



Appeal Decision

Site visit made on 7 October 2019

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th October 2019

Appeal Ref: APP/B1550/W/19/3234163

22-24 Southend Road, Hockley, Essex SS5 4QH

- 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 Grange Road Developments against the decision of Rochford District Council.
 - The application Ref 18/00448/FUL, dated 27 April 2018, was refused by notice dated 13 June 2019.
 - The development proposed is described as 'demolition of two existing properties and the erection of 9 no. 2 bed flats with associated works'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on the character and appearance of the area and the adequacy of parking.

Reasons

The effect on the character and appearance of the area

3. The appeal site encompasses a pair of bungalows on the corner of Southend Road and Great Eastern Road. The former is one of the main routes through the town with the latter being a quieter suburban street with a high proportion of bungalows. The architecture in Southend Road is mixed with some buildings, such as 7 Southend Road, having accommodation in the roof. However, the buildings are otherwise overwhelmingly two storeys in height and tend to be detached and semidetached dwellings or short terraces. Purpose built flatted schemes such as Holly Court have conventional two storey proportions and reasonably short elevations. Oak Lodge is a large structure, but it is set in a discrete location behind the development which addresses Southend Road.
4. The two existing bungalows in the appeal site appear somewhat under scaled in a street scene broadly comprised of two storey buildings. Accordingly, there may be an opportunity for intensification. However, the appeal scheme proposes a flatted development arranged over three floors and with elevations of around 26m along Southend Road and 20m along Great Eastern Road. It would therefore be a comparatively large building of considerable massing that would appear out of place in the context of more modest two storey structures with shorter elevations. This stark appearance would significantly harm the character and appearance of the area.

5. There has been some attempt to break up the elevations into 'segments' to mitigate for the length, but this has only resulted in elevations that would be disjointed, with forward projections of differing heights and designs. The two-storey gable ended projections would reflect those of the adjacent dwellings, but the flat roofed double bays would be bulky and jarring, unbalancing elevations already cluttered by balconies. This would be particularly stark along the Great Eastern Road elevation, where the flat roofed double bay providing a second-floor terrace (itself accessed from a large and bulky dormer) would give the appearance of the building stepping up as it meets 1 Great Eastern Road (No 1). This would accentuate the height of the building at a location where it should step down more convincingly to respond to the height of No 1.
6. The proposal would necessitate the development of garden land in a built-up area and therefore it would not be the redevelopment of previously developed land. Even if it were, this would not mitigate for the impacts I have identified. I would not describe the appeal site as being a 'key corner site', as there is nothing particularly special about it. For example, it does not function as a gateway or define any civic function, such as a town centre entrance or public transport node. There would be no particular benefit to the street scene or legibility of the town scape from providing a discordantly large building at the appeal site.
7. The proposal would not be without merit as it would be set behind landscaped front gardens and the windows and doors would address the street. The building would also turn the corner and, as already stated, it would reference the architectural gable end features on the adjacent properties in Southend Road. Furthermore, the Council makes no criticism of the scheme's density. However, these aspects would not mitigate the discordant impact the overall massing and scale of the building would have on the street scene. This would be particularly intrusive due to the building's siting forward of No 1.
8. In conclusion, when considered as a whole, the appeal scheme would be a dominant addition and would give the impression of an over development of the appeal site. This would significantly harm the character and appearance of the area. It would therefore be contrary to Policies DM1 and DM3 of the Rochford District Council Local Development Framework Development Management Plan 2014 (DMP) and Policies CP1 and H1 of the Core Strategy 2011 (CS), which seek to secure developments that respect, and make a positive contribution towards, the built environment and only permits limited infilling provided it relates well to the character of the locality.

The adequacy of the parking

9. When applying the Council's parking standards required by Policy DM30 of the DMP and Policy T8 of the CS, the parking requirement is eighteen spaces comprising two spaces per flat and two visitor spaces. The appeal scheme would provide eleven parking spaces and a disabled parking bay, the sizes of which were not objected to by the Local Highway Authority. The proposal would therefore be short by four spaces. Tracking demonstrates adequate manoeuvring space so vehicles would not need to reverse into the road.
10. The appeal scheme is located within a comfortable walk of the facilities in and around Spa Road and Hockley Rail Station. The proposal would also provide space for bicycle parking and is near to a bus stop. As such, it would not be

essential for future residents to own a car. Policy DM30 states that the parking standards *may* be relaxed in residential locations near to town centres.

11. However, this approach conflates the need to use a car with the desire and ability to own one. A resident may wish to own and have access to a car even though they may not use it every day. To this end the National Planning Policy Framework (the 'Framework') indicates that parking standards should have regard to local car ownership levels. There is no evidence before me to suggest local car ownership levels are lower in areas closer to Spa Road and Hockley Station than those that are not, and that this can be attributed to the accessibility of facilities.
12. The flats would be generous in internal size and appear to have been designed to a reasonably high specification with, for example, ensuite bathrooms and fitted wardrobes. It is therefore likely that future occupants would be affluent and may be more likely to own a car. The generous size of the flats could also make it more likely that they are occupied by couples, and perhaps small families, rather than individuals. Therefore, the parking requirement of eighteen homes is reasonable. As this can not be met on site, there is likely to be an on-street parking demand.
13. Local residents have expressed concern that the appeal scheme would exacerbate existing parking demands. The appellant has not provided evidence to indicate there is no parking stress locally, such as a parking survey to a recognised methodology. That said, Southend Road and Great Eastern Road are subject to parking controls, which can be an indication of parking stress. The parking controls prevent a vehicle from being parked on these streets for the entire day so a resident of the appeal scheme would need to move their car, which would be impractical if they were at work and undesirable if they were not. There is not a parking permit system in operation so this cannot be relied upon as a means of controlling parking.
14. There is uncontrolled on street parking in Gladstone Road so additional on street parking here need not prejudice highway safety. Future residents of the appeal scheme would wish to park here to avoid having to move their car during the day and because this is the closest area of uncontrolled on street parking to the appeal site. However, this already serves the residents of several properties. The overspill parking demand from the appeal scheme would result in additional competition for these spaces to the detriment of the living conditions of existing residents.
15. In conclusion, the proposal would be unable to meet its parking requirement off street. The residual parking requirement would take place on street and this would put pressure on existing on street parking areas. This competition and inconvenience would diminish the living conditions of existing residents of the area and the future residents of the appeal scheme.

Other Matters

16. The appellant has suggested that the Council is currently unable to demonstrate a five-year housing land supply and that the shortage is acute. The Council has not disputed this. In such circumstances Paragraph 11 of the Framework states that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework taken as a whole.

17. The proposal would significantly harm the character and appearance of the area. The Framework states that the creation of high-quality buildings and places is fundamental to the planning process and that proposals should be sympathetic to local character and take account of the concerns of local residents. The appeal scheme would not achieve these aims. This conflict with the Framework is a point of significant weight against the proposal that sits alongside the development plan conflict. The proposal would also fail to provide adequate parking, and this would not improve the way the area functions.
18. When considering the benefits of the appeal scheme it is apparent that the proposal would provide new homes in a location close to facilities and services. The Framework encourages upward extensions but with the caveat that it should be consistent with the prevailing height and form of neighbouring properties and the overall street scene. The appeal scheme would not do this. Future residents of the appeal scheme would be well placed to support local facilities but nothing of substance is before me to suggest eight households would make a significant difference to the local economy. For example, there is nothing to suggest local services are failing for lack of patronage. The support to the construction industry would be moderate and time limited. The proposal would help to moderately address the housing supply deficit and provide additional housing choice.
19. The cumulative benefits of the proposal would be of moderate weight, but the adverse impacts of the appeal scheme would still significantly and demonstrably outweigh them when assessed against the policies in the Framework taken as a whole. This does not indicate a decision should be taken other than in accordance with the development plan.
20. A level of parking below the Council's standard was approved at 47 and 49 Southend Road (Ref. 15/0054/FUL and 14/00437/FUL). Moreover, these structures are arranged over three storeys. Nevertheless, the Council would have come to a balanced view based on the circumstances of the case. These sites are located closer to Spa Road and involved smaller buildings than the appeal scheme. Accordingly, they do not justify a different conclusion to the one I have reached. The Council's Planning Officers, Essex Place Services and the Local Highway Authority were content with the appeal scheme, but I have reached the conclusions I have for the reasons given having regard to all matters before me.
21. Various concerns have been raised by interested parties including reservations regarding the impact on living conditions. However, given my findings above it has not been necessary for me to address these matters further as the appeal has failed on the main issues.

Conclusion

22. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Graham Chamberlain
INSPECTOR