



Appeal Decision

Site visit made on 19 September 2023

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9TH November 2023

Appeal Ref: APP/D1590/D/23/3325319

518 Woodgrange Drive, Southend-on-Sea SS1 3EL

- 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 Blacker against the decision of Southend-on-Sea Borough Council.
 - The application Ref 23/00725/FULH, dated 28 April 2023, was refused by notice dated 27 June 2023.
 - The development proposed is described as 'first floor rear extension, raise garage roof, reinstate boundary wall, solar panels.'
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Decision

1. The appeal is allowed and planning permission is granted for first floor rear extension, raise garage roof, boundary wall and solar panels at 518 Woodgrange Drive, Southend-on-Sea SS1 3EL in accordance with the terms of the application, Ref 23/00725/FULH, dated 28 April 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2022/03/518WD Sheet 01 of 06, 2022/03/518WD Sheet 02 of 06, 2022/03/518WD Sheet 03 of 06, 2022/03/518WD Sheet 04 of 06, 2022/03/518WD Sheet 05 of 06 and Flood Risk Assessment.

Preliminary Matters

2. Reasons for refusal 1 and 2 relate to an outbuilding and boundary wall. The Council raise no objection to the proposed extensions and alterations to the dwelling. Based on my site visit and the evidence before me, I have no reason to reach a contrary conclusion to the Council on this matter.
3. The appellant has submitted a Flood Risk Assessment (FRA) and further information on flood risk as part of their appeal. The Council has been given the opportunity to comment on this additional information and considers it to be acceptable and addresses its concerns in respect to reason for refusal 3.

Main Issue

4. The main issue is the effect of the proposed garage roof and boundary wall on the character and appearance of the area.

Reasons

5. The appeal property is a large, detached dwelling that occupies a corner plot. The immediate area is characterised by two storey, detached dwellings. Vehicular access is available to the rear of the site from Wyatts Drive. There is a small, brick built outbuilding near the rear boundary of the appeal site, which has an area of hardstanding and a car port in front. Attached to the brick outbuilding is a glazed, flat roof outbuilding and a log cabin. There is a close boarded fence that runs along the boundary of the site with Wyatts Drive.
6. The proposal seeks to provide a pitched roof for the existing outbuilding and new garage door. Solar panels are proposed on the south facing roof slope. The eaves height and pitch of the roof would match that of the neighbour's garage located immediately to the south of the site. However, the ridge height would be higher than the neighbour's garage due to the fact that the appeal outbuilding is wider than the neighbour's garage.
7. While the proposed roof alterations would make the outbuilding more visible from the public realm, given the fact that the outbuilding is set back in its plot behind an open car port and set back behind the front elevation of the neighbour's garage means that the proposal would not appear unduly prominent within the street scene. The proposed garage would remain subordinate in terms of its size, height and scale to the host dwelling. The provision of a traditional pitched roof, with plain tiles would be compatible with other development in the street scene and would preserve the character and appearance of the area. The footprint of the outbuilding would remain unchanged and consequently the proposal would have no impact on the urban grain of the area.
8. The proposal seeks to replace the existing close boarded fence with a brick wall. While it appears from the evidence before me that the proposed brick wall would be higher than the existing fence, it would not be significantly higher nor appear unduly prominent in the street scene. The proposed brick wall would be more aesthetically pleasing and comprise of higher quality materials than the existing close boarded fence. Brick walls are characteristic of the area and I do not consider that the proposal would appear out of character in the locality.
9. For the reasons given above, I conclude that the proposed development would preserve the character and appearance of the area. The proposal would therefore comply with Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (CS) December 2007 and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (DMD) July 2015. These policies among other things seek to secure high quality design that respects the character and scale of the existing neighbourhood. Furthermore, the proposal would comply with the Council's Design and Townscape Guide Supplementary Planning Document 1, 2009, which among other things seeks that new development integrates well with existing buildings and that any form of enclosure is of high quality.
10. The proposal would also accord with the National Planning Policy Framework, which seeks to achieve well-designed places and requires that development is visually attractive and sympathetic to local character, including the surrounding built environment.

11. Although the Council's first and second reasons for refusal reference the National Design Guide, it is unclear from the evidence before me where the conflict with this guidance arises and I have therefore not considered this guidance further.

Conditions

12. In addition to the standard time limit condition and in the interests of certainty, I have included a condition requiring that the development is carried out in accordance with the approved plans and FRA. An external materials condition is not required as the materials are specified on the plans. As the proposal only seeks to alter the roof of an existing outbuilding, it is not deemed necessary or reasonable to restrict occupation of this outbuilding for purposes incidental to the enjoyment of the principal dwelling.
13. Given the distance from the boundary of the proposed door on the side elevation of the first floor rear extension and the fact that occupants of the dwelling can utilise the existing balcony, the proposal would not result in a greater level of overlooking to the neighbouring property than exists at present. Consequently, an obscure glazing condition for this proposed door is not deemed necessary. Furthermore, the proposed development would not result in any greater noise disturbance to neighbouring properties than exists at present. As a result, a noise condition is not necessary.

Conclusion

14. For the reasons given above, having regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed, subject to conditions.

A James

INSPECTOR