



Appeal Decision

Site visit made on 26 February 2024

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 19.03.2024

Appeal Ref: APP/D1590/D/23/3330586

49 Olivia Drive, Leigh-on-Sea, Essex 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 Brian Brierley against the decision of Southend-on-Sea City Council.
 - The application Ref 23/01175/FULH dated 11 July 2023, was refused by notice dated 2 October 2023.
 - The development proposed is erect hip to gable end roof extension with dormer to rear to convert loft into habitable accommodation, erect single storey rear extension, porch to front and alterations to side elevations (part-retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for hip to gable end roof extension with dormer to rear to convert loft into habitable accommodation, erect single storey rear extension, porch to front and alterations to side elevations at 49 Olivia Grove, Leigh-on-Sea, Essex SS9 3EF in accordance with the terms of the application, Ref 23/01175/FULH, dated 11 July 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 development hereby permitted shall be carried out in accordance with the following approved plans: DWG-BB-490D-00A - Site Plan; DWG-BB-490D-08 - Proposed ground floor Plan; DWG-BB-490D-09 Revision C - Proposed First Floor Plan; DWG-BB-490D-10 Revision C - Proposed Elevations; DWG-BB-490D-11 Revision C - Proposed Elevation.

Preliminary Matters

2. During the determination of the application, the council changed the description of development to include further detail of what was proposed (and would require planning permission). I have therefore used the description of development on the decision notice for accuracy.

Reasons

3. The main issue is the effect of the appeal proposals on the character and appearance of the host dwelling and wider area.
4. Olivia Drive is a suburban residential street of predominantly semi-detached and detached bungalows and chalet bungalows with a smaller number of 2 storey houses, set behind small front gardens and driveway car parking. There is considerable variety in the range and size of dwellings along the street and many have undergone significant alteration and extension. Houses and their rear gardens along Scarborough Drive back on to the gardens of Olivia Drive.
5. The appeal property, No 49 is a detached bungalow. At the site visit, I could see that construction was underway and the roof had been substantially removed. It is flanked by an existing bungalow as well as a 2 storey house, which has had a loft conversion.
6. As well as enlarged ground floor accommodation, the proposals will result in habitable accommodation being added via a loft conversion, to create a master bedroom, bathroom and study.
7. From the submissions, it appears that the council are satisfied with the proposed porch, single storey rear extension and the hip to gable roof design and I agree with them.
8. Policy DM1 (Design Quality) of the Southend-on-Sea Development Management Document (2015) (DMD) requires development to add to the quality of an area through its design approach including scale, massing, height, form, materials and proportions.
9. At para 2.49 of Policy DM3 (The Efficient and Effective Use of Land) of the DMD it states that '*a poorly designed addition can easily destroy the original character*' of a building.
10. The Southend-on-Sea Design and Townscape Guide (2009) (SPD) provides guidance on rear extensions and goes on to explain how this can be achieved – through dropping the ridge line of an extension roof for instance.
11. I can see that the appellant has made amendments to the proposals, reducing the scale of the rear box dormer which is, as presented, set below the ridge and 0.5m away from the edge of the roof.
12. At the site visit, I observed that a significant number of box dormers had been added to neighbouring 2 storey houses and the appellant considers that these form part of the character of the area now. The council disagree with this and argue that some of the examples provided by the appellant may be unauthorised. No evidence has been put before me that would indicate that the council have or intend to take enforcement action in this respect.
13. Whilst I note and have considered what both parties have said in this regard, I have determined this appeal on its own merits.
14. The proposed rear box dormer will exceed the volume allowable under permitted development. However, it would be difficult to see from the public domain and I am not persuaded that it would result in harm to the street scene. The intervisibility between the appeal property and its neighbours to the rear is limited by vegetation, and together with around 37m separation

distance to the rear of properties along Scarborough Drive, I do not consider that the box dormer would result in undue harm to the character of the wider area.

15. The introduction of the dormer would significantly alter the rear elevation of the bungalow, but given this would be at first floor level, its impact would be very limited. I do not agree with the council that the design would, overall, justify a refusal in this case.
16. Having regard to the lack of visibility of the proposed rear dormer from the street, the mixed residential character of the wider area and the reduced scale of the dormer, I do not find that the proposals would result in harm to the host dwelling, the street scene or wider area. I therefore consider the proposals to accord with policies DM1 and DM3 of the DMD as well as the relevant parts of the SPD.

Reasons

17. I have added a planning condition setting out the timescale for the development (1) for certainty, as well as conditions requiring that materials match the host dwelling (2) and ensure that the development is constructed in accordance with approved plans (3) in order to protect the character and appearance of the area.

Conclusions

18. For the reasons given and having regard to all other matters raised, the appeal is allowed, subject to the conditions set out above.

Sian Griffiths

INSPECTOR