



Appeal Decision

Site visit made on 30 December 2020

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Ref: APP/M1520/D/20/3262846

35A Marine Approach, Canvey Island, Essex SS8 0AL

- 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 Richard Banks against the decision of Castle Point Borough Council.
 - The application Ref 20/0609/FUL, dated 3 September 2020, was refused by notice dated 9 November 2020.
 - The development proposed is raising of roof to create a mansard roof, formation of room and bathroom at second floor level within roof space with a side dormer and rooflights to the side elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the raising of roof to create a mansard roof, formation of room and bathroom at second floor level within roof space with a side dormer and rooflights to side elevation at 35A Marine Approach, Canvey Island, Essex SS8 0AL, in accordance with the terms of the application, Ref 20/0609/FUL, dated 3 September 2020, and the plans submitted with it, subject to the following condition:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

Main Issues

2. The main issues in this appeal are the effects of the proposed development on:
 - the character and appearance of the host dwelling and that of the local area; and
 - the living conditions of the occupiers of the host dwelling, with particular reference to the proportion of private outdoor amenity space to the quantum of accommodation provided.

Reasons

Character and Appearance

3. The host dwelling is in one of a pair of detached houses of similar design, which sits in the rear half of a large plot that provides for a rear garden, with a larger front garden mostly laid to lawn but also with driveway and detached garage.

4. The local area around the host dwelling appears to have been developed throughout the 20th century as a residential area, with no predominating architectural style evident. The footprint of residential properties in the local area varies, although they are mostly detached and semidetached dwellings, predominantly bungalows or chalet bungalows but with some houses, many of which appear to have undergone significant alteration and extension.
5. The proposal replaces the hipped roof of the existing house with a mansard roof, with ridge height raised by just over 1m. The proposal also involves front and rear gables with new windows, a small side dormer extension with a hipped roof and roof lights in both side slopes of the upper part of the mansard roof form.
6. The proposed additions and alterations would add up to the host dwelling appearing as a slightly more significant detached property than existing. This would, however, sit comfortably within its plot and within the street, where it would not be out of keeping with other larger properties of similar scale in the area that sit on similar sized plots.
7. I have looked at the massing of the proposal, its additional bulk and change in roof profile in terms of the appearance of the appeal property within the local street scene and the wider area and I find that the overall slight additional height and extra bulk created by this extension is not excessive and is appropriately massed.
8. The change of roof profile to a gable ended mansard form, though not reflective of its immediate neighbouring pair, would not be top heavy, or appear prominent or dominant to the host dwelling and would be in keeping with the variety of architectural design and roof forms I have identified in the locality. The proposed dormer would have appropriate roof verges and appear as an ancillary feature on the roofscape.
9. I do not find that the additional bulk or design of the new roof form would harm the appearance of the surrounding area by being out of character with other local houses, including its neighbouring pair, but rather that it would reflect much of the area's existing appearance and character, particularly the area's characteristic variety. Therefore, in the context of a mixture of houses that have not undergone extension and those that have been extended to a greater or lesser extent, the proposed roof extension and alteration would not result in the appeal property appearing to be out of character with the streetscene of the area.
10. For these reasons I find that the proposal would be in accordance with the design aims of Policy EC2 of the Castle Point Local Plan (1998) (the Local Plan), RDG7 of the Castle Point Residential Design Guidance (2012) a Supplementary Planning Document (the SPD) and paragraph 127 of the National Planning Policy Framework (the Framework).

living conditions

11. As the appeal dwelling is situated in the rear half of the plot, the rear garden is substantially smaller than the front garden. However, the front garden is of good size, with limited overlooking, with enclosure provided by the detached garage situated towards the front of the property and fronts on to a quiet street that is a no-through road. Notwithstanding that there are two parks in

the local area within easy walking distance, I find that the front garden of the appeal property is suitable for use as a private amenity space. Which, when combined with the rear garden of the appeal property, does not amount to a shortfall of amenity space to the host dwelling as existing. Given the area of the combined gardens spaces, the quantum of private amenity space would, therefore, be good and suitable to meet the needs of the occupants of the host dwelling as proposed.

12. The Council has referred to appeal decisions whereby appeals were dismissed due, in whole or part, to a shortfall in private amenity space for occupants of the dwellings to which the appeal relates. Although I have not been provided with the specific details and circumstances, the decisions to dismiss on this basis do have relevance. However, these would have been determined on the basis of the individual circumstances and considerations, and, likewise, I must determine the proposal before me on its own merits.
13. For these reasons I find that the proposal would not be harmful to the living conditions of the occupiers of the appeal dwelling and does not, therefore conflict with Policy EC2 of the Local Plan, RD6 of the SPD or paragraph 127 of the Framework, in so far as they seek to ensure that developments create places with a high standard of amenity for existing and future users.

Other Matters

14. Occupiers of neighbouring properties have raised concerns with regard to existing drainage problems, noise from the appeal property including during construction and security and access related to scaffolding during construction. However, these are not matters that I can take into consideration in relation to the planning considerations of the proposal before me.
15. Concerns have been raised with regard to the proposal and overlooking. I find, however, that the proposal would not result in a degree of overlooking greater than that to be expected in a developed residential area and would not be materially different to the existing situation.
16. A concern has been raised in relation to the separating distance between the host dwelling and neighbouring properties. However, the proposal is at roof level and would not affect the separating distance between properties and, within the context of the local area, is adequate for the extended host dwelling as proposed.
17. Additional pressure on local parking provision has been raised as a concern. I find, however, that the degree of enlargement proposed is not so great that it would result in an increase in parking demand by occupiers of the appeal property, that could not be accommodated by the existing parking and garage on the appeal site or that to be found on the access only street nearby.

Conditions

18. I have only included the required condition for the time limit for beginning the development.

Conclusion

19. Although the saved policies of the Local Plan are now of some age, they do accord with Framework and I have given them significant weight in my

considerations. For the above reasons and with regard to all other issues raised, the appeal is allowed.

Victor Callister

INSPECTOR