

Appeal Decision

Site visit made on 9 October 2017

by Les Greenwood MRTPI

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

Decision date: 18 October 2017

Appeal Ref: APP/D1590/D/17/3180160

56 Somerset Avenue, Westcliff-on-Sea SS0 0DL

- 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 Paul Holden against the decision of Southend-on-Sea Borough Council.
 - The application Ref 17/00544/FULH was refused by notice dated 1 June 2017.
 - The development proposed is to raise and re-pitch the roof with dormers to the front and rear to form rooms in the roof, together with a single storey side extension and raising the garage roof with a dummy pitch to the front.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposal on the supply of housing suitable to meet the needs of older people.

Reasons

3. 56 Somerset Avenue is a single storey dwelling sitting in a row of similar bungalows within a mixed residential neighbourhood. The main aspect of the proposal would be to alter and extend the roof to provide 3 bedrooms and a bathroom upstairs. The Council's only objection is in regard to the loss of a single storey dwelling which can provide accommodation for older residents.
4. Paragraph 50 of the National Planning Policy Framework encourages the delivery of a wide choice of high quality homes and the creation of sustainable, mixed communities. In part this is to be accomplished through planning for a mix of housing based on demographic trends, market trends and the needs of different groups such as older people and people with disabilities.
5. Policy DM3(4) of the Council's 2015 Development Management Document (DMD) states that the conversion or redevelopment of single storey dwellings will generally be resisted, allowing for possible exceptions where this would not result in the net loss of housing accommodation suitable to meet the needs of older residents. The policy refers here to the now outdated Lifetime Homes Standard. In place of this, the Council refers to Part M4(2) of the Building Regulations regarding accessibility. Although, as I understand it, this

regulation is not mandatory for this proposal, it is reasonable to use it as a guideline in place of the Lifetime Homes Standard.

6. Policy DM3(4) is part of the adopted development plan and planning decisions must be made in accordance with the development plan unless material circumstances indicate otherwise. The text accompanying the policy explains, furthermore, that Southend has a higher than average proportion of older residents (defined as 75+) and that a Council objective is to support independent living. Bungalows, it says, make up 12% of the Borough's housing stock and are under pressure for redevelopment. This recently adopted policy is therefore based on demographic and market evidence as advocated by the Framework.
7. The appellant argues that compliance with Building Regulations Part M4(2) would be onerous. It might well be that full compliance would not be reasonable. It seems, however, that little effort has been made to comply with any aspects of this regulation or improve accessibility. The resulting building would not be suitable to meet the needs of many older people. The proposal does represent the loss of such a dwelling and is not, therefore, sustainable in social terms. I note that there are many other bungalows in Southend, but incremental losses of such housing stock can cumulatively become very significant.
8. I conclude that the proposal would harm the supply of housing suitable to meet the needs of older people, in conflict with DMD Policy DM3(4). Whilst I recognise the appellant's reasonable wish to improve his home, I find no material considerations sufficient to justify the proposal. The Council also cites Core Strategy Policies KP2 and CP4 and DMD Policy DM1 against the proposal, but these do not appear to be directly relevant to the main issue.
9. 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