

---

## Appeal Decision

Site visit made on 21 July 2020

**by Guy Davies BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 July 2020**

---

**Appeal Ref: APP/D1590/W/20/3245807**  
**305 Elmsleigh Drive, Leigh-on-Sea SS9 4JP**

- 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 L Chapman against the decision of Southend-on-Sea Borough Council.
  - The application Ref 19/01744/FUL, dated 19 September 2019, was refused by notice dated 27 November 2019.
  - The development proposed is the erection of chalet bungalow with associated parking and amenity.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The Council's decision notice and the appeal form use a revised description for the development of '*Erect bungalow with dormers to front and rear and layout parking to front on land adjacent 305 Elmsleigh Drive (amended proposal)*'. I have not been provided with written confirmation that this has been agreed by either main party and have therefore used the description given on the application form.
3. I was unable to enter the site on my visit. However, I am satisfied that I was able to see all I needed to in order to determine the appeal.

### Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

5. Elmsleigh Drive is characterised by detached and semi-detached houses and bungalows of mixed designs and ages. The buildings are set back from the road frontage, which together with the grass verges and street trees gives it a spacious, residential appearance.
6. The appeal site forms a plot that is narrower in width than other plots in the road. The proposed dwelling would span across most of the plot leaving only narrow gaps on either side. This would appear cramped and out of place when viewed against the prevailing character and appearance of the area. That is

particularly so for a detached house where a greater degree of space around the building would be normal.

7. I also consider the roof form with a flat section of crown roof and truncated gables on either side to be poorly designed and out of character with the design of other dwellings in the road. I consider the roof form would be visible in public views from the road, as indeed it can be seen in the street scene image accompanying the appeal. This roof form would appear incongruous and harmful to the character and appearance of the area.
8. In reaching my decision I have taken account of the changes made to the scheme from that dismissed on appeal in 2018<sup>1</sup>. These changes include centring the building on the plot, reducing the ridge height by truncating the roof, and positioning it further back in the plot. For the reasons given above, I do not consider centring the building has alleviated the cramped nature of the development; and the truncated design of the roof has, in my view, worsened its appearance. The repositioning of the building further back in the plot would not prevent the truncated roof form being seen, and therefore does not overcome the harm so identified.
9. The appellant has drawn my attention to a development at 43 Pavilion Drive, Southend-on-Sea. I do not have details of when the development was permitted as this may have taken place before adoption of the current policies against which development proposals are now assessed. I do note that the building differs from that subject of the appeal in that it has more space about it because it is flanked by a bungalow on one side and a garage on the other. In any event, I must consider the appeal proposal on its own merits, within the context of its setting in Elmsleigh Drive. The development at 43 Pavilion Drive is therefore of limited comparability.
10. I conclude that because of its cramped nature and poor design, the proposed development would harm the character and appearance of the area, and would conflict with policies KP2 and CP4 of the Southend-on-Sea Core Strategy 2007 and policies DM1 and DM3 of the Development Management Plan 2015, which require new development to be well designed and contribute positively to the public realm. For the same reasons the development would also conflict with the more detailed guidance contained in the Council's Design and Townscape Guide Supplementary Planning Document 2009.

## **Other Matters**

11. The appellant points out that no objection is raised to the development on the grounds of living conditions for future occupiers, impact on neighbouring properties and highway safety, and that it is environmentally sustainable in the sense that modern construction methods would be used. While that may be the case, the absence of harm on these issues does not justify a development that is otherwise unacceptable for the reasons given above.
12. The site does not constitute previously developed land under the definition set out in the National Planning Policy Framework, although for the purposes of this appeal that is not a matter that has influenced my decision.
13. The development would generate employment during its construction and would provide an additional dwelling to the Borough's housing stock. However,

---

<sup>1</sup> APP/D1590/W/18/3194711.

these limited benefits would not outweigh the harm to the character and appearance of the area.

**Conclusion**

14. I conclude that the appeal is dismissed.

*Guy Davies*

INSPECTOR