
Appeal Decision

Site visit made on 23 November, 2016

by **S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10TH January, 2017

Appeal Ref: APP/D1590/W/16/3153696

34 Percy Road, Leigh-on-Sea, Southend-on-Sea, SS9 2LA

- 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 Mrs H Collins against the decision of Southend-on-Sea Borough Council.
 - The application Ref 16/00467/FUL, dated 24 March, 2016, was refused by notice dated 9 June, 2016.
 - The development proposed is demolition of existing property and construction of 2 no. semi-detached family dwellings with car parking to the front and private garden space to the rear.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area and the effect on the living conditions of occupiers of adjoining dwellings in respect of outlook.

Reasons

The effect on the character and appearance of the area

3. Number 34 Percy Road is a traditionally designed bungalow with a matching single garage in the garden area to its side. It sits in a wider residential area of mixed character dating largely from the early and mid-twentieth century, but which includes some more modern dwellings. Overall the area is predominantly of two storey houses with some bungalows. Dwellings are typically set behind front gardens, many of which retain their planting and low front boundaries, and which, with grassed verges and street trees contribute to a pleasantly greened effect. The appeal proposal is for the replacement of the existing building with a pair of houses fronted by car parking and with modest gardens to the rear.
 4. The garden area of the appeal building is relatively short in comparison to the majority of others in the vicinity, but the wider than is typical, allowing the site to retain a relatively open character. While the pair of proposed houses would not each have a particularly large footprint in comparison to other dwellings in the vicinity, as a pair they would take up a large proportion of the plot, which, in combination with their two storey height would create a built element which would therefore appear bulky in its immediate setting. This, would also, in
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combination with the hard surfacing to the front, therefore create an incongruously urbanising effect in an otherwise relatively open area.

5. While the height of the lower gables would be roughly level with the roofline of the adjoining building to the north, the large gables would project above that height, and in combination with the fact that they are paired, and with their nodding projection forward at roof level, would therefore form an unduly intrusive element in the street scene.
6. Care has evidently been taken in the design of the proposal, and I do not consider the details of this innovate modern design would be out of place in an area of considerable variety such as that surrounding the appeal site. I note the reference to the steeply pitched gables to the north on Percy Road, but these are on buildings of a much smaller scale and which, with simpler detailing, therefore play a much less conspicuous role in the street scene than would the appeal buildings, which would have noticeably greater scale and bulk.
7. The appeal buildings would for these reasons therefore appear unduly bulky and prominent within the street scene and would as a result harm the character and appearance of the area. They would therefore conflict with Policy DM1 of the Development Management Document 2015 (the DMD) which seeks development which respects the character of the site and its local context. They would also conflict with Policy KP2 of the Core Strategy Development Plan Document One 2007 (the CS) which expects new development to maintain and enhance the character of residential areas and with Policy CP4 of the CS, which seeks development which respects the character and scale of existing neighbourhoods.

The effect on the living conditions of occupiers of adjoining dwellings in respect of outlook

8. The appeal buildings would back on to nos. 39 and 41 Westleigh Avenue. As a pair of two storey buildings replacing a single bungalow they would inevitably be more prominent in views from the rear of these premises. However, they would not project any further to the rear of the site than the existing bungalow, while the gardens of nos. 39 and 41 are relatively long and the appeal buildings would be set at a distance from the rear of these houses which would be sufficient to retain a reasonable visual separation.
9. As a result, therefore, the appeal buildings would not be likely to present an overbearing form of development to these properties, and would not therefore have a harmful effect on the living conditions of occupiers of these properties. They would not therefore conflict with Policy DM1 of the DM, which seeks development which protects the amenity of immediate neighbours with respect to outlook, nor with Policy CP4 of the CS which seeks development which maintains and enhances the amenities of residential areas.

Conclusion

10. For the reasons given above, and taking into account matters raised, I conclude that the appeal should be dismissed.

S J Buckingham

INSPECTOR