



Appeal Decision

Site visit made on 22 September 2022

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2022.

Appeal Ref: APP/D1590/D/22/3297560

69 St Andrews Road, Shoeburyness, Southend-on-Sea, SS3 9JL

- 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 David Shindler against the decision of Southend-on-Sea Borough Council.
 - The application Ref 21/02533/FULH, dated 23 December 2021, was refused by notice dated 11 February 2022.
 - The development proposed is the erection of part single/part two-storey side and rear extension, install juliette balconies to rear, alter elevations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on the character and appearance of the host property and the wider street scene, and upon the living conditions at 67 St Andrews Road, with particular regard to visual impact.

Reasons

3. The appeal property is one of two pairs of originally similar, two-storey semi-detached dwellings adjacent to each other (Nos 63-69 odd) within a residential area comprising properties of mixed types, sizes, ages and designs. The appeal property has an 'L-shaped' footprint with a forward projecting two-storey gable to the outside edge of the building. This original arrangement is mirrored by the attached property at No 67, but which has been extended to the side and up to the common boundary with No 65 with a two-storey, flat roof extension. No 65 has been extended in a similar way such that the original gap between the semi-detached pairs has been lost.
4. The proposal includes a side and rear extension that would project up to the common shared boundary with No 71 at single-storey, with the first-floor set in by 0.8m. This would project and wrap partially beyond the dwelling's rear elevation by 4.0m, with a further single-storey extension across the remaining width of the plot up to the shared side boundary with No 67.

Character and Appearance

5. The Council is concerned that the side extension would be an over-dominant addition that would remove the property's original feature chimney and which would unbalance the appearance of the semi-detached pair. However, it would be recessed behind the front gable by around 1m and its hipped roof would fully integrate with the existing. Having regard to the changes that have occurred to the sides of Nos 67 and 65, I could identify little significance to the original symmetry of these semi-detached pairs, which has been lost.
6. I note that the Council's *Design and Townscape Guide 2009 Supplementary Planning Document 1* advises against narrowing a side extension at first-floor level. However, I saw this to be a feature that has been successfully adopted on other properties along St Andrews Road without causing any visual harm, including immediately opposite the appeal site at No 74. The set-back in this instance would simply mirror other examples whilst maintaining a degree of separation at first-floor level with the detached property at No 71 that would be in-keeping with and reflective of the irregular spacing between properties that is established within the street scene.
7. Overall, I am satisfied that the size, siting and appearance of the side extension would appropriately respect the character of No 69 and the context of its setting within the street scene. There would therefore be no harm to the character or appearance of the area and no conflict with Policies KP2 and CP4 of the Southend-on-Sea Core Strategy 2007 (CS), or Policies DM1 and DM3 of the Council's Development Management Document 2015 (DMD) in this regard.

Living Conditions at No 67

8. To the rear, neither the appeal property nor No 67 has been extended in the past. The rear gardens to these two properties are fairly open and separated from each other by an approximate 1.5m high timber panelled fence. The single-storey extension would project 4m deep along the boundary with No 67 and to a height of 3.2m, well above the height of a typical residential garden enclosure. Due to its height, depth and proximity, I find that the rear extension would impose itself on the outlook from the immediately adjoining living space, and from the rear garden area closest to the rear elevation of No 67, as a visually dominant and overbearing presence.
9. I note that the neighbours have expressed their support for the proposal but I share the Council's concern that the single-storey rear extension would appear visually imposing and harmful to the living conditions of the adjoining occupiers. By failing to maintain the residential amenities of the area generally, and by explicitly failing to protect the amenities of the adjoining neighbours through a form of development that would have a negative response to its immediate context, the proposal would be contrary to CS Policies KP2 and CP4, and DMD Policies DM1 and DM3. In this regard it would also conflict with the National Planning Policy Framework's objectives for achieving well-designed places where it requires development to create a high standard of amenity for not only existing but for future users as well.

Other Matters

10. I have noted the concern expressed by the neighbours to the opposite side at No 71. The Council has referenced in detail the side facing windows to No 71 within the officer's report. From what I observed during my site visit I have no reason to consider the arrangement to be any different. There is no

substantive evidence before me to suggest that levels of daylight would be materially affected within any habitable spaces at No 71.

11. No 71 has a single-storey, lean-to projection to the rear and nearest to the shared side boundary with the appeal site. The extension to the rear of No 69 would project beyond this but not to a degree that would impact upon outlook from the nearest rear facing windows at No 71, or which would visually dominate the immediately adjoining garden area. In common with the Council's conclusions, I am satisfied that there would be no harm to the living conditions at No 71.
12. The appellant has listed numerous examples where planning permission has been granted for a variety of extensions to other properties within the borough. However, I have no detailed information to demonstrate how these may be relevant to the main issues in this case. In any event, I have considered the appeal on its own merits.

Conclusion

13. Notwithstanding my findings as they relate to the effect of the proposal on the character and appearance of the area, I find that there would be unacceptable harm to the living conditions at 67 St Andrews Road. Accordingly, and notwithstanding the other expressions of support for the proposal, which I have noted, I conclude that the appeal should be dismissed.

John D Allan

INSPECTOR