
Appeal Decision

Site visit made on 1 July 2025

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2025

Appeal Ref: APP/D1590/W/24/3349922

Elmtree Lodge, 66 Cranleigh Drive, Leigh-On-Sea, Essex SS9 1SY

- 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 Steve Pullan (William Nelson Ltd) against the decision of Southend-on-Sea Borough Council.
 - The application Ref is 23/01639/FUL.
 - The development proposed is described as additional 1No 2 bedroom and 2No 1bedroom flats at fourth floor and additional mobility scooter parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address in the banner heading is taken from the decision notice and the appeal form. It is different to the address shown on the application form. In the interest of accuracy, the Council amended the address. The appellant has not raised any objections to the amendment.
3. Since the appeal was made, a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against the updated national policy context, the relevant changes to the Framework are not fundamental to matters which are determinative to the outcome of this appeal.

Main Issue

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

Reasons

5. The appeal site occupies a prominent corner plot at the junction of Cranleigh Drive and London Road (A13), accommodating a four-storey flat-roofed building with commercial uses at ground floor and residential accommodation above. It is located within a transitional part of the town where the built form becomes denser and taller along the A13 corridor. The surrounding townscape is varied however the prevailing pattern of development on the southern side of London Road is generally of a smaller, more domestic scale, comprising two-storey houses and traditional low-rise buildings. It displays a finer urban grain with a consistent and established character.
6. The existing four-storey building already stands out in scale and form and also sits at a slightly elevated position at the top of Cranleigh Drive and Elm Road. This

topographical relationship further increases its prominence and visual exposure in the street scene, especially when viewed from lower ground to the south and southeast.

7. The proposed additional storey would introduce a fifth level, increasing the building's height and bulk. Although set back from the building edges and designed with lighter materials, it would remain clearly visible, particularly in longer views. From London Road as well as from Cranleigh Drive and Elm Road, the extra storey would add noticeable mass to an already dominant structure. It would exaggerate the building's prominence and undermine its existing proportions, creating a top-heavy appearance that fails to sit comfortably within the surrounding context. Whilst the appellant contends that the building already has five storeys owing to the lift shaft and stairwell, these are clearly subordinate rooftop structures and do not equate to a full additional floor of accommodation.
8. The appellant argues that the building sits within a mixed context and points to taller developments to the north of London Road. However, these buildings are physically and visually separated from the appeal site by the wide road corridor. The appeal building, which is set back from London Road, still also remains visually part of the more traditional, domestically scaled development on the southern side of the main road. The neighbouring two-storey dwellings in its immediate vicinity are all smaller in scale. The proposal would not respond appropriately to this prevailing scale and form, and would instead undermine the established pattern of development in this more sensitive, lower-rise setting.
9. I have had regard to the submitted CGI images. The design attempts to reduce the impact through setback and material contrast, but the additional floor would nonetheless be perceived as an intrusive and bulky addition, particularly given the prominent corner location and elevated position. The proposed fifth storey would disrupt the established rhythm and proportions of surrounding development and appear visually discordant.
10. The Council's officer report found the proposal acceptable in design, noting that the additional storey would be visually subservient and would not result in material harm. However, while the officer's recommendation is a material consideration, it is not determinative. The committee's decision reflects an alternative but equally valid interpretation of the development's impact.
11. Given this, the proposed development would not satisfactorily harmonise with the host building and would harm the character or appearance of the area. Therefore, the proposal would conflict with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) (the Local Plan) and the advice in the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009) insofar as they seek to ensure proposals are well-designed and respond positively to their contexts. The proposal would also conflict with Paragraph 135 of the Framework which seeks to ensure that developments are visually attractive and sympathetic to local character. I have attached substantial weight to this harm.

Other Considerations

12. The Council acknowledge that they cannot demonstrate a 5-year supply of deliverable housing land. The evidence before me is that in April 2024 the level of supply was 3.48 years, and the situation may well have worsened with the

publication of the new Framework. Consequently, because of the provisions of footnote 7, paragraph 11 d) of the Framework is engaged. As such, it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing additional dwellings to assist the Council in addressing its undersupply.

13. I have found conflict with Policies KP2 and CP4 of the Core Strategy and Policies DM1 and DM3 of the Local Plan which are consistent with the Framework. I therefore find that the proposal would conflict with the Development Plan as a whole. Against that, the appeal proposal would boost housing supply in a sustainable location, contribute to housing mix in the borough, and would be an effective use of land. However, the provision of three additional sheltered housing units would make a relatively minimal difference to the overall supply of housing and so I give this moderate weight in favour of the proposal.
14. There would also be some minimal economic benefits during construction and from future occupants' contributions to the local economy through the use of services and facilities. I have attached limited weight to this consideration.

Planning Balance and Conclusion

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The harm I have identified would significantly and demonstrably outweigh the limited benefits of the appeal scheme, when assessed against the policies in the Framework taken as a whole.
16. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR