
Appeal Decision

Site visit made on 14 January 2020

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2020

Appeal Ref: APP/D1590/W/19/3237914

1 Station Road, Leigh-On-Sea SS9 1ST

- 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 P Thomas against the decision of Southend-on-Sea Borough Council.
 - The application Ref 19/00107/FUL, dated 17 January 2019, was refused by notice dated 1 April 2019.
 - The development proposed is a new garage with a mezzanine office space.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area, and;
 - highway safety.

Reasons

3. The appeal site is located in an area of predominantly residential brick and tile dwellings, and adjacent a similarly sized commercial business. The site is accessed via a service road to the side of No 1 Station Road. The site abuts the back gardens of No 52 Lymington Avenue, and to the front boundary the dwellings that face onto Station Road.
4. The existing single-storey, 'L'-shaped property on the site is described as a combination of office space and motor vehicle storage. The property has a glazed window/door to the office-type space in the smaller 'dog-leg' section of the structure, and metal 'roller' doors to the side and front elevations behind which a number of 'classic-style' vehicles are stored. The front 'roller' door opens onto a hardstanding for parking.
5. The building would be demolished and rebuilt on the existing footprint and include an enlarged office space that would be approximately 2 metres higher than the existing structure. The fenestration of the proposal would face onto the service road and the elevational brick work would match the surrounding dwellings. Parking would be provided on the existing hard-standing area, and the existing usage of the building would be retained.

Character and appearance

6. The appeal property is set down behind fences and hedges in an area that is typified along Lymington Avenue and Station Road by residential properties with rear gardens. I acknowledge that the adjacent commercial building has a taller section to one-side, and that the proposal seeks a similar sized structure. However, the neighbouring commercial property borders the service road and parking associated with the dwellings along Glendale Gardens, whereas the development would adjoin directly onto the back-garden spaces to the rear of Lymington Avenue. Therefore, the proposal in this specific location, by virtue of its' height and mass, despite its' matching brick-work finish would be overly prominent and appear incongruous with its' immediate setting. Accordingly, the proposal would cause harm to the character and appearance of the surrounding area.
7. Therefore, the proposal is contrary to Policy KP2 of the Southend-on-Sea Core Strategy 2007 (SOSCS), Policy DM1 of the Southend on Sea Development Management Document 2015 (SOSDMD) and the guidance set down in the Southend-on-Sea Design and Townscape Guidance 2009 (SOSDTG) which say, amongst other things, that development should respect the character and scale of the existing neighbourhood, and Paragraph 127 of the National Planning Policy Framework (the Framework) which indicates that developments should be visually attractive and be sympathetic to the local character of the surrounding built environment.

Highway Safety

8. Whether or not parking is relevant to the application, as stated on the appellants application form, the Council have made me aware that a proposal of this size and type would generate a requirement for one parking space as set down in Appendix 6 of Policy DM15 of the SOSDMD. As part of my site visit, and from the evidence 'on the ground' I noted that there is an existing parking area/hard-standing to the front of the appeal site that would accommodate at least one vehicle. As such, the proposal accords with Policy DM15 of the SOSDMD which states that all development should meet the parking standards set out in Appendix 6 of the same document. For similar reasons, the proposal meets the aims of Paragraph 102 of the Framework which says that parking and other transport considerations are integral to the design of schemes.

Conclusion

9. Although I have found in favour of the appellant with regard to highway safety this does not overcome the harm that would be caused by the proposal to the character and appearance of the area. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR