



Appeal Decision

Site visit made on 4 December 2024

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th January 2025

Appeal Ref: APP/D1590/W/24/3343566

12A Alexandra Street, Southend-on-Sea SS1 1BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Kamran Ijaz (Old Street Holding Ltd) against the decision of Southend-on-Sea City Council.
 - The application Ref is 23/01411/FUL.
 - The development proposed is described as 'Proposed roof extension to dwelling into 1 bedroom, 1 person flat of 39sqm'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published and took effect on 12 December 2024, while this appeal was under consideration. The main parties have had the opportunity to comment on any implications of the revised Framework for their cases.

Main Issue

3. The main issue is the effect on the character and appearance of the area, including the setting of the locally listed building at 29-35 High Street.

Reasons

4. The appeal site is a three-storey terraced property in a shopping street off the High Street, in which there is a continuous ground floor retail frontage with two or sometimes three storeys above. There is a wide variety of building styles, but a high proportion are typical of the Victorian or Edwardian eras. These are generally in short terraces, each with its own coherent design. Decorative features such as contrasting horizontal bands, decorative lintels and articulated brick courses add visual interest throughout the street and help to unify each distinct group of buildings.
5. The building on the appeal site is typical of this pattern. It is one of four similar terraced properties under a continuous pitched roof. There is a consistent pattern of windows on the upper floors and a continuous band of decorative brick detailing under the eaves. Although the external finishes differ, the terrace is readily identifiable as a coherent whole.
6. The extension would interrupt the continuous eaves line and introduce an awkward upward projection. There is no indication of any articulation or detailing to the front elevation, including the edge of the flat roof, so it would

lack the decorative finish of the existing eaves and many of the surrounding facades. This rather weak design approach would diminish the quality of the existing building and the terrace as a whole.

7. Adjacent to the appeal site is a contrasting brick building, also on three storeys, but with a higher, flat roof. The upper window openings are not in line with those on the appeal site and they are differently proportioned and detailed. The appeal building also sits slightly forward of the adjacent building, although this is not clearly shown on the plans. As a consequence of these contrasting details, the proposed extension would not be well integrated with this adjacent building, despite matching its overall height.
8. The overall balance between flat and pitched roofs along the street would not be significantly changed and there is some existing four storey development nearby. However, in this particular case the design approach would not integrate well with either the existing terrace or the adjacent building and the extension would lack suitable detailing. Consequently, it would diminish the character and appearance of the street scene to a harmful degree.
9. The locally listed building (LLB) at 29-35 High Street has an elaborate façade which is an eye-catching and distinctive feature in the High Street. However, the building as a whole stands in an already varied commercial area and the rear part, near the appeal site, does not have a similar level of visual interest. Taking account of its location around the corner from the main façade, the proposed extension would not detract from the context within which the important features of the LLB are most readily appreciated.
10. Nevertheless, for the reasons given above I conclude that the proposal would have a harmful effect on the character and appearance of the area. It would conflict with relevant requirements in Policies KP2 and CP4 of the Southend on Sea Core Strategy 2007 and Policies DM1 and DM3 of the Southend on Sea Development Management Document 2015 (DMD). These policies are supportive of optimising the use of land while also requiring a high-quality design approach for all new development, respecting the character of the site and its local context. In relation to additions to existing buildings, Policy DM3 also requires that the detailing should draw reference from and be successfully integrated with, the existing building.
11. The proposal would not, however, conflict with Policy DM5 of the DMD, which relates to the effect of development on the historic environment, since the setting of the locally listed building would not be harmed.

Other Matters

12. The appeal site lies within a defined Zone of Influence for several Essex Coast Habitats Sites. These are recognised for their value as coastal habitats and support internationally important populations of breeding and non-breeding bird species. They have been identified by Natural England as being vulnerable to harm as a result of recreational disturbance, which would be exacerbated by an increase in the local population resulting from new housing. Since the appeal proposal would provide an additional dwelling, it would contribute to the cumulative increase in recreational pressure, alongside other development.
13. On-site measures for biodiversity, such as the proposed green roof, would not address the effects of recreational disturbance on the Essex Coasts Habitats

Sites. The RAMS SPD¹ adopted by the Council provides a strategic approach to mitigation of recreational pressure, which requires payment of a tariff for each new dwelling, to fund management and mitigation of recreational disturbance. No such payment has been made and nor is any mechanism proposed by which it could be secured. Consequently, there is no clear evidence before me that the required mitigation is in place. However, since I am dismissing the appeal for other reasons, it is not necessary to address the effect on Habitats Sites in any further detail.

Planning Balance

14. The Council acknowledges that it lacks a five year supply of housing land and there is a substantial shortfall in housing delivery, based on the Housing Delivery Test. Consequently, paragraph 11d of the Framework is applicable.
15. The proposed development would make a small contribution to the supply of housing. It would be in a central location, with good access to shops, services and facilities. However, the Officer Report highlights an existing high proportion of flats and one-bedroom units in Southend, with a lower percentage of family accommodation, and the proposal would not help to address that imbalance.
16. While there may be some biodiversity benefit as a result of the proposed green roof, there is little detail to quantify this, or explain how the green roof would be implemented and maintained to support biodiversity over its lifetime. Therefore, this potential benefit carries very limited weight.
17. The relevant development plan policies reflect the Framework's focus on optimising the use of land in appropriate locations, while also ensuring that all development is well designed. While substantial weight should be given to the value of using suitable brownfield land within settlements for homes, in this particular case there would be a substantial level of harm to the character and appearance of the existing building and street scene. This would significantly and demonstrably outweigh the very modest benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land and securing well-designed places.
18. Consequently, the proposal does not benefit from the presumption in favour of sustainable development as articulated in paragraph 11 of the Framework.

Conclusion

19. The proposed development would conflict with the development plan and no material considerations indicate that a decision should be made other than in accordance with the development plan. Therefore, the appeal is dismissed.

Jane Smith

INSPECTOR

¹ Essex Coast Recreational disturbance Avoidance and Mitigation Strategy Supplementary Planning Document, May 2020