



Appeal Decision

Site visit made on 16 April 2025

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2025

Appeal Ref: APP/M1520/W/24/3356681

30 Linden Road, Benfleet, ESSEX SS7 4BA

- 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 Hi Tech Roofing against the decision of Castle Point Borough Council.
 - The application Ref is 24/0431/FUL.
 - The development proposed is described as upper storey extension comprising of a mansard roof, two storey rear extension, alteration to fenestration and internal reconfiguration.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of proposed development from the planning application form although I note it is expressed differently on other documents.
3. A revised version of the National Planning Policy Framework (the Framework) has been published since the planning application was determined by the Council. I have had regard to the revised Framework in reaching my decision.

Main Issue

4. The main issue raised by this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is situated on the boundary of both existing residential and commercial areas. The residential development in the locality is predominantly of pitched roof design, although the forms of those roofs vary. The adjacent commercial unit also hosts a roof of shallow pitched form. The existing building is of semi-domestic character when compared to that of existing commercial development in the locality.
6. The additional storey at roof level would create two roof forms of mansard design. This overall roof form is not reflected within the surrounding developments, either residential or commercial. I acknowledged that the existing design of the host building is one of flat roof form, which in its current form does not reflect the roof designs within the surrounding area. Nonetheless, the proposal would increase the height of the host building by adding two elements of uncharacteristic mansard roof forms. Such a roof form would be out of keeping with the prevailing appearance of

the development in the area. This discordant roof addition to this building would be predominantly visible in the street scene given its elevated nature.

7. Consequently, the proposed development would appear out of keeping within this locality and, for this reason, would be visually harmful to this appearance of the area and the street scene. Whilst the existing building currently incorporates uncharacteristic flat roofs, I do not agree with the appellant that the formation of a mansard roof would improve the overall appearance of the building.
8. Further to the above, the fenestration within the front elevation would have a horizontal emphasis and have a regular rhythm to its appearance. I do not share the Council's view that the fenestration would have an unbalancing appearance within the frontage of the property that would appear visually awkward within the wider street scene.
9. Planning permission was granted at the appeal site in September 2018 under planning application Ref: 18/0664/FUL for the construction of a detached dwelling house alongside associated development, following the demolition of existing structures. That planning permission has not been implemented. It is contended that the Council considered that modern and somewhat unusual design to have been suitable due to the varied character of the immediate locality. Furthermore, it is advised that that proposal would have had a taller roof to that proposed here.
10. From the details provided, that proposal related to the replacement of the existing building at the appeal site. That proposal appears to have had, in the main, a roof of pitched roof form. Therefore, different considerations will have applied. The proposal before me hosts a very different roof form that can and should be considered on its own merits. That previously granted planning permission, of a very different design to that proposed, holds little weight in favour of the proposal.
11. I have also been referred to a planning appeal Ref: APP/M1520/W/23/3317601. However, that proposal related to the change of use of the appeal site. As such, that proposal was for a different form of development to that proposed here that can and should be considered on its own individual merits. That proposal also holds little weight in favour of this proposal.
12. For the reasons set out previously above, I conclude that the proposed development would harm the character and appearance of the area. As such, the proposed development would conflict with Policy EC2 of the Castle Point Borough Council Local Plan 1998 and the provisions of the Framework. That policy and the Framework seek, amongst other matters, development to be of a high standard of design that is appropriate for its setting and that should not harm the character of its surrounding. This reflects the objectives of the updated Framework.

Other Matters

13. The proposal would create employment during the construction process and, as a result of the enlargement of the existing commercial building, this would encourage business to maintain productivity at the property as an economic enterprise. These are public benefits of the proposal that hold modest weight.
14. The proposal is not within the setting of any listed buildings and does not fall within a conservation area. The site is at low risk from flooding. I acknowledge that the other extensions proposed to the rear of the building are acceptable to the Council

and that no expressions of public interest were received during the planning application proposal.

15. Whilst these are individually and collectively merits of the proposed scheme, they do not significantly outweigh the harm to the character and appearance of the area that I have identified above. Furthermore, these benefits would not justify the proposed development.

Conclusion

16. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR