



Appeal Decision

Site visit made on 19 December 2023

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/D1590/W/23/3319884

101 Crowstone Road, Westcliff-on-Sea, Southend-on-Sea SS0 8LH

- 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 Fivestar Real Estates Ltd against the decision of Southend-on-Sea City Council.
 - The application Ref 22/01486/FUL, dated 21 July 2022, was refused by notice dated 23 December 2022.
 - The development is described as 'conversion of the single family dwelling into a short-term holiday let'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The property is currently being used as a short-term holiday let. I am therefore considering the appeal retrospectively.
3. In the banner heading above, I have taken the description of the development from the application form. The description on the Council's decision notice also refers to proposed external alterations. The Officer Report refers to amended plans showing the proposed alterations, which I have received. However, an informative on the decision letter states that the existing roof extension is outside the scope of the application. Since the proposed alterations include elevational changes to the roof extension, the extent to which these formed part of the Council's decision is somewhat ambiguous. I have also not been provided with any clear confirmation that the appellant agreed to the amended description of the development. Therefore, my consideration of this appeal has been limited to the change of use only, as stated on the application form.
4. The Government published a revised National Planning Policy Framework (the Framework) in December 2023, and I had regard to this current version of the Framework when considering the appeal.

Main Issue

5. The main issue is whether the site is a suitable location for visitor accommodation, with reference to the Council's spatial strategy and the effect on the supply of family housing.

Reasons

6. The appeal concerns use of a semi-detached dwelling as short-term visitor accommodation. The property contains an open plan kitchen and dining room

and a separate living room on the ground floor, with four bedrooms and a bathroom on the first floor. There is an additional bedroom and bathroom in the converted roof space. The property is in a mainly residential area, outside the city centre and approximately 550m from the seafront.

7. Policy DM12 of the Southend-on-Sea Development Management Document (DMD) 2015 defines Key Areas where new visitor accommodation should be focussed. This is a closed list, comprising Southend Central Area, London Southend Airport Area and locations with good access and a clear and strong relationship with the Seafront. The appeal site is outside the Central or Airport areas. It is also outside the limited area defined as Seafront. However, the supporting text to Policy DM12 confirms that the Key Areas include other locations that clearly have a strong relationship with the Seafront. These are to be considered on a site-by-site basis, taking account of connectivity, including walking routes.
8. The sea is visible from Crowstone Road and from several windows in the property. However, it is in the distance, beyond quite an extensive residential area. Although there is a straight walking route to the Seafront, along Crowstone Road and Crowstone Avenue, I saw during my site visit that it involves crossing the railway line via an elevated footbridge. This would be inconvenient for many visitors, including those with poor mobility, accompanying young children in pushchairs or carrying bulky items. The return journey is uphill. The route by road is significantly less direct, due to the limited points where vehicles can cross the railway line. Therefore, while the Seafront is within a realistic walking distance, the site is embedded well within the residential area and the route to the Seafront is not particularly convenient.
9. My attention has been drawn to previous appeals on a similar issue, concerning sites in Ambleside Drive¹ and Salisbury Avenue². The appeal site is closer to the Seafront than either of those sites. However, Policy DM12 makes clear that each case should be considered on a site-by-site basis. The site-specific characteristics outlined above mean that the appeal site does not have the strong, clear relationship with the Seafront required by Policy DM12.
10. Use of the property for short-term visitor accommodation also prevents it from being used as permanent family housing. The supply of housing within Southend-on-Sea is constrained by the city's boundary characteristics. The Council cannot currently demonstrate a five year supply of housing land, and the Council's evidence includes that there is an acute demand for housing. Within that context, the loss of even a single dwelling is materially harmful to the supply of family housing, as well as being contrary to Policy CP8 of the Southend-on-Sea Core Strategy 2007.
11. I have noted the reported lack of interest when the property was marketed as a family dwelling. However, I have been given little detail about the scope of the marketing process or terms on which it was offered for rent. The internal accommodation remains capable of occupation by a single household, with or without the roof extension. The site is within a residential area, where there are a significant number of substantial dwellings apparently in single family occupation. As such, based on the evidence before me, the site remains suitable for use as a permanent dwelling.

¹ Appeal Ref: APP/D1590/W/21/3282534

² Appeal Ref: APP/D1590/W/22/3297961

12. I accept that the property could revert to occupation by a single household in the future. However, that would not overcome the harm arising from the loss of housing stock in the meantime. While Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) would allow for occupation by households other than single families, those uses would still preserve the property's contribution to the city's housing stock.
13. The site has convenient access to public transport and to local services and facilities, including the city centre. However, while good access is among the requirements for new visitor accommodation under Policy DM12, it is not sufficient to overcome conflict with other requirements of the Policy. Furthermore, the site's good access to local services would be equally beneficial to permanent residents.
14. For the reasons given, I conclude that the site is not a suitable location for visitor accommodation, with reference to the Council's spatial strategy and the effect on the supply of family housing. Its use as visitor accommodation conflicts with Core Strategy Policy CP8 and DMD Policy DM12 which, amongst other things, direct new visitor accommodation to defined locations and resist the loss of existing residential resources, including an adequate stock of family dwellings. It is also at odds with the Framework's focus on boosting the supply of housing, given the shortfall in housing land supply within the city.
15. The reason for refusal also alleges conflict with Core Strategy Policies KP2 and CP4. These policies set out a range of design requirements and other principles to guide sustainable development. However, they are less directly pertinent to the location and supply of visitor accommodation or housing. Nevertheless, the proposal would conflict with the development plan when read as a whole.

Other Matters

16. Tourism can be beneficial to economic regeneration, which is supported in Policy KP2 of the Core Strategy and in the Framework, for example at paragraph 86. The Council recognises those benefits by supporting visitor accommodation in specific locations. However, in this case any economic benefits are outweighed by the more clearly evidenced harm to the supply of family housing, as set out above.
17. A range of concerns have been raised by interested parties regarding the site's use as visitor accommodation, and its effect on living conditions for neighbouring residents. The appellant disputes some of the points raised. However, since I am dismissing the appeal for other reasons, there is no need for me to consider these matters further.

Conclusion

18. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Jane Smith

INSPECTOR