
Appeal Decision

Site visit made on 2 December 2020

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal Ref: APP/D1590/D/20/3252118

30 Tudor Road, Westcliff-on-Sea, Essex, SS0 7AD

- 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 Sepand Vahedi against the decision of Southend-on-Sea Borough Council.
 - The application Ref 20/00227/FULH, dated 10 February 2020, was refused by notice dated 14 April 2020.
 - The development proposed is described as single storey rear extension and L-shaped mansard loft conversion with two rooflights in the front roof plane.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:
 - a) the effect of the proposed development on the character and appearance of the host dwelling, the terrace, the street scene and the wider surrounding area; and,
 - b) the effect on the living conditions of the residential occupiers of number 28 and 32 Tudor Road in terms of an enhanced sense of enclosure and a potential loss of light and overshadowing of 32 Tudor Road.

Reasons

3. The appeal property, 30 Tudor Road, is a two-storey mid-terrace house, situated in a wider residential area. It has an original two-storey rear projection.
4. The appellant proposes a 4.0 metres or so deep single storey extension to the existing rear projection. The roof of this extension would be of an unequal pitch roof form.
5. In addition an 'L' shaped mansard roof extension is proposed over the original outshot and main house to provide additional accommodation in the roof void so formed. The ridge of the mansard roof would be the same height as that of the roof of the host property. Three dormer windows are proposed to the new mansard roof along with two rooflights in the original front roof slope of the host property.

Character and appearance

6. The asymmetric form of the proposed roof of the single storey rear addition would be unusual. However, as this extension would only be single storey, not open to view from the street and given the variety of the form's of neighbouring rear out shots I do not consider that it would, in this case, cause significant visual harm to either the host property of the character and appearance of the rear garden scene.
7. The proposed external materials chosen for the mansard's cladding would generally accord with the established palate of materials used locally. However, the mansard roof extension would by reason of its height and three-dimensional form appear as an incongruous and dominating addition in the context of the host property and the existing terrace of houses. It would thereby cause significant harm to the architectural integrity of number 30 Tudor Road and the terrace of which it is part.
8. Further, given the roof addition's prominence to the rear of the property, unlike the proposed single storey addition it would detract from the character and appearance of the rear garden area of the terrace.
9. I therefore conclude in respect of the first main issue that the while the single storey addition would be acceptable the proposed mansard roof addition would be harmful to the character and appearance of the host building, the terrace of which it is part and wider rear garden scene. To allow the development would therefore be contrary to National Planning Policy Framework (2019) (the Framework), Policies KP2 and CP4 of the Southend-on-Sea Borough Council Local Development Framework–Development Plan Document 1-*Core Strategy* (Adopted December 2007) (CS) and Policies DM1 and DM3 (as amended by Technical Housing Standards Policy Transitional Statement (2015) of the Southend-on-Sea Borough Council Local Development Framework - *Development Management Document* (Adopted July 2015) (DMD) and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009), as they relate amongst other things to the quality of development.

Living conditions

10. The proposed rearward projection of the single storey addition would, as identified by the Council, serve to increase the sense of enclosure to the occupiers of number 28 and 32 of the original outshot. However, it would not reduce daylight to the windows of their habitable rooms. On balance based on my observations on site and given the addition's restricted height I do not consider that the limited enhanced sense of enclosure would cause harm to the living conditions of those neighbouring occupiers.
11. The proposed roof extension would, due to its height in relation to number 28 result in an increased sense of enclosure. This effect would be marginally greater to number 32 given the close proximity of the two houses. While I do not consider that the roof addition would result in a loss of daylight to number 32 it might well result in some, albeit limited, overshadowing.
12. However, on balanced, given the built up urban nature of the terrace and the existing relationship of the dwellings one to another, I do not believe that based on what I have seen and read the impact of the roof extension would be

such as to cause significant harm to the living conditions of the occupiers of numbers 28 and 32.

13. I therefore conclude in respect of the second main issue that the proposed development would not cause significant harm to the living conditions of the occupiers of number 28 and 32 Tudor Road. It would therefore accord with the Framework, CS Policies KP2 and CP4 and DMD Policies DM1 and DM3 and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009) as they seek to protect residential living conditions.

Conclusions

14. Having had regard to all matters I have concluded that the proposal would not be prejudicial to the living conditions of neighbouring occupiers. However, it would result in unacceptable harm to the character and appearance of the host building, the terrace of which it is part and wider rear garden scene and for this reason the appeal should not succeed.

Philip Willmer

INSPECTOR