



Appeal Decision

Site visit made on 29 July 2025

by **H Lock BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 August 2025

Appeal Ref: APP/D1590/D/25/3368060

30 Belfairs Park Drive, Leigh-on-Sea, SS9 4TP

- 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 Mark Rumbell against the decision of Southend-on-Sea City Council.
 - The application Ref is 25/00150/FULH.
 - The development proposed is half hipped to gable roof extension and replace existing front and rear dormers, erect part single/part two storey rear extension, erect porch to front.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (1) the character and appearance of the appeal property, the street scene and the surrounding area; and (2) the living conditions of occupants of 28 Belfairs Park Drive (No.28), with particular reference to outlook.

Reasons

Character and Appearance

3. The appeal property is a semi-detached chalet-style dwelling. Although there is some design variety in the street scene, there are groups of dwellings of the same original design and form. As such, the street scene is quite cohesive, with more design mix visible at the rear as a result of extensions.
4. Since the application was refused, the Council has issued a Certificate of Lawful Development¹ (CLD), which included the hip-to-gable alteration. The Council did not object to the roof extension or enlargement of the front dormer window. Given the CLD and other dormer windows locally, I find both elements acceptable.
5. However, the amount of development proposed to the rear would appear excessive relative to the size and form of the existing dwelling, and would not be respectful and subservient to its the scale and that of the surrounding area, as required by DMD² Policy DM3. The chalet would be overwhelmed by the part single/part two-storey extension due to its depth, bulk and height. There would be an awkward link between the first-floor element and the rear dormer window, which would project above the extension eaves. Although the CLD included a dormer window of similar

¹ Ref. 25/00639/CLP - part hip to gable rear dormer extension, removal of a chimney stack and porch to front elevation

² Southend on Sea Borough Council Local Planning Framework Development Management Document 2015

height and siting to the proposal, it does not provide a fallback position for the much larger appeal scheme. The use of matching materials and a hipped roof design would not make the proposal appear integrated and cohesive.

6. Parts of the rear extension would have limited visual impact on the street scene, but the additional bulk at roof level would be apparent in the gap between the appeal property and 32 Belfairs Park Drive. I appreciate the appellants' view that a rigid expectation of maintaining a uniform roofline or massing across all properties is not supported by the existing street scene. Nevertheless, that street scene does not support the amount of development proposed, and the incongruous scale and form would have an adverse visual impact on the property and its wider setting.
7. Prominent porches are not characteristic in the vicinity. The CLD included a flat-roof porch, and I consider that a porch of the proposed depth would not materially alter the street scene. However, the overly tall pitched roof would appear prominent and cramped next to the front dormer window, and would detract from the simple front elevation of the dwelling. I do not share the appellants' view that the proposal would be an architectural enhancement over the fallback position of the CLD porch, which would have less visual impact.
8. The appellant has drawn attention to extensions at 30 and 34 Fairway Gardens, with the latter allowed at appeal³. Although there are some similarities with the appeal scheme, that part of Fairway Gardens appears to be slightly more diverse than the context of the appeal site. Moreover, No.34 appeared to be replacing an unsympathetic two-storey flat roofed extension, and the rear depth at No.30 appeared to be shallower. Whilst there are some large extensions in the wider area, those in Fairway Gardens are not part of the immediate context of the appeal site. As such, they do not justify acceptance of the site-specific proposal.
9. I therefore conclude that, with the exception of the hip-to-gable roof extension and front dormer alteration, the proposal would detract from the character and appearance of the appeal property, the street scene and the surrounding area. This would be contrary to Southend-on-Sea Core Strategy 2007 (CS) Policies CP4 and KP2, which seek to secure a high quality urban environment; and with DMD Policies DM3 and DM1, which amongst other criteria requires development to add to the overall quality of the area and to respect the character of the site, its local context and surroundings in matters including architectural approach, height, size, scale, form, massing, proportions, and detailed design features; and with supporting guidance in the DTG⁴.
10. For the same reasons, the proposal would be at odds with the requirements in the National Planning Policy Framework (the Framework), to ensure that developments are visually attractive and sympathetic to local character, including the surrounding built environment. I have had regard to paragraph 125(e) of that document cited by the appellants, but do not find the proposal to be consistent with the prevailing form of neighbouring properties or to be well-designed, for the reasons set out above.

Living Conditions

11. The proposed single-storey rear extension would be built close to the shared boundary with the attached property, No.28. There is a tall section of wall and

³ Ref. APP/D1590/D/16/3152143

⁴ Supplementary Planning Document 1 Design and Townscape Guide 2009

fencing for the stretch of boundary closest to the dwellings, but this is not as high, deep and solid as the proposed side wall of the extension.

12. The Council refused Prior Approval for a 4m deep rear extension⁵ (GPDE) after this appeal was lodged. As such, no fallback position exists for an extension of the proposed depth and height, and I do not share the appellants view that the effect of an extra 1m in depth beyond what could be constructed as Permitted Development would be minimal.
13. No.28 has doors close to the shared boundary. Although there is already a wall and taller fencing with trellis at the boundary, the increased height, depth and solidity of the extension wall would result in an unacceptable sense of enclosure that would dominate the outlook from the dwelling and its garden area directly behind. This impact may be “localised”, but nevertheless unneighbourly. Occupants of No.28 would have access to other outdoor amenity space, and would retain their primary views down their own garden, but this would not address the presence of the deep, high wall closer to the house. I appreciate that the orientation and/or separation from the various elements means that the proposal would not result in material loss of light to any neighbouring property, but this lack of additional harm is a neutral factor; as is the absence of an adverse impact on the outlook from No.28 arising from the first-floor element of the proposal.
14. The appellants consider that significant weight should be given to the support for the proposal from the owner of No.28. No supporting letter is referenced in the Council’s officer report, and none appears to have been supplied as part of the planning application, albeit letters of support appear to have been submitted in response to the later CLD and GPDE applications. In any event, the views of individual residents are only one aspect of the decision-making process, and as occupants and their opinions change over time, it is appropriate to secure by design reasonable living conditions for all users. I note the appellants reference to Permitted development rights for extensions up to 6m in depth, but no Prior Approval has been issued, and I have considered this proposal on its merits.
15. I therefore conclude that the proposal would diminish the outlook for current and future occupants of No.28 to a degree that their living conditions would be harmed. This would conflict with the requirement in DMD Policy DM1 for all development to protect the amenity of immediate neighbours in matters including outlook and visual enclosure; and contrary to CS Policy CP4, which expects proposals to maintain and enhance the amenities and appeal of residential areas, securing good relationships with existing development. It would not reflect advice in the DTG regarding the effects of rear extensions on neighbouring properties. On this matter, I find no conflict with the requirements of DMD Policy DM3 or the more strategic aims of CS Policy KP2, but that does not alter my conclusion.

Conclusion

16. For the reasons given above the appeal should be dismissed.

H Lock

INSPECTOR

⁵ 25/00880/GPDE - erect single storey rear extension projecting 4m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.35m – Prior Approval refused 17 July 2025