
Appeal Decision

Site visit made on 5 November 2019

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2019

Appeal Ref: APP/D1590/W/19/3234101

Garages at rear of 15a-15d Smith Street, Shoeburyness, Southend-on-Sea SS3 9AL

- 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 Mr Charlie Abbott against the decision of Southend-on-Sea Borough Council.
 - The application Ref: 19/00275/FUL, dated 10 February 2019, was refused by notice dated 8 April 2019.
 - The development proposed is to demolish existing garages to the rear of Nos. 15a-15d Smith Street and erect a detached dwelling, with associated amenity space and parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Some of the evidence before me indicates that the first floor of the proposed dwelling would feature two bedrooms. However, the submitted plans indicate that there would only be one bedroom on the first floor of the building. I have therefore proceeded on this basis.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the surrounding area, including the character and appearance of the Shoebury Garrison Conservation Area (the CA).

Reasons

4. The appeal site consists of a garage court containing low level buildings. The boundaries are marked by walls, with differing heights. The wider area features a variety of residential accommodation, most commonly constructed in a rectangular linear form. The site is close to the residential dwellings sited in Smith Street, Horseshoe Crescent and Anchor Close. Additionally, the site is adjacent to the CA.
5. The proposed dwelling would be detached and have a roof pitch that would be markedly steeper than many other dwellings within the surrounding area. This would be combined with a section of flat roof. Furthermore, the proposed dwelling features a broadly square footprint with a rectangular side projection.

- In consequence, the proposed development would appear to have a significant bulk and massing.
6. The design of the proposed development therefore significantly contrasts with the character of the surrounding area, where dwellings are typically terraced or semi-detached and feature shallower roof pitches with gable ends. Such dwellings also generally feature larger gardens. Consequently, the design of the development is unusual within this context and would therefore appear incongruous.
 7. In addition, surrounding dwellings are typified by being arranged in a linear form, with gardens to the rear. This contrasts with the proposed dwelling in that it would be sited close to the rear boundary of the site. This results in a cramped form of development that is notably different from the prevailing character.
 8. This matter is of concern as owing to the height of the development, it would be visible over the site's boundary walls. It would also be significantly taller than the existing garages. By reason of the pattern of developments within Smith Street, Horseshoe Crescent and Anchor Close many of the surrounding existing houses and gardens would be in proximity to the site of the proposal and would therefore have clear views of the incongruous form of development. This gives the development an unduly great degree of prominence and as such would be harmful to the character and appearance of the surrounding area.
 9. Whilst I acknowledge that there are some developments within the vicinity which have a design approach that differs from the general two storey, pitched roof with gable end form, these occur comparatively rarely. Furthermore, such buildings typically occur within larger developments and as such have their own distinct character. This contrasts from the scheme before me, which is for the provision of a single dwelling located in between two existing linear forms of development.
 10. My attention has been drawn to some freestanding buildings within the CA. Whilst I note their presence, these buildings are well screened and have the appearance of outbuildings. Accordingly, their proportions are notably smaller than the appeal scheme. Therefore, I do not believe their presence requires me to set aside my previous concerns.
 11. The site is adjacent to the CA. The significance of this is, in part, derived from the form of architecture that characterises the former military use of the site and associated residential accommodation. Therefore, key areas of the CA feature a notable degree of openness, which contrasts with more dense residential developments on the edge of the CA nearest the appeal site.
 12. Whilst the proposed dwelling would project beyond the height of the site's boundary treatments, a significant majority of views from within the CA would be screened by the previously described residential accommodation. In consequence, the intrinsic open character of the CA would not be compromised. Furthermore, owing to the fenestration patterns of dwellings in the CA it is also likely that views of the appeal site would be limited.
 13. In consequence, and having had regard to the provisions of the cited planning policies, I do not believe that the development would have a detrimental

impact upon the character, appearance and setting of the CA. However, this does not overcome the harm as previously identified.

14. I therefore conclude that the development would have a significant adverse impact upon the character and appearance of the surrounding area. The development, in this regard, would not comply with the requirements of Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the Design and Townscape Guide Supplementary Planning Document (2009).
15. These policies and the SPD seek, amongst other matters, to ensure that new developments are well designed; add to the overall quality of the surrounding area; and respect the character of sites and local context.

Other Matters

16. It is apparent that the size of the dwelling and proposed garden is sufficient to meet the likely needs of the future occupiers of the development. However, such matters are only some of all those that must be considered in assessing a proposal. In consequence, they do not overcome the harm identified in respect of the Main Issue.
17. I acknowledge that the proposed dwelling would result in the reuse of a backland site and that the design might be attractive to several different groups in the community. However, these benefits are outweighed by the aforementioned harm.
18. I note the efforts made by the appellant in attempting to overcome the reasons for refusal of a previous application for planning permission. However, for the reasons set out above, I do not believe that this overcomes the harm as previously identified.
19. I also acknowledge concerns raised by the appellant regarding the provision of pre-application advice provided by the Council. However, in assessing the scheme, I have limited my considerations to the planning matters before me.

Conclusion

20. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR