



Appeal Decision

Site visit made on 11 October 2024

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 November 2024

Appeal Ref: APP/D1590/W/24/3341785

154 Prittlewell Chase, Westcliff-on-Sea, Southend-on-Sea SS0 0RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended ("the Act") against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Mackintosh against the decision of Southend-on-Sea City Council.
 - The application Ref is 23/01721/FUL.
 - The development proposed was originally described as the "change of use and extension from C3 Dwelling to 9 person HMO Sui Generis".
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of existing dwellinghouse (Class C3) to 9 Person HMO (sui generis), erect two storey rear extension and part single/part two storey side extension, layout parking, bin and cycle stores and form new vehicle crossover onto Springfield Drive, at 154 Prittlewell Chase, Westcliff-on-Sea, Southend-on-Sea SS0 0RB, in accordance with the terms of the application, Ref 23/01721/FUL, subject to the conditions in the attached schedule.

Procedural Matter

2. The description of development in the grant of planning permission above is taken from the appellant's appeal form and the decision notice, which more accurately describes the proposal. As this description formed the basis of the Council's publication and notification of the planning application, determining the appeal based on this description would not unfairly prejudice the interests of any party.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host property and area, with particular regard to the proposed extensions.

Reasons

4. Prittlewell Chase is a public highway comprising of wide carriageways on both sides of a spacious grass covered central reservation, which is planted with sizeable trees. It is joined by narrower residential roads and is fronted on both sides by rows of residential buildings.
5. In contrast to the consistency of the spaciouly verdant highway, those buildings predominantly comprise of a varied mixture of detached and semi-

detached bungalows and houses. They are often constructed to different styles and proportions, with a varied mix of roof forms and window apertures.

6. The buildings tend to span the widths of their plots and are separated from one another by relatively narrow and uneven spaces. As such, they create a relatively strong built frontage to the Prittlewell Chase street scene, albeit one that has a mixed appearance, largely devoid of consistency or uniformity.
7. Contributing to this mixed appearance are the plots at the corners of several road junctions. They present wide frontages to Prittlewell Chase and are often occupied by larger detached buildings with space around them. As such, they tend to have a discernibly different appearance. The appeal site is one such example, with the appeal building's two storey core being set some distance away from the common boundary with the bungalow at Number 150. Others include the larger buildings at the junctions of Prittlewell Chase with Holeythick Lane and Highfield Gardens.
8. The proposed development would increase the width of the appeal building, bringing it closer to the side boundary with Number 150, and spreading further across the frontage to Prittlewell Chase. However, the width of the appeal building's two storey core would, in its proposed extended form, be broadly commensurate in width to several wide fronted two storey dwellings that front onto Prittlewell Chase. These include those at numbers 144-146 and 162 to 166, and the other large buildings occupying corner plots in the area.
9. The massing of the proposed extensions would be broken up into subordinate single storey and two storey elements, and configured to ensure a satisfactory visual relationship between it and the lower height bungalow at Number 150. Tight spacings between buildings are a characteristic of this part of the street scene, and in this context the appeal proposal's built form would not appear cramped against Number 150.
10. It is not uncommon for buildings fronting this section of Prittlewell Chase to have gabled or hipped roofs, or a mixture of both on the same building. Several are flanked by side projecting flat roofed garages. In this context, the proposed mixture of roof forms on the appeal building would not appear visually discordant in the street scene. The hipped roof of the proposed two storey extension would reflect that of the appeal building's main roof. The relatively small area of low height flat roof would have little visual impact in views from Prittlewell Chase.
11. The existing narrow window apertures in the appeal building's elevation facing Prittlewell Chase, which results in a high proportion of walling to window openings, are a distinctive characteristic of its style. As such, the proportions and spacings of the windows in the proposed extensions would be in-keeping with its design. They would also reflect the mixed appearances of buildings in the area.
12. Taking all the above into account, I find that the proposed extensions would not be disproportionate to the scale of the host building, which in its proposed extended form would not overwhelm its uncommonly large and wide fronted corner plot. It would contribute to reinforcing the characteristically larger massing of buildings occupying corner plots in the area.

13. Seen in street level views from Prittlewell Chase, the scale and appearance of the appeal building would therefore be in-keeping with and absorbed into the rows of buildings of mixed styles and appearances in the street scene.
14. For these reasons, the proposed development would complement the existing property and respond to the constraints and opportunities of the appeal site, consistent with the overarching principles of the Southend-on-Sea Supplementary Planning Document 1, Design and Townscape Guide 2009.
15. I therefore conclude that the appeal proposal would not harm the character and appearance of the host property and area, consistent with Policies CP4 and KP2 of the Southend on Sea Borough Council Core Strategy 2007, and Policies DM1 and DM3 of the Southend on Sea Borough Council Development Management Document 2015 ("the DMD"), insofar as they seek to ensure that additions to a building are subservient to its scale and successfully integrate with, and make a positive contribution to, its character, local context and townscape setting.

Conditions

16. The Council has suggested a number of planning conditions in the event of the appeal being allowed, which I have considered in accordance with the tests in the National Planning Policy Framework and the Planning Practice Guidance. Where necessary, the wording of the suggested conditions has been amended to ensure compliance with the tests.
17. In the interests of certainty of the planning permission granted, a condition is imposed to specify the approved plans. To ensure that the development respects the character and appearance of the host property and surrounding area, it is necessary for it to be constructed from matching materials, as made clear in the application form. It is unnecessary to stipulate a trigger point for this as any non-matching materials would be at risk of enforcement action by the Council.
18. Although the drawings show a cycle storage facility, details of this are insufficiently precise to demonstrate that it would be the secure covered storage facility necessary to encourage cycling as a sustainable mode of transport. Therefore, it is necessary to secure details by condition.
19. All development proposals are required by the Council's policies to demonstrate energy efficiency and inclusion of other sustainability measures, including at least 10% of energy needs met through onsite renewables. This justifies securing such measures by condition.
20. To ensure a satisfactory appearance to the development it is necessary to secure details of hard surfacing and soft planting by condition. However, to give the parties flexibility as to the necessary details I have omitted the Council's list of requirements, which are expressed in non-exhaustive terms.
21. A condition requiring provision of the car parking spaces shown on the approved drawing is necessary to provide satisfactory servicing of the development, with electrical vehicle charging points justified by section 3 of DMD Policy DM15.
22. A condition limiting the maximum number of residents and bedrooms is necessary to control the development and its effects to that considered in the

planning application the subject of the appeal before me. The Council has not specified which provisions of the Act would otherwise allow the property to exceed those parameters and therefore I have omitted this reference from the condition.

23. Given the proximity of the development to nearby properties, I have imposed a condition to control the hours of construction and demolition work in the interests of safeguarding the living conditions of nearby residents.
24. Vehicle speeds along Prittlewell Chase were observed to be relatively low and traffic noise levels were commensurately modest. Although my visit was a snapshot in time, I have limited substantive evidence to demonstrate that traffic conditions were abnormal or that traffic noise would be likely to harm the living conditions of future occupiers of the development. Therefore, I am not persuaded that requiring a noise assessment would be necessary to make the development acceptable.
25. Given the scale and nature of the development, I have no basis on the evidence before me to require a scheme to prevent the emissions of dust and fumes from leaving the boundary of the site, or to prevent the burning of waste.
26. There is no evidence to suggest that the proposed bin storage facility would be unacceptable. I have not been made aware of any policy or guidance requiring bins to be stored undercover. Consequently, the Council's suggested condition in this regard is unnecessary, and enclosing the bin storage area can be addressed through the hard landscaping scheme.

Conclusion

27. For the reasons given above, I conclude that the appeal proposal is consistent with the development plan as a whole, and there are no material considerations of sufficient weight to indicate that a decision should be made other than in accordance with that plan. The appeal should therefore be allowed.

G Sylvester

INSPECTOR

Schedule of 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: 24A, 26E, 27D, 28D, 29D and 30D
- 3) The external materials of the extensions hereby permitted shall match those used in the existing building.

- 4) Prior to the occupation of the development hereby permitted, details of secure and covered cycle storage facilities for no fewer than 9 bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided prior to first occupation of the development and thereafter retained for the lifetime of the development.
- 5) Prior to the occupation of the development hereby permitted, details of energy efficiency and sustainability measures to be included in the development, including the provision of at least 10% of the energy needs of the development being provided from onsite renewable sources, shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with the approved details. Thereafter the approved energy efficiency and sustainability measures shall be retained and maintained for the lifetime of the development.
- 6) Notwithstanding the details shown on the approved drawings, prior to the occupation of the development hereby permitted, details of both hard and soft landscape works, together with a programme for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. The hard and soft landscape works shall be carried out in accordance with the approved details and the approved implementation programme. If, within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree as part of the approved landscaping scheme, or any tree planted in its replacement, is removed, uprooted, destroyed, dies, or becomes seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details to be agreed in writing by the Local Planning Authority.
- 7) Prior to the occupation of the development hereby permitted, the vehicle parking spaces shown on the approved drawings shall be provided and each space shall be fitted with an active electric vehicle charging point. Thereafter the parking spaces shall be retained for the lifetime of the development and solely for use by occupants of the development and their visitors.
- 8) Prior to the occupation of the development hereby permitted, the development shall incorporate measures to limit water consumption to a maximum of 110 litres per person per day.
- 9) Demolition or construction works shall take place only between the hours of 08:00 to 18:00 on Monday to Friday, and 08:00 to 13:00 on Saturday, and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 10) The development hereby permitted shall not be adapted to enable formation of more than 9 bedrooms and the property shall not be occupied by more than 9 residents at any one time.

End of schedule