
Appeal Decision

Site visit made on 28 September 2021

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 October 2021.

Appeal Ref: APP/D1590/D/21/3276626

18 Chesterman Road, Shoeburyness, Southend-On-Sea, SS3 9GA

- 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 & Mrs Marson against the decision of Southend-on-Sea Borough Council.
 - The application Ref 21/00333/FULH, dated 16 February 2021, was refused by notice dated 11 May 2021.
 - The development proposed is single storey rear extension, conversion of garage to habitable space and alterations to side elevation.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension, conversion of garage to habitable space and alterations to side elevation at 18 Chesterman Road, Shoeburyness, Southend-On-Sea, SS3 9GA in accordance with the terms of the application, Ref 21/00333/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: CR-MA-04; CR-MA-05; and CR-MA-06.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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 Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of 16 Chesterman Road, with particular reference to outlook.

Reasons

4. The appeal property is a two storey, semi-detached dwelling with a single storey conservatory to the rear.
5. The main parties have confirmed that planning permission¹ has been granted for a single storey rear extension of a similar design to the appeal proposal but with a depth of 2.7m.
6. The proposal is for a single storey rear extension with a depth of 3.6m. It would extend across the full width of the dwelling and would have a similar depth to the existing conservatory to be demolished. The extension would have a mono pitched roof with a maximum height of about 3.6 metres where it joins the rear elevation of the dwelling, sloping down to an eaves height of about 2.2 metres.
7. The rear garden boundary of the appeal property is tapered and is formed by a combination of a closed boarded fencing positioned on concrete barge boards and a brick wall. The boundary enclosures are well in excess of 2 metres, when measured from the appeal site.
8. To the rear of the appeal site is 16 Chesterman Road. The front elevation of No 16 contains ground floor windows and a door and is relatively close to the boundary with the appeal site. There is a small tree in between the front elevation of No 16 and the appeal site boundary.
9. The proposed extension would be approximately 0.9 metres deeper than the extension approved under ref. 19/01360/FULH. However, given its mono-pitched roof design and eaves height of approximately 2.2m, the closest part of the proposed extension would not be visually prominent when viewed from the front of 16 Chesterman Road due to the high boundary enclosures. In addition, views of the appeal site would also continue to be partly screened by the tree to the front of No 16. The front garden of No 16 is already has an enclosed character due to the existing boundary wall and fence. I am therefore satisfied that the proposed extension would not be dominant or overbearing and would not add further to the existing sense of enclosure to any significant extent.
10. The Council comment on the accuracy of the submitted drawings within their officer report. The proposed extension is clearly dimensioned on the proposed ground floor plan and having assessed the proposal on-site, I am satisfied that its positioning in relation to the rear boundary would not result in any material harm to the living conditions of the occupiers of 16 Chesterman Road.
11. In conclusion, the proposal would not have a significant harmful effect on the living conditions of the occupiers of 16 Chesterman Road, with particular reference to outlook. As such, it would comply with Policies CP4 and KP2 of the Southend on Sea Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015) as well as advice contained within the Supplementary Planning Document 1 Design and Townscape Guide 2009 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.

¹ LPA ref. 19/01360/FULH

Other Matters

12. The appeal site is located within Shoebury Garrison Conservation Area (CA). I am satisfied that the appeal proposal would be of an acceptable design and external appearance and would preserve the character and appearance of the CA.

Conditions

13. In addition to the standard 3 years implementation condition, I have imposed a condition requiring the extension to be constructed in matching materials to ensure a satisfactory external appearance. The approved plans condition is imposed for clarity.

Conclusion

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

J Davis

INSPECTOR