
Appeal Decision

Site visit made on 14 September 2021

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021.

Appeal Ref: APP/D1590/D/21/3276171

146 Tankerville Drive, Leigh-On-Sea, SS9 3DD

- 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 Driscoll against the decision of Southend-on-Sea Borough Council.
 - The application Ref 21/00334/FULH, dated 16 February 2021, was refused by notice dated 1 April 2021.
 - The development proposed is demolition of existing garage adjacent to boundary and construction of new single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage adjacent to boundary and construction of new single storey rear extension at 146 Tankerville Drive, Leigh-On-Sea, SS9 3DD in accordance with the terms of the application, Ref 21/00334/FULH, dated 16 February 2021, subject to the following 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: 1510 010 Rev C.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. 1510 010 Rev C.

Procedural Matter

2. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). I am satisfied that the updates to the Framework do not materially affect its content insofar as it is relevant to the main issues of this appeal, and I am therefore satisfied that no parties have been prejudiced by my having regard to it.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the host dwelling and the surrounding area; and
 - The effect of the proposal on the living conditions of the occupiers of 148 Tankerville Drive with particular reference to outlook.

Reasons

Character and appearance

4. The appeal property is a semi-detached bungalow. The surrounding area comprises a mix of dwelling types, including bungalows, chalets and two storey dwellings.
5. The proposed extension comprises two main elements. The part of the extension which would sit nearest to the dwelling would have a pitched roof with a gable end and would be constructed in matching materials such that it would appear integrated with the host property. This extension would then be linked to a flat roof side / rear extension which would have a maximum depth of 10.3 metres. An existing conservatory to the rear and a substantial outbuilding that has a depth of 11.3 metres and sits on the boundary of the site with 148 Tankerville Drive would be demolished.
6. The proposed pitched roof extension would have a depth of just under 5 metres and would have a lower ridge height than the host dwelling such that it would appear subservient to it. The extension would have a similar appearance to that of the front projection of the dwelling (other than for its gable end) which is an original feature of the property. I am satisfied that the scale, height and design of the extension would be acceptable and that it would fully respect the character and appearance of the host dwelling.
7. The proposed flat roof extension would be of a contrasting design and would wrap around part of the side and extend to the rear of the pitched roof extension. Whilst the proposed flat roof extension would be of considerable scale, it would replace an existing outbuilding which is currently located close to the rear elevation of the dwelling and extends out into its rear garden. The flat roof extension would have a height of 3.3 metres and would sit lower than the host dwelling and also lower than the proposed pitched roof extension. The extension would be slightly higher and wider than the existing building to be demolished, but it would be positioned 1 metre away from the side boundary and it would extend into the rear garden by 1 metre less.
8. The design of the proposed flat roof extension would contrast with that of the host dwelling. However, its flat roof design and lower height would emphasise its subservience. The use of larch cladding on the rear and south elevation would also distinguish it from the main dwelling such that it would appear as a subservient addition, more akin to an outbuilding, albeit attached to the dwelling. I also consider that the use of the larch cladding would soften the appearance of the proposal and would be appropriate within its garden setting.
9. The proposed extension would be of significant size and scale, however I am satisfied that overall it would integrate satisfactorily with the host dwelling and would not overly dominate the plot which has a generous width and depth. The proposed extension would not be prominent when viewed from the street scene given its set back from the road. Having regard to the size and scale of the existing buildings to be demolished, I conclude that on balance the proposal would not result in material harm to the character and appearance of the wider garden scene where other nearby properties also benefit from rear extensions and outbuildings, albeit of a lesser scale.

10. I therefore conclude on this issue that the proposal would not have a significant harmful effect on the character and appearance of the host dwelling and the surrounding area and as such would not conflict with Policies CP4 and KP2 of the Southend on Sea Core Strategy (2007) (CS) and Policies DM1 and DM3 of the Development Management Document (2015) (DMD) as well as advice contained within the Supplementary Planning Document 1 Design and Townscape Guide 2009 (SPD) and the Framework which together seek to ensure that development is of a high quality design that respects local context and the scale, nature and character of existing development.

Living conditions

11. The proposed rear pitched roof extension to the dwelling would be set in from the side boundary of the site by about 2.8m which is a sufficient distance to ensure that it would not have any material effect on the living conditions of the occupiers of the adjacent dwelling, 148 Tankerville Drive.
12. The proposed flat roof extension would be in a similar position within the site as the existing outbuilding. The existing building has a maximum height of about 3.2 metres, with the roof sloping down to a flat roof at the rear which has a height of about 2.5 metres. It is located on the shared side boundary with 148 Tankerville Drive and given its positioning on the boundary, it is highly dominant when viewed from the garden of No 148.
13. The flat roof extension would have a height of 3.3 metres and would therefore be slightly higher than the existing outbuilding. It would however, be sited a distance of 1 metre off the side boundary of the site with No 148. The depth of the extension would also be around 1 metre less than that of the existing outbuilding.
14. Overall, whilst accepting that the extension would be higher than the existing structure, in my view, it would not be significantly more dominant or lead to any further sense of enclosure or loss of outlook given its set back from the boundary and its lesser depth.
15. Thus, I therefore conclude that the proposed extension would not have a harmful effect on the living conditions of the occupiers of 148 Tankerville Drive with particular reference to outlook. It would comply with Policies CP4 and KP2 of the CS and Policies DM1 and DM3 of the DMD as well as advice contained within the SPD and paragraph 130 (f) of the Framework which collectively seek to protect the living conditions and amenity of existing and future residents and neighbouring occupiers.

Conditions

16. In addition to the standard 3 years implementation condition, I have imposed a condition controlling materials to ensure a satisfactory external appearance. The approved plans condition is imposed for clarity.

Conclusion

17. For the reasons set out above, I conclude that the appeal should be allowed.

J Davis

INSPECTOR