The Planning Inspectorate

Appeal Decision

Site visit made on 22 December 2020

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 25 January 2021

Appeal Ref: APP/D1590/D/20/3256032
15 Bohemia Chase, Leigh-on-Sea, Essex, SS9 4PW.

- 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 Steven Dore against the decision of Southend-on-Sea Borough Council.
- The application Ref 20/00767/FULH, dated 15 May 2020, was refused by notice dated 14 July 2020.
- The development proposed is a hip to gable loft extension with front and rear dormers and a single storey rear extension.

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 street scene and the wider surrounding area; and,

   b) whether the property as extended would be of such a design as to provide for lifetime occupancy of all persons.

Reasons

Character and appearance

3. The appeal property, 15 Bohemia Chase, is one half of a semi-detached pair of hipped roofed bungalows. The development in the road is characterised by an eclectic mix of detached and semi-detached bungalows. Many of which have been subject to roof extensions and alterations such that the character of what was originally substantially built as a development of bungalows has been markedly denuded over time.

4. The appellant proposes a single storey rear extension, hip to gable roof extension along with the construction of two large flat roofed dormers, one to the front and one to the rear roof slope. Although the front dormer would set in from the front facade of the property the roofs of both dormers would be the same height as the existing ridge of the host property.

5. The Council found the rear extension to be acceptable. Given its overall size and as it would replace an existing rear projection I would not form a contrary view.

6. The loss of the hip and its replacement with a gable would significantly alter the form and architectural character of and thereby detract from the symmetry of the existing semi-detached pair of bungalows. However, as I observed there have been a number of hip to gable alterations as part of the provision of roof space accommodation of other former bungalows. In many cases this being to just one half of a semi-detached pair. Accordingly, in the context of previous development in the street I do not consider that, in this case, the hip to gable conversion would alone cause significant harm to the character and appearance of the property here or the visual amenity of the wider area.

7. Large flat roofed dormers to both the front and rear roof slopes are also typical features of other roof space conversions in the street. However, I consider that both dormers here, due in particular to their height, overall mass and bulk as a proportion of the retained area of roof slope would appear as incongruent and overly dominant features. If built as designed they would result in an incongruous development materially harmful to the character and appearance of the dwelling, the street scene and the wider surrounding area.

8. I therefore conclude in respect of the first main issue that on balance, and while having regard to what might be allowed under permitted development provisions, the proposal would cause significant harm to the host property, the semi-detached pair and the street scene. To allow it 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 Polices 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) (DM D) and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009) as they relate to the quality of development.

Lifetime occupancy

9. The Council contends that the proposed development would not comply with Building Regulation's *Optional requirement M4 (2): Category 2 – Accessible and adaptable dwellings*. Therefore as extended and altered the dwelling would fail to be adequate for lifetime occupancy of all persons.

10. Neither party has provided substantive evidence in respect of this matter. However, in my judgement, I do not consider that compliance with Building Regulation M4 (2) would necessarily be an insurmountable problem at detailed design stage. Accordingly, if I were minded to allow the appeal, this is a matter that could be addressed by a suitably worded condition.

11. I conclude in resect of the second main issue, that subject to the imposition of a condition, the proposal would accord with the objectives of the Framework and CS Policy DM3 paragraph 4 (ii).

Conclusions

12. Having regard to all matters I have concluded that the proposal, subject to condition, could accord with Building Regulation M4 (2). However, it would cause significant harm to the host property, the semi-detached pair and the street scene. To my mind this is a compelling objection and for this reason the appeal should not succeed.

Philip Willmer

INSPECTOR