

Appeal Decision

Site visit made on 24 May 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2022

Appeal Ref: APP/D1590/W/21/3282534

Flat 1, SE Court, 107A Ambleside Drive, Southend-on-Sea SS1 2UP

- 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 Ian McBain against the decision of Southend-on-Sea Borough Council.
 - The application Ref 21/00361/FUL, dated 18 February 2021, was refused by notice dated 9 July 2021.
 - The development proposed is change of use of one self-contained flat (Use Class C3) to mixed use self-contained flat and hotel accommodation (Sui Generis) (Retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant indicates that the description of development has changed from that stated on the application form. Accordingly, the above description is the revised one.

Main Issues

3. The main issues are whether the appeal property is in a suitable location for the proposed visitor accommodation; and the effect of the proposal on the housing stock within the Borough.

Reasons

Location of Visitor Accommodation

4. The appeal property is a two-bedroom ground floor flat within a three storey apartment block located in a predominantly residential area. It is next to Southend East railway station.
 5. Policy DM12 of the Southend-on-Sea Development Management Document (2015) concerns visitor accommodation. It says that new 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.
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6. There is no dispute that the appeal property is not within any of the three key areas, although the appellant refers to the good accessibility to the Southend Central Area from the nearby railway station. However, the policy requires new accommodation to be focused within this area and the London Southend Airport area, and only makes a specific distinction for locations with good access with regard to the Seafront. The Council indicates that the appeal property is some 800 metres walking distance from the Seafront and there is no other evidence about public transport accessibility. On this basis, it is not possible to find that the appeal property has the good access and strong relationship with the Seafront required by Policy DM12.
7. The appellant draws attention to approval of a proposal involving a mixed residential use that includes visitor accommodation at 19 Whitefriars Crescent, Westcliff-on-Sea. I note that in that case the appeal property was also outside the Central and Airport areas, but the Council considered that, unlike in this case, the site is located relatively close to the Seafront. While I have no details of the distance to the Seafront in the earlier case, on the evidence before me there is a clear distinction between the two cases with regard to their assessment against Policy DM12.
8. I acknowledge that the proposal is small-scale and may make a contribution to the local economy, but there is nonetheless a clear conflict with the development plan, which seeks to direct such uses to appropriate locations in support of strategic objectives. Reference is also made to a recent decline in the availability of Airbnb accommodation. However, this is only one form of visitor accommodation and I have no evidence before me concerning levels of need and wider provision of visitor accommodation. As such, this limited evidence cannot overcome the policy conflict that has been found.
9. Therefore, for these reasons, I conclude that the appeal property is not in a suitable location for the proposed visitor accommodation due to the conflict with Policy DM12 of the Southend-on-Sea Development Management Document.

Housing Stock

10. Policy KP2 of the Southend-on-Sea Core Strategy (2007) seeks development that meets the Council's strategic objectives and that secures improvements to the urban environment; while Policy CP4 seeks to promote sustainable development. Policy CP8 concerning dwelling provision indicates that the Council will resist development proposals involving the loss of existing valuable residential resources, including safeguarding an adequate stock of single family dwellings.
11. While Policy CP8 is now somewhat dated with regard to dwelling provision, the Council provides more recent evidence related to housing delivery and the need for an appropriate dwelling mix. The recent Housing Delivery Test results indicate an underperformance in delivery and, in addition, there is a deficit in housing land supply in the Borough. The South Essex Strategic Housing Market Assessment identifies that Southend has a housing stock comprised of a greater proportion of one-bed units and smaller properties. Consequently, there is a lower percentage of accommodation of a suitable size for families.
12. Based on this evidence, I accept the Council's argument that the reduction in size of the two-bedroom flat would be harmful both with regard to addressing

housing undersupply and providing larger than single bedroom properties that, albeit of limited size, could be suitable for family accommodation, thereby providing a better balance in the housing mix across the Borough. Therefore, for these reasons, I conclude that the proposal would have a materially harmful effect on the housing stock within the Borough. Consequently, it is contrary to Policies KP2, CP4 and CP8 of the Southend-on-Sea Core Strategy, as described above.

Other Matters

13. I have had regard to the representations made by interested parties concerning the effect of the proposal on residential amenity, including noise and intensity of use of the property. However, the level of use associated with a single bedroom is not likely to result in material harm in this regard.

Conclusion

14. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR