
Appeal Decision

Site visit made on 17 March 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31ST March 2022

Appeal Ref: APP/D1590/D/21/3288864
138 Hadleigh Road, Leigh-on-Sea, SS9 2LZ

- 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 G Day against the decision of Southend-on-Sea Borough Council.
 - The application Ref 21/01604/FULH, dated 31 March 2021, was refused by notice dated 20 September 2021.
 - The development proposed is to demolish existing detached garage and erect new detached garage with mezzanine level gym.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area, and upon the living conditions of neighbouring occupiers at 57 Salisbury Road with particular regard to visual impact.

Reasons

Character and Appearance

3. The appeal property is a large, detached house occupying a prominent corner location on a broadly 'wedge-shaped' site at a five-way road intersection and within a largely residential area. Despite the fairly imposing scale of the property, the rear garden is reasonably modest in size and is tightly enclosed by surrounding development. No 140 Hadleigh Road is a dwelling of similar size and age to the appeal property. It is built with its attached double garage to the front, and with living space within its roof, abutting part of the western boundary of the appeal site. To the north, the side flank wall of a single-storey garage attached to the side of No 57 Salisbury Road is built abutting part of the site's northern boundary. There is an existing, detached garage nestled in the north-west corner of the rear garden to the appeal property. This is set approximately 0.8m away from the boundary and part of the dwelling at No 140, and adjoins the northern boundary, spanning virtually the depth of the rear garden to No 57. The garage has a hipped end roof with an ornamental

gablet at the ridge level to the front and rear. It has a small side projection to the rear that runs along the boundary with No 57 with a double pitched roof over and gable end, which is integrated with the building's main roof.

4. The proposal would see the existing garage replaced with a garage/store building in a similar position but with a wider footprint, extending up to the boundary with No 140 to the west and aligning its east elevation with the existing building's modest side projection. As a result of its increased footprint and proposed first floor mezzanine gymnasium space, the roof configuration would differ from the existing with a hip at the rear, a gable to the front, and a more subservient gable to the side projecting east. The ridge height of the existing building would increase by around 0.5m.
5. Given the size and scale of Nos 138 and 140, and their relative proximity to each other, the visual associations between the amalgam of buildings is rather unusual. They do not enjoy a particularly spacious setting. Nevertheless, when seen in context along Hadleigh Road, there is a pleasing and unifying harmony to their existing arrangement and hierarchy. The dwellings both display prominent gable features but there are gradual and incremental changes to the scale of the buildings on both plots as they merge closer with each other. There is also an important unity to the architecture, not only through the use of matching materials but also in style which is typified by the roof forms and series of gablets that match across the two sites where the buildings sit near to each other. This is all key to making the unusually close relationship between Nos 138 and 140 work, without the area appearing cramped or overdeveloped. The existing garage strikes me as a well-considered component part of the scene that is clearly observed but as a subservient structure and which blends into the context of its surroundings.
6. The replacement building would be finished with materials that would match the existing and those on the parent dwelling. I recognise also that the use of contemporary glazing to the apex of the front facing gable and to the gable wall facing east would resemble the prominent two-storey gable to the front of the dwelling. However, in my assessment this would not positively reflect the nature or purpose of the proposed building as being an ancillary, residential outbuilding in a garden setting. Neither would it reflect the context within which the building would stand.
7. The increased ridge height would not, in itself, be excessive. However, the size and form of the new building's front elevation would change dramatically from the existing. Although it would clearly not be the most dominant structure in the group, the building would be seen as prominent and out of scale within its garden setting. It would compete with the scale of the residence at No 140 where the two buildings adjoin, and would disrupt the existing hierarchy and complementary architectural composition of the surrounding buildings. In this context I find that it would appear incongruous and out of keeping. This would be detrimental to the character and appearance of the area and as such I find that it would conflict with Policies KP2 and CP4 of the Southend-on-Sea Core Strategy 2007 (CS) and Policies DM1 and DM3 of the Council's Development Management Document 2015 (DMD) insofar as they all seek to ensure new development respects and maintains the character of an area by responding positively to local context. In this regard there would also be conflict with the

National Planning Policy Framework's (the Framework) objectives for achieving well-designed places.

Living Conditions at 57 Salisbury Road

8. The existing building adjoins and spans approximately the length of the side boundary to the rear garden of No 57. The roof pitches steeply away from the boundary. The replacement building would do little to alter this relationship.
9. The existing arrangement of buildings surrounding the rear garden of No 57 already sets the context for its level of enclosure. Although the ridge height of the proposed building compared with the existing would be taller, the roof would pitch away from No 57 at a similar angle and the increased height would be sufficiently distant from the boundary so as not to have any significant impact in terms of visual prominence or intrusion. I am not persuaded that there would be any increased sense of enclosure or loss of outlook to the rear of No 57. As such, I find no conflict with the aims or objectives of the Council's Design and Townscape Guide 2009. Neither do I find conflict with CS Policies KP2 and CP4 or DMD Policies DM1 and DM3 insofar as any of these seek to safeguard the living conditions and amenity of existing and future neighbouring residents. For these same reasons there would be no conflict with the Framework as it relates to this particular matter.

Other Matters

10. I have noted concerns expressed about the potential impact upon the property at 140 Hadleigh Road. There is no substantive evidence to support an assertion that the proposed building would significantly affect light penetrating the two first floor windows to the elevation at No 140 facing the appeal site. Although the ridge height of the building would increase above the height of the existing, it would also shift slightly further away from the shared common boundary. Matters that might arise relating to the party wall between these properties are not directly relevant to the planning merits of the case.

Conclusions

11. Notwithstanding my findings as they relate to the effect of the proposal on the living conditions at 57 Salisbury Road, I find that the proposed garage with a mezzanine level gym, due to its size, siting, and appearance, would be harmful to the character and appearance of the area. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR