



Appeal Decision

Site visit made on 21 May 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 05.06.2024

Appeal Ref: APP/D1590/D/24/3337346

65 Thorpe Bay Gardens, Thorpe Bay, SS1 3NP

- 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 and Mrs Raja against the decision of Southend-on-Sea City Council.
 - The application Ref 23/01323/FULH, dated 10 August 2023, was refused by notice dated 3 November 2023.
 - The development proposed is hip to gable roof extensions to front and rear and dormer to front to form habitable accommodation in the loft space, erect part single/part two storey rear extension and two storey front extension, form balcony to second storey front, form and extend first floor balconies and alter elevations.
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Decision

1. The appeal is allowed and planning permission is granted for hip to gable roof extensions to front and rear and dormer to front to form habitable accommodation in the loft space, erect part single/part two storey rear extension and two storey front extension, form balcony to second storey front, form and extend first floor balconies and alter elevations at 65 Thorpe Bay Gardens, Thorpe Bay, SS1 3NP in accordance with the terms of the application, Ref 23/01323/FULH, dated 10 August 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 used on the external surfaces of the development hereby approved shall be those shown on the plans and specified on the application form.

Preliminary matters

2. The application form described the proposed development as "Proposed part front and rear extensions with revised front terrace and piers. Revised roof to provide second floor accommodation and general alterations to the façade and internal layout of the building". The council changed this to the description used in the heading above, as did the appeal form. I have adopted it as it more clearly identifies the development proposed.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the appeal dwelling, and the street and rear garden scenes.

Reasons

4. The appeal site is a hipped roof two-storey detached dwelling. The area is residential in character consisting of mainly large two-storey dwellings of varying scale, form and design. The houses in Thorpe Bay Gardens are all situated on the north side of the road, and overlook open space and the estuary to the south. Unsurprisingly, since the outlook is across the Thames Estuary, many of the houses have balconies on the front elevations. Some of these cross the whole of the frontages, and some are at second-floor level as well as first-floor. Whilst the houses are mainly two-storey, there are a number that have accommodation in the roof, making them clearly of three-stories.
5. As will be seen from the description of the proposed development in the banner heading at the top of this decision, the appeal proposals are quite extensive. The existing hipped roof two-storey projection to the front would be altered in scope, its terrace would be infilled and its roof enlarged to form accommodation at roof level. The two-storey enlargement would have a gabled roof. The eaves level of the projection at first-floor would be increased in height from 5.2m to 5.7m to form a flat roofed addition with a balcony above. A balcony would be formed at first-floor level that would run across the front of the house. The roof of the extension would enclose the upper balcony. A flat roofed dormer is proposed to the front elevation.
6. The roof to the rear would be altered from a hipped roof to a crown roof with a projecting gable end as part of a two-storey rear extension. The extension would have windows at first and second floor levels. A flat roofed single storey extension is proposed on the two-storey addition, having bifold doors to the rear. A further single storey flat roofed addition is proposed up to the western flank of the main dwelling. It is also proposed to extend the depth of an existing rear conservatory by 1m.
7. Having set out the main components of the proposal, as far as the streetscene is concerned, the fact is that these all would essentially take place within the existing form of the front elevation. Certainly there is a substantial new feature where the first floor forward-projecting element is raised, and a sizeable dormer takes the place of its hipped roof. There is also an additional dormer in the main roof to the right. The balcony across the front of the house would extend forward, supported on columns. But the ridge height would remain the same, as would the width of the dwelling.
8. As I have described in paragraph 4 above, Thorpe Bay Gardens is characterised by large, mainly two-storey, hipped roof dwellings, which are generally individual in their design. There is degree of consistency in scale, and use of brick and render and detailing which helps give the street its distinctive character. Within this generality, there are a number of examples of forward-facing gables, whilst examples of houses which clearly have a third floor are also evident. These include houses which appear to be of recent construction or modification. If there is a single characteristic to describe the houses Thorpe Bay Gardens, it is individualistic.
9. The result of these considerations is that, in terms of the character and appearance of the existing dwelling and the streetscene, the house would remain what it is now, an individualist dwelling that would not be at odds with the scale and character of the generality of the development on Thorpe Bay Gardens.

10. I have said little about the rear elevation which would exhibit a marked change in as much as a just off-centre gable would become the dominant feature. However, the officer's report examines the relationship with surrounding properties and concludes that there would be no undue loss of amenity. I have no reason to conclude that the rear elevation of the proposal would have a material detrimental effect on neighbours' amenity or the rear garden scene.

Conclusions

11. In light of the matters that I have dealt with above, I conclude that there would be no detrimental effect from the proposed development on the character and appearance of the applicant dwelling, or the street and rear garden scenes.

Conditions

12. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested 2 conditions in the event that the appeal is upheld. The first is materials to match the existing, and the second is compliance with the plans. I consider that, since there is some variation in the proposals with materials that are not found on the present dwelling, the correct condition is to require that the materials be those shown on the plans and specified on the application form. This is to ensure that the appearance of the development permitted integrates with the existing in a visually satisfactory manner. Compliance with the plans is required for certainty and avoidance of doubt as to the development permitted, but this can be included in the text of the permission itself.

Terrence Kemmann-Lane

INSPECTOR