



Appeal Decision

Site visit made on 12 January 2026

by **A Wright BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026

Appeal Ref: APP/D1590/D/25/3374862

88 Undercliff Gardens, Leigh-on-sea, Southend-on-Sea SS9 1ED

- 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 Glen Cain against the decision of Southend-on-Sea City Council.
 - The application Ref is 25/00787/FULH.
 - The development proposed is described as 'erection of an automated gate'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I note that the development has already been carried out. The gate appears to have been constructed as shown on the plans before me, but for the avoidance of doubt, I have determined the appeal based on the submitted plans.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is a residential property with an access onto Grand Parade. Due to the sloping topography, Grand Parade lies at a significantly higher level than the houses on Undercliff Gardens. There are many vehicular accesses on this side of Grand Parade and several mostly modest sized garages set down from the road, including on the appeal site. There are some higher boundary hedges and some solid fences and gates set back from the road, including at 82 Undercliff Gardens. However, the predominantly low boundary planting and small open fences, gaps between the set back garages and lower position of the houses give this side of Grand Parade a largely open character with views across the Thames Estuary.
5. Policy DM6 of the Council's Development Management Document 2015 (DMD) seeks to protect the Thames Estuary's openness and views across the river and requires proposals to accord with the development principles for the area. The site is within The Cinder Path Seafront Character Zone where the principles include protecting the open character and estuary views from Grand Parade. An Article 4 direction¹ removes permitted development rights for means of enclosure for most properties in Undercliff Gardens to protect the public views of the Thames Estuary from Grand Parade.

¹ Under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

6. The Council's Design and Townscape Guide 2009 recognises that boundary treatment is often a key element of local character and states that the enclosure of site boundaries must not be unduly prominent.
7. The proposed gate is around 1.8m high, extends across much of the site width and lies between the existing garage and the footway. Due to the slope down from the road, from Grand Parade the gate appears no higher than the existing garages on the site and adjacent at 90 Undercliff Gardens. Further, its cedar colour means that the gate does not appear as stark as some large white garage doors nearby.
8. However, because of its position, substantial width and solid construction, the proposed gate significantly encloses the site. This harms the open character of the area and interrupts views of the Thames Estuary from Grand Parade between the existing garage and the neighbouring one at 86 Undercliff Gardens, particularly to those travelling eastbound.
9. Therefore, I conclude that the proposed development harms the character and appearance of the area. This is contrary to Policies KP2 and CP4 of the Southend-on-Sea Core Strategy 2007 and Policies DM1, DM3 and DM6 of the DMD. Together, these require developments to respect the local context and surroundings and the open character of Grand Parade, amongst other things.

Other matters

10. The appellant indicates that the proposal provides security, but there is little to suggest that the provision of a large gate is the only means of achieving this. Therefore, I accord this matter limited weight.

Conclusion

11. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

A Wright

INSPECTOR