



Appeal Decision

Site visit made on 11 June 2024

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 2nd July 2024

Appeal Ref: APP/B1550/D/24/3339940

46 Hambro Avenue, Rayleigh, SS6 9NJ

- 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 T Aldridge against the decision of Rochford District Council.
 - The application Ref 23/00877/FUL, dated 13 October 2023, was refused by notice dated 8 December 2023.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the visual impact of the proposal on the host dwelling and the surrounding character and appearance of the area.

Reasons

3. The appeal dwelling is sited on the northwest side of Hambro Avenue. It is a two-storey detached house of exposed brick facing material with a gabled roofed. The existing streetscene features dwellings of varied form and design as there is a mix of detached and semi-detached two storey dwellings and bungalows. There is little terracing and coalescence of buildings within the streetscene as generally there is at least side access if not space to the plot boundaries at first floor level.
4. The proposal is to erect a two-storey side extension that would project to the side boundary but would be stepped in marginally from the front and rear elevation of the dwelling, with a depth of 6m. The extension would have a height of some 6.3m to the ridgeline of its gabled roof with the same angle as the existing roof.
5. Starting with the development plan policies, Policy DM1 of the Development Management Plan (2014) seeks a high standard of design requiring that developments promote the character of the locality to ensure that development positively contributes to the surrounding built environment. Part (ix) of this policy specifically relates to the promotion of visual amenity. In addition there is detailed advice and guidance in Supplementary Planning Document 2- Housing Design (SPD2), as well as to the Essex Design Guide.
6. SPD2 advises that extensions to dwellings should be harmonious in character, scale, form and materials used in external construction with the existing

dwelling. SPD2 and Policy DM1 both encourage extensions to be of a scale and appearance suitable for the locality and discuss the importance of visual amenity. SPD2 6.2 (e) also emphasises that first-floor side extensions should maintain a minimum of 1m separation with the flank boundary to prevent coalescence of dwellings in the streetscene.

7. Hambro Avenue is certainly a street where dwellings generally have little space between them, and that fact is reflected in its character. However, there is barely an example of 2-storey elements being built right up to the plot boundary. There are a number of examples where there are single storey elements that extend to the boundary, but these still provide strong visual separation with clear space at first floor level. The example given in the appellant's statement of case, at No.42, is actually 2 semi-detached houses, Nos.40 and 42, but each one has a space between the house and the curtilage boundary.
8. The diagonal view of the appeal dwelling shown in Appendix 1 of the statement of case illustrates the extent to which the gap with No.44 can clearly be appreciated even when not looking directly onto the frontage. As mentioned, SPD2 states that first-floor side extensions should maintain a minimum of 1m separation with the flank boundary. As guidance, that will not always be appropriate, but the present case illustrates the reason and justification for the stance.
9. In addition to the fact that the proposed extension would look out of place in the streetscene by bringing the building too close to the neighbour, visually the first floor would appear to but-up to the existing flank wall with no visible support, other than the wall on the outside. This is not visually satisfying and does not amount to good design. There are examples in the road where this issue is overcome, for example by not having a void below the upper element and clear buttressing on either side of, for instance, a garage door. I appreciate that this solution could not be achieved in the approach taken in the case, but that does not justify allowing a visually unsatisfactory design.

Conclusions

10. I conclude that the appeal proposal would not promote the character of the locality by making a positive contribution to the surrounding natural and built environment, as required by Policy DM1, but would be harmful to the appeal dwelling and the streetscene by reducing the gap with the neighbouring house at first floor level. This goes against the character of the surrounding development. In doing so, it does not follow the guidance set out in SPD2, which I find to be sound in spite of the criticism about the age of the document and changes that have occurred to national policy. Indeed, if anything, national policy in the form of the National Planning Policy Framework, has become more forceful on the need for good design.
11. For these reasons the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR