
Appeal Decision

Site visit made on 5 November 2019 by Emma Worby BSc (Hons)

Decision by J Whitfield BA (Hons) DipTP MRTPI

appointed by the Secretary of State

Decision date: 10 January 2020

Appeal Ref: APP/D1590/W/19/3235394

37 Clifftown Parade, Southend-On-Sea, SS1 1DL

- 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 K Johnson against the decision of Southend-on-Sea Borough Council.
 - The application Ref 19/00399/FUL, dated 13 February 2019, was refused by notice dated 24 May 2019.
 - The development proposed is the conversion of existing dwelling to five two-bedroom apartments.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this appeal is whether or not the proposed development would preserve or enhance the character or appearance of the Clifftown Conservation Area.

Reasons for the Recommendation

4. The appeal site is a two-storey detached dwellinghouse located in the Clifftown Conservation Area (the Conservation Area), which is a designated heritage asset. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The significance of the heritage asset relates to the architecture, historic interest and unique character of the Conservation Area. The appeal site forms part of this heritage asset as part of a row of large detached dwellings along Clifftown Parade, adjacent to Southend Cliff Gardens and facing the seafront. The historic Victorian design and unique character of the appeal dwelling makes a positive contribution to the significance of the Conservation Area.
5. In order to facilitate the proposed material change of use from one dwelling to five apartments, a single storey rear extension would project from the existing

- rear extension to create a long and flat roof extension from the rear of the two-storey section of the dwelling. The proposal would include the removal of the existing flat roof side extension, which would represent a loss in flat roofed form.
6. It is noted that an external door at first-floor level may indicate that an external staircase previously formed part of the property. However, as the staircase is no longer present, this cannot be given significant weight. The appellant also states that the proposal would result in the reduction of built form on the site, with a floor space of 35m² replacing 40m² to be removed.
 7. However, the proposed rear addition would also be flat roofed and would extend to around 5.25 metres in length with the proposed and existing rear extensions creating an overall floor space of 65m². As a result, the rear extension would appear unduly dominant.
 8. Moreover, the significant length of the extension, its overall size when combined with the existing rear projections, and the flat-roof design would create a bulky appearance at odds with the high-quality architecture of the Conservation Area. This would be exacerbated by the addition of further parapet walls proposed to enclose the first-floor terrace.
 9. Furthermore, due to the location of the extension in the centre of the garden to the rear of the existing single storey extension, it would be positioned in a more prominent location than the part of the dwelling to be removed to the side of the dwelling and garden and therefore more visually intrusive.
 10. The proposed extension would create a long dwelling with significant depth, with extensions that would occupy a large part of the rear garden. Although the appellant claims the garden would still be larger in size than the surrounding properties, no evidence has been provided to support this claim. Furthermore, in the absence of further details, I cannot be certain that the other example of a two-storey extension referred to at No.29 Clifftown Parade is directly comparable with the appeal proposal in terms of the effect on the character and appearance and thereby the significance of the Conservation Area. Therefore, this cannot be taken into consideration.
 11. I conclude, therefore, that the proposed development would fail to preserve the character and appearance of the Clifftown Conservation Area. As such, it would be in conflict with Policies KP1, KP2 and CP4 of the Southend On Sea Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Southend On Sea Development Management Document (2015) which collectively seek to provide high quality design which maintains and enhances the appeal and character of residential areas and protect heritage assets, along with the conservation objectives within the National Planning Policy Framework (the Framework). The proposal would also be contrary to the SPD 'Southend On Sea Design and Townscape Guide' (2009) which states that 'The Council will seek to preserve and enhance the aspects of the townscape that make a significant contribution to the special qualities of Conservation Areas.'
 12. The proposal would be relatively small scale in the wider context of the Conservation Area and therefore, having regard to the Framework, the harm would not amount to substantial harm to the significance of the Clifftown Conservation Area. Nevertheless, I consider the failure to preserve the character and appearance of the Conservation Area would, in accordance with

paragraphs 195 and 196 of the Framework, result in less than substantial harm to the significance of the Clifftown Conservation Area as a designated heritage asset.

13. The Framework requires, where there would be less than substantial harm, for it to be balanced with the public benefits of the scheme. The proposed development would provide five two-bedroom dwellings in place of one large dwellinghouse and therefore would contribute to the housing supply within the area. The appellant also states that the removal of some existing features of the property, such as the side extension, would enhance the appearance of the Conservation Area and renovations would protect the future of the building. However, although these would be public benefits of the proposed development, it is not considered that these aspects would be significant enough to outweigh the less than substantial harm to the heritage asset previously identified to which the Framework requires I afford substantial weight.

Conclusions and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

J Whitfield

INSPECTOR