
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/21/3273214
30 Galton Road, Westcliff-on-Sea SS0 8LA

- 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 Dominic Schmidtchen against the decision of Southend-on-Sea Borough Council.
 - The application Ref 20/02036/FULH, dated 28 November 2020, was refused by notice dated 25 January 2021.
 - The development proposed is to reconfigure the kitchen and extend at first floor over the ground floor extension and garage, to enlarge the two bedrooms and provide an en-suite and dressing room for the master bedroom and enlarge the study to the front of the property.
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Decision

1. The appeal is allowed and planning permission is granted to reconfigure the kitchen and extend at first floor over the ground floor extension and garage, to enlarge the two bedrooms and provide an en-suite and dressing room for the master bedroom and enlarge the study to the front of the property at 30 Galton Road, Westcliff-on-Sea SS0 8LA in accordance with the terms of the application, Ref: 20/02036/FULH, dated 28 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.
3. I have been provided with plans and the Council's decision notice (ref: 20/02035/FULH) approving various elements at basement level and to the rear. It remains for me to consider the first floor side extensions and I have dealt with the appeal on this basis.

Main Issue

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

Reasons

5. The appeal site comprises a detached, two-storey dwelling with off-street parking spaces to the front, sited on Galton Road in close proximity to its junction with Chadwick Road. The surrounding area is residential in nature with no prevailing architectural style; the neighbourhood is characterised by dwellings of various size, design and detailing. The overall trend is towards the evolution of building form and appearance through the extension of houses over the years.
6. I consider that the side additions reflect the scale and proportions of the existing property. They include pitched roofs that would visually connect with the overall appearance of the dwelling, and the foremost element would be set back behind the front elevation of the host building to provide a degree of subservience. To my mind, the central, flat-roof section would provide some articulation to the flank wall without being imposing or resulting in a contrived design solution.
7. The considerable variety in the appearance of houses in the area ensures that the addition would assimilate without causing undue harm to the spatial quality of the area. Myriad roof shapes and styles are evident in the street scene, and within this context I am of the view that the scheme would not appear incongruous.
8. I therefore 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 KP1, KP2 and CP4 of the Southend-on-Sea Core Strategy December 2007, policies DM1 and DM3 of the Council's Development Management Document 2015 and the Design and Townscape Guide 2009. Taken together these policies seek to ensure new development is well-designed and maintains and enhances the character of an area. 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 Framework. I have altered the wording of some of the conditions suggested by the Council in the interests of clarity and necessity.
10. 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.
11. 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 en-suite window in the east-facing wall would prevent adverse overlooking over the rear garden areas and patios of the adjacent dwellings fronting Chadwick Road, and therefore protect the living conditions of the occupants.

Conclusion

12. For the above reasons and having regard to all matters raised, I conclude that 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: 0-001, 0-002, 1-400, 1-401, 2-400
- 3) The external finishes of the development hereby permitted shall match in material and colour those of the existing dwelling.
- 4) The window in the east-facing wall 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 that window 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.