
Appeal Decision

Site visit made on 12 July 2022

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2022

Appeal Ref: APP/D1590/D/21/3283605
45 Olivia Drive, Leigh-on-Sea, SS9 3EF

- 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 J Bates against the decision of Southend-on-Sea Borough Council.
 - The application Ref. 21/01171/FULH, dated 28 May 2021, was refused by notice dated 13 July 2021.
 - The development proposed is hip to gable with accommodation in roof area and reconfiguration of front and rear elevations.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form a different wording has been entered, but as the parties have not provided written confirmation that a revised description of development has been agreed I have used the one given on the original application.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal property and the wider street scene.

Reasons

4. The character and appearance of Olivia Drive is mixed, with no defining scale or design of buildings, including roof forms. The appeal property is a detached single-storey dwelling set within a stretch of bungalows, with chalet-style and two-storey housing elsewhere in the road. The plot is wider than some in the vicinity, and the building occupies its full width, with garages¹ either side of the main dwelling built up to the flank boundaries.
5. This arrangement is not typical in the street scene, with most properties retaining at least one pedestrian width gap to a side boundary, and some having gaps wide enough to access rear garaging or parking spaces. Within this reasonably tight-knit residential street these gaps make a positive contribution.

¹ A submitted floor plan indicates that one of the garages has been converted to a studio and utility room, but for the purposes of this decision I shall refer to them both as garages.

6. Despite occupying the full width of the site, the existing property appears modest in scale when viewed from Olivia Drive as a result of its hipped roofed 'core'. The extensive depth of the building is little perceived from the front, being largely screened by the main dwelling and garages. The fully hipped roof design and low height of the garages means that there is a sense of space between the roofs of the appeal property and neighbouring bungalows.
7. Policy DM3 of the Council's Development Management Document² (DMD) expects building additions to make a positive contribution to the character of the original building and to adopt a scale that is respectful and subservient to it, and to the surrounding area. This corresponds with DMD Policy DM1, which advises that to reinforce local distinctiveness, development should add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms including architectural approach, size, scale, form, massing, and proportions.
8. Against this background, the proposed roof alterations would be significant relative to the scale of the original dwelling. The extension of the roof over both side garages would create a more intrusive building in the street scene, and made more so by the additional bulk of the dormers and the large front gable. Although designed with pitched roofs, the dormers would occupy much of the front roof slope, and the double-pitch design of the northern dormer would do little to mask its width and scale. The proximity of the dormers to the proposed front gable would also create an unduly cramped arrangement.
9. Although front gables are found on properties throughout Olivia Drive, none appear to be as wide or dominant as proposed in this case. The visual impact of this feature would be increased by the inclusion of first-floor doors and a Juliet balcony, which is not a feature of the more traditionally-designed front elevations of other dwellings in the vicinity. In addition, although many nearby porch canopies are supported on posts, these are generally minor features on the dwellings. In contrast, the projecting first-floor gable supported by columns would be a more prominent and incongruous detail. Rather than being a key architectural feature to provide a focus to the redesigned property, I consider that it would create a cluttered arrangement with the existing bay which currently adds interest to the dwelling.
10. Cumulatively, the extensive additions to the property and the reduction in the space between buildings at roof level would make it appear overly large on the plot and in the street scene, sitting as it does between dwellings of more modest size and scale. I appreciate that the height of the resultant dwelling would be consistent with neighbouring properties but neither that nor the half-hipped gables would offset its significant increase in bulk. The development would appear neither respectful nor subservient to the original dwelling. I note the appellant's view that there is no architectural feature proposed on the appeal scheme which is not evident in one context or another in the varied street scene, but I consider that combining all of these elements into one property would appear incongruous in that street scene.
11. The rear gable and dormer windows would add to the bulk of the building, but they would have less impact on the street scene, and in isolation would be acceptable. Moreover, the rear Juliet balcony would be similar to others visible on nearby rear dormer windows.

² Southend-on-Sea Borough Council Local Planning Framework Development Management Document 2015

12. The appellant has drawn attention to the varied juxtaposition of dwellings in the street scene, and I agree that there is variety. However, none appear directly comparable in terms of context. The appellant has identified other roof developments in the vicinity, but no planning permissions for those alterations have been supplied. As such, I cannot gauge their similarity to the proposal, as I do not know whether they required and obtained express planning permission, nor the planning policies against which they were assessed.
13. The appellant advises that a hip-to-gable enlargement of the roof could be constructed as Permitted Development (PD). In the absence of details of the original extent of the dwelling, I cannot be sure that a hip-to-gable extension of the scale proposed could be constructed without the need for express planning permission. In any event, as the appellant accepts that the proposed dormer windows would not be PD, the 'fallback' position would be significantly less in its impact than the appeal proposal. As such, this offers limited support to the proposal.
14. I note the appellant's view that the 'tilted balance' set out in paragraph 11 d) of the National Planning Policy Framework (the Framework) is engaged. I agree that this is not a conventional engagement of the balance, but in any case, I consider that the adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits of improving the quality of the accommodation for the appellants and future residents, and improving the housing stock and the fluidity of the housing market.
15. I therefore conclude that as a result of its scale, form and design features, the proposal would detract from the character and appearance of the appeal property and the street scene, contrary to the overarching design aims set out in Core Strategy³ Policies KP2 and CP4, DMD Policies DM1 and DM3, and advice in the Council's Design and Townscape Guide⁴ (DTG), which requires proposals for additional roof accommodation to respect the style, scale and form of the existing roof design. I note the appellant's view that the DTG pre-dates the Framework by some margin, but as national policy places an emphasis on achieving well-designed places, I find no conflict with the Council's guidance.

Other Matters

16. I note the objections submitted which included the effect of the proposal on the amenities, access to light and privacy for adjacent residents. However, I share the Council's assessment that, due to the separation distance and relationship with its immediate and other neighbouring dwellings, the proposal would not result in material harmful impacts. However, this does not alter my conclusion about the visual harm that would arise.

Conclusion

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

H Lock

INSPECTOR

³ Southend-on-Sea Borough Council Local Development Framework Core Strategy Development Plan Document One, 2007

⁴ Supplementary Planning Document 1, Design and Townscape Guide 2009