



Appeal Decision

Site visit made on 16 February 2021

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2021

Appeal Ref: APP/D1590/D/20/3258438

1335 London Road, Leigh-on-Sea, SS9 2AB

- 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 Martin Saunders against the decision of Southend-on-Sea Borough Council.
 - The application Ref: 20/00725/FUL, dated 7 May 2020, was refused by notice dated 30 July 2020.
 - The development proposed is demolition of ground floor rear extension and erection of new ground floor rear extension to provide retail accommodation and conversion and rear extension in upper parts to create two residential dwellings.
-

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 building and the streetscene, and
 - whether there would be sufficient cycle storage facilities.

Reasons

Character and appearance

3. The appeal site includes a mid-terrace two storey building with a commercial unit at ground floor level and storage space above. London Road has a commercial character with ground floor shops and commercial uses, sometimes with flats above. The rear of the appeal building faces a narrow rear service road with two rows of houses and their gardens located on the opposite side of the service road and orientated at right angles to the rear elevations of the London Road properties.
4. The Council has raised no objection to the proposed front elevation. I see no reason to disagree as the proposed gable is characteristic of the street scene and the balcony would cause no potential privacy issues when used by occupiers of the building.
5. The rear extension at ground floor level would be acceptable with no significant harm to the character or appearance of the building. The Council's objection

relates to the size, position, and design of the proposed rear roof extension. The Council's *Supplementary Planning Document 1 Design and Townscape Guide (2009)* indicates that proposals for additional roof accommodation within existing properties must respect the style, scale and form of the existing roof design and the character of the wider landscape. The existing roof is pitched, with a mono-pitch roof to a rear extension. According to the appellant the proposed two storey rear extension would have a 'modest' mansarded roof. This would contrast with the pitched roof forms granted by the Council for the rear extension to No.1333 London Road and would fail to complement the form and scale of the existing simple pitched roof at No.1337. Flat roofs to rear extensions exist in the wider vicinity. However, pitched roofs form the immediate context for the proposed development. The proposed roof extension would fail to complement these adjacent roof forms because of its design, form and scale and would appear as a discordant feature in the street scene when viewed from surrounding development.

6. I find that the proposal would have a significant harmful effect on the character and appearance of the rear elevation of the building and the streetscene. It would conflict with the design objectives of Southend-on-Sea Core Strategy (2007) policies KP2 and CP4 and Southend-on-Sea Development Management Document (DMD) (2015) policies DM1 and DM3, and the objective of good design in the National Planning Policy Framework (the Framework). It would also conflict with advice in the Council's *Design and Townscape Guide*.

Cycle storage

7. The appellant has submitted a plan which indicates space for cycle storage. The Council considers that it has not been demonstrated that the space is adequate and could be restricted because of the rear gate. However, I consider that it is a matter capable of resolution through the imposition of an appropriate condition for a revised design for the storage facility. On that basis the proposal would comply with the sustainable transport requirements of Core Strategy policies KP2, CP3 and CP4 and DMD policies DM1, DM3 and DM15, and within the Framework.

Other Matters

8. The appellant has provided examples of other developments in the area which have flat/mansard roofs. However, none are identical to those proposed at the appeal building in terms of design or immediate context. I have determined this appeal on the basis of the individual merits of the proposal and its particular site circumstances, having regard to relevant development plan and national planning policies and design guidance.

Conclusion

9. The proposal would provide additional living accommodation. However, that benefit would be outweighed by the harm from the proposal to the character and appearance of the building and the streetscene. I have taken all other matters raised into account. For the reasons given above I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR