



Appeal Decision

Site visit made on 12 December 2023

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 28.12.2023

Appeal Ref: APP/D1590/D/23/3327879

190 Maplin Way, Thorpe Bay, Southend-on-Sea, SS1 3ND

- 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 Andrew Aldridge against the decision of Southend-on-Sea City Council.
 - The application Ref 23/00677/FULH, dated 20 April 2023, was refused by notice dated 3 July 2023.
 - The development proposed is to erect a single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey side extension at 190 Maplin Way, Thorpe Bay, Southend-on-Sea, SS1 3ND, in accordance with the terms of the application, Ref 23/00677/FULH, dated 20 April 2023, and the plans submitted with it, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The roof of the development hereby approved shall not be used as a balcony, roof garden or terrace or for any purpose other than for maintenance, or to escape in the event of an emergency.
 - 4) The extension hereby permitted shall not be used at any time other than for purposes directly ancillary to the enjoyment of the residential use of the dwelling at 190 Maplin Way and shall not be used as an independent residential unit.
 - 5) Prior to any development above slab level, notwithstanding the details shown on the approved plans, details of the window in the front elevation of the extension and of the rooflights shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be completed in accordance with those approved details.

Main Issue

2. The main issue in this case is the effect of the proposed development on the streetscene and the location more widely.

Reasons

3. The appeal site is a two storey, detached dwelling on the eastern side of Maplin Way, at its junction with Delaware Road. It has an angled front garden where it is set back behind a splay to Delaware Road, mainly grassed and crossed with footways. The appeal dwelling is also set back from its immediate neighbour to the south. The surrounding area is predominantly residential, with the east side comprises detached and semi-detached houses of a variety of size and design, while the west side of Maplin Way comprising largely of detached and semi-detached bungalows. To the north of the site is Thorpedene Clinic and former library, on the other side of Delaware Road, which appears to be disused at present and has a rather rundown appearance. To the rear of the appeal property, and beyond Thorpedene Clinic, Delaware Road initially is fronted with flatted development of two and three stories.
4. The proposed single storey side extension would have a flat roof and would be set in some 1m from the northern side boundary which fronts Delaware Road. It would be set back some 0.5m from the dwelling's main front building line. Windows are proposed in the front, rear and side elevations and a door is proposed in the side elevation. The extension would have an open-plan lounge, small kitchen and bedroom space and a shower-room. As well as having independent access by way of the door in the flank elevation, it is shown to have access to and from the house by way of a door from the main lounge and also from the conservatory at the rear of the house.
5. The effect of the extension on the streetscene and the location more widely would be diminished considerably by the wide splay at this road junction, the set-back of the appeal property and the set-back of the extension itself. The extension would clearly be seen to be subordinate to the dwelling, which would also help to minimise its effect on the streetscene. The flat roof would not be an entirely novel feature in this location, since the neighbouring detached house, at No.188, has a large 2-storey flat roofed structure on its southern side, comprising 2 rectangular elements, with the top one set-in somewhat from the curtilage boundary. This development has the appearance of being built recently, and is in a modern idiom contrasting with the northern part which may not be as recent.
6. There is criticism in the officer's report of the window in the front elevation of the appeal proposal, in as much as it is mis-aligned with the windows in the existing front elevation, although the design of the window otherwise accords with them. There does not seem to be any logic to this because the floor level of the extension would be the same as the existing ground floor, to provide step-free access between the two. It appears to me that this could be dealt with by way of a condition, and the appellant has indicated a willingness to make the amendment. At the same time, the rather stark appearance of the parapet around the roof could be relieved by making a feature of the roof lights in some form of 3-dimensional construction that would be visible in the streetscene. Again this could be dealt with by a condition that would require the details of the rooflights to be agreed by the council, which could result in agreement to follow this suggestion or to maintain the submitted form.
7. As can be seen from the description of the extension given in paragraph 4 above, it appears to provide an annexe to the house. The appellant explains that it would provide disablement adaption for a family member living at the

property. The single storey extension is to provide ground level facilities that can be accessed at one level and, it is hoped, avoid the need for a care home. I am told that the existing property has split level flooring which leads to difficulties. The side door into the extension would allow easy access for carers without disturbance to the main dwelling. Support for this accommodation is shown in a report by an occupational therapist.

8. This is a material matter, with the National Planning Policy Framework paragraph 62 referring to the housing need for different groups in the community, including older people and people with disabilities. This is in the context of delivering a sufficient supply of homes through planning policies, but it seems to me that it has relevance to the provision on an individual basis. Self-provision should surely be supported. This is not an overriding factor, but does lend support to the proposal.

Conclusions

9. Drawing these matters to a conclusion, I find that the location of the appeal site on an open junction, with the existing dwelling set back behind a wide grassed verge and in relation to its next-door neighbour, and the subordinate nature of the extension, which all lead to the conclusion that the extension would be seen as an incidental element in the streetscene. As a result it would not be harmful to the streetscene or the general location.
10. Furthermore, the small factors that might make it more apparent to the eye, such as the poor relationship of the fenestration between the extension and the existing house is a matter of easy resolution as already mentioned.
11. For these reasons the design and siting of the extension would not disrupt the established pattern of development and would not represent an unacceptably visually dominant and incongruous addition to the streetscene and the open, spacious nature of its setting and the locality more widely. Therefore the appeal will be allowed.

Conditions

12. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested a number of conditions in the event that the appeal is upheld. I have considered these in the light of Planning Practice Guidance.
13. The suggested conditions are that the external materials shall match those used in the existing building; that the development shall be carried out in accordance with the approved plans (this can be dealt with in the text of the permission); that the roof of the development shall not be used as a balcony, roof garden or terrace or for any purpose other than for maintenance or to escape in the event of an emergency; and that the extension shall not be used for purposes not directly ancillary to the enjoyment of the existing dwelling and shall not be used as an independent residential unit.
14. I consider that these conditions are necessary for the satisfactory appearance of the development; for certainty and avoidance of doubt as to the development permitted; to protect the privacy and environment of people in vicinity; and to enable the Local Planning Authority to maintain control over accommodation not designed to be separately occupied that otherwise could

cause a loss of residential amenity and would increase the demand for car parking on site that is not catered for.

15. In addition I will impose conditions requiring the approval by the Local Planning Authority of details to be submitted concerning the front window in the extension and the nature of the roof lights. These are necessary for the reasons that I have given in paragraph 6 above.

Terrence Kemmann-Lane

INSPECTOR