



Appeal Decision

Site visit made on 1 November 2022

by E Grierson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2022

Appeal Ref: APP/D1590/W/22/3301882

66A Broadway, Leigh-On-Sea, Essex SS9 1AE

- 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 Navana Holdings against the decision of Southend-on-Sea Borough Council.
 - The application Ref 22/00196/FUL, dated 15 September 2021, was refused by notice dated 4 April 2022.
 - The development proposed is described as a dormer to rear with juliette balcony to form habitable accommodation in the loft space and alter elevations.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer to rear with juliette balcony to form habitable accommodation in the loft space and alter elevations at 66A Broadway, Leigh-On-Sea, Essex SS9 1AE in accordance with the terms of the application, Ref 22/00196/FUL, dated 15 September 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LB-NH-05 and LB-NH-06.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials that match those used in the existing building.

Main Issue

2. The main issues are the effect of the proposed development on the character and appearance of the host building and surrounding area and whether it would preserve or enhance the character or appearance of the Leigh Cliff Conservation Area.

Reasons

3. The appeal building is a two-storey mid-terrace property with a two-storey outrigger to the rear, located in a relatively built-up area. It is occupied by a commercial unit at ground floor level and a residential unit at first floor level. Although the commercial unit fronts Broadway, access to the residential unit is from the rear via Avenue Road. The proposal would convert the loft space into additional habitable accommodation and includes rooflights on the front elevation and a box dormer to the rear. The Council raise no concerns in relation to the proposed rooflights and I find no reason to disagree with this. Therefore, my consideration will relate solely to the proposed rear dormer.

4. The Council's Design and Townscape Guide Supplementary Planning Document 1 (2009) states that large box style dormers should be avoided, especially where they have a public impact, as they appear bulky and unsightly. The proposed large, box-style dormer would be contrary to this guidance. However, the proposed dormer is on the rear elevation of the building and any views from Avenue Road would be largely obscured by the rear sections of No 62 and No 64 Broadway. Therefore, there would be limited views of the proposed dormer from the public realm and it would have a limited impact upon the overall streetscene.
5. Although relatively bulky in design, due to its lack of visibility in the streetscene, the proposal would not be a prominent addition or visually dominant within the area. It is also noted that there are other roof extensions within the area, which are similar to the proposed development, including a much larger roof extension with juliette balconies to the rear. The Council indicate that this does not benefit from planning permission and was a historic addition to the property before the adoption of the current development plan. Nevertheless, the presence of this roof extension forms part of the character of the area and as such the proposal would not be wholly out of keeping with its surroundings.
6. The proposed dormer would also be more modern in appearance than the traditional form of the host property, with a flat roof and contemporary fenestration. However, it would not mask the traditional architectural form of the building or detract from the original character of the host property or the terrace in which it is located. Particularly, as the majority of the proposed development is concentrated to the rear of the building.
7. The appeal site is also located within the Leigh Cliff Conservation Area which is a designated heritage asset. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended, requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The Conservation Area has a strong late Victorian architectural quality and is made up of residential side streets and a busy shopping high street set on a hillside location with sea views. This is the basis for its significance. The appeal property forms part of a period terrace located on the main road, Broadway, and makes a positive contribution to the significance of the Conservation Area.
8. Whilst the property as a whole makes a positive contribution to the Conservation Area, the proposed development to the rear of the building would have limited views from the public realm. Therefore, whilst not wholly in keeping with the traditional appearance of the existing building, the proposed dormer would not be immediately visible within the wider Conservation Area and would not impact upon its overall character or appearance. Although the proposed dormer is a modern addition, the large majority of the building would retain its traditional character and the proposal would be entirely distinguishable from the original features of the building. The proposed development would therefore have a neutral impact on the host buildings contribution to the significance of the Conservation Area.
9. For the reasons above, I conclude that the proposed development would not harm the character and appearance of the host building and the surrounding area and would preserve the character and appearance of the Leigh Cliff

Conservation Area. Therefore, the proposal would not conflict with Policies KP2 and CP4 of the Southend on Sea Core Strategy 2007 and Policies DM1, DM3 and DM5 of the Southend on Sea Development Management Document 2015. These policies collectively seek to ensure that new development is well designed and respects the scale and character of the existing neighbourhood and development, giving appropriate weight to the preservation of a heritage asset based on its significance. The proposal would also accord with the general design and heritage objectives of the National Planning Policy Framework and the National Design Guide.

Conditions

10. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.

Conclusion

11. For the reasons set out above, the appeal is allowed.

E Grierson

INSPECTOR