



Appeal Decision

Site visit made on 31 October 2023

by Robin Buchanan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th November 2023

Appeal Ref: APP/D1590/D/23/3326127

Seahaze, George Street, Shoeburyness, Southend-on-Sea SS3 9AB

- 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 Nagy Awadalla against the decision of Southend-on-Sea Borough Council.
 - The application Ref 23/00604/FULH, dated 11 April 2023, was refused by notice dated 6 June 2023.
 - The development proposed is installation of two balconies and new sliding doors to the eastern elevation (within the boundary).
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Decision

1. The appeal is allowed and planning permission is granted for installation of two balconies and new sliding doors to the eastern elevation (within the boundary) at Seahaze, George Street, Shoeburyness, Southend-on-Sea SS3 9AB, in accordance with the terms of the application, Ref 23/00604/FULH, dated 11 April 2023, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue in this case is the effect of the balconies on the character and appearance of Seahaze and the area.

Reasons

3. The appeal building, Seahaze, is a detached two-storey house. It is at one end of a row of three broadly similar, likely circa 1930s houses bordered either side and behind by open land. In particular, the front elevations retain a notable degree of homogeneity and these houses are the only built form along this section and north side of George Street. As such, they are distinctive in the streetscene. Seahaze therefore makes a positive contribution to the character and appearance of the area. The proposal is to install two balconies and two glazed sliding doors in the east elevation of Seahaze.
4. Balconies in view of the site or nearby give private external amenity space for residents of flats and are integral in design, so are not unexpected. Balconies such as in the proposal are less common or necessary at houses. Especially in the upper part of a side elevation as in this case, which is more unusual, though likely also intended to gain views towards the coast.
5. However, the balconies would be shallow in depth and not very wide so not stretch far across the side of Seahaze or project a significant distance off it and not protrude beyond the property boundary. Each would perhaps have sufficient space for two chairs or a small table. Although at first floor level,

these structures would remain well below eaves height and though on the same elevation and plane, be sited towards the front and rear of the house so widely spaced. The simple narrow profile timber posts, platforms and balustrades would result in light, mainly open structures. They would not appear over-engineered or as bulky adjuncts on the side of the house nor give an unbalance impression.

6. This elevation of Seahaze faces openly onto the adjoining land, which is part of Shoebury Common protected green space. However, the closest smaller discrete part of this public open space (POS) is not in formal use and is a dead end corner with no pedestrian access from George Street, so likely not so intensively used. Public views from this direction are mainly distant across the POS from the end of George Street and Rampart Terrace and panoramic in nature. From here the balconies would be seen in concert with the backdrop of the taller height and overall scale and massing of Seahaze, set within this large expanse of side elevation. Additionally, behind the deep foreground setting of the POS and as it extends north and east as well as other buildings, including along the south side of George Street. Even in winter months the large, mature trees in the POS and a smaller pavement tree would have some intervening filtered, screening effect.
7. The balconies would be set well back from George Street and hidden behind the front elevation and corner of Seahaze in most public views from this street to the west. The outside edge of the front balcony would be far enough forward to come increasingly into view on the approach from this direction towards Dane Street, from where it would be clearly seen in an unobstructed perpendicular view, then in shorter angled views eastward from along George Street. However, even in these views neither balcony would be overly apparent in most casual street level views, rather than purposeful upward observation.
8. Consequently, in siting and design, and whether taken individually or together, the balconies would not be unduly out of keeping with the most important features of Seahaze or, therefore, this row of three houses. Nor would they be unduly dominant structures or cause any profound adverse change to the overall visual integrity of this house. Furthermore, though elevated and not invisible in some public views, they would be largely recessive and glimpsed so not unduly prominent or conspicuous in most public views and, as such, not unduly detract from or jar in any streetscene. I am also satisfied that likely intermittent use of the balconies and the limited space would avoid significant visual presence by virtue of normal domestic activity.
9. Taking account of all the above, I find that the balconies would not cause harm to the character or appearance of Seahaze or the area. The proposal therefore complies with Policies KP2 and CP4 of the Southend-on-Sea Core Strategy December 2007 and with Policies DM1 and DM3 of the Southend-on-Sea Development Management Document July 2015. These policies include that development should be well-designed and respond to local context. In addition, by use of materials, successful integration and respect to scale and subservience, make a positive contribution to the original building so respect, complement or maintain the character of a residential area or neighbourhood and in such urban environments secure good relationships with existing development, the site and its local context in height, size, scale, form, layout, proportions, materials, townscape and detailed design features so reinforce local distinctiveness and its relationship to the public realm.

Other Matters

10. There is no evidence that Seahaze is in the setting of the Shoebury Garrison Conservation Area, nor did the Council object to the proposal for this reason. The proposal would therefore have a neutral effect on this conservation area and as such would preserve its character and appearance.

Conditions

11. In the appeal questionnaire the Council has suggested three conditions if the appeal was allowed. Where required, I have considered modified wording in the interests of clarity or precision and have had regard to the relevant tests in the National Planning Policy Framework and Planning Practice Guidance. As well as the standard 3-year time limit for commencing development a condition would be necessary to specify the approved plans in the interests of certainty. It would not be appropriate to apply a condition that external materials match those used in the existing building because more specific details of materials are set out in the plans and in the application form and could be secured as part of the 'approved plans' condition.

Planning Balance and Conclusion

12. Subject to conditions the proposal would accord with the development plan. There are no other material considerations to indicate that the decision should be taken other than in accordance with the development plan¹. Consequently, for the reasons given above the appeal succeeds.

Robin Buchanan

INSPECTOR

Schedule of Conditions (2)

- 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 and shall include details of materials as also set out in the application form:

B1000 Rev A	Site location, existing and proposed block plans
B1001	Existing survey and proposed works
P1009	Front elevation proposed
P1010	Rear elevation proposed

¹ Section 38(6) Planning and Compulsory Purchase Act 2004 (as amended) and Framework paragraph 12