



Appeal Decision

Site visit made on 5 November 2024 by T Morris BA (Hons) MSc

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2025

Appeal Ref: APP/D1590/D/24/3342277

14 St Helen's Road, Westcliff on Sea, Essex SS0 7LB

- 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 Street against the decision of Southend-on-Sea Borough Council.
 - The application Ref is 23/02005/FULH.
 - The development proposed is upper storey extension to studio flat and alterations to fenestration.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. In their submission, the Council have provided extracts from the 'Draft Hamlet Court Road Conservation Area Appraisal' dated July 2020. However, the Council's Officer Report refers to the 'Hamlet Court Road Conservation Area Appraisal (2021)' (CAA 2021). The recommendation has been prepared, taking the CAA 2021 into account and this document has been accessed through the Council's website. The CAA 2021 is also the document referred to by the appellant in their Statement of Case. The main parties are therefore not prejudiced by this action.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area, which includes the nearby part of the Hamlet Court Road Conservation Area.

Reasons for the Recommendation

5. The appeal site is situated in a mixed-use area featuring commercial and residential uses. 14 St Helen's Road (No 14) is a single storey building, situated between two-storey, mixed-use buildings of a prevailing traditional character close to the junction with Hamlet Court Road.
6. Several of the buildings to this side of St Helen's Road have ground floor shopfronts which sit slightly forwards of the first-floor of their respective buildings. This is also reflected on the first-floor element which projects from

the rear of the corner building at 126 Hamlet Court Road which continues over 10 and 12 St Helen's Road (Nos 10 and 12), adjoining the appeal site. The unattached neighbouring building to the other side of the appeal site on St Helen's Road has a slim, flat roofed side projection which sits alongside the appeal site. However, the host building in that case retains an overriding traditional aesthetic. The regularity to the pattern, size, vertical emphasis and generous reveals on upper floor windows to this side of St Helen's Road also adds to the visual coherence of this street which contributes positively to the character and appearance of the area.

7. The site is located just outside of the Hamlet Court Road Conservation Area (CA). The significance of the CA derives from it being one of the three main historic retail centres in Southend. For many years the street thrived, and the area became an affluent retail and residential suburb of Southend. The retail use of the street has remained for over 100 years and this consistency of use is significant. Despite later changes, much of the historic character of the buildings in the CA is intact. Within the wider setting of the CA, most of the area was laid out in the early 20th century and includes a mix of retail and residential uses.
8. The CAA 2021 identifies that the side roads branching off Hamlet Court Road provide opportunities for views of landmark and focal buildings. The nearby part of the CA includes buildings opposite the site on St Helen's Road. Furthermore, Courtway House which is a rebuilt 1930s Art Deco style department store on Hamlet Court Road, is visible from St Helens Road. Courtway House is also part of a 'Frontage of Townscape Merit', designated in the CAA for their contribution to the quality of the local townscape through their architectural character.
9. Even accounting for the close positioning and inter-visibility between the appeal site and the nearby part of the CA, No 14's modest scale and position between larger buildings of a cohesive traditional aesthetic, ensures that it has a discreet presence in the street and a neutral effect on the setting of the CA. The Management Plan within the CAA 2021 states that new development within the setting of the CA should be designed appropriately in terms of scale, form, materials and details and should reflect the special interest of the area.
10. The upper floor extension's boxy, flat roofed form, together with the vertical timber cladding facing materials would jar with the overriding traditional appearance of its neighbours. This would be emphasised by its position forward of both the first-floor at Nos 10 and 12 and the unattached neighbouring building to this side of St Helen's Road. In addition, the inconsistent window proportions, minimal reveals and their varied alignment with the fenestration at ground floor would compound the disjointed relationship of the proposal with its host and neighbouring buildings.
11. In addition to the site-specific harm on St Helen's Road, the development would be an obtrusive feature that would be noticeable in views towards and from the nearby part of the CA, unacceptably detracting from the quality of the townscape and resulting in less than substantial harm to the CA's setting.
12. In accordance with the requirements of the National Planning Policy Framework (the Framework), less than substantial harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. There nothing to suggest that there would be any

significant public benefits to outweigh the less than substantial harm identified and the great weight I apply to the conservation of the CA in line with Paragraph 212 of the Framework.

13. I conclude, the proposed development would have a detrimental effect on the character and appearance of the host property and the surrounding area, including to the setting of the nearby part of the Hamlet Court Road Conservation Area. The proposal would conflict with Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance) of the Southend-on-Sea Core Strategy (CS) (2007) and Policies DM1 (Design Quality), DM3 (The Efficient and Effective Use of Land) and DM5 (Southend-on-Sea's Historic Environment) of the Southend-on-Sea Development Management Document (DMD) (2015). Together these policies require that development proposals add to the overall quality of the area, respect the character of the site, respond positively to its local context and conserve and enhance the historic environment including the setting of heritage assets.
14. For the same reasons, the proposal would also conflict with the guidance in the Southend-on-Sea Borough Council Design and Townscape Guide Supplementary Planning Document (2009) which confirms that the appearance of a development must have a positive relationship to context, reinforce local distinctiveness and seek to enhance the character of an area.

Conclusion and Recommendation

15. For the reasons given above, I recommend that the appeal should be dismissed since it would conflict with the development plan.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR