



Appeal Decision

Site visit made on 16 February 2021

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2021

Appeal Ref: APP/D1590/W/20/3261145

312 Westborough Road, Westcliff-on-Sea SS0 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 Mahendran Masilamany against the decision of Southend on Sea Borough Council.
 - The application Ref: 20/01038/FUL, dated 23 June 2020, was refused by notice dated 8 September 2020.
 - The development proposed is to develop the use from commercial (A1), flat (C3) to two storey dwelling house (C3) and loft conversion with rear dormer and installation of 3 roof windows (front).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal building was granted permission (Ref: 20/00879/FUL) in August 2020 to erect a porch and form a new bay window to the ground floor front elevation. At the time of my site visit the development was in progress. A new rear dormer and its fenestration were in place, and the building appeared to be vacant. The Council has advised me that the two existing chimneys have been removed and the exposed timber on the gable above the bay window to the front elevation has been covered with plastic boarding.

Main Issue

3. The main issue is the effect of the rear dormer on the character and appearance of the building, the streetscene and surrounding area.

Reasons

4. The appeal site includes a two storey detached building with land to the rear. It is located at the junction of Westborough Road and Fleetwood Avenue. There is a single storey garage with a pantile roof between the appeal site and the start of houses along Fleetwood Road. The appeal building previously comprised an A1 retail unit at ground floor level with a flat above. The nearby dwellings along Fleetwood Avenue consist of alternating semi-detached houses and terraces of a similar distinctive design with gables at second floor level over bay windows. Development along Westborough Road has a mix of residential uses with ground floor shops, including a newsagent at No.308 and a Londis store. High front gables are also a feature of development.

5. The front elevation of the new rear dormer is visible in public views at Fleetwood Avenue. Its side elevation may also be seen from Fleetwood Avenue, from where it appears as a significant addition to the large blank wall of the dwelling, which faces the road. There are examples of dormers in the surrounding area, notably at No.308 Westborough Road. However, the dormers at that building are relatively small and no examples of large dormers similar to that constructed at No.312 have been submitted with the appeal.
6. The rear dormer constructed extends for almost the full width of the rear elevation of the building with a flat roof at ridge level. It has a slight set up from the roof eaves. The patio doors and associated side windows generally align with the bay windows below. However, the dormer appears overly large, out of scale and unduly prominent as an uncharacteristic feature which significantly harms the streetscene in Fleetwood Avenue. The tile hanging in a reddish colour adds to the prominence of the rear elevation of the dormer. The dormer conflicts with advice in the Council's *Supplementary Planning Document 1: Design and Townscape Guide (2009)* because it is not incidental to the roof slope (i.e., set in from both side walls and set well below the ridge line). It is also a large box dormer, which the design guide indicates should be avoided, especially where they have public impact, as they appear bulky and unsightly.
7. The rear dormer has a significant harmful effect on the character and appearance of the building and surrounding area. It conflicts with policies KP2 and CP4 of the Southend-on-Sea Core Strategy which, amongst other things, seek to ensure quality design and that proposals respect the character and scale of the existing neighbourhood. It fails to comply with Southend-on-Sea Development Management Document (DMD) policy DM1 regarding design quality. It also conflicts with DMD policy DM3, which, along with the *Design and Townscape Guide*, requires all alterations and additions to make a positive contribution to the character of the existing building and surrounding area. In terms of other material considerations, the proposed extension would conflict with the design objectives of the National Planning Policy Framework and *National Design Guide 2019*.

Other Matters

8. Permission was granted in March 2020 for the erection of a three storey dwellinghouse on land between No.312 and Fleetwood Road, layout bin store to front and amenity space and parking to rear with vehicular access onto Fleetwood Avenue (ref: 19/02344/FUL). The permission has not been implemented but constitutes a material consideration in this appeal. The proposed building would be attached to the flank elevation of No.312 and would have a rear dormer window. However, unlike the existing dormer at No.312, that dormer would be relatively small, with a mono-pitch roof. It would be set in from both side walls of the proposed dwelling, set below the ridge line and well above the proposed eaves level. The proposed dormer would fail to complement the dormer which has been constructed at No.312 because of its differing form, scale, and siting on the roof slope. If the development (ref: 19/02344/FUL) was implemented as granted it would not mitigate the visual harm from the existing dormer at No.312. Therefore, I find that the existence of permission for the three-storey dwellinghouse would be insufficient reason to justify allowing the appeal before me.

9. The Council has raised no objection to the proposed change of use. I have given consideration to a split decision in this respect. However, that would include the proposed use of the rear dormer, which I have found to be an unacceptable part of the proposal.

Conclusion

10. have taken all other matters raised into account. However, for the reasons given above I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR