



Appeal Decision

Site visit made on 10 February 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2020

Appeal Ref: APP/D1590/D/19/3241247

17 Warrior Square Road, Shoeburyness, Southend-On-Sea 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 Simon Dowell against the decision of Southend-on-Sea Borough Council.
 - The application Ref 19/01106/FULH, dated 13 June 2019, was refused by notice dated 29 August 2019.
 - The development proposed is single storey side and two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development proposed on the character and appearance of the appeal site and the wider Conservation Area.

Reasons

Character and Appearance

3. The appeal site is within the Shoebury Garrison Conservation Area (the CA). I am therefore required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
4. The Shoebury Garrison Conservation Area Character Appraisal October 2004 (the SGCA) identifies architecture in the CA as being predominantly military with a mix of residential and functional buildings. The SGCA states that the majority of the buildings date from the early years of its use as a military garrison and these established consistent architectural themes that are characteristic of the area. Among these themes the SGCA highlights the use of consistent materials throughout, prominent chimney stacks and large sliding sash windows.
5. The appeal property is one of a group of five detached houses of broadly uniform size, architectural style and appearance that face onto a cricket green. Despite visible alterations to some of the houses in the group, they share a clear common character and together and individually are prominent features in the street scene. I therefore consider that collectively they make a significant contribution to the historic character of the CA. The appeal property retains much of its original form, without the alterations to glazing or the

addition of cladding that has occurred at neighbouring properties within the group, and is therefore of particular historic interest.

6. The appeal proposal would involve extending the dwellinghouse to the rear and side. The principle of extending the house is acknowledged as acceptable by both parties. It is common ground that the Council does not object to the side single-storey extension following the reduction in width of the garage during consideration of the application. Having visited the site and seen it in the wider context of the surrounding area, I see no reason to disagree with this assessment.
7. The proposed two-storey rear extension would be a substantial addition to the building, projecting more than 3 metres from the existing rear wall. It would broadly replicate the general form and character of the dwelling with the parapet wall at eaves level continued around the top of the extension, and glazing to match the existing. It would not be prominently visible when viewed from the front of the site. However, due to its height and depth the extension would be prominent from the rear of neighbouring properties and from public land in the surrounding area. The extension would have a flat roof that would not be adequately screened by the parapet wall and as a result would not integrate successfully with the pitched roof over the existing house. The combination of the size of the extension and the lack of successful integration with the existing dwelling would result in a development out of keeping with the character of the house and wider group.
8. The extension would be as wide as the existing house, with 2 chimneys introduced to mask the seam between new and existing brickwork. The appellant contends that this would provide positive articulation, that chimneys are a traditional feature in the area and those to the host property and to the other houses within this group are arranged asymmetrically. However, I consider that the additional chimneys would be out of keeping with the character of the dwelling and the wider group. Each house in the group has 2 chimneys, and while these are arranged asymmetrically on the individual property, there is consistency in their siting within the wider group. The proposed chimneys, although smaller than the existing, would project significantly above eaves level and would be prominent in views of the property. They would disrupt the consistency of the group and cause additional harm to the appearance of the property and the wider area.
9. Both parties have referred to a previous appeal decision at No 19 Warrior Square Road¹ in their submissions. While that scheme appears to have been similar to the appeal before me insofar as it involved a two-storey rear extension, I do not have the full details in evidence before me. I can therefore only give my colleague's reasoning and decision limited weight. In any case, I must determine this appeal on its own merits, which is what I have done.
10. As material harm has been identified due to the size and detailed design of the rear extension it is necessary to determine whether this amounts to substantial or less than substantial harm. Having regard to paragraph 196 of the National Planning Policy Framework (the Framework), the development proposed relates to a rear extension of limited visibility within the wider CA. The limited harm arising from its depth and flat roof would be less than substantial when weighed against the significance of the whole CA.

¹ Planning Inspectorate ref: APP/D1590/D/16/3165976

11. While there would be modest benefits arising from the improved accommodation provided by the enlarged dwelling I am required to give great weight to the conservation of the significance of the CA, in accordance with paragraph 193 of the Framework, irrespective of the degree of harm that would result. In this instance I find that the harm would outweigh the benefits of the development.
12. Having considered all the above matters I conclude that the development proposed would fail to preserve the character or appearance of the CA, thereby causing unacceptable harm. It therefore conflicts with Policies KP2 and CP4 of the Southend-on-Sea Core Strategy 2007, Policies DM1 and DM5 of the Southend-on-Sea Development Management Document July 2015 and guidance in the Southend-on-Sea Supplementary Planning Document 1 Design and Townscape Guide 2009. Together these require, among other things, that development should add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of size, form and detailed design features.

Other Matters

13. The appellant has referred to previous decisions at the site and within the wider group of 5 houses. However, I do not have full details of these decisions before me. I note that permission was previously granted by the Council in 2005 for a somewhat similar scheme at the appeal site. However, this was some time ago and there have subsequently been changes in both local and national policy. In addition, there are differences in the details and scale of the works proposed, in particular the depth of the rear extension and inclusion of new chimneys, in the scheme before me. I therefore only give limited weight to these previous decisions, and in any case must determine this appeal on its own merits, which I have done.
14. I saw during my site visit that No 21 Warrior Square Road has been extended to the rear at ground and first floor level. While I do not have in evidence before me the planning circumstances of this development, the depth of the extension is shallower at first floor level than at ground floor level. It is therefore materially different to the appeal proposal and I have only given it limited weight in determining this appeal.
15. The appellant has referred to the potential for enlargement of a dwellinghouse without the requirement for seeking planning permission under the Town and Country Planning (General Permitted Development) (England) Order 2015. However, as the property lies within a CA it does not have Permitted Development rights for any extension. I therefore have not given this any weight in determining the appeal.
16. The appellant has referred to discussions between the main parties at pre-application stage, but as I do not have full copies of the correspondence before me I cannot give this any weight in my determination of the appeal.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

M Chalk

INSPECTOR