

Appeal Decision

Site visit made on 24 May 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th June 2022

Appeal Ref: APP/D1590/D/22/3294437

53 The Ridgeway, Westcliff-On-Sea SS0 8PY

- 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 Ms Jenny Sayers against the decision of Southend-on-Sea Borough Council.
 - The application Ref 21/02379/FULH, dated 29 November 2021, was refused by notice dated 27 January 2022.
 - The development proposed is erection of second floor extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed extension had largely been constructed at the time of the inspection. As such, I have dealt with this appeal as involving an application for retrospective planning permission.

Main Issues

3. The main issues are the effect of the extension on the character and appearance of the host dwelling and surrounding area; and the effect on the living conditions of the occupiers of No 55 The Ridgeway, with regard to outlook.

Reasons

Character and Appearance

4. The appeal property is a two storey detached dwelling in a predominantly residential road of mixed property types.
 5. Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) all include requirements relating to high quality design in new development and respect for the character and scale of existing development and the surrounding area.
 6. The *Supplementary Planning Document 1, Design and Townscape Guide* (2009) (the SPD) provides more detailed guidance in support of these development
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plan policies. In particular, Policy DM1 requires that all developments should draw reference from the design principles set out in the SPD, where applicable. With regard to rear extensions, the SPD says that whether or not there are any public views, the design of rear extensions is still important and every effort should be made to integrate them with the character of the parent building, particularly in terms of scale, materials and the relationship with existing fenestration and roof form¹.

7. The extension as built is positioned on top of the two storey flat-roofed projection and in front of the box dormer, with part of the left-hand window of the dormer remaining visible. The existing two storey projection adds bulk and mass to the rear of the dwelling and the first storey element in particular, with a flat roof and no windows detracts from the built form and appearance of the main part of the dwelling. The additional storey above this adds further bulk at a higher, more prominent level and exacerbates the contrast of the flat roof with the original pitched roof form of the host dwelling and surrounding properties.
8. The depth and projection of the new element makes it particularly prominent and the lack of integration with the existing roof is highly apparent, despite the use of matching materials. In particular, the awkward relationship with the dormer, with part of this remaining visible, results in a contrived and incongruous design, which does not integrate with the host dwelling, contrary to the guidance in the SPD. Furthermore, the windows are of similar size to those on the floors below, are not aligned with them and appear incongruous in relation to the remaining visible window of the dormer.
9. The extension is visible from neighbouring gardens from which views its incongruous and uncharacteristic appearance will be readily apparent. I note the appellant's reference to similar development at The Crossways and Esplanade Gardens. However, while surrounding dwellings are of individual design and appearance, there are no visible examples of similar forms of high-level extension, with most pitched roofs unaltered from their original form. This accentuates the prominence of the extension by contrast to the unaltered roofs of other dwellings.
10. Therefore, for all the above reasons, I conclude that the extension has an unacceptably harmful effect on the character and appearance of the host dwelling and surrounding area. As such, it is contrary to Policies KP2 and CP4 of the Southend-on-Sea Core Strategy, to Policies DM1 and DM3 of the Southend-on-Sea Development Management Document, and to the SPD, as described above. It is also contrary to the National Planning Policy Framework, which promotes good design.

Living Conditions

11. The rear building line of the appeal property extends beyond that of the neighbouring property, No 55. Consequently, the depth of the extension results in an increase in the built form projecting beyond the rear of the neighbouring dwelling. No 55 includes two upper floor windows, the nearest of which appears to include obscured glass, which would mean the outlook from this window

¹ Paragraph 348.

would be unaffected. The one next to it, however, appears to have an available outlook and I note the Council's observation that this is likely to serve a habitable room.

12. I agree that the extent and position of the extension will result in a harmful effect on the outlook from this window, with the upper floor extension appearing as an overbearing feature. Given the position of the extension and neighbouring windows it would not be feasible to screen views of the extension by planting, as the appellant suggests.

13. Accordingly, for the above reasons, I conclude that the extension has a materially harmful effect on the living conditions of the occupiers of No 55 The Ridgeway. Consequently, the extension is contrary in this regard to Policy CP4 of the Southend-on-Sea Core Strategy and to Policies DM1 and DM3 of the Southend-on-Sea Development Management Document, insofar as these policies require the maintenance of good relationships with existing development and protection of residential amenity. Policies KP1 and KP2 of the Core Strategy are less relevant to this issue in my reading of them.

Other Matters

14. I have had regard to the representation made by an interested party. Views from the windows in the extension would be at the same height as those previously available from the dormer. As such, there would be no material change to the available views with regard to the privacy of neighbouring occupiers.

Conclusion

15. For the reasons given it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR