The Planning Inspectorate

Appeal Decision

Site visit made on 19 August 2021

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2021.

Appeal Ref: APP/D1590/D/21/3273803
124 Grand Parade, Leigh-on-Sea SS9 1EE

- 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 Steve Cooper against the decision of Southend-on-Sea Borough Council.
- The application Ref 20/02037/FULH, dated 26 November 2020, was refused by notice dated 2 February 2021.
- The development proposed is for a loft conversion with roof extensions and associated internal alterations.

Decision

1. The appeal is allowed and planning permission is granted for a loft conversion with roof extensions and associated internal alterations at 124 Grand Parade, Leigh-on-Sea SS9 1EE in accordance with the terms of the application, Ref: 20/02037/FULH, dated 26 November 2020, subject to the conditions in the attached schedule.

Preliminary Matter

2. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021. Whilst I have had regard to the revisions, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the changes to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site relates to a detached bungalow on Grand Parade, bounded by open space and a railway line. It forms part of a group of dwellings on the seafront looking out over the Thames Estuary. Local buildings are multifaceted, comprising chalet and two-storey development of varying style, form, design and detailing.

5. At my site visit I saw that the appeal site occupies a prominent position, and is clearly visible from the public domain around the estuary and railway line. I note the requirements of Seafront Character Zone 3, which, amongst other things, seeks to protect and enhance the open estuary views, and retain the characteristics and form of the area.

6. The roofs of the side dormer windows would be lower than the ridge line of the host property, thus creating a degree of subservience. Their design would be similar to that on other dwellings within the immediate row. These residences also contain features that would resemble those proposed by this appeal, such as upper floor balconies and roof canopies.

7. Within this context, to my mind the development would visually connect with the overall appearance of the host dwelling and the rest of the terrace, and respond to the existing form and design characteristics. I also consider that there would be no harm to open estuary views as a result of the scheme.

8. I conclude that the proposal would not result in harm to the character and appearance of the area. Consequently it would comply with the requirements of KP2 and CP4 of the Southend-on-Sea Core Strategy December 2007, policies DM1, DM3 and DM6 of the Council's Development Management Document 2015 and the Design and Townscape Guide 2009. Collectively these policies seek to ensure new development is well-designed and protects and enhances the character of the seafront. The appeal scheme would also be consistent with the Framework which states that good design is a key aspect of sustainable development.

Conditions

9. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. I have altered the wording of some of the conditions suggested by the Council in the interests of clarity and necessity. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning.

10. A condition would be necessary, in the interests of visual amenity, to ensure external materials match those used on the existing building. Obscure glazing to the windows in the east-facing dormer would protect the living conditions of the occupants of the adjacent dwelling.

Conclusion

11. The appeal should be allowed.

C Hall

INSPECTOR

Schedule of conditions

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1474 010C, 1474 011C, 1474 012D

3) The external finishes of the development hereby permitted shall match in material and colour those of the existing dwelling.

4) The windows in the east-facing side dormer hereby permitted shall be fitted with obscured glazing (to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority), and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.