



Appeal Decision

Site visit made on 30 December 2020

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2021

Appeal Ref: APP/D1590/D/20/3262903

20 Canvey Road, Leigh-on Sea, Essex, SS9 2NN

- 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 Ms Ruth Knight against the decision of Southend-on-Sea Borough Council.
 - The application Ref 20/00991/FULH, dated 29 May 2020, was refused by notice dated 18 August 2020.
 - The development proposed is a new cycle and store shed
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue relate to works already substantially carried out and is whether the new cycle and store shed preserves or enhances the character or appearance of the Chapmanslode Conservation Area (the Conservation Area).

Reasons

3. The National Planning Policy Framework (the Framework) sets out how planning authorities should seek the conservation and enhancement of the historic environment and establishes that good design is a key aspect of sustainable development, indivisible from good planning.
4. The Council has recognised the importance of this part of Leigh-on-Sea as a heritage asset through the Conservation Area designated in 2004. The Conservation Area Character Appraisal clarifies its significance as an example of the 'Homes For Heroes' campaign, exemplifying Garden City planning with Arts and Crafts estate architecture in a variety of house types, giving a cottage character with a distinctive housing layout and street design. This provides the estate with a design unity and a common palette of materials and features in an area of Enclosed Arcadian character with abundant informal public and private landscaping.
5. In order to protect the character of the Conservation Area it was subsequently made the subject of a direction under article 4 of the General Permitted

- Development Order, which withdraws specified permitted development rights, including for the type of development proposed.
6. In line with the duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
 7. Located at the side of the host dwelling the cycle and store shed is visible from the street, neighbouring gardens on the same side of street and dwellings and their gardens on the opposite side. On one side the front wall of the cycle and store shed nearly aligns with the front elevation of the host dwelling and on the other aligns with front wall of the garage of the neighbouring dwelling that nearly aligns with the front wall of its host dwelling. Taken together, the alignment of these front walls creates a long aligned frontage with a visually flattening effect. This does not reflect the Arts and Crafts architecture of the host dwelling and its neighbours and interrupts the rhythm of the cottage character layout and streetscape that define the character and appearance of the Conservation Area.
 8. This negative effect on the character and appearance of the Conservation Area would be further exacerbated by the brick and roughcast finishes proposed for the cycle and store shed's front wall, which would further define and solidify this flat appearance. The introduction of the proposed arched doorway and hipped roof form would further remove the character and appearance of the proposal from the Arts and Crafts appearance and cottage character of the host dwelling and that of the Conservation Area.
 9. The appellant has provided me with a photograph dated 2009 of the fence and gate that was in place prior to the construction of the cycle and store shed, along with another photograph of an earlier store. These appear to be on a similar, but slightly set back alignment from the front elevation of the host dwelling. There are similar extensions evident within the Conservation Area and fenced and gated enclosures that closely align with the front elevation of their host dwellings, however, these appear to be older and may even predate its designation. It is clear to me that these are not in keeping with the appearance or character of the Conservation Area. I therefore give little weight to the appellant's argument that these examples serve as a precedent in support of this more recent extension.
 10. The appellant has proposed that a mono-pitch roof form, brick and tile materials and finished colours could be made the subject of conditions on an approval. However, given the harm I have identified above, such an approach would not make an unacceptable development otherwise acceptable, as set out in paragraph 54 and 55 of the Framework and Planning Practice Guidance.
 11. For the collective reasons outlined above, the development does not preserve or enhance the character or appearance of the Conservation Area. In the context of paragraph 196 of the Framework, the development results in less than substantial harm to the significance of the Conservation Area. However, there are no identified public benefits that would outweigh this identified harm. I therefore conclude that the cycle and store shed conflicts with policies KP2

and CP4 of the Southend-on-Sea Core Strategy (2007), policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend-on-Sea Design and Townscape Guide (2009) and the Chapmanslord Conservation Area Character Appraisal (2004) and sections 12 and 16 of the Framework.

Conclusion

12. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Victor Callister

INSPECTOR