



Appeal Decision

Site visit made on 10 April 2025

By SJ Desai BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2025

Appeal Ref: APP/D1590/D/25/3360689

7 Leigh Hill, Leigh-on-Sea, Essex SS9 2DR

- 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 Ross Whittow-Williams against the decision of Southend-on-Sea Borough Council.
 - The application Ref is 24/01753/FULH.
 - The development proposed is described as 'hipped to gable roof extension to form habitable accommodation in the loft space, erect part single/part two storey side/rear extension and alter elevations'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have determined the appeal on the basis of the Council's description of the development proposed, which I have used in the bullet header above, as it more accurately describes the development.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area, including whether it would preserve or enhance the character or appearance of the Leigh Conservation Area (CA).

Reasons

4. The appeal site is located in the CA. The terms of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
5. The CA relates to that part of the settlement north of the railway rising up Leigh Hill to the parish church. The Conservation Area's significance derives from its history as part of the working marine village, its varied traditional architecture and its fine position on the hillside overlooking the Estuary. Buildings are mostly on a small domestic scale with simple designs in uniform terraces and more loosely connected groups. Traditional buildings and materials predominate and help establish the area's character, albeit there are examples of more contemporary design within the locality. The area thereby has both architectural and historic interest.

6. Built in c1900 the host property comprises a two-storey, detached dwelling, positioned in a prominent location on the north side of Leigh Hill at its junction with Leigh Park Road which rises to the north-west. The dwelling, a former mixed-use building, has a dual-pitched, gabled roof form facing Leigh Hill and has an existing part single, part two storey rear projection with a mono pitched roof at ground floor and dual pitched roof at first floor. The dwelling is rendered and painted white throughout.
7. The Leigh Conservation Area Appraisal ('CCA') identifies the appeal dwelling as straddling two-character areas and of being of neutral value to the areas' character with poor boundary treatment and which would benefit from planting to soften its appearance.
8. I agree with the appellant that there are other examples that support contemporary development and extensions in the surrounding area and that alterations to the appeal dwelling would have the potential to be read as part of the historical pattern of adaptive development that has taken place within the CA over time.
9. However, the lack of set down from the main roof ridgeline of both the proposed front gable and side gable extensions result in the proposal failing to be subordinate to the existing dwelling and would result in an over-complicated, visually dominant, roof form. The limited set back of the proposed roof extensions create additional bulky features at roof level that add to the overbearing nature of the proposal at upper levels.
10. Chimneys are identified in the CCA as an important part of the character of the area and their removal or lack of appropriate contemporary reinterpretation is a further harmful feature of the proposal.
11. As a result of the above, I find the proposal would fail to be respectful or subservient to the host dwelling resulting in obtrusive, incongruous additions at upper levels harmful to its character and appearance and that moreover they are of a scale and form harmful to the historic and architectural interest of the CA, failing to preserve its character or appearance.
12. The harmful impact to the CA identified above is compounded by the appeal property's highly prominent position in the street scene due to its corner, junction location and as a result of its visibility from elevated positions and roads above.
13. I find elements of the proposed development to be positive, such as the rebalancing of the front elevation through changes to fenestration and how the elevation, at lower levels, facing the junction would add some visual interest when viewed from the east. However, these factors are in my view modest and do not outweigh the harm identified. Overall, I find that the proposal would neither preserve nor enhance the character or appearance of the CA, although the harm would be less than substantial.
14. I agree with the Council that concerns regarding the use of materials could be dealt with by way of condition if the appeal was to succeed. However, the use of appropriate materials would not address the harm identified.
15. I find that the proposal would harm the character and appearance of the host dwelling and the surrounding area and would not preserve the character or appearance of the CA. As such, the proposal would conflict with Policies CP4 and

KP2 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on Sea Development Management Document (2015), which amongst other matters, seek to safeguard, respect, conserve and enhance the historic environment, and deliver high quality design that is respectful and subservient to the original building and responds positively to local context.

Other Matters

16. Paragraph 215 of the Framework states that less than substantial harm to the significance of a designated heritage asset (in this case the CA) should be weighed against the public benefits of the proposed development. In reaching my findings I have had regard to the public benefit associated with improvements to the quality of accommodation, which the appellant considers secures the optimum viable use of the appeal property, and the potential energy efficiency and sustainability improvements. I give these considerations moderate weight in favour of the appeal. However, I am not persuaded that these limited public benefits are sufficient to outweigh the great weight that should be given to the asset's conservation.
17. Furthermore, I do not have the full details of the circumstances that led to all of the examples of similar extensions and development put to me being accepted. On the evidence presented I therefore cannot be certain that they represent a direct parallel to the development. I have, in any event, determined the appeal based on its own planning merits and consequently the existence of the other developments that have been brought to my attention do not justify harmful development at the appeal site.

Conclusion

18. For the reasons given above, the development conflicts with the development plan and there are no material considerations of sufficient weight to indicate that the development should be determined otherwise than in accordance with it. The appeal should therefore be dismissed.

SJ Desai

INSPECTOR