



Appeal Decision

Site visit made on 18 June 2025

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Appeal Ref: APP/M1520/D/25/3364361

36 Athos Road, Canvey Island, Essex SS8 8EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hunt against the decision of Castle Point Borough Council.
 - The application Ref is 25/0107/FUL.
 - The development proposed is to construct a single storey rear extension and front/side extension, including raising of garage roof and other external alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and front/side extension, including raising of garage roof and other external alterations at 36 Athos Road, Canvey Island, Essex SS8 8EQ. The permission is granted in accordance with the terms of the application Ref 25/0107/FUL, dated 10 February 2025, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 24-175-001 (location plan), 24-175-002 Rev A (block plan), 24-175-100 Rev A (plans) and 24-175-120 Rev C (elevations).
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
 - 4) Finished ground floor levels within the extensions hereby permitted shall be set no lower than ground floor levels within the existing dwelling.

Preliminary Matters

2. The original description of development is provided in a more succinct form in the decision notice. Therefore, the above description reflects this amended description.

Main Issues

3. The main issues are:
 - the effect of the changes to the garage roof on the character and appearance of the host dwelling and surrounding area; and
 - the effect of changes to the single storey element to the rear on the character and appearance of the host dwelling.

Reasons

Character and appearance – garage roof

4. The appeal property is a two storey detached dwelling in a residential road of mixed property types. The surrounding area is residential in character.
5. Policy EC2 of the Castle Point Borough Local Plan 1998 requires a high standard of design in relation to new buildings and extensions, including that the siting, design and layout should be appropriate to its setting and not harm the character of its surroundings.
6. Relevant guidance is provided in the Council's *Residential Design Guidance* Supplementary Planning Document (SPD). Policy RDG7 addresses roof development and states that development should be compatible primarily with the dwelling, but also the prevailing character of the area.
7. The Council's principal concern is that the additional height and flat roof of the extended side element would be read alongside the original design of neighbouring dwellings and so would harm the character and appearance of the area.
8. Nos 36, 38 and 40 are of the same design and appearance, forming a uniform group of properties that make a positive contribution to the largely varied street scene. However, the side extension would be directly next to the side wall of No 38 with a limited gap between the properties. Consequently, it would not be possible to see the flat roof in side profile.
9. The flat roof would also not be apparent from views in front of the property, while the limited extended height of the side element means it would remain subordinate to the host dwelling. Furthermore, these changes would not be readily apparent in relation to the other two properties of the same character and appearance. As such, the proposal would not harmfully upset the otherwise uniform appearance of the group of dwellings.
10. Reference is made to the extension's effect being particularly prominent from the nearby public right of way, the location of which is not specified. At the inspection as well as viewing the property from Athos Road to the front, I saw that no views were readily available from Whernside Avenue to the rear. The only public right of way in the vicinity is a footpath running between these two roads, located on Athos Road between Nos 28 and 32. As such, this path is on the opposite side to the position of the extension to the appeal property and, therefore, no views of the extension would be possible from it.
11. Therefore, for these reasons, I conclude that the changes to the garage roof would not result in material harm to the character and appearance of the host dwelling and surrounding area. Consequently, there is no conflict with Policy EC2 of the Local Plan, as described.

Character and appearance – rear of the host dwelling

12. Policy RDG8 of the SPD states that detailing elements must be consistent with the overall architectural approach of the dwelling and their design and siting should be an integral part of the dwelling. The proposal includes converting the single storey rear part of the garage into a small toilet and utility room.

13. I acknowledge the Council's contention that in design terms it would be preferable for the utility room to include a window to avoid the blank elevation that would result in the absence of a window, as proposed. However, this is a small element of the overall rear elevation and, due to enclosure to the rear within a private garden, it would not be visible from public views. As such, this element of the proposed extension is not significant enough to result in material harm.
14. Accordingly, I conclude that the changes to the single storey element to the rear would not have a harmful effect on the character and appearance of the host dwelling. As such, the proposal is not contrary to Policy EC2 of the Local Plan in this regard.

Conclusion and Conditions

15. For the reasons given above, the appeal should succeed. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of the proposal, one requiring development to be carried out in accordance with the approved plans. I agree that a condition requiring external materials to match those of the existing dwelling is also necessary in the interests of the character and appearance of the area. Finally, consistent floor levels across the extended dwelling should be required by condition to ensure that there is no increased risk of flooding.

J Bell-Williamson

INSPECTOR