The Planning Inspectorate

Appeal Decision

Site visit made on 4 January 2022 by Thomas Courtney BA(Hons) MA

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2022

Appeal Ref: APP/D1590/D/21/3282420
10 Daines Way, Thorpe Bay, Southend-on-Sea, SS1 3PF

- 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 Melanson against the decision of Southend-on-Sea Borough Council.
- The application Ref 21/00816/FULH, dated 20 April 2021, was refused by notice dated 2 August 2021.
- The development proposed is the erection of a part two/part single storey side and rear extension with recessed balcony to rear.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a part two/part single storey side and rear extension with recessed balcony to rear at 10 Daines Way, Thorpe Bay, Southend-on-Sea, SS1 3PF, in accordance with the terms of application Ref 21/00816/FULH, dated 20 April 2021 and subject to the following conditions:

    1) The development hereby permitted shall begin no later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 20.130-01 Rev B, 20.130-02 Rev B, 20.130-03 Rev C, 20.130-04 Rev C, 20.130-05 Rev C, 20.130-06 Rev C, 20.130-07 Rev C.

    3) The extensions hereby permitted shall not be occupied until the windows within the side elevations have been fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the windows are installed and once installed the obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. In the interest of accuracy, the description of development used in the header above is based on that used on the Council's decision notice. I note also that the Appellant has used this description in their appeal form.

4. The Appellant's name as it appears in the header above differs from the name used on the application form of the original planning application. I have used the name as it appears on the appeal form, the decision notice and within the Appellant's Grounds of Appeal document.

Main Issue

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

Reasons for the Recommendation

6. The appeal site comprises a two-storey semi-detached dwelling located on the eastern side of Daines Way within an established residential area characterised by a mix of detached and semi-detached properties. The appeal dwelling features two distinctive first floor front gable dormers with steep pitched roofs which mirror the attached neighbouring property at No.8. There is therefore a strong degree of symmetry between the pair of dwellings. The appeal dwelling also features a detached side garage with a pitched roof which lies on the boundary with No.12.

7. The proposed two-storey side extension would prolong the hipped roof and include a cat-slide roof feature to the front elevation which would therefore match the existing roof form. The development would also be set-in from the boundary with No.12 Daines Way and set-back from the front building line. Given this, the side extension would appear appropriately scaled and sufficiently subservient to the host dwelling.

8. The proposed front dormer would feature a pitched roof that would accord with the style and form of the existing dormers and pitched front gable. It would be set down from the ridge, set-in from the side wall and set above the eaves in accordance with the guidance contained within the Council's Design and Townscape Guide Supplementary Planning Document (SPD). In light of this, it would respect the style and character of the principal elevation of the appeal property. It would also not appear incongruous within the street scene given the variation in scale and style of dormer windows observable on Daines Way.

9. I do not find that the proposal would unreasonably unbalance the existing pair of semi-detached properties as the roof extension would be appropriately modest in scale and match the existing roof form. The resultant dwelling would still feature the main symmetrical features which dominate the front profiles of the pair, such as the large double storey pitched roof gables. Nos. 10 and 8 would still maintain a satisfactory degree of symmetry and therefore the development would not adversely impact the character of Daines Way.

10. To the rear, the proposed single storey extension and pitched roof gable end would be adequately proportioned and would harmonise well with the form and appearance of the existing dwelling.

11. The proposal would therefore not harm the character and appearance of the host dwelling and surrounding area. In light of this, the development would not conflict with the National Planning Policy Framework (NPPF), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015), the Southend Design and Townscape Guide SPD, and the guidance contained within the National Design Guide (NDG) which together seek to ensure developments are well-designed, proportional and subservient to that of the original building, and respectful of their surrounding contexts.

Other Matters

12. I have acknowledged the neighbour's concern regarding potential overlooking from the proposed rear balcony. I consider, however, that the balcony would not directly face neighbouring gardens and would not adversely impact the privacy and living conditions of neighbouring occupants. I note there is mature vegetation along the boundaries which would provide appropriate screening. On this matter, I therefore concur with the Council who considered the proposal would be acceptable and policy compliant in terms of its amenity impacts.

Conditions

13. I have considered the Council's suggested conditions against the advice on conditions set out in the NPPF and the Planning Practice Guidance.

14. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also imposed a condition relating to the installation of obscure glazing to side windows in order to protect the living conditions of neighbouring occupiers.

Recommendation

15. The development would not harm the character and appearance of the host dwelling and surrounding area. The proposal would adhere to the development plan taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan.

16. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Martin Seaton

INSPECTOR