
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/21/3274858

36 Fillebrook Avenue, Leigh-on-Sea SS9 3NT

- 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 Paul Miller against the decision of Southend-on-Sea Borough Council.
 - The application Ref 21/00123/FULH, dated 21 January 2021, was refused by notice dated 12 March 2021.
 - The development proposed is for a two storey rear extension, single storey side extensions and internal alterations.
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Decision

1. The appeal is dismissed.

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.
3. My attention has been drawn to previous appeals concerning the site (references APP/D1590/D/20/3244300 & 3261163). I shall have regard to this background when considering the merits of this proposal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host building and surrounding area.

Reasons

5. The appeal site consists of a two-storey, semi-detached house on Fillebrook Avenue. The surrounding area is predominantly residential in nature and comprises dwellings of various size, design and detailing.
 6. I note that the appeal proposal would be of slightly lesser bulk than both the previous schemes. Nevertheless, the rear addition at first floor level would continue to extend across the full width of the back of the property.
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7. To my mind the latest changes do not make the proposal acceptable; cumulatively the height, mass and bulk of the scheme would appear dominant and anomalous when viewed in the context of the dwellings in the surrounds. While it would not be prominent from the street, it would represent a discordant and intrusive development when viewed from adjacent garden areas.
8. I am aware that the site is not located in a conservation area and that there are no listed buildings nearby. I am also cognisant that there would be no detriment to the living conditions of the occupants of neighbouring house and the materials are proposed to match the existing building. Nonetheless, these matters do not overcome the harm I have identified.
9. I conclude that the proposal would harm the character and appearance of the host building and surrounding area. It would fail to comply with Policies KP2 and CP4 of the Southend On Sea Core Strategy December 2007, Policies DM1 and DM3 of the Development Management Document July 2015 and the Design and Townscape Guide 2009. Collectively these seek to ensure that developments respect the character and scale of the site and existing neighbourhood and maintain and enhances the character of residential areas. It would also be inconsistent with the Framework which states that good design is a key aspect of sustainable development.

Conclusion

10. Based on all the matters before me, the appeal should be dismissed.

C Hall

INSPECTOR