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## Appeal Decision

Site visit made on 15 October 2021

**by S Poole BA(Hons) DipArch MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 01 November 2021.**

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**Appeal Ref: APP/D1590/D/21/3279357**

**176 Burges Road, Thorpe Bay, Essex SS1 3JP**

- 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 and Mrs B Wakeling against the decision of Southend-on-Sea Borough Council.
  - The application Ref 21/00957/FULH, dated 7 May 2021, was refused by notice dated 6 July 2021.
  - The development proposed is the erection of a single storey rear extension.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The development described above has been carried out. As such this appeal relates to a planning application for retrospective planning permission.
3. In the interest of clarity and brevity I have used the description of development provided on the decision notice in the banner heading above.
4. 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

5. The main issues are the effects of the proposal on:
  - (i) the character and appearance of the host building and the surrounding area; and
  - (ii) the living conditions of the occupiers of neighbouring properties, with particular regard to outlook and natural light.

### Reasons

#### *Character and appearance*

6. The appeal property is a detached 2-storey house which is located in a residential area comprising detached houses of similar size and age. These

properties have relatively large and generally verdant rear gardens which contribute to the character and appearance of the area.

7. In 2020 planning permission was granted for a single-storey rear extension (ref: 20/00556/FULH) at the appeal property. This allowed for development along almost the entirety of the boundary shared with the next door house with a narrow area of garden retained next to the rear boundary to enable the retention of trees.
8. The appeal scheme differs from the 2020 permission in a number of respects: the prime difference being the extent of rear protrusion. The appeal scheme extends almost to the rear boundary and has resulted in the removal of the trees. The natural screening afforded by the 2020 permission has been lost and therefore the development is more conspicuous from surrounding gardens and houses. Due to its siting, height and bulk, and due to the loss of trees, the appeal scheme is an overly prominent and incongruous form of development that has an unacceptable effect on the character and appearance of the surrounding area.
9. For these reasons the appeal scheme fails to accord with Policy KP2 of the Southend On Sea Core Strategy Development Plan Document One (2007) (CS) and Policy DM1 of the Development Management Document (2015) (DMD) which require developments to respect the character and scale of the site and existing neighbourhood and maintain and enhance the character of residential areas. There is also conflict with the aims of the Council's Supplementary Planning Document 1, Design and Townscape Guide 2009 and the Framework.

#### *Living conditions*

10. The appeal scheme results in development along, and close to, the garden boundaries shared with neighbouring properties. Although it would occupy a larger footprint than the 2020 permission, and would also be slightly taller, I am satisfied that adequate levels of natural light to, and outlook from, neighbouring houses and gardens is maintained. As such the appeal scheme does not result in unacceptable effects on the living conditions of occupiers of neighbouring properties. This lack of harm does not however outweigh the clear harm identified above.
11. For these reasons the appeal scheme accords with CS Policies KP2 and CP2 and DMD policies DM1 and DM3 and the advice contained within the Design and Townscape Guide in regard to neighbours' living conditions.

#### **Conclusion**

12. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

*S Poole*

INSPECTOR