
Appeal Decision

Site visit made on 4 March 2022

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th March 2022

Appeal Ref: APP/D1590/D/21/3284157

19 Warrior Square Road, Shoeburyness, SOUTHEND-ON-SEA, SS3 9PZ

- 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 P Baggs against the decision of Southend-on-Sea Borough Council.
 - The application Ref. 21/01193/FULH, dated 2 June 2021, was refused by notice dated 29 July 2021.
 - The development proposed is single-storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal property and the Shoebury Garrison Conservation Area.

Reasons

3. The appeal property is one of a group of five detached dwellings built in the 1950s, located on the eastern side of the cricket square in the Shoebury Garrison Conservation Area. The Council's published Shoebury Garrison Conservation Area Character Appraisal 2004 (CAA) identifies these dwellings as originally with similar designs, and with cube-like massing. Shared design features include asymmetrical metal windows on a regular fenestration. The CAA notes that alterations have eroded the original simple design, but that the group are important to the setting of the cricket pitch and a future park.
4. Although extended and altered in various ways, this group remain cohesive, and the original "cube-like massing" has not been lost. The proposal would span the full width of the main dwelling, continuing behind a previous side extension. It would appear overly large and dominant on the dwelling, and in combination with the existing single-storey elements, the proposal would undermine the original form and architectural style of the house.
5. In dismissing a previous appeal for a two-storey extension and loft conversion¹, the Inspector noted that one of the flaws of that design was the continuation of the side walls to the rear without a step in or other articulation. This proposal would be single- rather than two-storey, but the lack of articulation on this

¹ APP/D1590/D/16/3165976 – dismissed 2 May 2017

extension would also detract from the appearance of the dwelling, albeit I accept the appellant's point that such visual break need not apply to an extension constructed as Permitted Development² (PD). I address this matter further below.

6. In addition, the CAA notes consistent architectural themes which are characteristic of the area, including large sliding sash windows subdivided with glazing bars and small panes. Specific to this group of dwellings, it highlights asymmetrical but regular fenestration. In contrast, three pairs of small-pane French doors would be replaced by four bi-fold sets that would be out of keeping with the style and more balanced proportions of the openings above. I appreciate that the existing doors and windows were installed by the appellant, but they have nevertheless reinstated characteristic fenestration at the property to the benefit of the building and the conservation area.
7. The proposal may optimise the use of the site, but it would not be of a scale that would be respectful and subservient to the original building, nor use detailing to ensure successful integration with it, as sought by Development Management Document³ (DMD) Policy DM3. As a result, it would conflict with the overarching aims of Core Strategy⁴ (CS) Policy KP2, which include seeking development that improves the urban environment through quality design, and this is reinforced in CS Policy CP4. Although the appellant considers it to be a dated document, the Council has identified advice in its Design Guide⁵ (DTG) which highlights the need for extensions to be well designed and detailed, respectful in scale, and which notes that extensions that are too large will be over dominant. I do not find this to be inconsistent with the principles set out in the National Design Guide to which the appellant refers.
8. The scale and depth of the rear extension would be apparent in views from Warrior Square Road due to the height of the existing and proposed extensions above the garage in front, and above the front boundary wall between Nos. 17 and 19. Despite the height of the rear fence and trellis, the rear of the property and neighbouring extensions can be seen from the parkland to the east, and the width and overall size of the addition will therefore be apparent in the surrounding area, if not seen in great detail.
9. The appellant advises that a smaller PD extension will be built if the appeal is dismissed. However, whilst the appellant considers that the element to the rear of the existing side extension is a small component of the overall whole, in my view it would materially add to the width and scale of the proposal, and therefore to the impact on the dwelling. The fallback of a PD extension would therefore be less harmful, and would not warrant acceptance of the appeal proposal. Reference to the potential to implement similar PD schemes at neighbouring properties are noted, but no Certificates of Lawfulness have been supplied to indicate the realistic prospect of such developments being constructed. As such, this potential offers limited support to the proposal.
10. Although other properties in this group have been extended, none appear to be directly comparable to the appeal proposal in terms of width and design. Whilst

² By virtue of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

³ Southend-on-Sea Brough Council Local Planning Framework Development Management Document 2015

⁴ Southend on Sea Core Strategy Development Plan Document One 2007

⁵ Supplementary Planning Document 1 Design and Townscape Guide 2009

they form part of the context within which the proposal would be viewed, they do not offer direct support for the form of development proposed.

11. There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising planning functions. In this context, and having regard to paragraph 202 of the National Planning Policy Framework (the Framework), I find that the proposal would lead to less than substantial harm to the significance of the conservation area, but that this harm would not be outweighed by public benefits. Whilst the proposal would improve the accommodation for current and future generations occupying the dwelling, this would be a limited benefit when weighed against the impact on the heritage asset.
12. I therefore conclude that, as a result of the scale, form and design, the proposed extension would detract from the character and appearance of the dwelling, and would not preserve or enhance the character and appearance of the Shoebury Garrison Conservation Area. This would conflict with the Framework, as reflected in DMD Policy DM5, and with DMD Policies DM3 and DM1, which amongst other criteria seeks design that adds to the overall quality of the area and respects the character of the site, its local context and surroundings in terms including architectural approach, scale, form, massing, proportions and detailed design features; and in conflict with the aims of CS Policies KP2 and CP4, and the advice in the DTG.

Other Matters

13. The appellant considers that, as a result of the Housing Delivery Test results published in February 2021, the 'tilted balance' of paragraph 11 d) of the Framework is engaged. Whilst the proposal may improve the quality of accommodation and therefore contribute positively to the Borough's housing stock, for the reasons outlined above I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the framework taken as a whole.

Conclusion

14. For the above reasons, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR