



Appeal Decision

Site visit made on 9 June 2021

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2021

Appeal Ref: APP/D1590/D/21/3268897

15 Ferndale Road, Southend-on-Sea, Essex, SS2 4DS

- 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 Shakar Reza against the decision of Southend-on-Sea Borough Council.
 - The application Ref 20/01583/FULH, dated 26 September 2020, was refused by notice dated 11 January 2021.
 - The development proposed is described as 'Retrospective planning application for the erected rear porch'.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension (retrospective) at 15 Ferndale Road, Southend-on-Sea, Essex, SS2 4DS in accordance with the terms of the application, Ref 20/01583, dated 26 September 2020.

Procedural matter

2. The Council's decision describes the proposal as 'erect single storey rear extension (retrospective)' and as this describes the proposal more accurately, I have used this as the basis for my decision and in the formal decision above.

Reasons

3. The main issue in this appeal is the effect of the proposed development on the living conditions of the neighbouring occupier at no 17 with regard to outlook. The development plan includes policies KP2 and CP4 in the Southend-on-Sea Core Strategy (2007) and policies DM1 and DM3 in the Council's Development Management Document (2015) which, amongst other things, seek to ensure that proposals improve the urban environment through quality design, secure a good relationship with existing development and have regard to the Council's Design and Townscape Guide SPD, protect the amenity of immediate neighbours having regard to outlook and do not lead to over-intensification.
4. The appeal site comprises an end of terrace dwelling in a terrace of three dwellings built in the inter-war period as bungalows and located within a residential area. All three dwellings have been extended to the rear with single storey extensions.
5. The extension which is the subject of this appeal is attached to the existing rear extension, projecting some 3.4m beyond that and occupying most of the width of the rear elevation. It has a flat roof, some 2.6m high and is finished

- in white upvc cladding to the side elevations and dark grey upvc cladding to the rear elevation with windows in the rear and south side elevations to match.
6. The neighbouring dwelling at no 17 also has a single storey rear extension which has a small kitchen window in its rear elevation very close to the side boundary with the appeal site. An attached conservatory has windows in the side and rear elevations.
 7. The recently erected extension at the appeal site has left only a very small gap between the extension and the side boundary fence. I viewed the appeal site from no 17 and noted that the kitchen has been knocked through to form a large kitchen/dining/living space across the rear of the dwelling with glazed French doors and a rear facing window opening onto the conservatory. The small window to which the Council's concerns relate is a secondary window which provides an outlook to one corner of the kitchen. The principal outlook is from the French doors and the other window which provide a pleasant, open outlook onto the rear garden.
 8. The new extension at the appeal site can be clearly seen above the side boundary fence from no 17 and has resulted in some change to the outlook and a slight tunnelling effect when seen from the small kitchen window. However, given the low height of its flat roof and that the window is not the principal source of outlook from that room, its impact is not unduly harmful.
 9. I am satisfied, on the basis of what I have seen, that the proposed development is acceptable in all other respects. In view of this and as the development has been completed, no conditions are necessary.

Conclusion

10. For the reasons stated above, I conclude that the proposed development has not resulted in significant harm to the living conditions of the occupiers of no 17 in terms of outlook and is in accordance with the development plan policies referred to above. The appeal is allowed.

Sarah Colebourne

Inspector