alteration and, as such, a number of dwellings have been remodelled showing individual designs. Overall, I consider that all elements of the proposal would be to an acceptable design and appearance, with the intended external materials and finishes contributing to this. None of the extensions and alterations proposed would be unduly bulky or cramped and they would integrate satisfactorily with the dwelling and its immediate context without adversely affecting local character. This would be consistent with the design objectives of Policy CP4 of the Core Strategy (CS)

reflected in Policies DM1 and DM3 of the Development Management Document (DM) and also relevant advice within the SPD which, taken together, indicate that development and alterations to buildings should add to the overall quality of the area, respecting the character of the site and its local context.

Other matters

10. Concerns have been raised that the proposed side extension would significantly reduce daylight entry to the side windows of No 29. The new cycle/bin store would be built up to the boundary, as is the case with the existing garage, but the proposal also involves building behind the store, with a single storey addition set in slightly from the boundary and also a staggered first floor addition. However, this would be pulled back significantly from the new side building line at single-storey level, and I do not consider that the proposal would lead to any marked reduction in light entry to No 29's side windows.
11. No 29's right to light was also raised as a concern but this is an issue unrelated to the considerations surrounding the development's planning merits, on which I have essentially assessed the proposal, and I have not therefore explored this matter further.
12. I have had due regard to the various other representations made by interested parties but no other considerations outweigh my findings on the main issue, and my conclusions are unaffected.
13. As regards conditions, in addition to the statutory time limit, in the interests of certainty, I impose a condition requiring that the development be implemented in accordance with the approved plans. Also, to ensure a satisfactory appearance, a condition is imposed requiring that the various external materials and finishes, referred to on the application form, be employed in the proposal's implementation.
14. For the above reasons, and having had regard to all matters raised, the appeal succeeds.

Timothy C King

INSPECTOR