



Appeal Decision

Site visit made on 11 November 2021

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2021

Appeal Ref: APP/D1590/W/21/3274605

Flats 7 & 8, 152-154 Hamlet Court Road, Westcliff-on-Sea SS0 7LJ

- 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 David Diack against the decision of Southend-on-Sea Borough Council.
 - The application Ref 20/01240/FUL, dated 31 July 2020, was refused by notice dated 7 December 2020.
 - The development is the proposed change of use of 1 x 1 bedroom and 1 x 2 bedroom Residential Dwellings (Use Class C3) to Residential Dwellings and Serviced Accommodation (Use Class Sui Generis).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the supply of housing in the Borough and the provision of visitor accommodation.

Reasons

3. The appeal site is situated on the corner of St John's Road and Hamlet Court Road in Westcliff-On-Sea. It relates to a three-storey building with car park at the rear accessed from St John's Road, which is mainly residential in nature. Hamlet Court Road is a busy commercial thoroughfare with shops and services.
 4. The appellant cites policy DM12 of the Southend-on-Sea Development Management Document 2015 (DMD) as being of relevance to this appeal. The policy states that new visitor accommodation will be focused within the Southend Central Area, London Southend Airport area and at locations with good access and a clear and strong relationship with the Seafront. It demonstrates an identified need for increased visitor accommodation, and encourages the three Key Areas to prioritise to ensure visitor accommodation is directed to where they can deliver the greatest benefit.
 5. The appeal site is not located within any of the three Key Areas; the nearest one being the Southend Central Area (SCA). The main parties differ over the distance from the appeal site to the closest SCA boundary, however irrespective of whether it is 50 metres or 330 metres, in policy terms the appeal site does not lie within the SCA. There does not appear to be any argument from the appellant that the location has good access and a clear and strong relationship with the Seafront. Policy DM12 does not therefore favour this proposal.
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6. Policy CP8 of the Southend-on-Sea Core Strategy December 2007 (CS) states that residential development proposals will be expected to contribute to local housing needs, and the Council will, amongst other things, resist development proposals that involve the loss of existing valuable residential resources, having regard to the limited land resources in the Borough.
7. The Council indicates that the results of the Housing Delivery Test demonstrate an existing underperformance of housing delivery in the Borough. Similarly, the Five-Year Housing Land Supply figure shows that there is a deficit in housing land supply. Despite relating to only two dwellings, the proposal impacts negatively upon the objective of providing housing at appropriate locations.
8. Although the appellant disputes the Local Authority's position, I have no compelling information before me to otherwise challenge the housing need in the Borough. Whilst I note the appellant's tourist rental figures, such data does not add material weight to the provision of visitor accommodation, particularly given that there is no further evidence before me to demonstrate that the benefits of the proposal in providing such units at a sequentially less-preferable location would demonstrably outweigh the demand for housing.
9. I recognise that the scheme may allow for flexibility in the use of the accommodation, however to my mind housing provision needs a degree of certainty and this issue does not therefore outweigh my concerns. I also acknowledge the Council's decision for 19 Whitefriars Crescent, still this case has elements that are materially different to this appeal, for example the Authority determined that the site had a relationship with the Seafront.
10. I therefore conclude that the proposal would be harmful to the supply of housing within the Borough; this harm would not be balanced by the provision of visitor accommodation. The scheme would materially conflict with policies KP2, CP4 and CP8 of the CS and policy DM12 of the DMD, which seek to meet community needs, manage visitor accommodation and resist proposals which involve the loss of housing. The scheme would also be inconsistent with the advice in the National Planning Policy Framework, which seeks to support strong, vibrant and healthy communities.

Conclusion

11. Based on the above and having regard to all matters raised, I conclude that the appeal should be dismissed.

C Hall

INSPECTOR