

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Development Control Committee

Date: Wednesday, 14th June, 2017

Time: 2.00 pm

Place: Committee Room 1 - Civic Suite

Contact: Tim Row - Principal Committee Officer

Email: committeesection@southend.gov.uk

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- 1 Apologies for Absence
- 2 Declarations of Interest
- 3 Supplementary Report
- **** **Introduction**
- **** **Reports on Pre-Meeting Site Visits**
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- 5 **16/00001/UNAU_B - Flat 1, 14 Park Road, Westcliff on Sea (Milton Ward)**
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- 6 **17/00213/FULM - RBS Card Transactions Centre, Thanet Grange**
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TO: The Chairman & Members of Development Control Committee:

Councillor F Waterworth (Chair),

Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton, H Boyd, S Buckley, T Callaghan, N Folkard, J Garston, R Hadley, H McDonald, C Mulroney, D Norman MBE, P Van Looy, C Walker and N Ward

PLEASE NOTE: The minibus for the site visits will depart from the bus stop at the front of the Civic Centre at 11.00 a.m.

DEVELOPMENT CONTROL COMMITTEE

INTRODUCTION

- (i) **Recommendations in capitals at the end of each report are those of the Corporate Director of Place, are not the decision of the Committee and are subject to Member consideration.**
- (ii) All plans have been considered in the context of the Borough Council's Environmental Charter. An assessment of the environmental implications of development proposals is inherent in the development control process and implicit in the reports.
- (iii) Reports will not necessarily be dealt with in the order in which they are printed.
- (iv) The following abbreviations are used in the reports:-

BLP	- Borough Local Plan
DAS	- Design & Access Statement
DEFRA	- Department of Environment, Food and Rural Affairs
DPD	- Development Plan Document
EA	- Environmental Agency
EPOA	- Essex Planning Officer's Association
DCLG	- Department of Communities and Local Government
NPPF	- National Planning Policy Framework
NPPG	- National Planning Practice Guidance
SPD	- Supplementary Planning Document
SSSI	- Sites of Special Scientific Interest. A national designation. SSSIs are the country's very best wildlife and geological sites.
SPA	- Special Protection Area. An area designated for special protection under the terms of the European Community Directive on the Conservation of Wild Birds.
Ramsar Site	- Describes sites that meet the criteria for inclusion in the list of Wetlands of International Importance under the Ramsar Convention. (Named after a town in Iran, the Ramsar Convention is concerned with the protection of wetlands, especially those important for migratory birds)

Background Papers

- (i) Planning applications and supporting documents and plans
- (ii) Application worksheets and supporting papers
- (iii) Non-exempt contents of property files
- (iv) Consultation and publicity responses
- (v) NPPF and NPPG
- (vi) Core Strategy
- (vii) Borough Local Plan

NB Other letters and papers not taken into account in preparing this report but received subsequently will be reported to the Committee either orally or in a supplementary report.

DEVELOPMENT CONTROL COMMITTEE

Use Classes

- Class A1 - Shops
- Class A2 - Financial & Professional Services
- Class A3 - Restaurants & Cafes
- Class A4 - Drinking Establishments
- Class A5 - Hot Food Take-away

- Class B1 - Business
- Class B2 - General Industrial
- Class B8 - Storage or Distribution

- Class C1 - Hotels
- Class C2 - Residential Institutions
- Class C3 - Dwellinghouses
- Class C4 - Small House in Multiple Occupation

- Class D1 - Non-Residential Institutions
- Class D2 - Assembly and Leisure
- Sui Generis - A use on its own, for which any change of use will require planning permission

DEVELOPMENT CONTROL COMMITTEE

SITE VISIT PROTOCOL

1. Necessity

A site visit is only likely to be necessary if either:

- (i)** The proposed development is difficult to visualise from the plans, photographs and supporting material; or
- (ii)** There is good reason why the comments of the applicant and / or objector(s) cannot be expressed adequately in writing; or
- (iii)** The proposal is particularly contentious; or
- (iv)** A particular Member requests it and the request is agreed by the Chairman of DCC.

2. Selecting Site Visits

- (i)** Members can request a site visit by contacting the Head of Planning and Transport or the Group Manager for Planning; providing the reason for the request. The officers will consult with the Chairman.
- (ii)** If the agenda has not yet been printed, notification of the site visit will be included on the agenda. If the agenda has already been printed, officers will notify Members separately of the additional site visit.
- (iii)** Arrangements for visits will not normally be publicised or made known to applicants or agents unless access is required to be able to go on land.

3. Procedures on Site Visits

- (i)** Visits will normally take place during the morning of DCC.
- (ii)** A planning officer will always attend and conduct the site visit, and will bring relevant issues to the attention of Members. The officer will keep a record of the attendance, and a brief note of the visit.
- (iii)** The site will normally be viewed from a public place, such as a road or footpath.
- (iv)** Representations will not be heard, and material will not be accepted. No debate with any party will take place. Where applicant(s) and/or other interested person(s) are present, the Chairman may invite them to point out matters or features which are relevant to the matter being considered having first explained to them that it is not the function of the visit to accept representations or to debate.

Version: April 2016

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Reference:	17/00234/FUL	4
Ward:	West Leigh	
Proposal:	Demolish existing dwelling house and erect 4no two storey dwelling houses, form vehicular accesses on to Underwood Square	
Address:	Haydon House, 10 Underwood Square, Leigh-on-Sea, Essex, SS9 3PB	
Applicant:	Intex Properties Limited	
Agent:	SKArchitects	
Consultation Expiry:	27.04.2017	
Expiry Date:	14.06.2017	
Case Officer:	Janine Rowley	
Plan Nos:	03-385P06 3D Views; 03-385 006-P01 Existing and Site/Block Plans Revision C; 03-385P02 Revision B Proposed Ground and First Floor Plans; 03-385P03 Revision B Proposed Second floor and roof plans; 03-385P04 Revision C Proposed Elevations; 03-385 P07 Revision B; 03-385 P05 Details	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to demolish the existing dwellinghouse and erect four dwellinghouses, each two storeys in height with roof accommodation, and from associated vehicular access onto Underwood Square. It should be noted during the determination of this planning application the applicant sought and was granted prior approval consent to demolish the existing dwellinghouse (under reference 17/00396/DEM) and that these demolition works are nearing completion.
- 1.2 The proposed dwellinghouses are approximately 7m wide (8.2m including entrance porch) 13m deep at two storeys (16.6m including the single storey conservatory), 10.6m to 10.9m high (due to the varying site levels). The proposed dormers to the side elevations are 3.6m wide by 2.1m high and 1.7m deep with pitched roofs.
- 1.3 The internal floorspace of each dwelling equates to 238sqm. Each dwelling would have a lounge, living/kitchen/dining area and utility room and WC proposed to the ground floor, 3 bedrooms, ensuite bathroom and family bathroom to first floor and two bedrooms with ensuite bathrooms at second floor.
- 1.4 Each dwelling would have two parking spaces to the front. The proposed amenity space to the rear of the dwellings ranges from 190sqm to 243sqm per house.
- 1.5 The proposed materials to be used in the construction of the dwellinghouses include white render and burnt Larch cladding to the walls, timber front and rear doors, with critall patio doors accessing the rear garden and timber framed windows.
- 1.6 It should be noted the siting the dwellinghouses has been revised during the course of the application and neighbours notified accordingly.

2 Site and Surroundings

- 2.1 Underwood Square is a purpose built square consisting of an informal green space surrounded and enclosed by detached and semi-detached houses. The houses are of different ages and designs and do not form a cohesive streetscene character. However, the character of this area derived primarily from the houses arrangement around the open space and the presence of many mature trees, which are preserved by tree protection orders.
- 2.2 The application property was the largest in the street and is set in a substantial plot taking up nearly a whole side of the square. As such it does not provide the same level of enclosure to the square as the opposite side, which contains 5 houses. There is one other property on the west side of the square to the north of the application site (number 11). This is a modest detached house of traditional design.
- 2.3 The dwellinghouse prior to demolition, was Arts and Crafts in style and was orientated south towards the garden rather than the street and screened by a tall hedge. The property was not listed or located within a conservation area, or on safeguarded land designated by the Development Management Document.

- 2.4 There are changes in levels across the site. The surrounding area includes a public open space to the immediate east of the site. The existing square is surrounded by two storey properties. The trees to the western boundary are protected by a tree preservation order. To the rear of the site is Belfairs playing fields

3 Planning Considerations

- 3.1 The main considerations in relation to this application are the principle of the development, design and impact on the streetscene, ecology, impact on preserved trees, traffic and transportation and impact on residential amenity, sustainable construction, the schemes CIL liability and the quality of accommodation for future occupiers.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) Policies KP1, KP2, CP4, CP8; Development Management DPD2 policies DM1, DM3, DM5, DM7, and the Design and Townscape Guide SPD1 (2009).

- 4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy DPD Policies KP2, CP4 and CP8. Amongst the core planning principles of the NPPF include to *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.”* Paragraph 56 of the NPPF states; *“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Paragraph 64 of the NPPF states; *“that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*
- 4.2 Part 2 of Policy KP2 of the Core Strategy states *“make the best use of previously developed land, ensuring that sites and buildings are put to best use”*. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 recognises that a significant amount of additional housing will be achieved by intensification (making more effective use of land) and requires that development proposals contribute to local housing needs. It identifies that 80% of residential development shall be provided on previously developed land. The site previously accommodated a 4 bedroom detached dwellinghouse.
- 4.3 Policy DM3 states that *“the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.”*

- 4.4 As part of its Strategic Housing Land Availability Assessment (SHLAA) update, the Council has published information on its potential housing supply (5 year supply of housing plus an additional 5% buffer as required by the NPPF). This demonstrates that the Council has a 6 year housing land supply against its adopted targets and therefore, meets the requirements of the NPPF in terms of housing delivery. Whilst the authority is able to meet its housing needs targets without recourse to allowing development which would otherwise be unacceptable, the principle of providing a more intensive use and the erection of new dwellings at the site is considered to be acceptable, subject to the detailed considerations set out below.
- 4.5 In accordance with policy DM7 of the Development Management Document the proposed development will provide four 5 bedroom family houses, which is an acceptable dwelling mix.
- 4.6 For these reasons it is considered that no objection should be raised in relation to the principle of undertaking residential development at the site.
- 4.7 As the original dwelling at the site has been demolished lawfully the loss of this building is not a reasonable ground to object to the proposal.

Design and Impact on the Streetscene

National Planning Policy Framework; DPD1 (Core Strategy) Policies KP2 and CP4; Development Management Plan DPD2 policies DM1, DM3 and the Design and Townscape Guide SPD1 (2009).

- 4.8 In the Council's Development Management DPD, policy DM1 states that development should "add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features."
- 4.9 Policy DM3 of the Development Management Document states the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.
- 4.10 Part 2 of Policy DM3 of the Development Management Document states that "*all development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:*
- (i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or*
 - (ii) Conflict with the character and grain of the local area; or*
 - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or*
 - (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees."*

- 4.11 The west side of Underwood Square contained two detached, two storey properties. The proposed development comprises four, two storey detached dwellinghouses with roof accommodation. The overall grain is considered to reference the east side of Underwood Square, whereby there are a total of 5 houses including two pairs of semi-detached properties and one detached dwelling. The overall frontages of the site to the east side of Underwood Square range from 8.2m to 10.7m in width whereas as the proposed dwellings forming part of this new development range from 9m to 11.2m. Whilst the proposed development is for four linked detached dwellings, the overall density references the east side of Underwood Square. On balance, the proposed development in terms of overall density is considered a reasonable approach providing an enclosure to the square and active frontage to the street.
- 4.12 In relation to the overall layout, the dwellinghouses are set on a similar building line to number 11 to the north of the site. The proposal includes the formation of two vehicle crossovers and hardstanding areas to the front of the dwellinghouses. There are a number of mature trees within and around the site. During the course of the application, officers have secured amendments to the layout of the dwellinghouses to ensure the root protection areas of the existing trees to the south and south east corner are safeguarded. This will be discussed in further detail below.
- 4.13 The proposed dwellinghouses are two storeys in height with roof accommodation. The roof design is a steeply pitched gable to the front with two small pitched roof dormers to each side. The ridge of the gable roof will extend above the neighbouring properties. However, the existing streetscene does not have a consistent scale and on balance this ridge height is not objected too given the scale of the roof is diminishing at this point. Whilst the overall height will appear higher to the adjacent properties to the north and south, the steeply pitched gable is integral to the overall design of the properties, and on balance, it is considered that this difference in height will not appear dominant in relation to the adjacent properties to the north and south or when compared to the wider streetscene.
- 4.14 The overall design of the dwellings has an Arts and Crafts reference with a steep gabled frontage with black timber cladding, feature bay at ground floor and tall chimney. The streetscene contains a number of chalets and properties with Arts and Crafts references and on balance, the proposed form and style would not appear out of character in the streetscene. It is noted that the windows and porch are modern simple glazed forms; however the overall detailing is considered to be of an acceptable quality. The properties are articulated in terms of feature bays, chimneys and materials, including decorative black timber cladding and traditional plain clay peg tiles, which would relate to the streetscene.
- 4.15 On balance, notwithstanding that the height of the dwellings will be higher than surrounding development, taking into account size of the site, architectural approach, height, size, scale, form and massing of the new dwellings it is considered that the proposal would have an acceptable appearance in the context of the surrounding area in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy DPD1, policies DM1 and DM3 of the Development Management Document DPD2 and the Design and Townscape Guide.

Standard of Accommodation for Future Occupiers

National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4; Development Management Document policies DM1, DM3, DM8, The National Technical Housing Standards DCLG 2015 and Design and Townscape Guide (SPD1)

- 4.16 Paragraph 17 of the NPPF states that *“planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.
- 4.17 Part 2 of policy DM3 of the Development Management Document (i) states: *“Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents”*.
- 4.18 It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:
- Minimum property size for a five bedroom (8 person bed space) 134sqm;
 - Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m²; and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
 - Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
 - A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

Weight should also be given to the content of policy DM8 which states the following standards in addition to the national standards.

- Provision of a storage cupboard with a minimum floor area of 1.25m² should be provided for 1-2 person dwellings. A minimum of 0.5m² storage area should be provided for each additional bed space.
- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home. Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.

- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

- 4.19 The dimensions of the proposed residential units are set out above. They comply with the abovementioned standards. Furthermore, the bedrooms would be of appropriate size. All habitable rooms will benefit from outlook and daylight. There is some potential concern in relation to the dwelling nearest to the boundary abutting 51 Lime Avenue given the proximity of trees to the side elevation and rear boundary that could result in shading. However, on balance the impact is not such that it would result in material harm to occupiers, given the size of the amenity space.
- 4.20 The amenity space provision for the four dwellings consists of rear gardens ranging from 190sqm to 243sqm, in size. This is considered to be entirely adequate to serve the dwellings proposed.
- 4.21 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. It has been demonstrated that the proposed development would accord with the requirements of the M4(2) standard in the Building Regulations and this will be ensured by imposition of a suitable condition.

Traffic and transportation

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; policy DM15 of the DPD2 (Development Management Document) and the Design and Townscape Guide SPD1.

- 4.22 Policy DM15 states that each dwelling should be served by at least two parking spaces per property and as such the four dwellings should be served by a total of 8 spaces.
- 4.23 The proposed parking arrangement will include the formation of two vehicle crossovers (4.8m wide) and eight parking spaces (two per dwelling), which is policy compliant. No objections have been raised by the Councils Highway Officer in relation to the parking provision and vehicle crossovers. Whilst the proposal will result in the loss of one parking space, taking into account the benefits of new housing in this location no objection is raised. Whilst the proposed development will result in increased traffic movements, they are not considered harmful to the highway network. The existing road will remain unchanged. The development would not impact upon access for emergency vehicles or refuse lorries to a degree that would justify a refusal of planning permission.

Impact on residential amenity

National Planning Policy Framework, Core Strategy Policies KP2 and CP4, Development Management Document DPD2 policies DM1, DM3 and the Design and Townscape Guide (SPD1)

4.24 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods. Amenity refers to well-being and takes account of factors such as privacy, overlooking, outlook, noise and disturbance, the sense of enclosure, pollution and daylight and sunlight. Policy DM1 of the Development Management requires that all development should (inter alia):

“Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight;”

4.25 The proposed plot to the north of the site abutting the boundary is set 1m-1.4m from the side boundary of number 11 Underwood Square. The proposed dwelling will not project in front of no. 11 Underwood Square, but will project beyond the rear wall of no. 11 by 7.1m in total, with 3.5m at single storey and the remainder 3.6m at two storeys. It is noted there are a number of windows to the side elevation that serve bedrooms and living areas to the ground floor. However all windows are secondary and primary windows are to the east and west of number 11 Underwood Square.

4.26 The applicant has provided drawing 385-08-16 385P09 demonstrating the proposed development will have some impact during the winter months on the amenities of existing occupiers of number 11 Underwood Square in terms of daylight. However, it is not considered that this would cause demonstrable harm to existing amenities of nearby residential occupiers particularly given the windows affected are secondary and taking into account the separation distance to the side boundary of between 1m-1.4m and a further 2m to the side elevation of number 11 Underwood Square. The proposed development will not breach a 45 degree taken from the ground floor window of number 11 Underwood Square. Due to the proposed relationship it is considered that the proposed development would not result in a sense of enclosure, loss of light or outlook of the neighbouring property that would result in material harm to the amenities of the occupiers of that property. Overlooking would be prevented by the use of obscure glazing. It is therefore considered on balance that the proposal would not impact on the amenities of that property to an extent that would justify the refusal of the application.

4.27 In relation to the impact on existing occupiers at 51 Lime Avenue, (to the south), the new dwelling nearest the southern boundary of the site is set 2.6m away from the boundary with number 51 Lime Avenue. The dwelling would project 14.3m to the rear of 51 Lime Avenue. Taking into account the separation distance and given the proposed dwelling is to the north of the boundary of number 51 it is not considered, on balance, that the proposed built form would cause an unacceptable loss of light, outlook nor result in an unacceptable sense of enclosure to the detriment of the existing amenities enjoyed by occupiers at number 51 Lime Avenue. Whilst windows are proposed to the flank elevation of the new development a condition to ensure it is fixed shut and obscure glazed will be imposed. Therefore the development would not result in any increased overlooking or loss of privacy.

- 4.28 To the west of the site, the existing site backs onto playing fields associated with Belfairs High School and to the east is Underwood Square, which is an open space therefore not resulting in harm to residential occupiers.
- 4.29 In relation to noise and disturbance, it is not considered the increase activity associated with the proposed development will have an adverse impact on residential amenity taking into account the residential nature of the proposal. To ensure the amenities of residential occupiers surrounding the site are safeguarded during construction a condition will be imposed in relation to construction hours.

Sustainable Construction

National Planning Policy Framework; DPD1 (Core Strategy) policy: KP2 DPD2 (Development Management) policies DM1 and DM2, and the Design and Townscape Guide SPD1.

- 4.30 Policy KP2 of the Core Strategy states:

“All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in SPD 1 Design and Townscape Guide”.

- 4.31 The provision of renewable energy resources should be considered at the earliest opportunity to ensure an intrinsic design. In this instance the applicant has indicated that photovoltaic panels will be used to meet the requirement of policy KP2 of the Core Strategy. Further details would be sought through the conditions recommended if this application is deemed acceptable.
- 4.32 The site is located in flood risk zone 1 (low risk). Policy KP2 of the Core Strategy states all development proposals should demonstrate how they incorporate sustainable drainage systems (SUDS) to mitigate the increase in surface water runoff, and, where relevant, how they will avoid or mitigate tidal or fluvial flood risk. A condition will be imposed to ensure the proposed development mitigates against surface water runoff.
- 4.31 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst details have not been submitted for consideration at this time, this would be dealt with by conditions recommended if the application is deemed acceptable.

Other Matters

Listing Assessment of the existing dwellinghouse

- 4.32 The Council has commissioned an independent report by Architectural History Practice (AHP) to carry out an architectural and historical assessment of the existing dwellinghouse prior to demolition.
- 4.33 The report concludes that Haydon House is an early twentieth century suburban house built in a Tudor Arts and Crafts style from designs by F. W. Goldsworthy. It is one of a large number of houses built in the Southend area by the Goldsworthy family firm of builders, architects and developers. None of these has been identified as of special architectural or historical interest. The design of the house shows the influence of the great Edwardian architect C. F. A. Voysey. The building has been significantly altered over time, both internally and externally, and retains no original internal features of note. The report has assessed the building against each of Historic England's recommended considerations, and in each of these respects found that it failed to meet the bar which is set for the listing of buildings of this type and date. Haydon House is therefore not considered to merit statutory listing. The report concurs with officer's initial assessment of this matter and the findings of officers at Historic England.

Conservation Area designation

- 4.34 A number of residents have raised concerns in relation to whether the area is worthy of designation as a conservation area. When considering the designation of conservation areas Government Policy, as set out in the National Planning Policy Framework, states that *'local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest'* (paragraph 127).
- 4.35 There can be a number of factors which determine whether an area warrants designation as a conservation area, but generally conservation areas have a strong character and include a particularly high concentration of good quality (well detailed and unaltered) historic buildings or depict an important period in the evolution of an area. There may also be other factors which contribute to the significance of a conservation area, such as a historic street pattern, association with a particular industry or the high quality of the public realm. However, where these characteristics occur they add to the significance of the surrounding built heritage rather than represent the primary reason for conservation area designation.
- 4.36 The buildings around Underwood Square were assessed as part of the application process and were found to be of varying quality and age and not of a sufficient overall quality or the cohesion to merit the designation of a conservation area. It is considered that the character of Underwood Square is defined more by the open space and the mature trees, rather than the historic merits of the associated buildings.

Landscaping & Trees

- 4.37 In terms of landscaping, applications for new buildings will be required to respect existing tree and planted areas. There is an Area Tree Preservation Order (ref (4) 1972) protecting several of the mature Oak trees on site situated along the rear (west) boundary. There is also a street tree located outside of the site to the south east corner. This application is accompanied by an Arboricultural Method Statement and a tree protection plan.
- 4.38 The applicant is seeking to remove small specimen trees however, the street tree located to the south east corner of the site and preserved trees to the western boundary will remain. The method statement states there are a number of mitigation measures to be implemented to achieve this including no digging outside of the building footprint, no heavy machinery or storage of materials within the root protection zone, ground protection being placed prior to demolition and remaining until completion of site works or for required soft landscaping works, site storage not to be within the root protection of any trees, supervised excavation within the root protection area for any required root pruning.
- 4.39 As set out above there are a number of measures proposed to mitigate against any potential harm to the existing trees on site. To ensure that the trees subject to the area tree preservation order (ref (4) 1972) to the western boundary are protected, tree protection barriers and ground protection will be installed. In relation to the trees to the south of the site in the rear garden of 51 Lime Avenue, named T19 and T20 by the Arboricultural Report, a foundation design outside of the tree protection zone is proposed with a cantilevered ground slab to ensure protection of tree roots together with a specific piling design to ensure protection. T21 located outside the site on the street to the south east corner of the site will require a temporary ground protection product such as Geocell, which is to be placed on the existing soil level with a Terram base prior to the placement of the Geocell material to ensure the roots of the trees are protected. Whilst it is noted a number of smaller trees and the boundary hedge would be lost through the proposed development, full landscaping details will be required by condition and the larger trees (which would be preserved) are the most significant in terms of overall contribution to the character and appearance of the surrounding area.
- 4.40 No details of proposed landscaping have been provided at this time, however an appropriate condition can be imposed to ensure landscaping is provided to the front of the site to enhance the overall appearance and setting within Underwood Square. The Councils Arboricultural Officer has raised no objections subject to appropriate conditions in relation to the mitigation measures set out in the Arboricultural Impact Assessment and Arboricultural Survey and the requirement for appropriate landscaping to soften the overall appearance of the development.

Biodiversity and Nature Conservation

- 4.41 The NPPF (section 11) states that local authorities should aim to conserve and enhance biodiversity appropriately. Planning decisions must prevent unacceptable harm to bio-diversity and impose adequate mitigation measures where appropriate. Officers have carried out an assessment of the application under the Habitats Regulations 2010 and in particular Regulation 61.

The Habitats Regulations require a two-step process. Firstly consideration needs to be given as to whether the development is likely to have a significant effect and if it does, the next step is to make an appropriate assessment. The site itself has no ecological designation.

- 4.42 As required by the regulations the applicant has provided such information as the authority reasonably requires for the purposes of the assessment or to enable them to determine whether an appropriate assessment is required. The application is accompanied by Bat and Badger Survey carried out by Intext Properties Limited dated March 2017. The habitats found on site during the survey have some ecological value as they support several protected species and are linked to offsite ecological valuable habitats. With respect to Bats, the report states that the existing building now demolished and the garage building have no evidence of their presence found at the site. In relation to Badgers, the site does contain a number of holes to the north-western corner of the site that are not occupied.
- 4.43 Given the presence of badgers the development should be carried out in accordance with the mitigation measures set out in the survey in relation to the potential impact local wildlife and protected species. Natural England have raised no objection subject to the proposal being carried out in strict accordance with the details of the application. A suitable condition will be imposed to ensure further surveys are carried out and the mitigation measures set out in the report as stated above are adhered to. Although it is an entirely separate matter, an alleged breach of legislation protecting badgers and their habitats has been reported to Essex Police and is being investigated.
- 4.44 Concerns have been raised in relation to the impact on existing birds within the hedgerows to the front of the site; however officers are not aware any nesting birds on site. However, this matter can also be addressed through the use of conditions.

Ancient Field Boundary

- 4.45 A third party representation has referenced the site borders on to an ancient field boundary. Following a review of the Southend on Sea Borough Council Local Wildlife Site Review 2011, the boundary only extends to the existing flatted block to the north of Haydon House. The rear boundary of Haydon House back onto Belfairs School playing fields only and does not fall within the Ancient Field Boundary area.

Permitted Development

- 4.46 It is noted that any alterations/extension of the dwellings allowed by the General Permitted Development Order or any order revoking and re-enacting that Order with or without modification, may result in unacceptable extensions, which will harm the visual impact on residential and mature trees surrounding the site. For this reason it is considered reasonable that permitted development rights for the proposed dwellinghouses be removed from this proposal.

Prior approval for the demolition of the dwellinghouse

- 4.47 The applicant submitted an application (reference: 17/00396/DEM) to demolish the existing dwellinghouse. This was a prior approval application solely on the basis of evidence and statutory legislation rather than planning policy. The method of demolition was considered acceptable and the applicant has notified the Council that this has commenced.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.48 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. The proposed development will result in a net increase in gross internal area of 948 square metres given the existing dwellinghouse has now been demolished. The CIL chargeable rate for residential units in this location is £66 per square metre for the residential use. Therefore, this equates to a contribution approximately £62,568.00.

Conclusion

- 4.49 Having taken all material planning considerations into account, it is found that subject to compliance with the proposal conditions, the development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. Whilst the loss of the existing dwellinghouse is regrettable, new family housing in this location is welcomed. On balance, it is considered that the dwellinghouses, would provide an acceptable addition within the streetscene maintaining the overall character and appearance of the surrounding locality, while providing adequate amenities for future occupiers and protecting the amenities of neighbouring properties.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework 2012
- 5.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP8 (Dwelling Provision)
- 5.3 Development Plan Document 2: Development Management Document Policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM3 (The Efficient and effective use of land), DM5 (Southend on Sea Historic Environment), DM7 (Dwelling Mix), DM8 (Residential Standards), DM15 (Sustainable Transport Management)
- 5.4 SPD1 Design & Townscape Guide 2009

6 Representation Summary

Design and Regeneration

- 6.1 The existing property is Arts and Crafts in style but is orientated south towards the garden rather than the street and screened by the tall hedge so does not have significant presence in the streetscene. It is understood that a prior approval application has been submitted for its demolition so the principle of its loss is no longer a consideration for this application.

It is noted that there are a number of preserved trees on the site to the rear boundary and some other mature and semi mature trees to the front and side of the site. These trees are an important townscape feature so it will be important to ensure that any development does not cause them harm as this would have a detrimental impact on the leafy character of the area.

There is no objection in principle to an increase in density on this site. The houses are 2.5 storeys with a steeply pitched gable to the front and 2 small triangular dormers to each side. The streetscene shows the ridge of the gable to extend slightly above the neighbouring properties, however, the streetscene does not have a consistent scale as seen in some areas of the Borough, the scale of the roof is diminishing at this point and the steeply pitched gable is integral to the overall design of the properties so overall it is considered that this difference in height will not appear dominant of the neighbours and is within acceptable tolerances when compared to the wider streetscene which is a mix of building forms, scales and heights.

The site plans shows the houses to be relatively close to a large street tree and to two semi mature oaks on the neighbouring property (51 Lime Avenue) so the applicant should be required to demonstrate that the proposal will not have a detrimental impact on these trees or the preserved oaks to the rear and tree protection measures should be conditioned. There may be scope to shift the houses slightly northwards to reduce this impact and this should be considered as well as suitable construction techniques.

The houses are closely spaced and effectively detached as they are linked only by lightweight glazed porches which are set back from the frontage. They are set on a similar building line to number 11 to the north of the site and present their principle frontage to the street.

The streetscene contains a number of chalets and properties with an Arts and Crafts references so this form and style would not appear out of character in the streetscene. It is noted that the windows and porch are more modern simple glazed forms but the applicant has shown that detailing of these elements, which has been provided, to be acceptable

Internally the layouts seem well considered and the amenity space suitable for family housing. To the front the properties have shared crossovers leading to 2 parallel parking spaces for each property. The layout here is efficient and should ensure that there is space for planting and an opportunity for an appropriate boundary treatment to the street.

Renewables

The Design and Access Statement comments that PVs are proposed to meet the requirement for 10% renewable energy. In this context with the surrounding mature tree cover and steep pitches further information on this should be requested including location of PVs and indicative calculations. It may be that other options would be more suitable for this site although the presence of trees and roots will need to be considered for all possibilities.

Trees

As noted above the mature trees that surround this site are key to local character and must be protected during development. It will be important to establish if any works are proposed to the TPO trees as part of this proposal so that they can be properly reviewed by the Councils Arboricultural Officer and this includes works to the roots. The impact on the trees in the street and those at 51 Lime Avenue will also need to be clarified. There is no objection to the loss of the smaller trees on the site or the boundary hedge as it is the larger trees which contribute to the areas character. Tree protection measures and a method statement for construction near these trees will need to be agreed.

Traffic and Transportation

- 6.2 No objections.

Environmental Health

- 6.3 No objections to the proposed development subject to conditions relating to noise and burning of waste and contamination.

Trees

- 6.4 No objections, the Arboricultural method statement addresses all relevant points relating to the proposed development. There is a very minor incursion into the root protection of 19 and 20. However, a condition can be imposed to ensure all works outlined in the Arboricultural Method Statement DF CP 3950-02 and trees protected as outlined in the Tree Protection Plan DF CP 3950 TPP. The tree works outlined in the Arboricultural Impact Assessment are also acceptable.

Leigh on Sea Town Council

6.5 Objection to the proposal development for the following reasons:

Overdevelopment- The plan to place four five bedroom houses on the plot is considered to be an overdevelopment. It is noted that in effect they are 3 storey properties.

Design- Haydon House is a unique building in a unique residential area. The design of the development is considered to be misleading, as it fails to show the 5° slope of the land, the result being overbearing on number 11 Underwood Square which being set to the North of the development would be overshadowed by a 10m chimney and be lower than the development thus suffering loss of light. The current design does not take policy C11 [sic] into consideration.

Parking Stress-There would be a loss of 4 on street parking spaces which would be detrimental to an area that already suffers from parking stress.

Underwood Square is a busy residential area with existing on street parking strain is a result of flat developments in the area and a busy church hall.

Environment- The development will result in a loss of all greenery from the plot except the trees covered by a TPO, thus disregarding policy C14 [sic]. Badgers, bats, and muntjac deer are regularly spotted around Haydon House being a green corridor from Belfairs Woods. The proposed removal of the holly hedge may cause issues as it also has a dense ecology.

Haydon House is situated in a flood prone area due to the proximity of Prittle Brook. The proposed development is likely to exacerbate the issue.

In the opinion of Leigh Town Council Haydon House should be a locally listed building and requests that Southend Borough Council consider this.

Natural England

6.6 Natural England has no comments to make on this application.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

Badger licensing is not an area of Natural England's work. Licenced temporary or permanent closures of setts are licenced for the period of 1st July – 30TH November (inclusive) and we are outside of that period.

Public Consultation

6.7 A site notice was displayed on the 22.02.2017 and 17 letters sent to neighbouring properties notifying them of the proposal.

57 objections were received from residents and the community group Friends of Underwood Square. These raise the following issues:

- Inappropriate development;
- Loss of light;
- Loss of views;
- Detrimental impact on the special nature and sense of place;
- Overbearing nature in respect to mass, density and appearance;
- Harm to the amenities of neighbouring and surrounding occupiers;
- Damage to local environment flora and fauna and ecological habitats;
- Additional traffic and inadequate parking; ;
- Challenge to community cohesion;
- Damage to establish trees including from construction traffic;
- The building and wider area should be a conservation area and listed to protect the community and future generations;
- Overdevelopment of site;
- Scale of development;
- Properties will distort the natural balance and rhythm of Underwood Square;
- Overlooking;
- Loss of privacy;
- Proposed dwellings are too big and does not fulfil the government criteria for affordable family homes;
- No communication with residents and the development is only about maximising profit;
- Flooding and drainage issues;
- Badgers exist in the area and the proposal would harm them;
- Noise, disturbance, dust and smells from construction for prolonged periods;
- Impact on the community and other services;
- Keep the green area as open space and install bollards to prevent users on the green space;
- Non-compliance with planning policies;
- The square will lose existing on street parking spaces that serve as an overflow to the church hall functions;
- Concern for emergency services and refuse collection;
- The garden is an integral part of the green corridor network and the western edge is part of an ancient field boundary;
- Culturalism vandalism;
- Development Control Committee should support a conservation area listings to protect the community and future generations;
- Harm to biodiversity including protected species such as bats, breeding birds and badgers.

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case. A more detailed response to these points is provided in the relevant section of the above report.

1 letter of support

- The drawings will provide a fantastic frontage with off street parking and beautiful open plan area to the rear of the proposed dwellings;
- All Oak trees will remain;
- The property has been in previous ownership for 50 years and by selling the property to the applicant enabled a local developer to provide an acceptable development rather than a large company

6.9 Essex Badger Protection Group- Badgers are present on site and there is photographic evidence to confirm this. Although the resident sett to the rear right corner of the property does not appear currently occupied.

6.10 Councillor Evans, Councillor Phillips have requested this application be dealt with by Development Control Committee.

7 Relevant Planning History

7.1 Demolish existing dwellinghouse (Application for Prior Approval for Demolition)- Prior approval is required and granted (17/00396/DEM)

7.2 Crown reduction by 4-5m to five Oak Trees (Works covered by a Tree Preservation Order)- Refused (16/01866/TPO) for the following reason:

1. *“The five Oak trees positively benefit the character and appearance of the local area and have significant amenity value. No evidence has been put forward to justify the crown reduction, which would result in a detrimental impact to the character and appearance of the trees and harmful to visual amenity and character of the area, contrary to Policies KP2 and CP4 of the Southend-on-Sea Core Strategy, Policy DM1 of the Development Management Document DPD2 of the Southend-on-Sea Borough Local Plan, and guidance contained within the SPD1, Planning Practice Guidance (Tree Preservation Orders and trees in conservation area)”.*

8 Recommendation

8.1 **Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:**

01 **The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development shall be carried out in accordance with the approved plans: 03-385 006-P01 Existing and Site/Block Plans Revision C; 03-385P02 Revision B Proposed Ground and First Floor Plans; 03-385P03 Revision B Proposed Second floor and roof plans; 03-385P04 Revision C Proposed Elevations; 03-385 P07 Revision B; 03-385 P05 Details.**

Reason: To ensure the development is carried out in accordance with the development plan.

- 03 No development shall take place until samples of the materials to be used on all the external elevations, including walls, roof, dormers, windows, doors, porch, timber cladding, paving, and on any screen/boundary walls and fences, driveway, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details before it is occupied.**

Reason: To safeguard character and appearance of surrounding area in accordance with policies DM1 and DM3 of the Development Management DPD and KP2 and CP4 of the Core Strategy.

- 04 The development shall not be occupied until 8 car parking spaces have been provided at the site in accordance with drawing 385 P01 Revision C, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter only for the parking of occupiers of and visitors to the development.**

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies DM15 of the Council's Development Management DPD and CP3 of the Core Strategy DPD1.

- 05 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but be not limited to:-**
- i proposed finished site levels or contours;**
 - ii. means of enclosure, of the site including any gates or boundary fencing;**
 - iii. car parking layouts;**
 - iv. other vehicle and pedestrian access and circulation areas;**
 - v. hard surfacing materials;**
 - vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);**
 - vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification**
 - ix. details of measures to enhance biodiversity within the site;**

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1

- 06 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the Arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and agreed in writing by the local planning authority. The approved measures shall be installed before the commencement of works and the development implemented in full accordance with the approved measures.**

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to DPD1 (Core Strategy) policies KP2 and CP4, DPD2 (Development Management) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

- 07 No development shall take place until details of the measures to be taken to protect badgers breeding birds and badgers in connection with the development hereby approved have been submitted to and approved in writing by the local planning authority (in consultation with Natural England). The development shall only be carried out in full accordance with the approved details.**

Reason: To ensure the development has an acceptable impact on the biodiversity of the environment in accordance with the National Planning Policy Framework and DPD1 (Core Strategy) 2007 policy KP2 and CP4.

- 08 A scheme detailing how at least 10% of the total energy needs of the dwellinghouses will be supplied using on site renewable sources must be submitted to and agreed in writing prior to occupation of the dwellinghouses hereby approved by the Local Planning Authority and implemented in full prior to the first occupation of the dwellinghouse. This provision shall be made for the lifetime of the development.**

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy and policy DM2 of the Development Management Document.

- 09 The development hereby permitted shall not commence until details of surface water attenuation for the site, based on SUDS principles, have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is occupied unless otherwise agreed in writing with the Local Planning Authority.**

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with Policies KP2 and CP4 of the Core Strategy DPD1, DPD2 (Development Management) policy DM2 .

- 10 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.**

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

- 11 The development hereby approved shall be carried out in a manner to ensure the houses comply with Building Regulation M4 (2) 'accessible and adaptable dwellings' standard.**

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, C, D, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.**

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

- 13 Prior to occupation of the development hereby approved the proposed, first and second floor windows in the flank elevations of the houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained as such in perpetuity thereafter.**

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance NPPF; DPD1 (Core Strategy) 2007 policy KP2 and CP4; DPD2 (Development Management) policy.

- 14 Construction and demolition works (including the unloading and loading of associated materials) associated with this permission shall only take place between the hours of 0730 and 1800 Monday to Friday 0800 and 1300 Saturday and not at all on Sundays or Bank Holidays.**

Reason: In the interests of the character and amenity of the area in accordance with Policy DM1 of the Development Management Document.

- 15** Prior to the first occupation of the dwellings hereby approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwellings hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM8 and DM15 of DPD2 (Development Management).

Informative

- 01** Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought.

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

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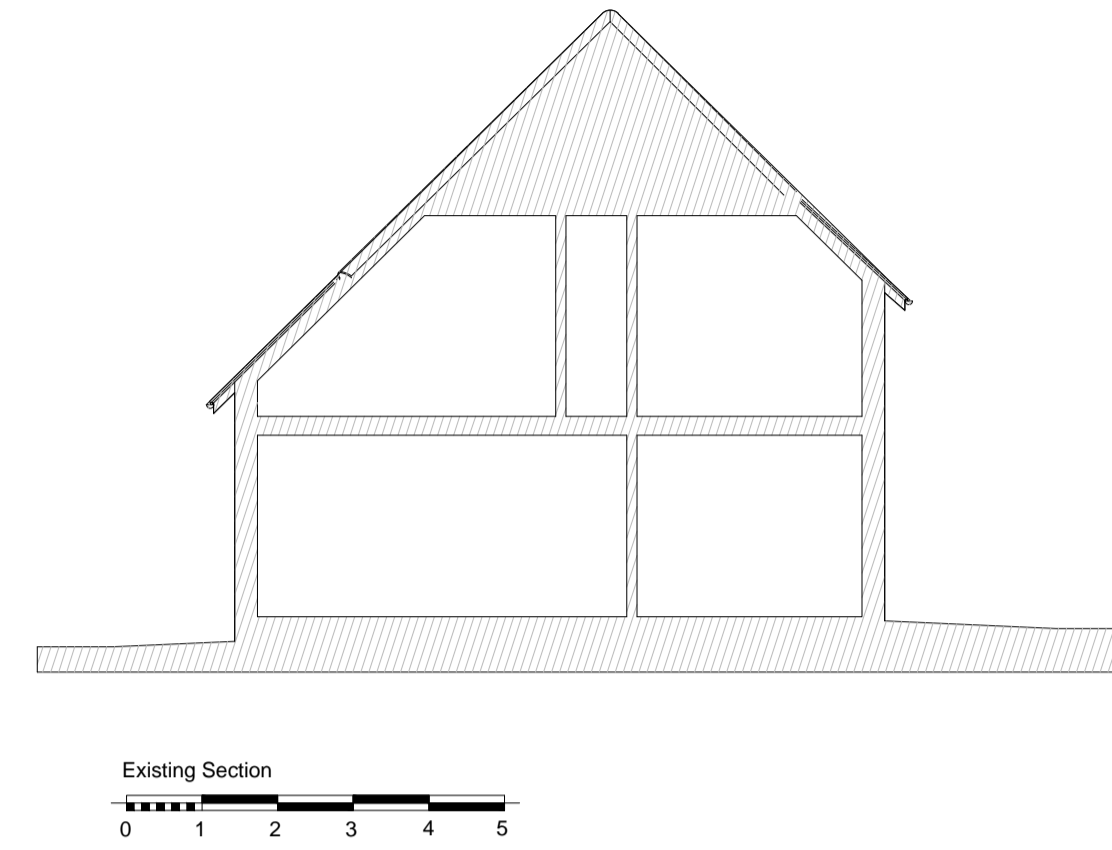
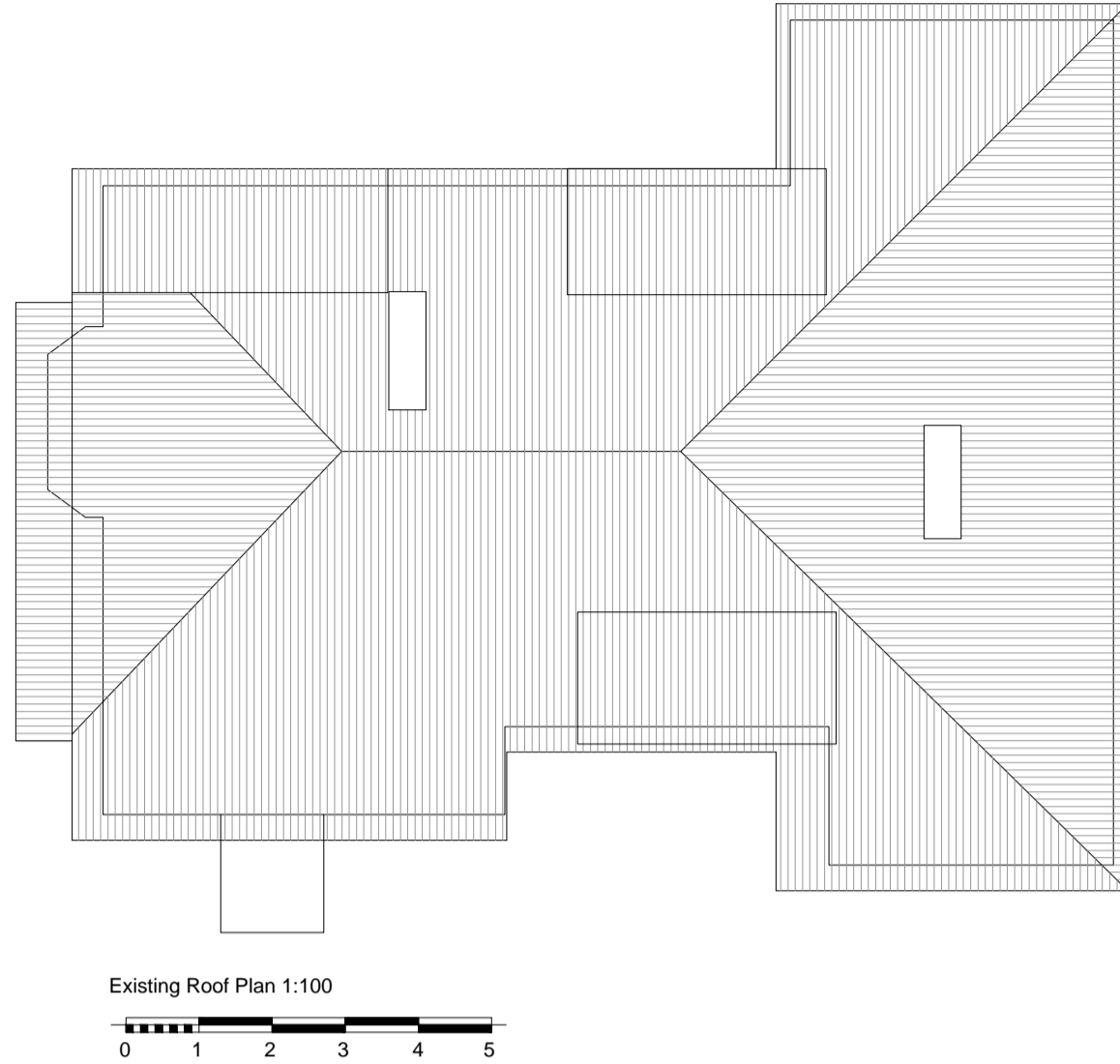
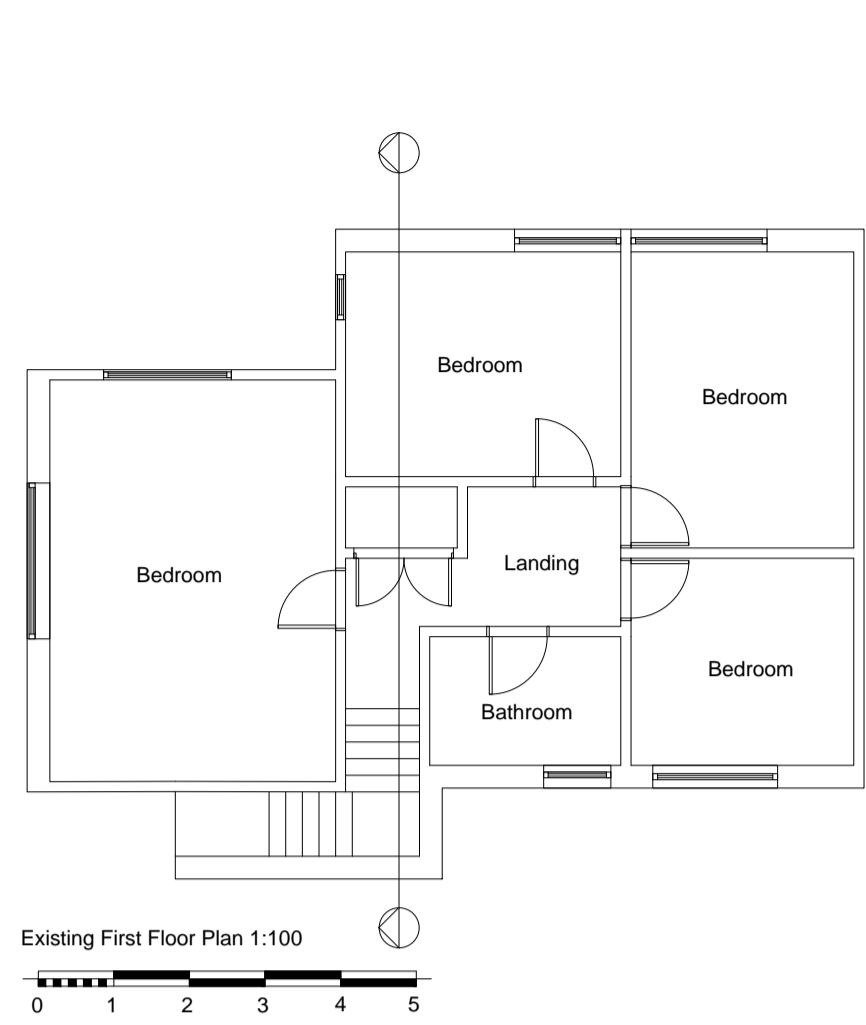
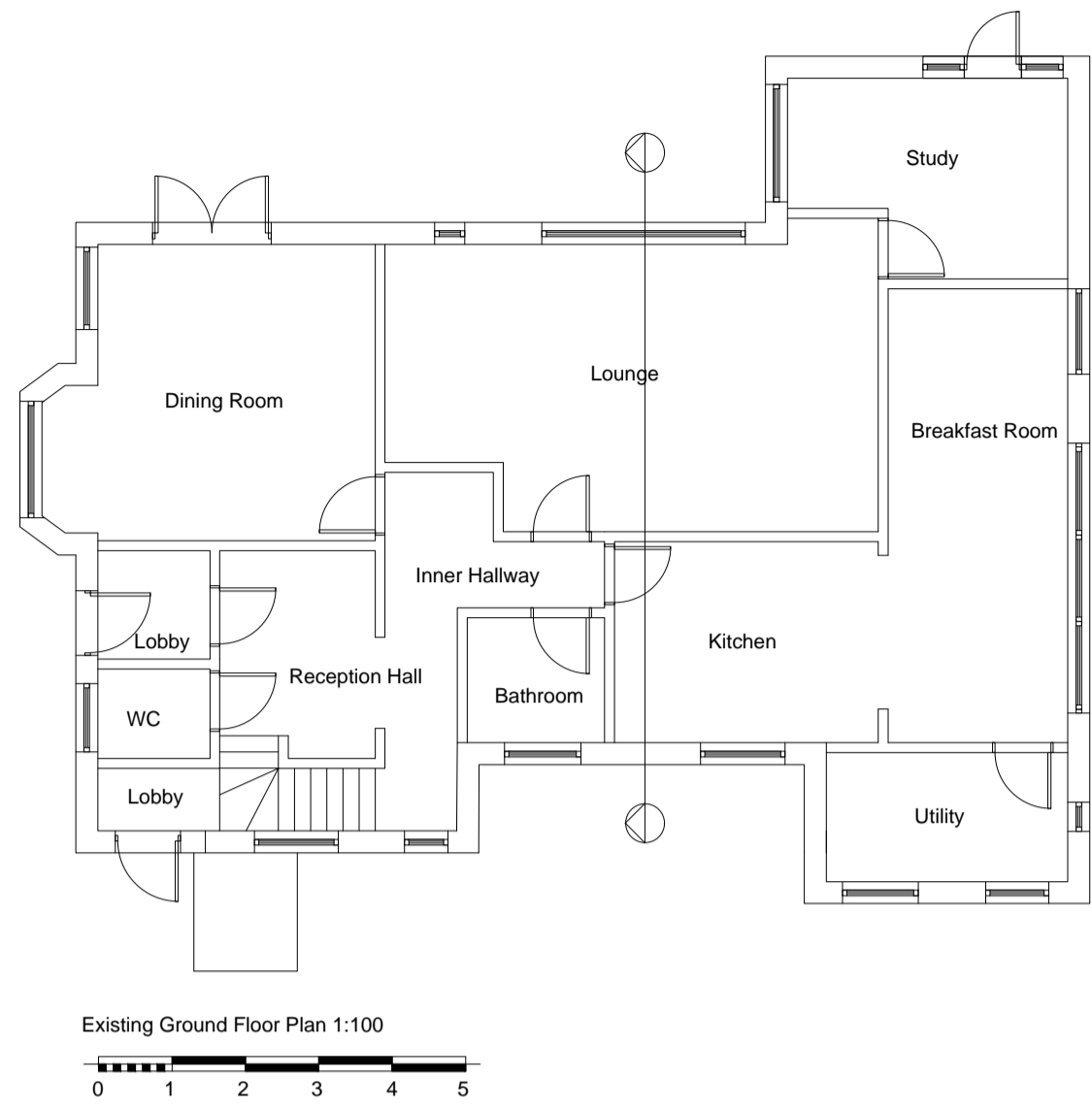
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PROJECT: Haydon House		Postcode: SS8 9PB
PROJECT NO: 385-08-16	PAGE NO: 385P06	REVISION: -
DRAWING: 3D View		
SCALE: NTS		

BUILDER INFORMATION:
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ALL ITEMS, NOTES, DIMENSIONS AND GENERAL DESIGN CONTAINED IN THIS DRAWING ARE FOR GUIDANCE PURPOSES ONLY. NOMINATED BUILDER AND PERSON RESPONSIBLE FOR THE PROJECT SHOULD MAKE A THOROUGH CHECK PRIOR TO COMMENCEMENT OF WORKS AGAINST SITE, DRAINAGE SERVICE DRAWINGS, CURRENT BUILDING REGULATIONS, BRITISH STANDARDS AND CODES OF PRACTICE. FAILURE TO DO SO WILL BE AT THE LIABILITY OF THE BUILDER/CONTRACTOR NOT THE ARCHITECT.

THE CONTRACTOR IS TO ALLOW WITHIN THEIR PRICE FOR ALL ITEMS NOT LISTED BUT THAT WILL BE REQUIRED TO COMPLETE THE WORK IN ACCORDANCE WITH ALL CURRENT LEGISLATION.

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STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary
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 CHECKED BY: []
 CLIENT: Mr G Newton
 PROJECT: Haydon House
 PROJECT NO: 385-08-16
 DRAWING: Existing and Site and Block Plans
 PAGE NO: 385P01
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 Postcode: SS8 9PB

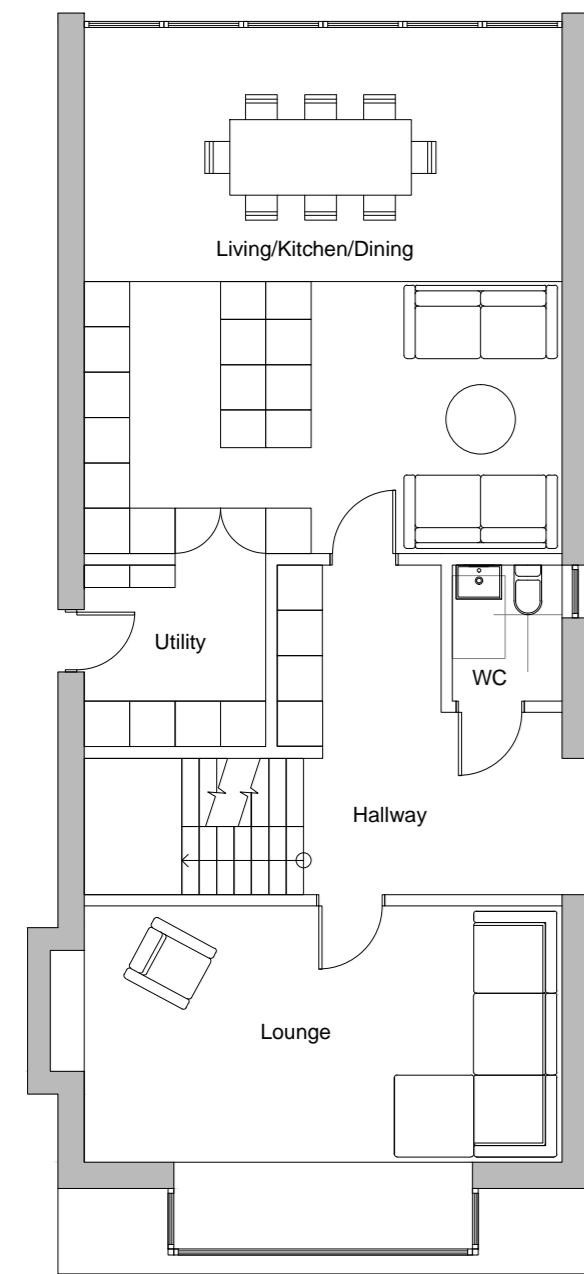
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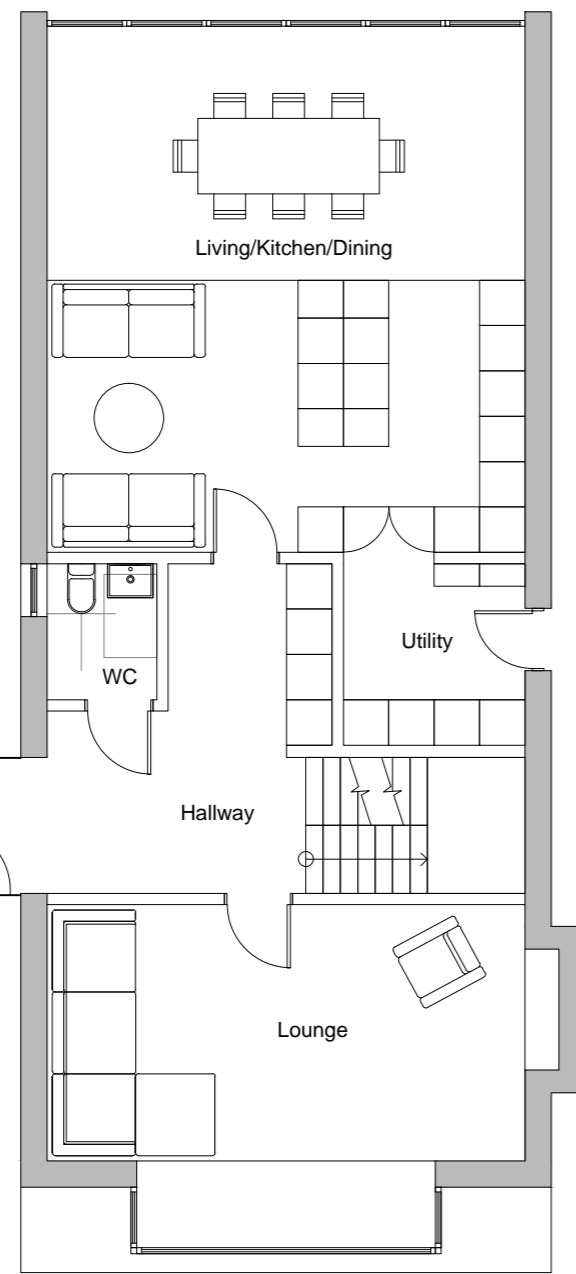
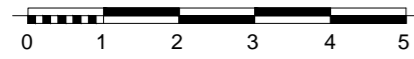
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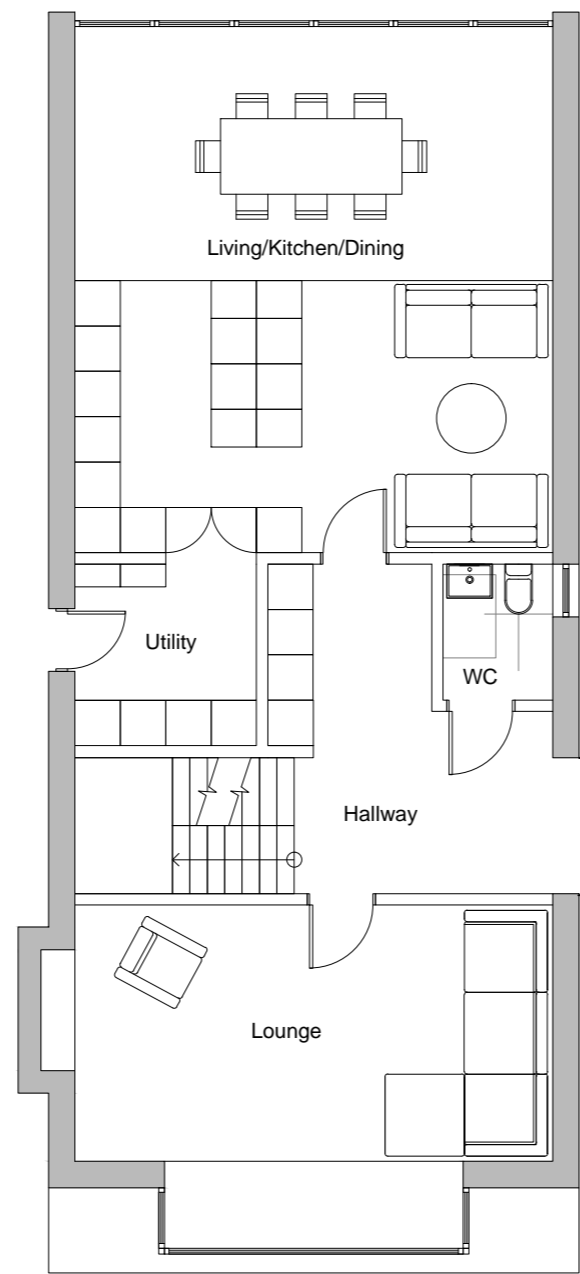
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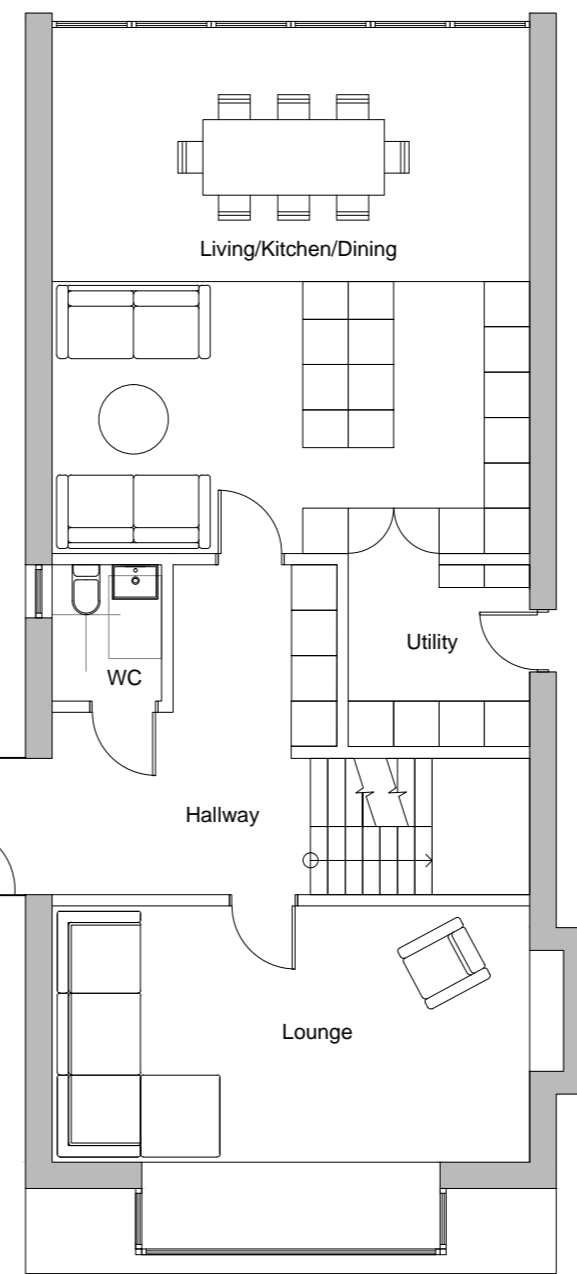
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Proposed Ground Floor Plan 1:100



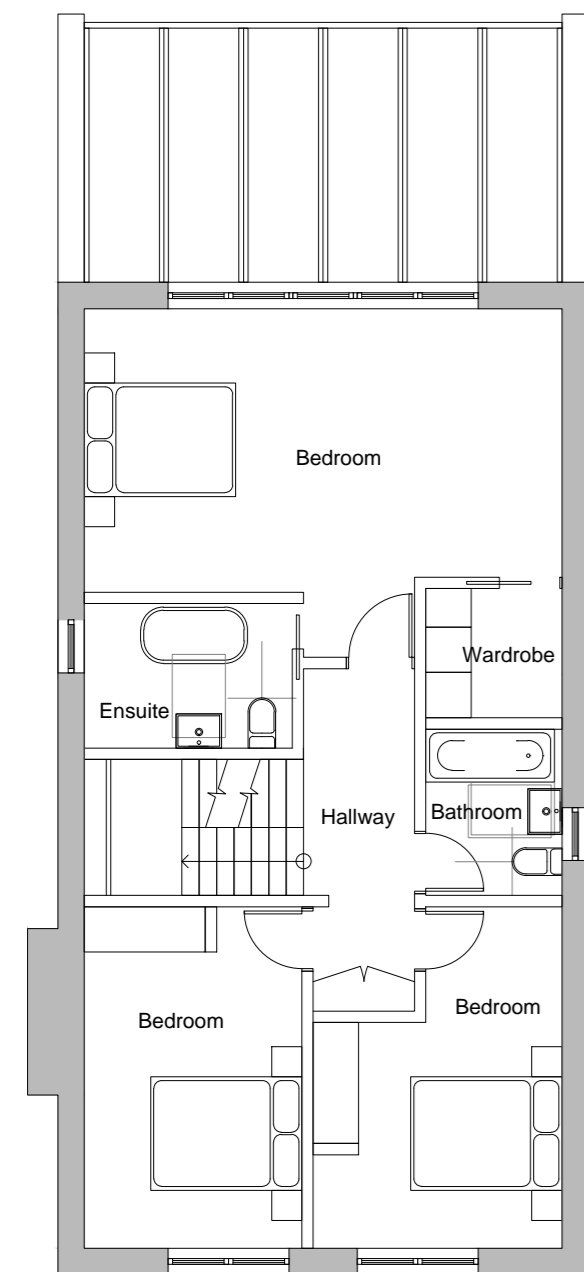
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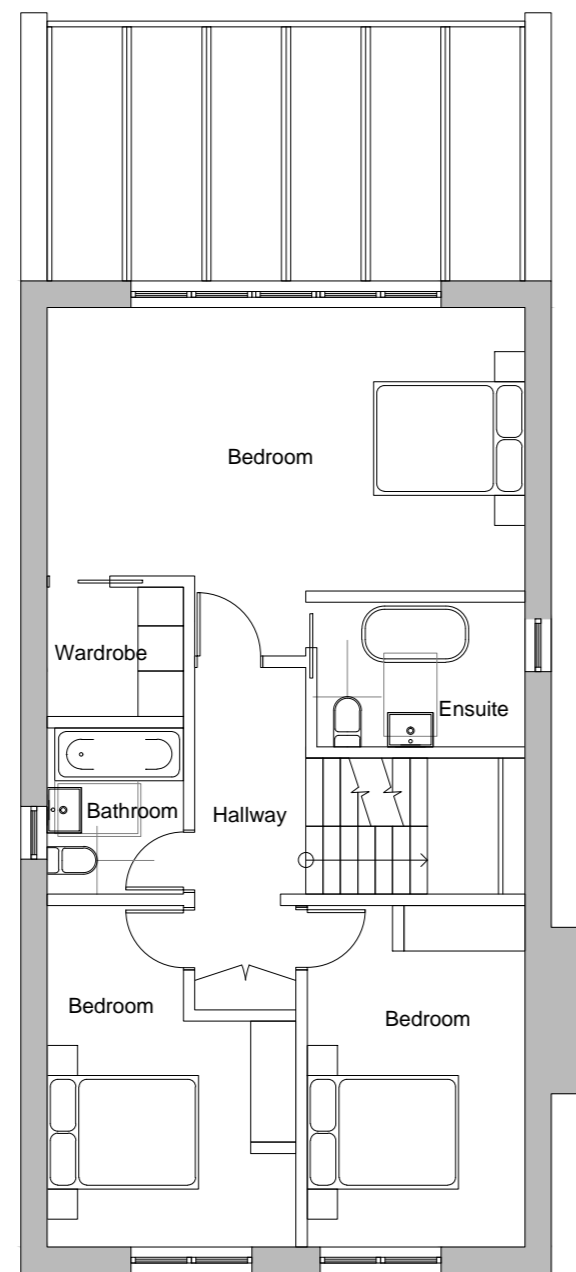
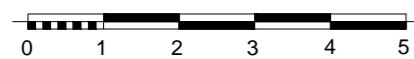
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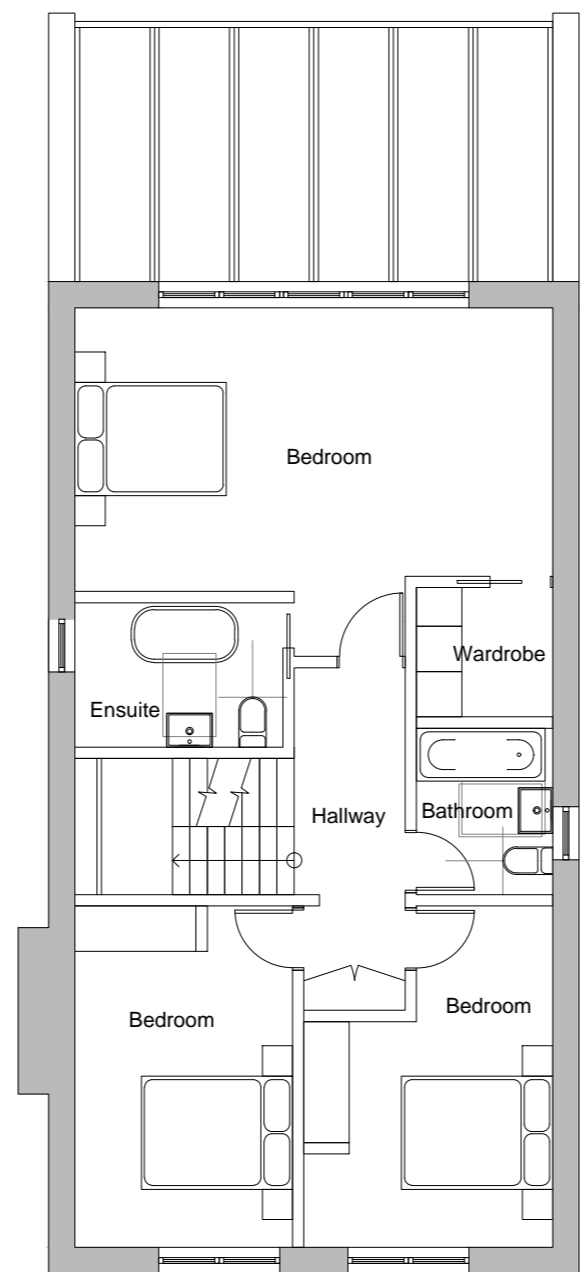
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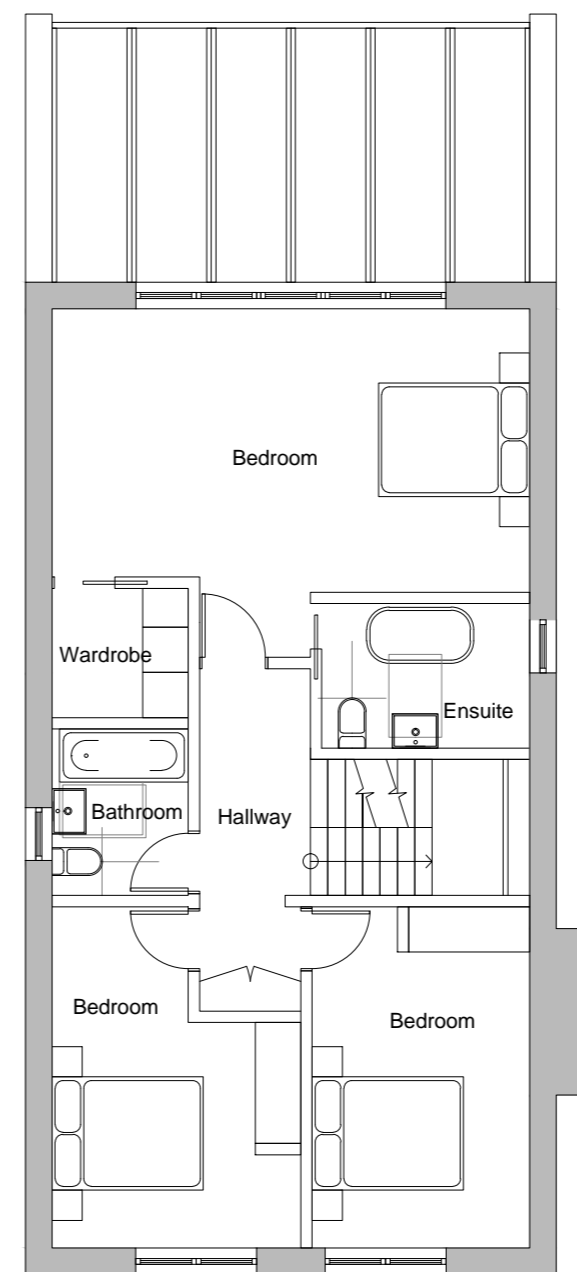
House 1
Proposed First Floor Plan 1:100



House 2



House 3



House 4

STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary
 CLIENT: Mr G Newton
 PROJECT: Haydon House
 PROJECT NO: 385-08-16
 DRAWING: Proposed GF and FF Plans

DRAWN BY: DS
 CHKD BY:

Postcode: SS9-3PB
 REVISION: B

PAGE NO: 385P02

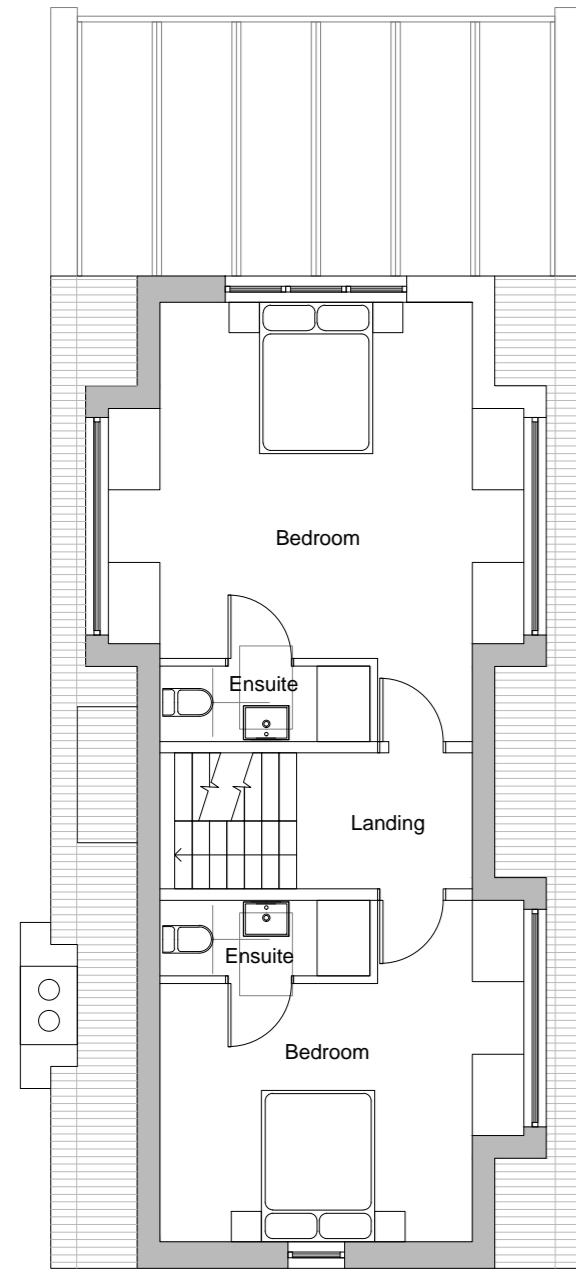
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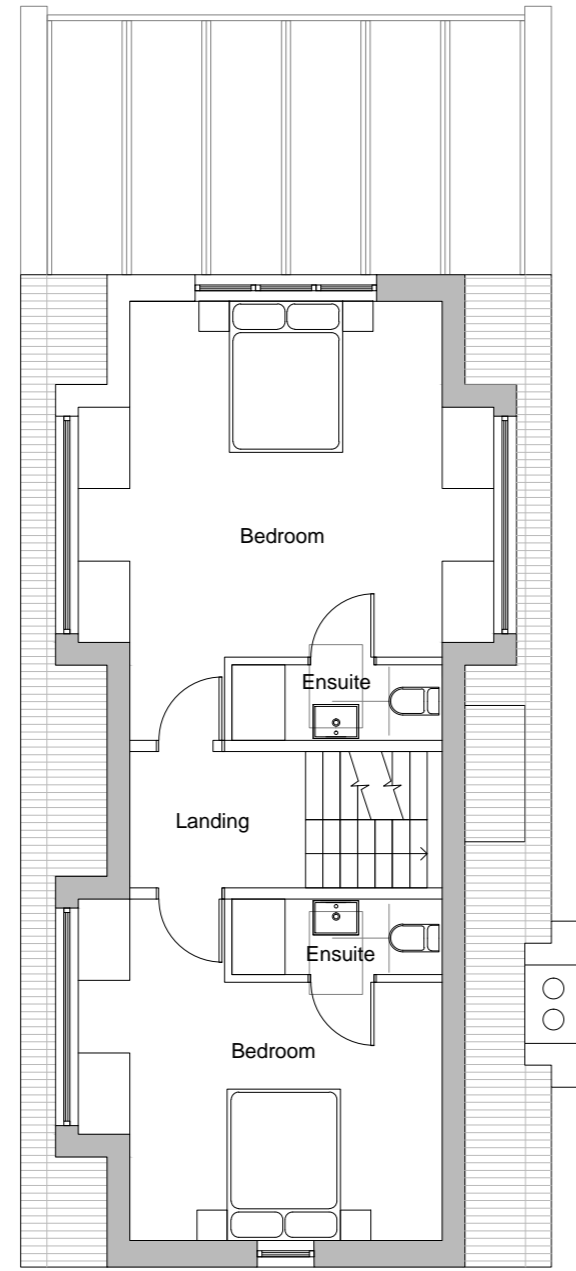
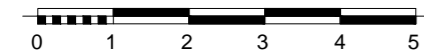
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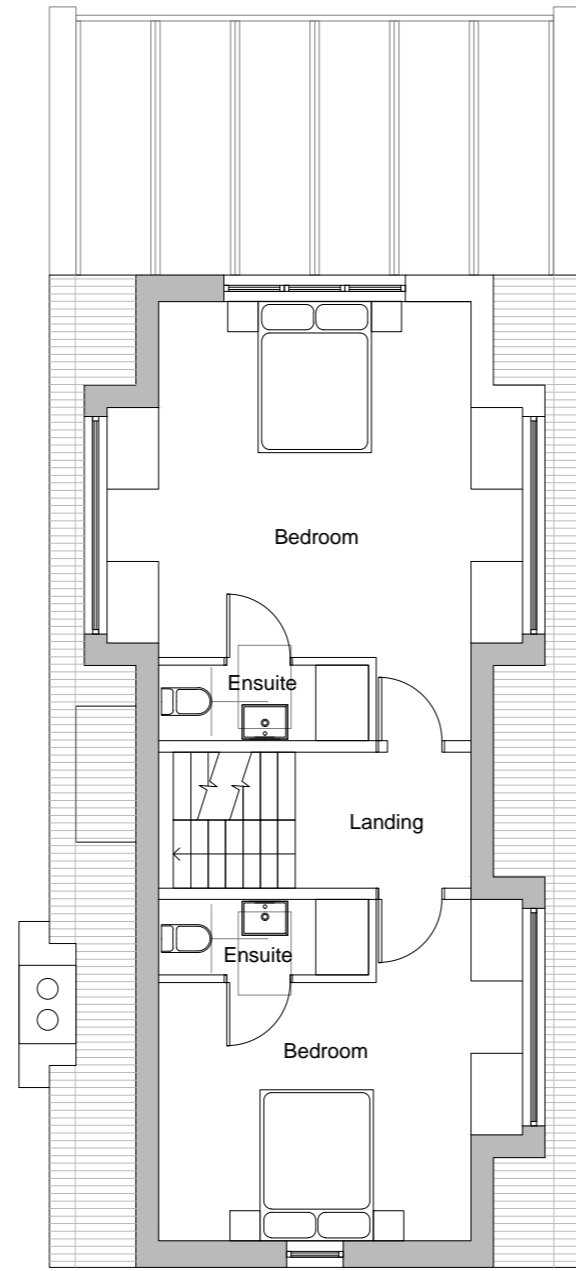


House 1

Proposed Loft Plan 1:100

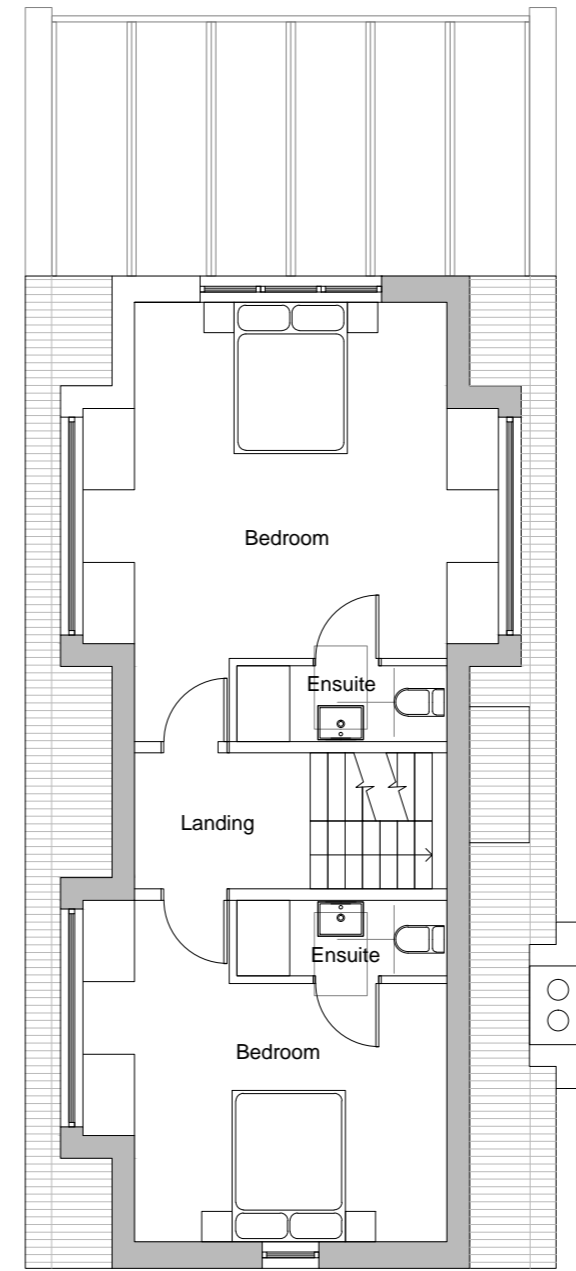


House 2



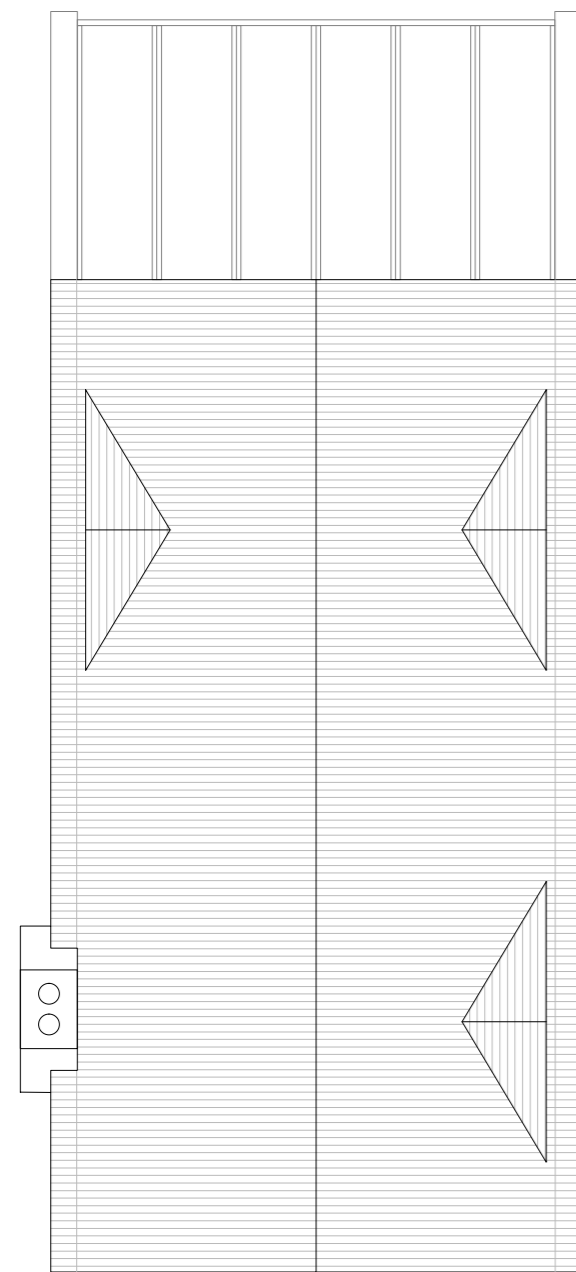
House 3

House 2



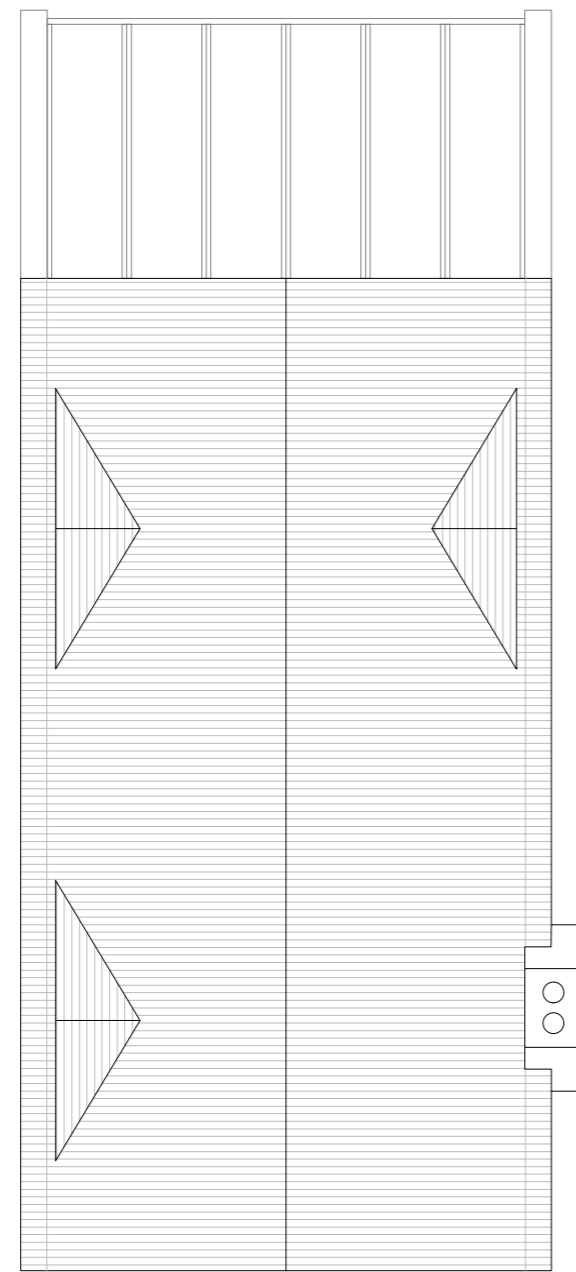
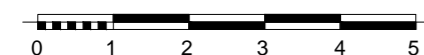
House 4

House 1

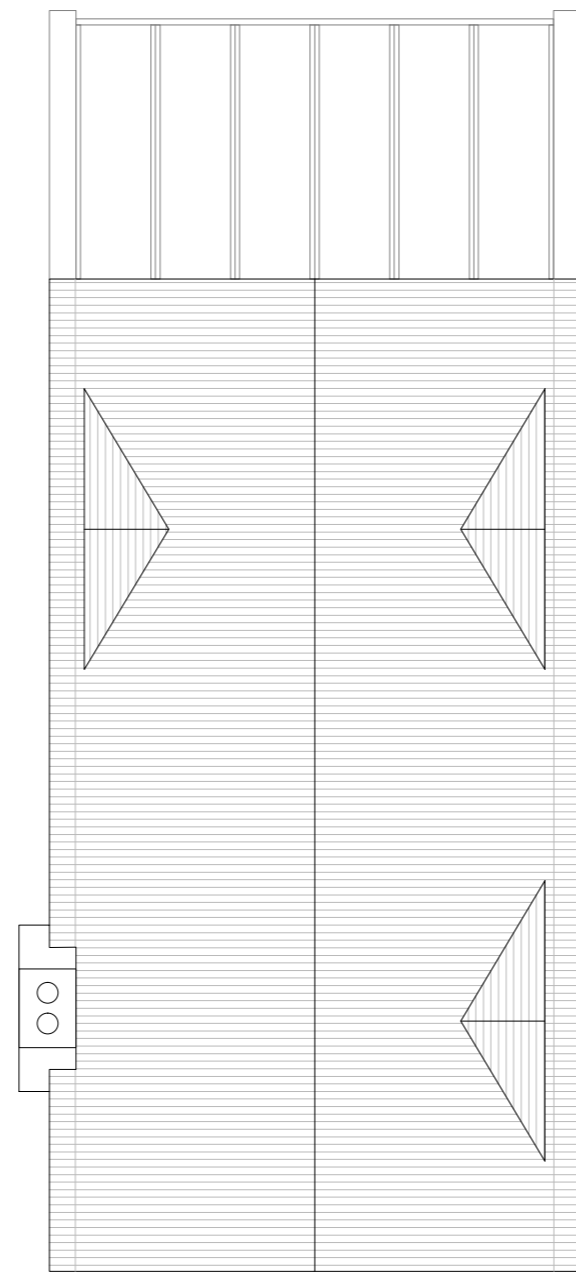


House 1

Proposed Roof Plan 1:100

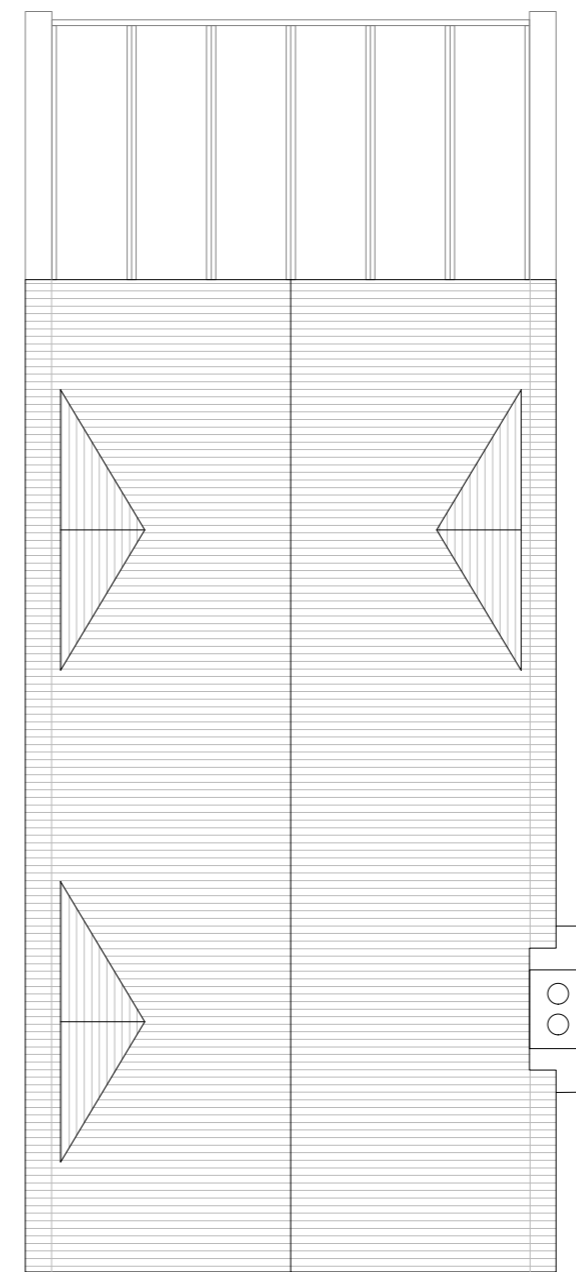


House 2



House 3

House 2



House 4

House 1

STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary
DRAWN BY: DS
CHKED BY:

CLIENT: Mr G Newton

PROJECT: Haydon House

PROJECT NO: 385-08-16

DRAWING: Proposed SF and Roof Plans

Postcode: SS9-3PB

REVISION: B

SCALE: 1:100 on A2

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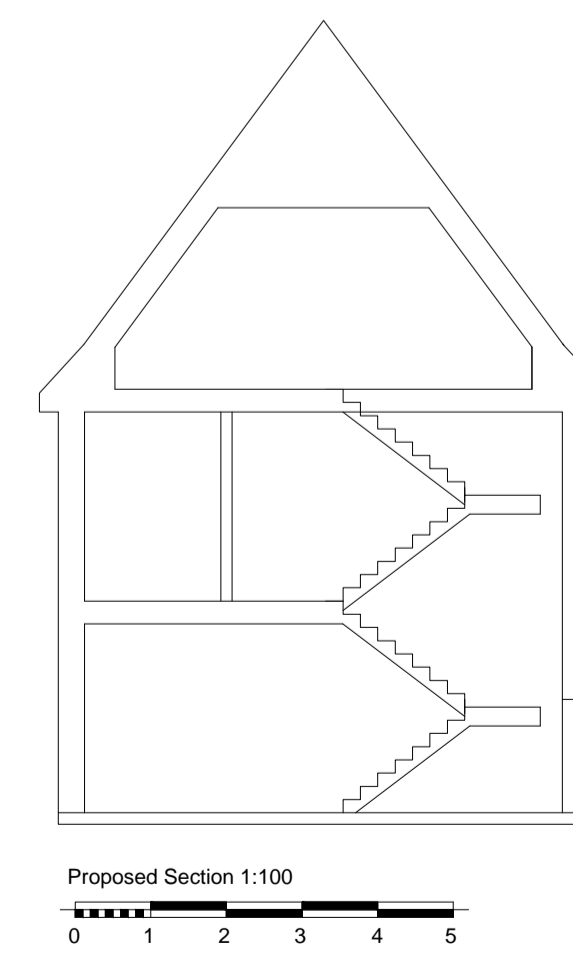
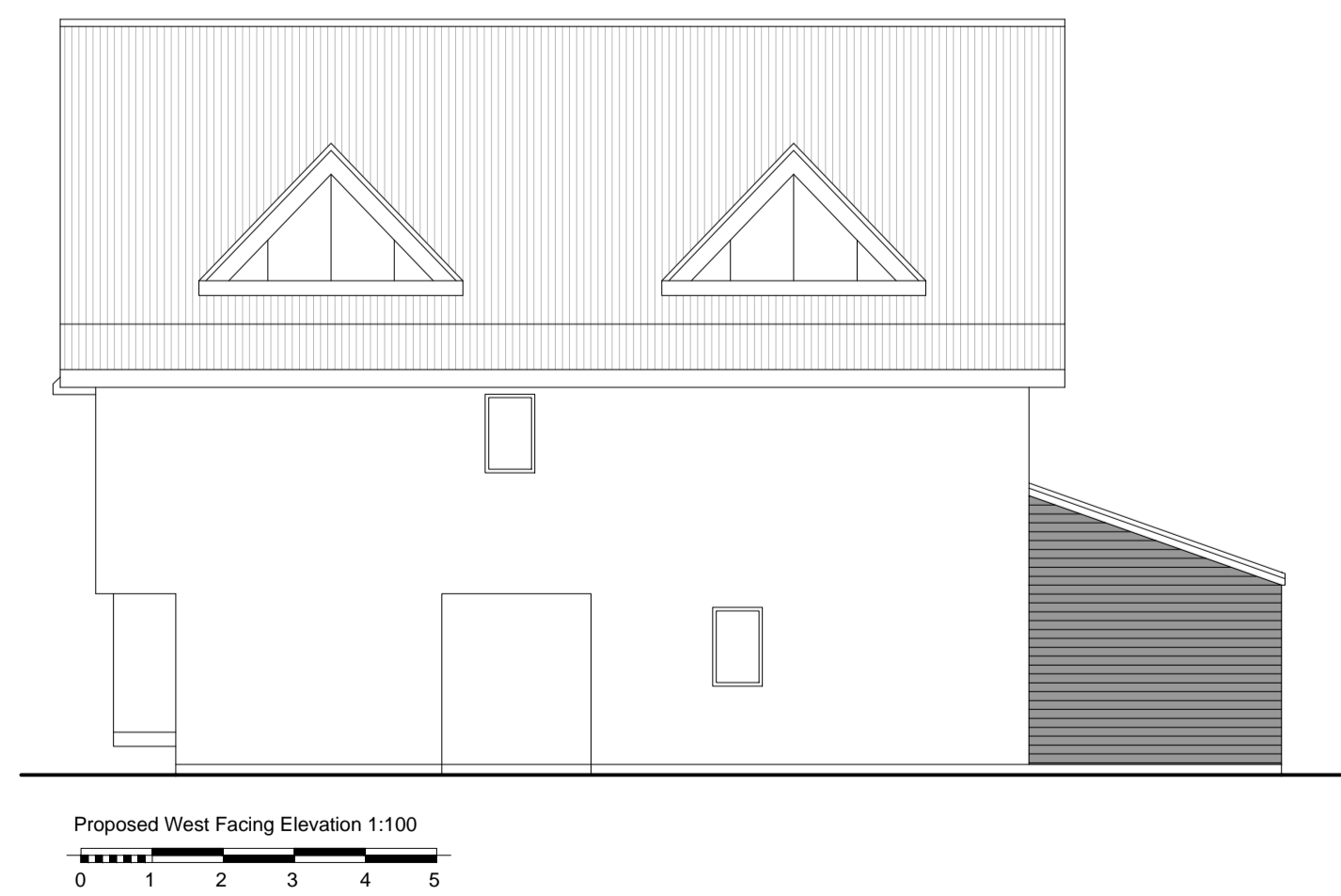
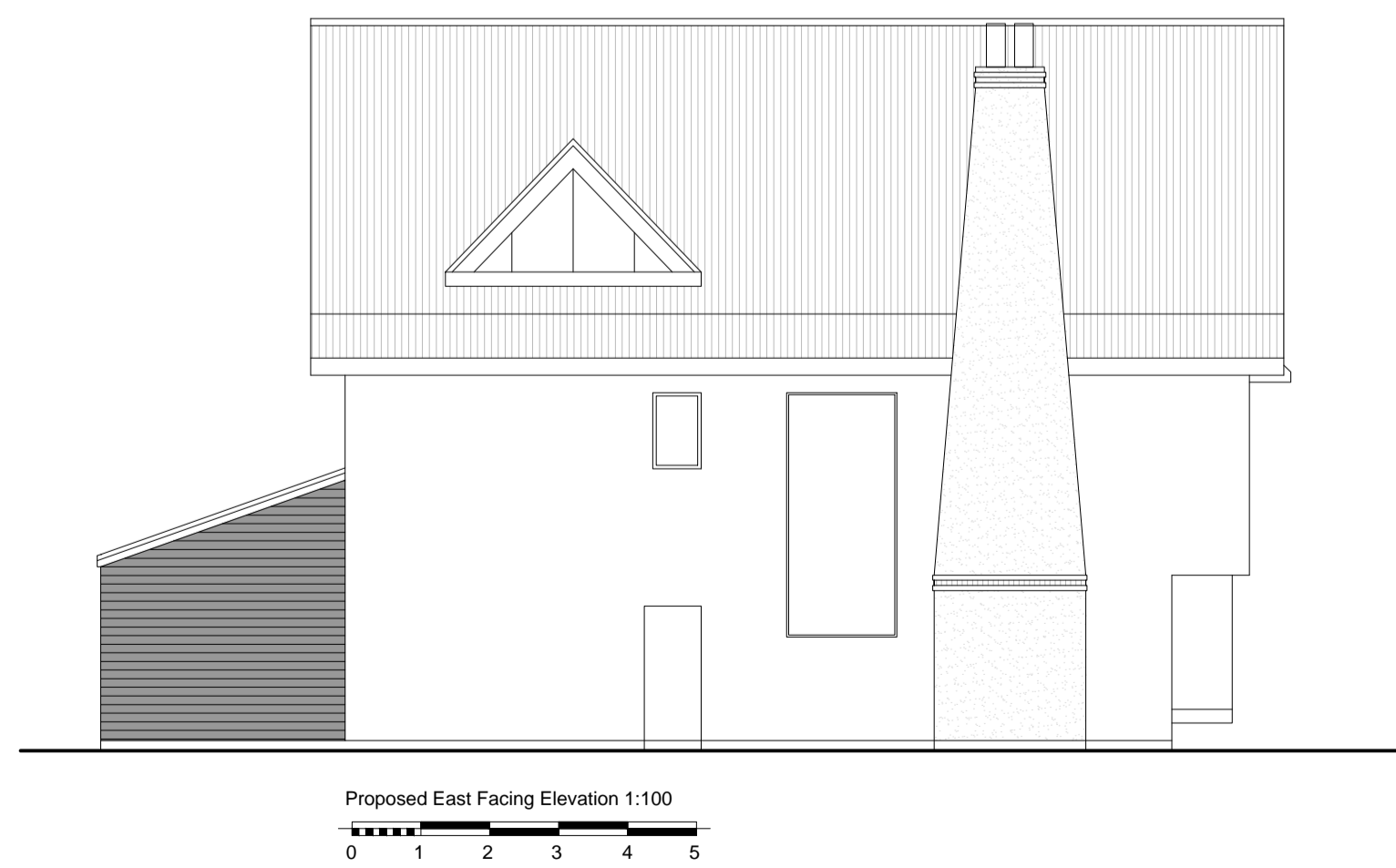
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STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary
 CLIENT: Mr G Newton
 PROJECT: Haydon House
 PROJECT NO: 385-08-16
 DRAWING: Proposed Elevations

DRAWN BY: DS
 CHECKED BY:

POSTCODE: SS8 9PB
 PAGE NO: 385PD4
 REVISION: C

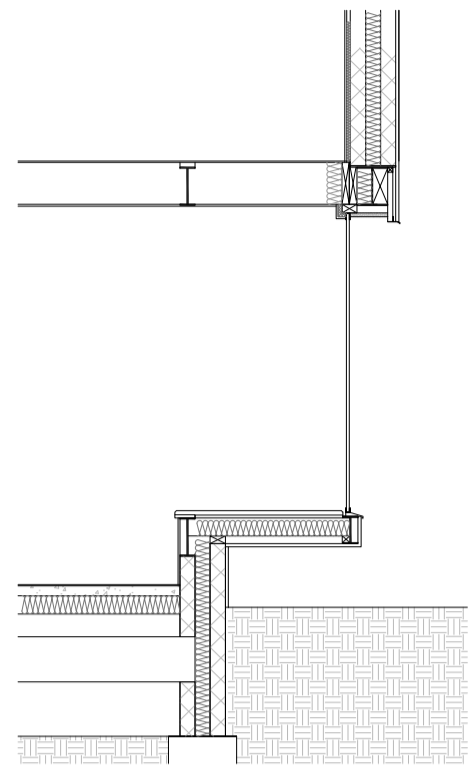
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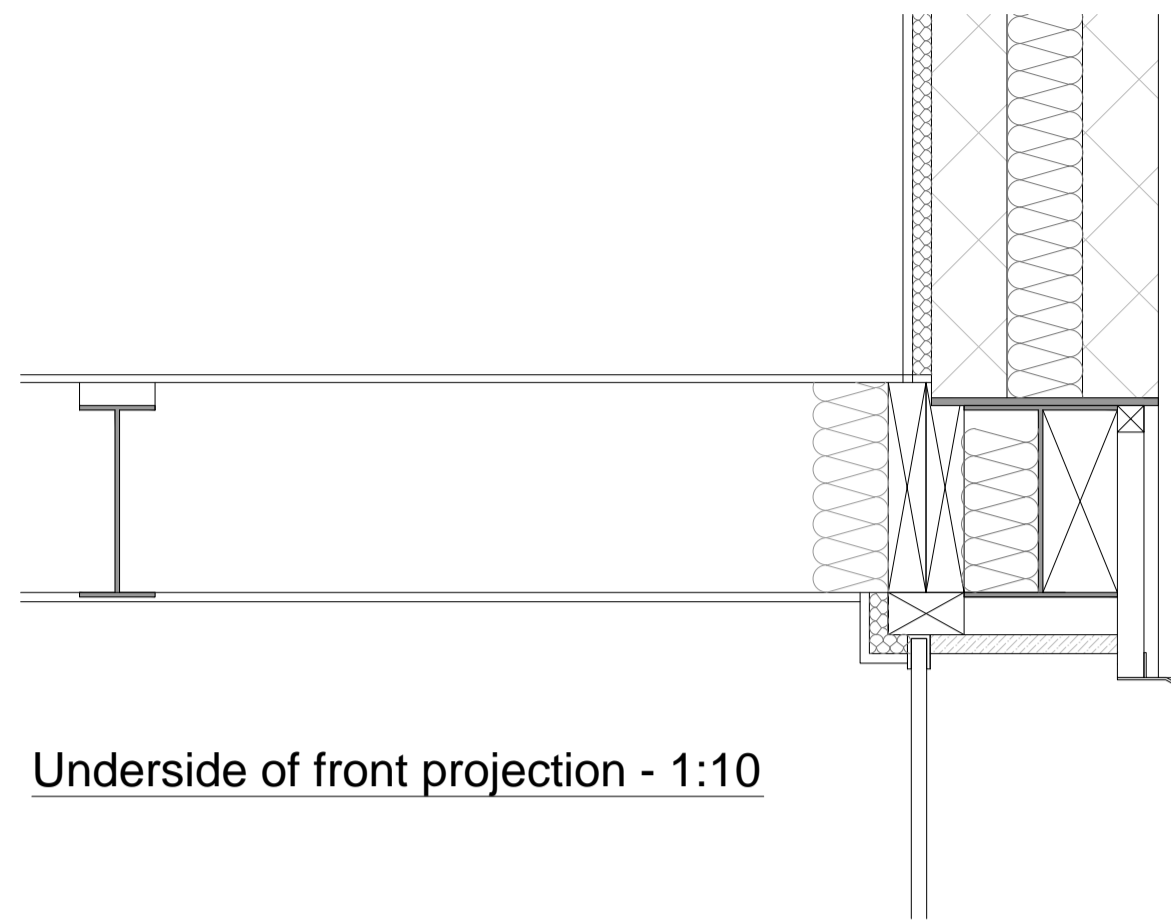
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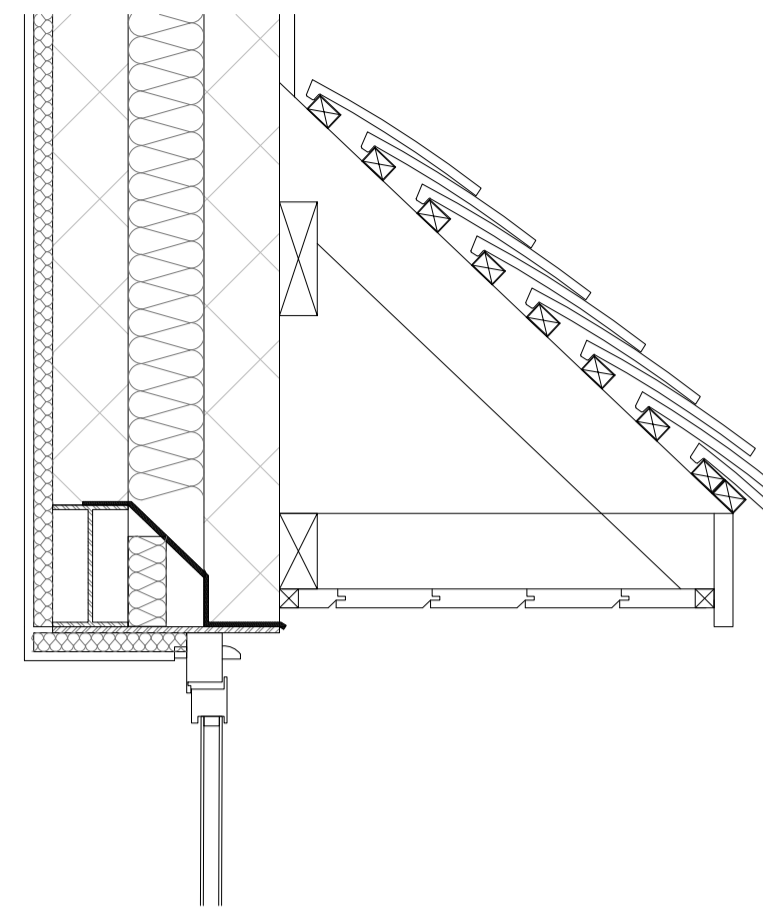
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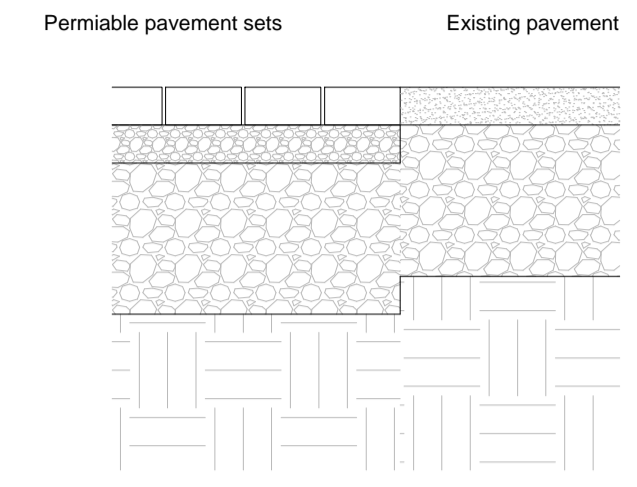
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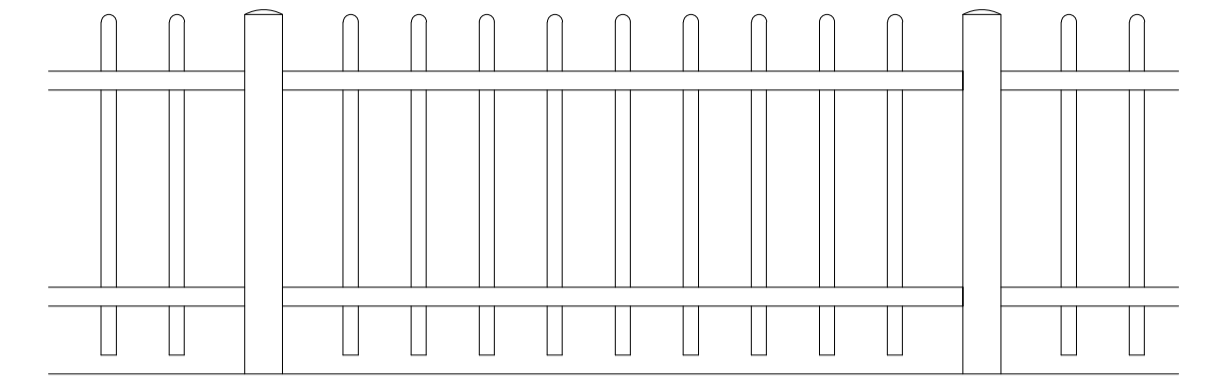
Underside of front projection - 1:10



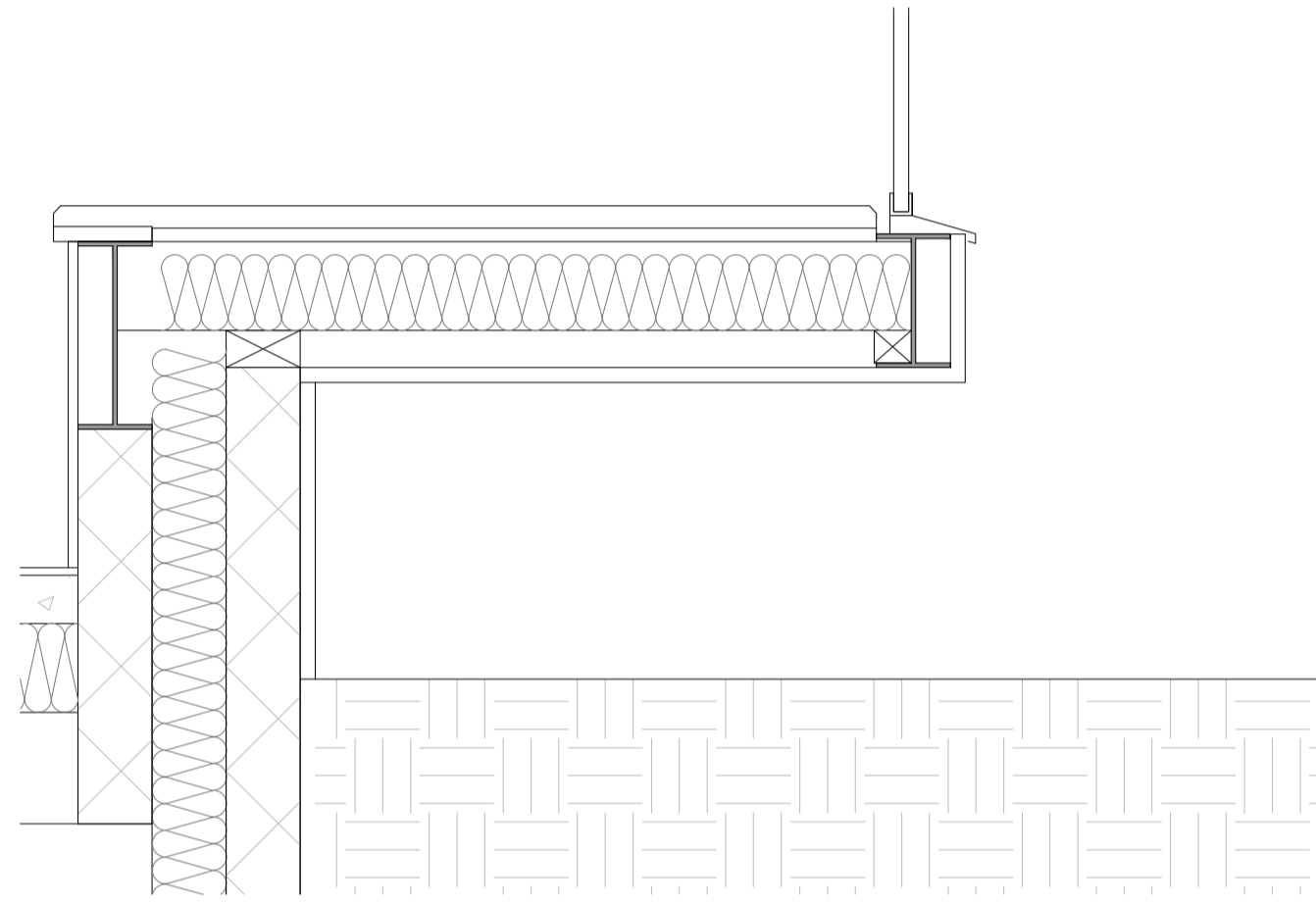
First floor canopy - 1:10



Edge of driveway - 1:10



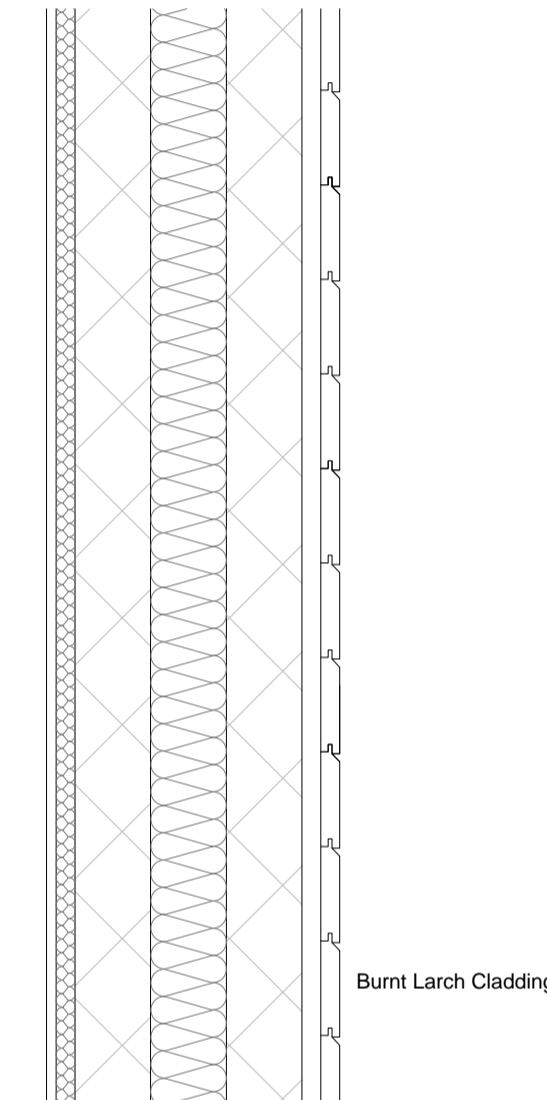
Front boundary fence - 1:20



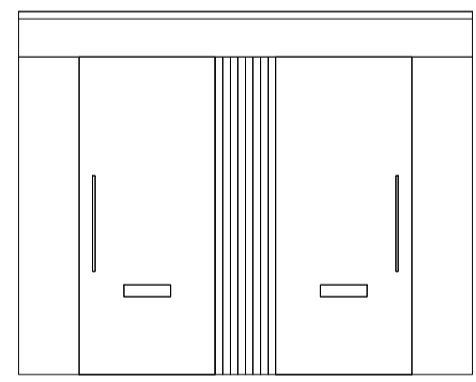
Underside of bay projection - 1:10



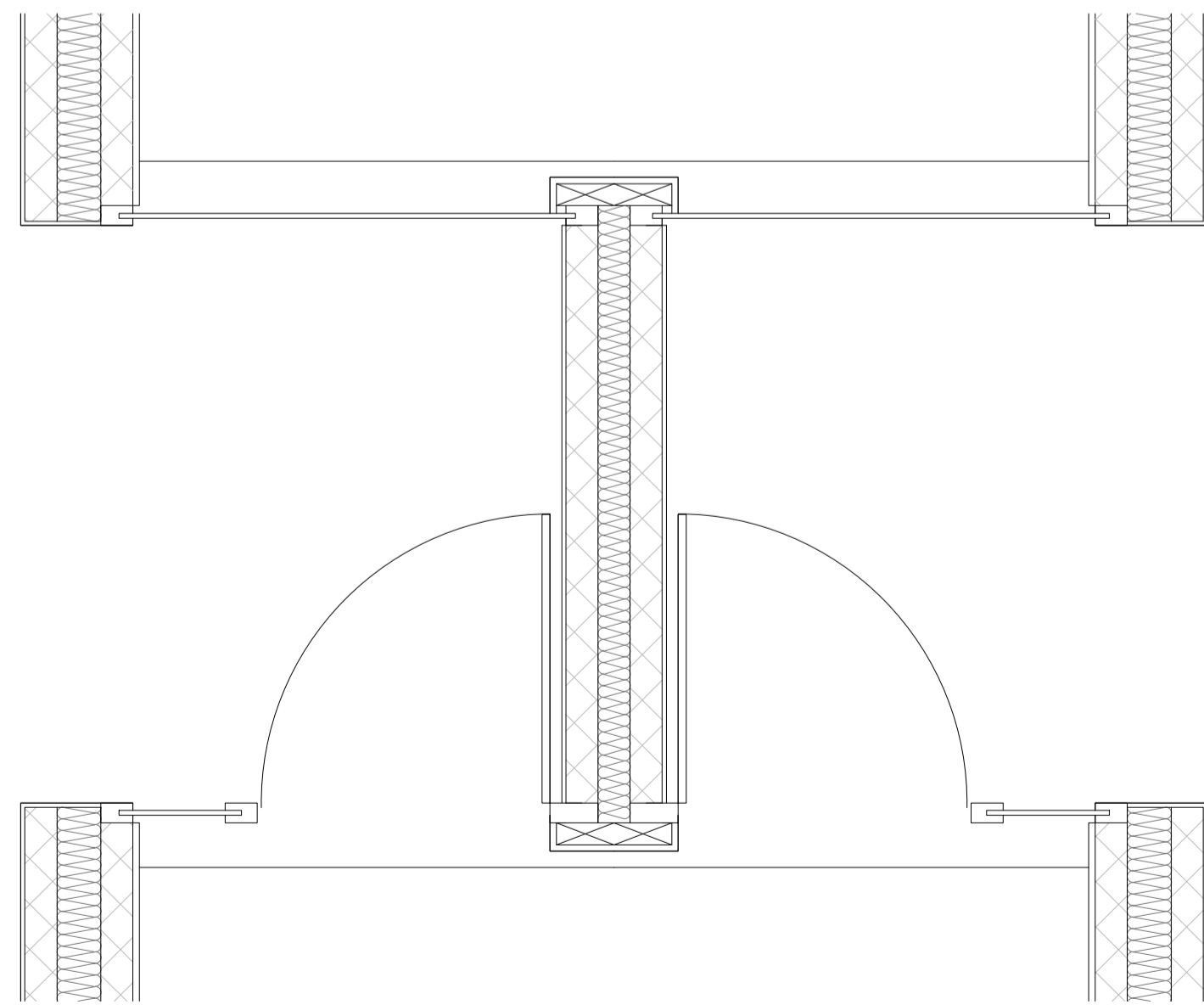
Burnt Larch cladding



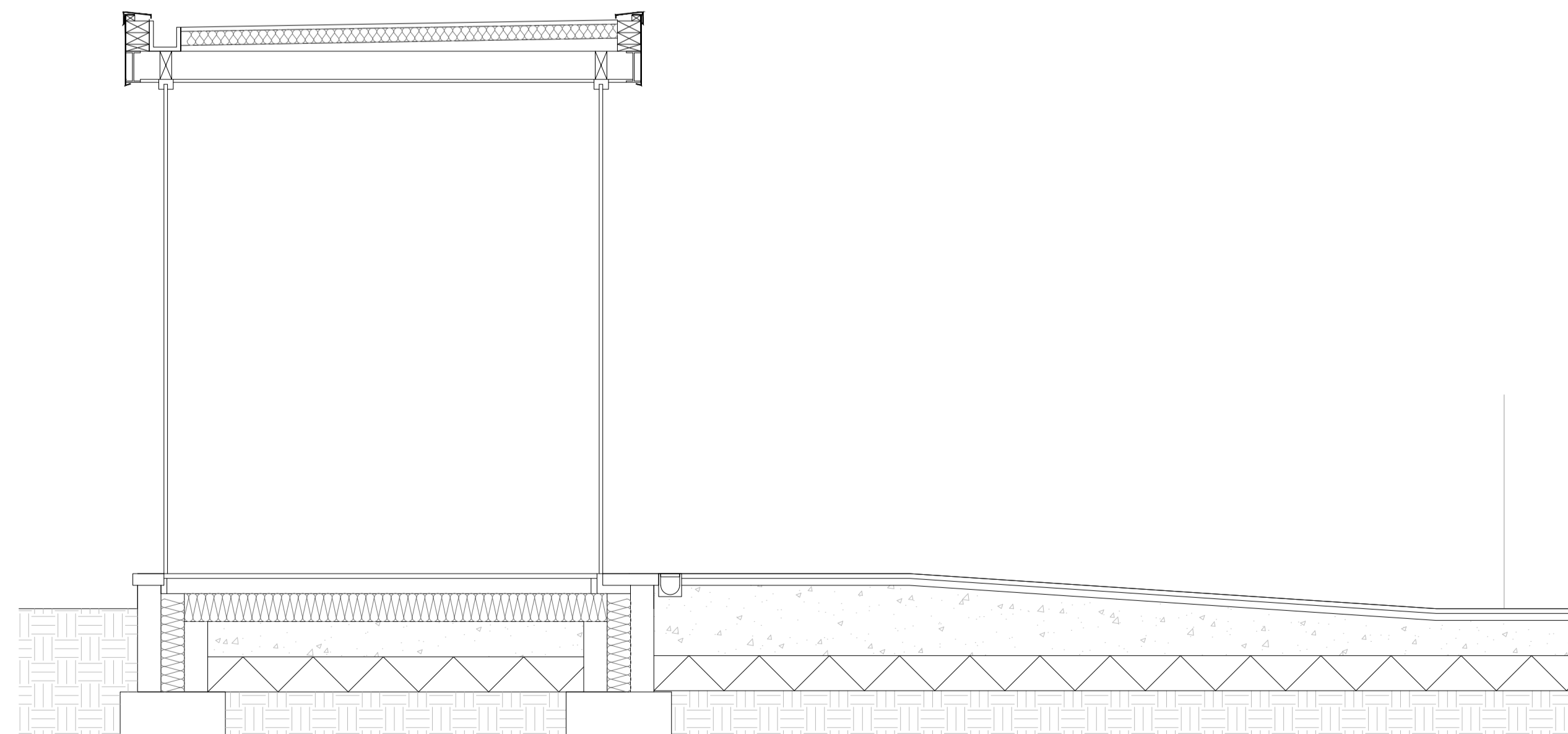
Cladding Detail- 1:10



Porch Front Elevation - 1:50



Porch Plan - 1:20



Porch Section - 1:20

STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary
 CLIENT: Mr G Newton
 PROJECT: Haydon House
 PROJECT NO: 385-08-16
 DRAWING: Details

DRAWN BY: DS
 CHECKED BY:

POSTCODE: SS8 9PB
 PAGE NO: 385P05
 REVISION: 1

SCALE: 1:10, 1:20, 1:50 on A1

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Single storey section

neighboring 45 degree line of sight
not effected above ground floor

STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary	DRAWN BY: DS	CHKD BY: <input type="checkbox"/>
CLIENT: Mr G Newton		
PROJECT: Haydon House	PROJECT NO: 385-08-16	REVISION: B
	PAGE NO: 385P07	
DRAWING: Site plan		
SCALE: 1:100 on A1		

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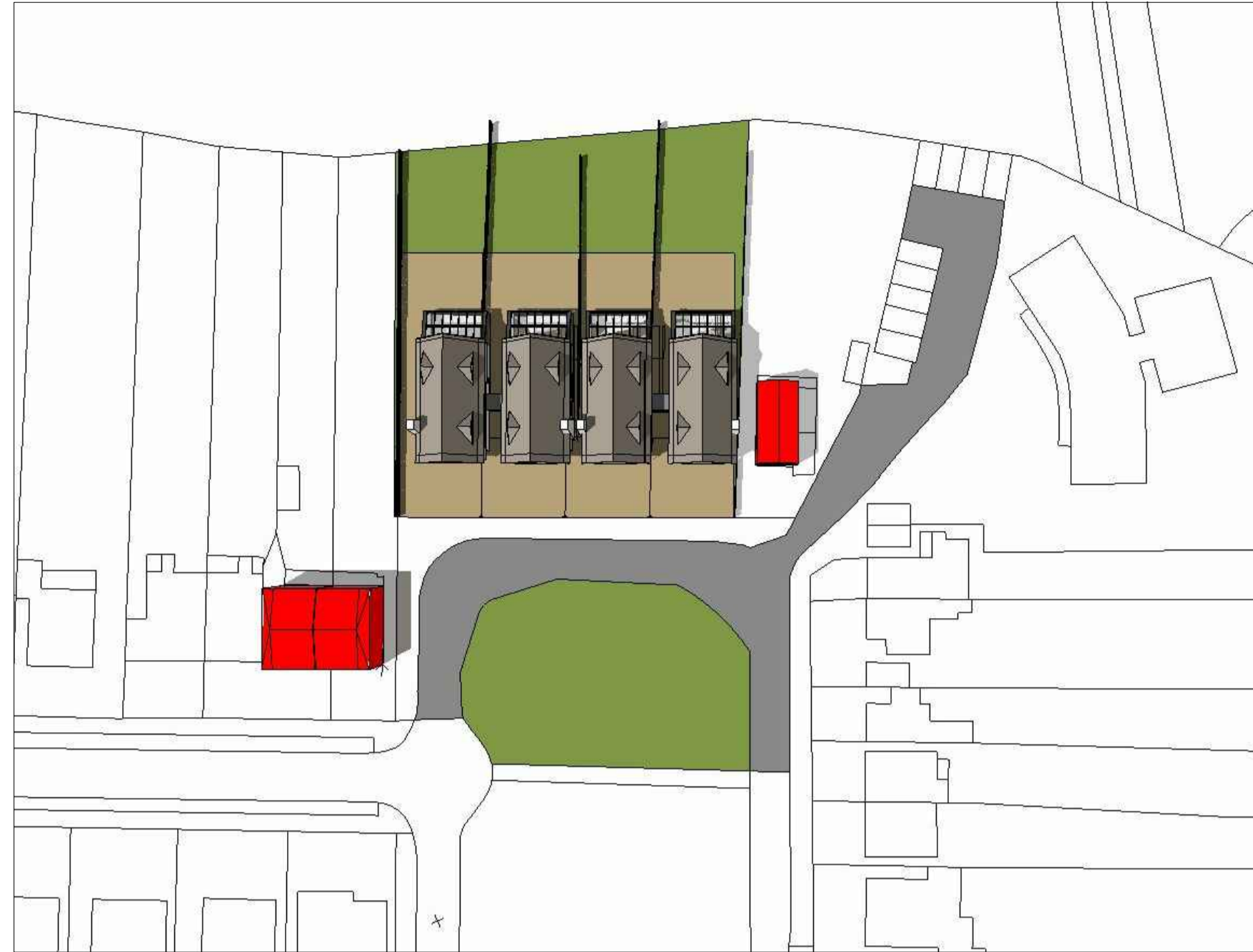
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June Morning



June Afternoon



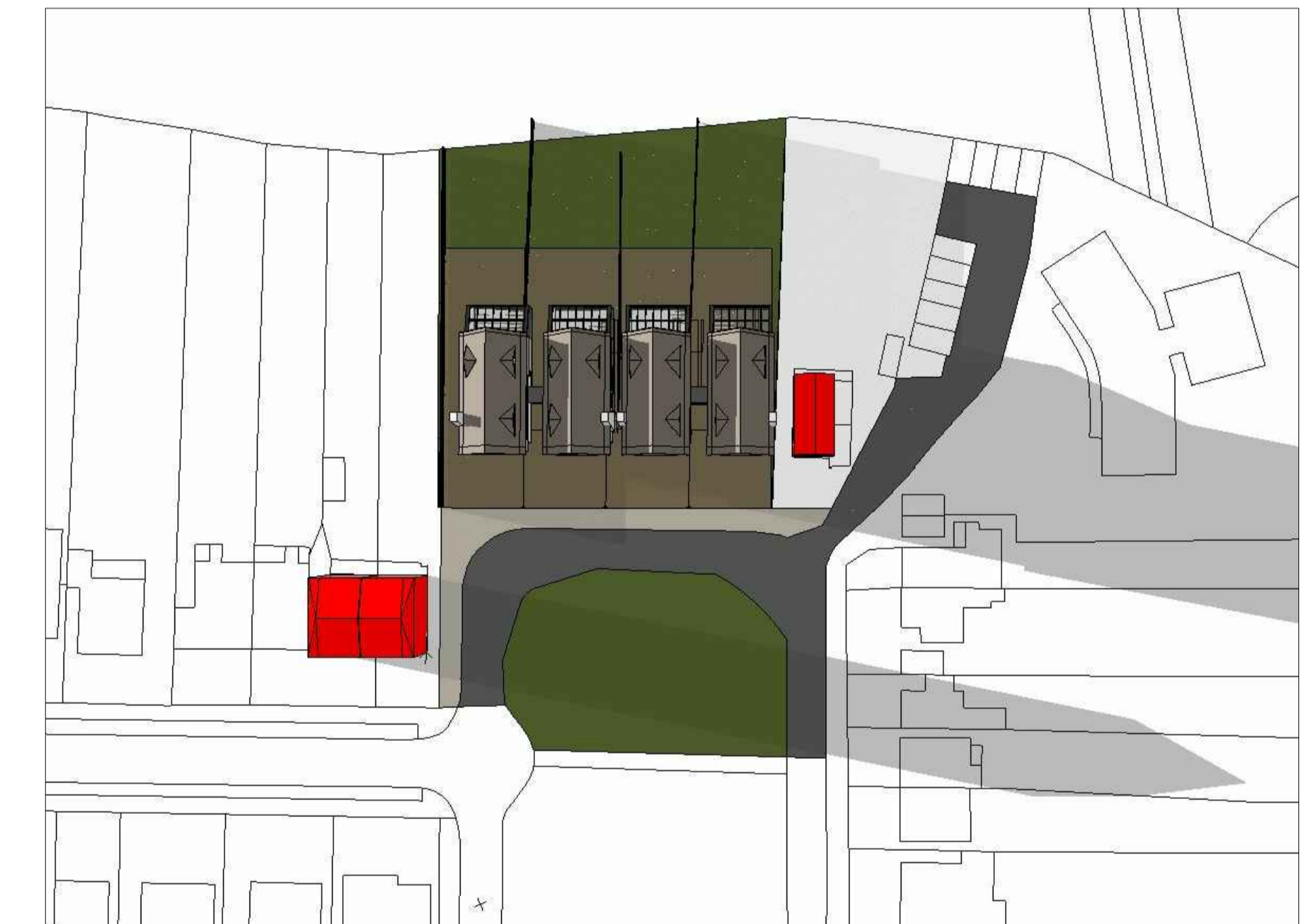
June Evening



December Morning



December Afternoon



December Evening

43

STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary
 CLIENT: Mr G Newton
 PROJECT: Haydon House
 PROJECT NO: 385-08-16
 DRAWING: Shadow Diagrams

DRAWN BY: DS
 CHECKED BY: []

REVISION: 1

SCALE: NTS

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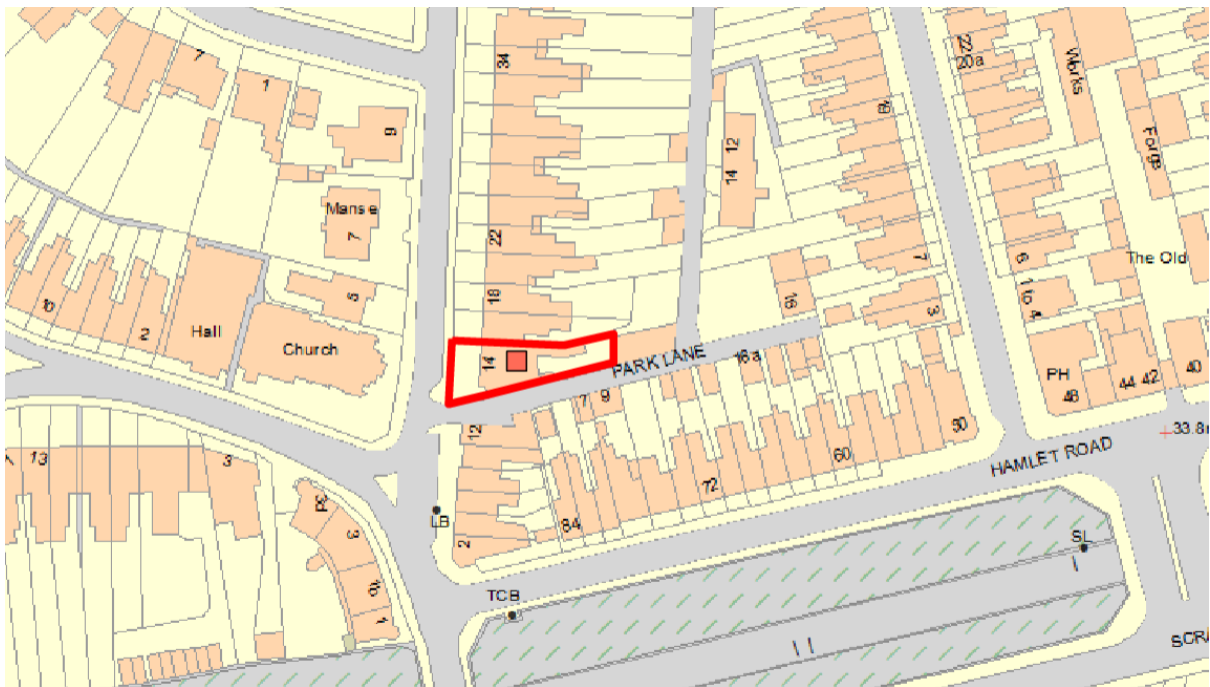
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 Tel: 01702 509250
 E-mail: info@skarchitects.co.uk

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Reference:	EN/16/00001/UNAU-B	<h1>5</h1>
Ward:	Milton	
Breaches of Control	Without planning permission, the replacement of the existing window frames at ground floor level in the front elevation with windows having Upvc frames.	
Address:	Flat 1, 14 Park Road, Westcliff-on-Sea, Essex SS0 7PE	
Case Opened:	4 th January 2016	
Case Officer:	Philip Kelly, Neil Auger	
Recommendation:	AUTHORISE ENFORCEMENT ACTION	



1 Site and Surroundings

- 1.1 Ground floor front flat located within the two storey end-of-terrace property lying to the east side of Avenue Road directly to the north of its junction with Park Lane. The property comprises a number of self-contained flats and lies within the Milton Conservation Area.

2 Lawful Planning Use

- 2.1 The lawful planning use is as a self-contained flat within Class C3 of the Town and Country Planning Use Classes (Amendment) Order 2005

3 Present Position

- 3.1 A complaint was received on 4th January 2016 concerning the alleged installation of replacement windows having Upvc frames.
- 3.2 A site inspection was carried out on 18th February 2016 which confirmed that Upvc framed replacement windows had been installed to the front elevation of the property at ground floor level.
- 3.3 On 2nd March 2016, a letter was sent to the leaseholder advising that the Upvc framed windows were unacceptable in planning terms and that they should be replaced with wooden windows of a traditional design.
- 3.4 A response was received on behalf of the leaseholder on 4th March 2016 stating that the matter would be dealt with as a matter of urgency.
- 3.5 The site was revisited by the current case officer on 13th January 2017 when it was observed that the Upvc framed windows remained in situ.
- 3.6 On 18th January 2016, an email was sent to the leaseholder reiterating that the Upvc framed windows should be removed.
- 3.7 A reply was received from the freeholder's Assistant Lettings Manager on 26th January explaining why the matter had been overlooked and stating that "I will follow this up and come back to you with confirmation of a start date for the replacement windows".
- 3.8 Despite further exchanges of emails between the case officer and the Assistant Lettings Manager, no progress has been made in the matter and the Upvc framed windows have not been removed.

4 Appraisal

- 4.1 Planning permission is required for this development because (a) the property lies within the Milton Conservation Area and is subject to an Article 4 Direction, confirmed in 1989, which restricts certain permitted development rights including the replacement of windows in the front elevation and (b) the lawful planning use of the property is as a self-contained flat so it does not benefit from the same permitted development rights which would generally apply to single dwellinghouses.

- 4.2 Records show that no planning permission has been applied for or granted in respect of the installation of Upvc framed replacement windows at this property.
- 4.3 The area is characterised by older two storey houses which, originally, would have been fitted with timber framed windows of the sliding sash style. Some of the houses retain this style of window although others have also been replaced over time. The previous windows in this property, although not sliding sash, were timber framed similar to a number of other properties in this part of Avenue Road.
- 4.4 Successful enforcement action has been taken in respect of several cases of unauthorised replacement Upvc framed windows in the area. Some Enforcement Notices have been challenged at appeal but, to date, these have been dismissed by the Planning Inspectorate and the Notices upheld.
- 4.5 It is conceded that there is a small number of window installations in the area which were carried out many years ago and are now immune from enforcement by virtue of the time constraints imposed by Section 171B of the Town and Country Planning Act 1990 (as amended). As these gradually become due for replacement, the Council will, of course, seek to ensure that appropriate frame styles and materials are used. In any event, the presence of other, unsuitable replacement windows does not justify the insertion of additional harmful examples which can only serve to further dilute the character of the area.
- 4.6 Policy CP4 of the Core Strategy requires development to safeguard and enhance the historic environment, including Conservation Areas. Policy DM5 of the Development Management Document also requires that all new development within a Conservation Area is required to preserve or enhance its character.
- 4.7 Whilst the previous window frames installed to the front elevation of this property were not of the traditional sliding sash construction, they did use traditional materials (i.e. timber). As such, their replacement with Upvc framed windows cannot be considered to preserve or enhance the character of the area.
- 4.8 It is considered that the unauthorised replacement Upvc framed windows detract from the appearance of the property by reason of the unsympathetic frame material, inappropriate style of opening and the discordant frame thickness.
- 4.9 The unauthorised development does not respect or enhance the appearance of the property in particular or the terrace in general and, as such, is considered to be detrimental to the character and appearance of the Milton Conservation Area.
- 4.10 It is therefore considered expedient to pursue enforcement action to secure their removal.
- 4.11 Taking enforcement action in this case may amount to an interference with the owner/occupiers Human Rights. However, it is necessary for the Council to balance the rights of the owner/occupiers against the legitimate aims of the Council to regulate and control land within its area. In this particular case it is considered reasonable, expedient and proportionate and in the public interest to pursue enforcement action to require the removal of the unauthorised windows.

5 Planning History

5.1 There is no relevant planning history

6 Planning Policy Summary

6.1 The National Planning Policy Framework (NPPF) 2012.

6.2 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance).

6.3 Development Plan Document 2: Development Management Document Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM5 (Southend-on-Sea's Historic Environment) .

6.4 Design and Townscape Guide 2009 (SPD1)

6.5 Community Infrastructure Levy Charging Schedule.

7 Recommendation

7.1 **Members are recommended to AUTHORISE ENFORCEMENT ACTION** to secure the removal of the unauthorised Upvc framed windows installed to the front elevation of this property on the grounds that they harm the appearance of the property and of the streetscene by reason of their unsympathetic materials, inappropriate style of opening and discordant frame thickness to the extent that they are detrimental to the character and appearance of the Milton Conservation area contrary to the National Planning Policy Framework (NPPF), Policies CP4 and KP2 of the Southend-on-Sea Core Strategy, Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document and the advice contained within the Council's Design and Townscape Guide.

7.2 The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

7.3 When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, the services of a specialist installer will be required which will, most likely, entail research and the acquisition of quotations prior to the manufacture and subsequent installation of the wooden frames. A compliance period of 3 months is therefore deemed reasonable.



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Reference:	17/00213/FULM	<h1>6</h1>
Ward:	St Laurence	
Proposal:	Install six 8m floodlights to multi-use games area	
Address:	RBS Card Transactions Centre, Thanet Grange, Westcliff-On-Sea, Essex, SS0 0EN	
Applicant:	RBS	
Agent:	Oswick Ltd	
Consultation Expiry:	10/05/17	
Expiry Date:	16/06/17	
Case Officer:	Ian Harrison	
Plan No's:	17-061-AS-01, 17-061-AS-02, 17-061-AS-03, 17-061-AS-04, 196883e-01 and Safeguarding Aerodromes Advice Note No2 – Lighting near Aerodromes (August 2016)	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 The application seeks planning permission for the installation of six floodlights at a multi-use games area that exists within the curtilage of the RBS Transactions Centre at Thanet Grange.
- 1.2 The site currently includes a sports facility that measures 35 metres by 20 metres with 3.3 metre tall enclosures. The proposal is to erect six floodlights at the sports facility, three to each side. Each lighting column would measure 8 metres tall and include a light that would be installed 'flat-to-ground' to ensure that light is not unnecessarily spilt.

2 Site and Surroundings

- 2.1 The application site is located to the north of Thanet Grange, east of Nestuda Way, south of London Southend Airport and to the west of St Laurence Park. The closest dwellings to the site are located 92 metres to the south east of the existing sports pitch.
- 2.2 The site is allocated as employment land and is included within the area of the Southend Airport Joint Area Action Plan.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, the visual impact of development, public safety and any impact on neighbouring properties.

4 Appraisal

Principle of Development

National Planning Policy Framework 2012, Core Strategy Policies KP1, KP2, CP1, CP4 and CP7, Development Management DPD Policies DM1, DM3, DM10 and DM11 and DM15

- 4.1 The site is designated as an employment area in the Development Plan and as such it is noted that policy CP1 states that "*The Borough Council will support the retention, enhancement and development of Class B uses within the Employment Areas.*"
- 4.2 Policy CP1 also states that "Permission will not normally be granted for development proposals that involve the loss of existing employment land and premises unless it can be clearly demonstrated that the proposal will contribute to the objective of regeneration of the local economy in other ways, including significant enhancement of the environment, amenity and condition of the local area."

- 4.3 DM11 (Employment Areas) states that the Borough Council will support the retention, enhancement and development of Class B uses within the Employment Areas shown on the Policies Map and described in Policy Table 8. Proposals that fall outside of a Class B employment use will only be granted permission where it conforms with one of four criteria, one of which is the following:

“D. it can be shown that the development will be a complementary and supporting use, which is both subservient and ancillary to the principal employment uses and serves the day-time needs of the estate’s working population and will not result in a material change to the Class B character and function of the area.”

- 4.4 The site already contains a sports facility that is used for purposes that are ancillary to the use of the business that operates at the site, being a sports facility that is available for use by the employees of the premises. The proposal would be ancillary to the existing facility at the site and can therefore be supported under the terms of the abovementioned policy. The proposal does not change the use of this part of the application site, but would enable its use for a longer period of time and as such the development would not result in the loss of land that would otherwise be used for employment purposes. The principle of the development is therefore acceptable and compliant with the objectives of the development plan.

Design

National Planning Policy Framework 2012, Core Strategy Policies KP2 and CP4, Development Management DPD Policies DM1 and DM3 and SPD1

- 4.5 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policy DM1 of the Development Management DPD and in the Policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide (SPD1) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 4.6 The proposed lighting columns would be well screened from the public domain by virtue of the presence of significant boundary landscaping at the RBS site, the buildings at that site and the changing ground levels which prevent views into the site from the north. As such it is considered that the proposed installations would have little impact on the character and appearance of the site and the surrounding area.
- 4.7 No objection has been raised to the proposal by the Council’s Design Officer and it is considered that the proposals would not have a harmful visual impact that would justify the refusal of this application or conflict with policy objectives.

Impact on Neighbouring Properties

NPPF; DPD 1 (Core Strategy) Policies KP1, KP2, CP1 and CP4; Development Management DPD Policy DM1, DM3, DM10 and DM11 and SPD 1 (Design & Townscape Guide (2009))

- 4.8 Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”
- 4.9 The proposed floodlights would be installed in a location that is over 90 metres from the closest dwelling to the south east. The equipment would be installed flat-to-ground to ensure that there would be no unnecessary light spillage and this could be secured through the imposition of a condition. As such it is considered that the proposed development would not cause light pollution that would materially harm the amenity of the residents of the wider area.
- 4.10 The proposed lighting development would enable increased use of the site for hours which would otherwise be prohibited by darkness, particularly during winter. During winter, doors and windows within neighbouring properties are most likely to be closed and outdoor space would be little used, therefore the impact of the intensified use or residential amenity is unlikely to be significant. Conversely, in summer the use would already be able to occur to later hours and windows within neighbouring properties are more likely to be open and in that regard it is considered that the floodlight use of the facility would not be materially different to the existing situation. The distance between the floodlighting and neighbouring properties would also significantly mitigate any impacts and it is considered that the noise generated at the site would be no worse than the noise generated by the surrounding highways and the adjacent airport. It is however considered appropriate to limit the hours of use of the facility to ensure that residential amenity is maintained.

Public Safety

National Planning Policy Framework, Policy KP2, CP3 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM15 and the Design and Townscape Guide.

- 4.11 The proposed development would have no impact on highway safety.
- 4.12 It is however necessary to consider the impact of the development on the safe operation of the adjacent London Southend Airport and in this regard it is noted that no objection has been raised to the proposal by the airport within the response to the consultation that has been received and is set out below. London Southend Airport has however requested the imposition of a condition to limit the height of the lights and during the course of the application the applicant has provided additional details to demonstrate that it would be possible to comply with this condition. From this basis and subject to the imposition of conditions, no objection should be raised to the proposal on the grounds of safety.

Community Infrastructure Levy

- 4.13 As the development creates no new floorspace at the application site and represents a change of use from one commercial use to an educational use, the development is not CIL liable.

5 Conclusion

- 5.1 For the reasons set out above, it is considered that the proposed development can be found acceptable in principle, the proposed development would have no materially harmful impacts on the character of the area, the amenity of residents or public safety and it is therefore considered that the development can be approved subject to conditions.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework 2012.
- 6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP1 (Employment Generating Development), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance) and CP7 (Sport, Recreation and Green Space)
- 6.3 Development Plan Document 2: Development Management Policies DM1 (Design Quality) DM3 (Efficient and Effective Use of Land), DM11 (Employment Areas) and DM15 (Sustainable Transport Management)
- 6.4 Community Infrastructure Levy Charging Schedule.
- 6.5 Supplementary Planning Document 1: Design & Townscape Guide, 2009.

7 Representation Summary

Environmental Health Officer

- 7.1 The Council's Environmental Health Department raise no objection subject to the following conditions:
1. The location of the lights, the height, brightness, type and pattern of light should not be directed or pointed towards any aircraft and must adhere to the Lighting near Aerodromes Advice Note 2 submitted in support of this application.
 2. The design of lighting should be in accordance with BS 5489 (Code of Practice for Design of Road Traffic Lighting).
 3. All lighting shall be directed, sited and screened so as not to cause detrimental intrusion of light into neighbouring properties and in accordance with "The Institution of Lighting Engineers guidance for the reduction of Obtrusive Light". <http://www.britastro.org/dark-skies/pdfs/ile.pdf>.
 4. Hours of use 8am – 10pm Monday - Friday, 10am – 10pm Saturday - Sunday.

London Southend Airport

7.2 No objection is raised provided that the following conditions are imposed:

1. The maximum height of each of the floodlights is as follows:

FL1 (51.563781N 0.684070E - 27m AOD
FL2 (51.563673N 0.684246E - 29m AOD
FL3 (51.563553N 0.6844191E - 32m AOD
FL4 (51.563446N 0.684183E - 32m AOD
FL5 (51.563553N 0.684022E – 29.5m AOD
FL6 (51.563659N 0.683873E – 27.5m AOD

2. The lighting must be EASA compliant given its proximity to the aerodrome. The lighting should be full cut off and mounted horizontally so that light is not emitted above the horizontal (<http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-2-1-Lighting-2016.pdf>)

Sport England

7.3 It has been advised that the proposal does not fall within their criteria for consultation. Generic advice has been provided in relation to the loss of sports pitches that is not considered to be applicable to this proposal.

Public Consultation

7.4 79 neighbouring properties were notified of the proposal and a site notice was posted at the site. Two letters of objection have been received from one person which objects on the following grounds:

- The proposal will create additional light pollution which will prevent the enjoyment of the dark night sky.
- The impact on an astronomical observatory that is reasonably close to the site (1280 metres from the site) and the impact on this should be minimised.
- The floodlighting should not be used in the late evening, overnight or in the early morning.
- The lighting should not be used between 21.30 and 07.00 the following day.
- The lights should be installed in accordance with guidance that aims to prevent light pollution.

Conditions are recommended below that will limit the hours of use and the direction of the lighting to ensure that light pollution is minimised as far as is considered to be reasonable and appropriate in this setting.

8 Relevant Planning History

8.1 Planning permission for a '5-a-side' football pitch at the site was granted under the terms of application 03/00806/FUL. A condition of that permission prevented the installation of floodlighting.

8.2 The remainder of the application site is the subject of a lengthy planning history that is considered to be of little relevance to this application.

9 Recommendation

9.1 GRANT PLANNING PERMISSION subject to the following conditions:

01 Condition: The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: 17-061-AS-01, 17-061-AS-02, 17-061-AS-03 and 17-061-AS-04

Reason: To ensure that the development is carried out in accordance with provisions of the Development Plan.

03 Condition: Notwithstanding the details shown on the plans submitted and otherwise hereby approved The maximum height of each of the floodlights erected under this consent shall not exceed the following:

**FL1 (51.563781N 0.684070E - 27m AOD
FL2 (51.563673N 0.684246E - 29m AOD
FL3 (51.563553N 0.6844191E - 32m AOD
FL4 (51.563446N 0.684183E - 32m AOD
FL5 (51.563553N 0.684022E – 29.5m AOD
FL6 (51.563659N 0.683873E – 27.5m AOD**

Reason: In the interests of public safety due to the proximity of London Southend Airport.

04 Condition: The lighting shall only be installed in full compliance with the content of the Airport Operators Association document titled “Safeguarding of Aerodromes – Advice Note 2 – Lighting Near Aerodromes (August 2016).” The lighting shall be installed to be ‘full cut off’ and mounted horizontally so that light is not emitted above the horizontal.

Reason: In the interests of public safety due to the proximity of London Southend Airport.

05 Condition: Illumination from the floodlighting hereby approved shall only occur between the hours of 08.00 to 22.00 Monday to Friday and 10.00 to 22.00 on Saturdays and Sundays.

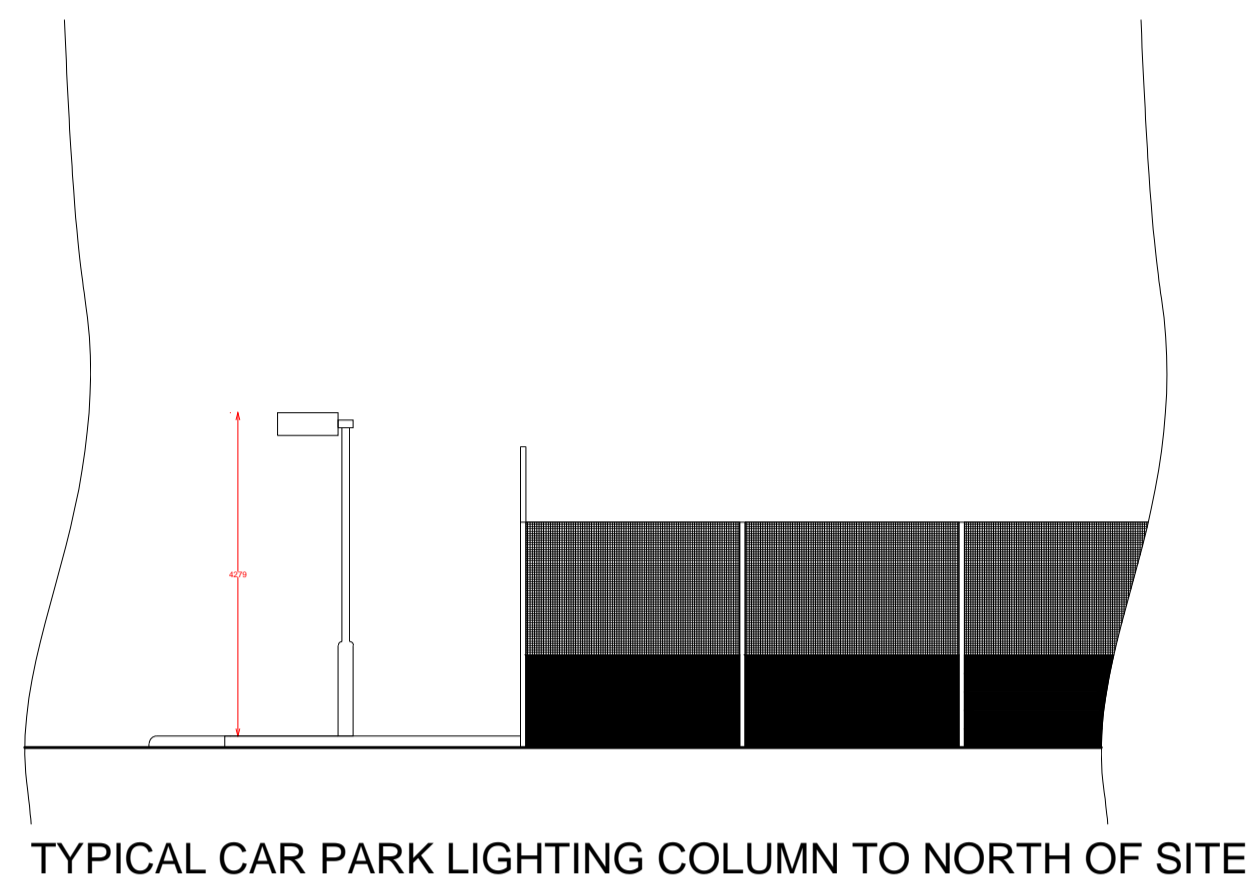
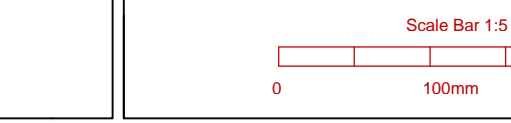
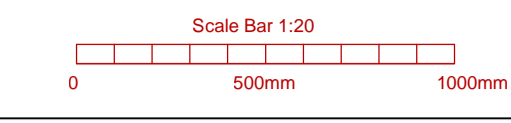
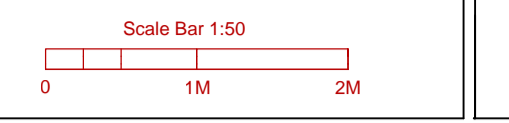
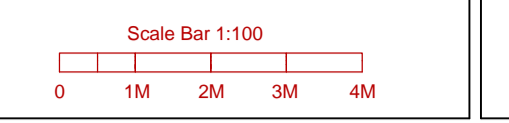
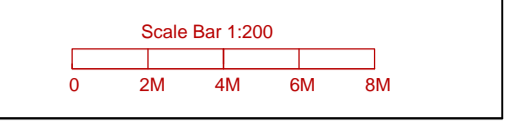
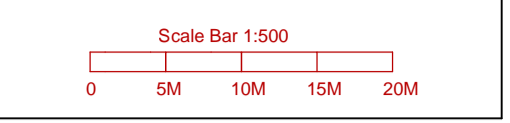
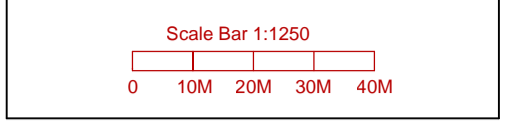
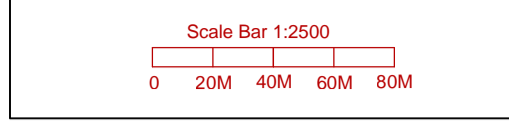
Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management)

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

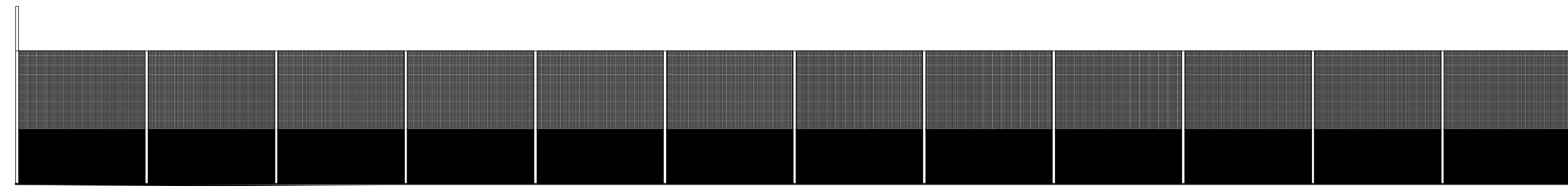
Informative

You are advised that as the proposed development creates no new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL

It is recommended that clients and builders use a JCT small works contract. Note that building control can change details on site so that the build conforms to the building regulations. These notes are general purpose construction notes for building regulation approval and are in no way detailed to specification standard. The clients attention is drawn to the Party Wall Act 1996 with regards to works taking place near adjoining owners land and buildings. It is the Building owners responsibility that the act is complied with. This plan should not be scaled and careful check measurements should be made on site by the contractor with any major discrepancies being reported to the client or his building surveyor before the start of works. Any changes in the design are at the clients and contractors own risk. Oswick Ltd holds no responsibility for any mis-measurements on site as these should be checked before the start of works by the contractor or in the case of any changes in design.



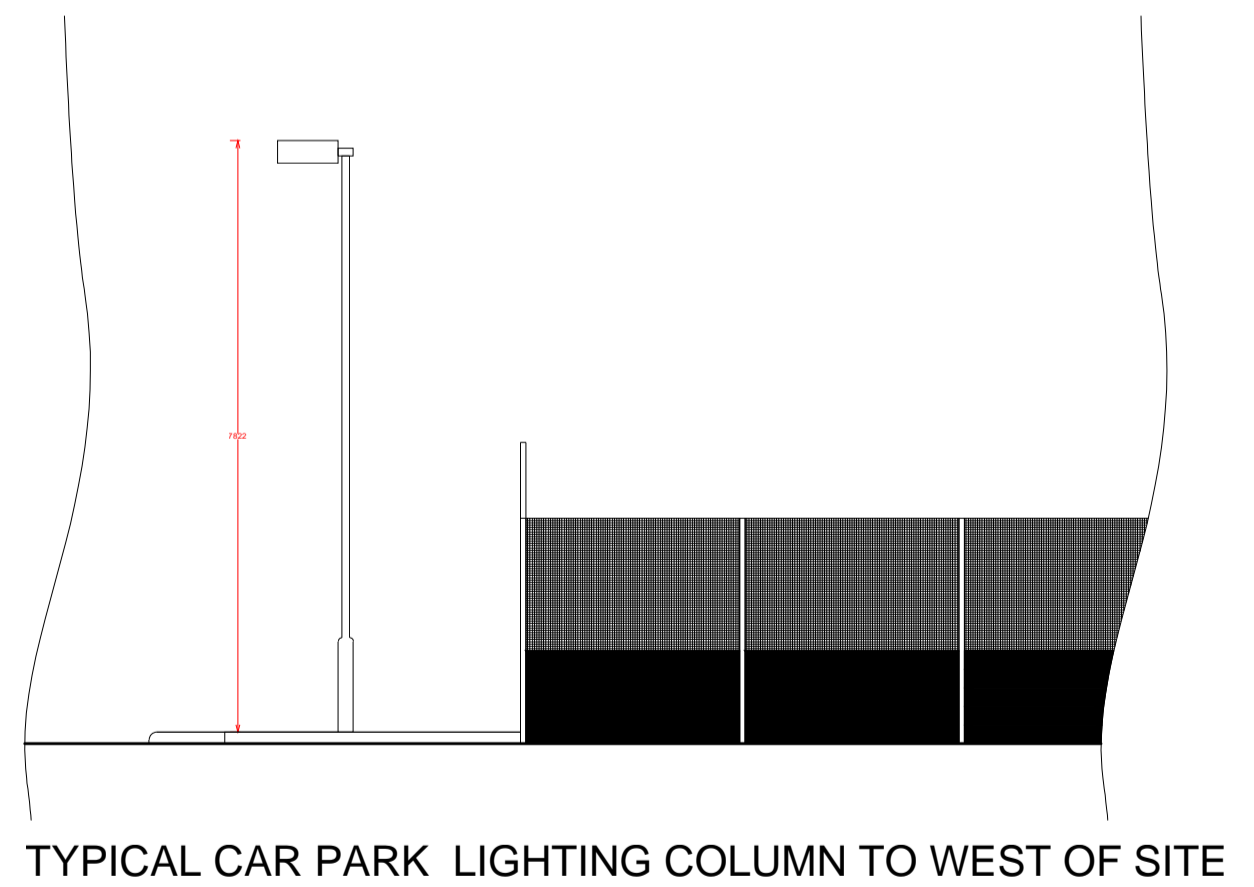
TYPICAL CAR PARK LIGHTING COLUMN TO NORTH OF SITE



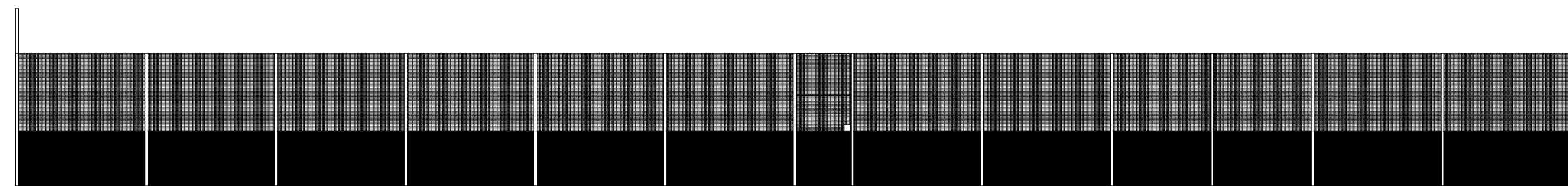
EXISTING NORTH FACING ELEVATION



MIXED USE GAMES AREA

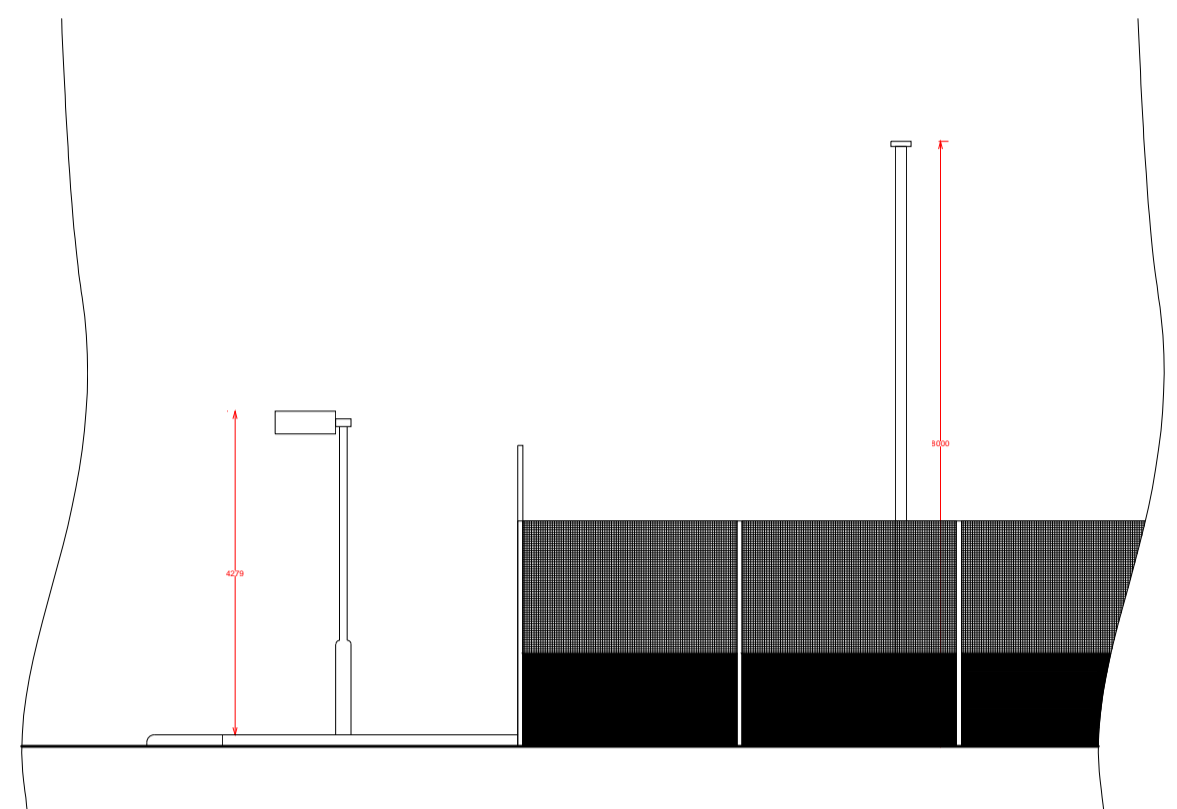
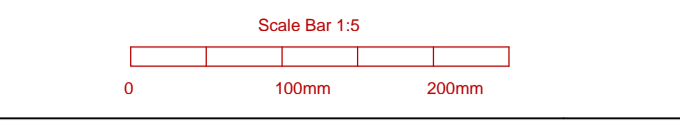
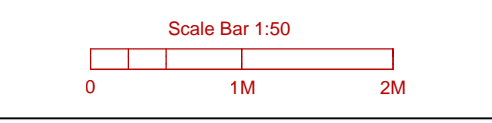
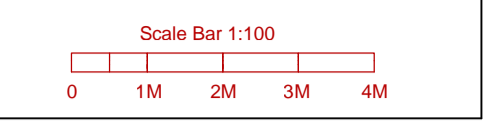
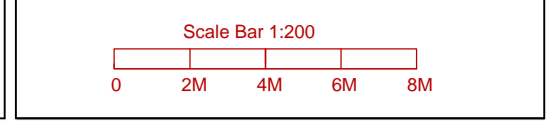
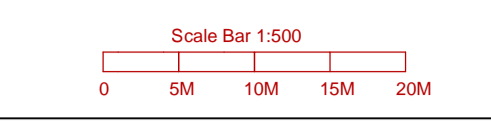
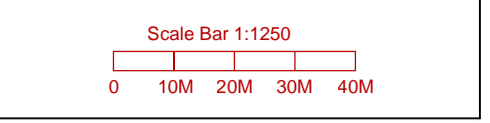
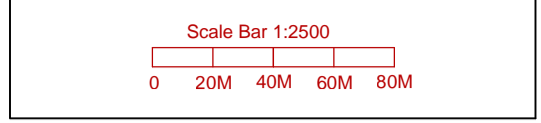


TYPICAL CAR PARK LIGHTING COLUMN TO WEST OF SITE

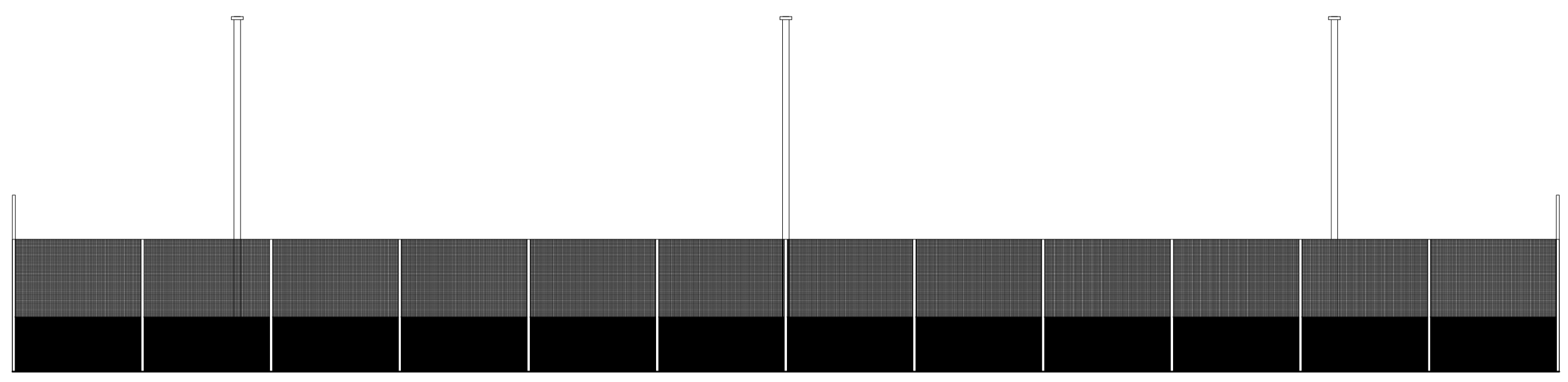


EXISTING SOUTH FACING ELEVATION

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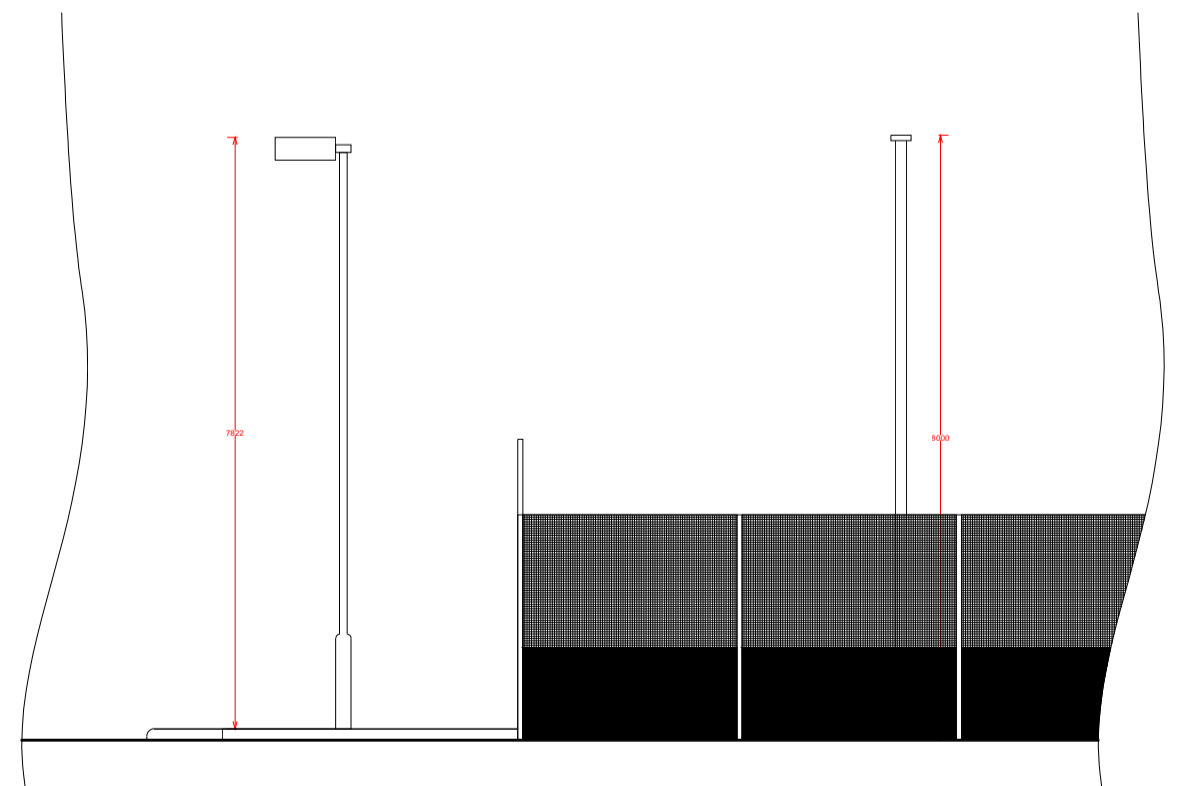
PROPOSED FLOODLIGHTING COLUMN TO NORTH OF SITE



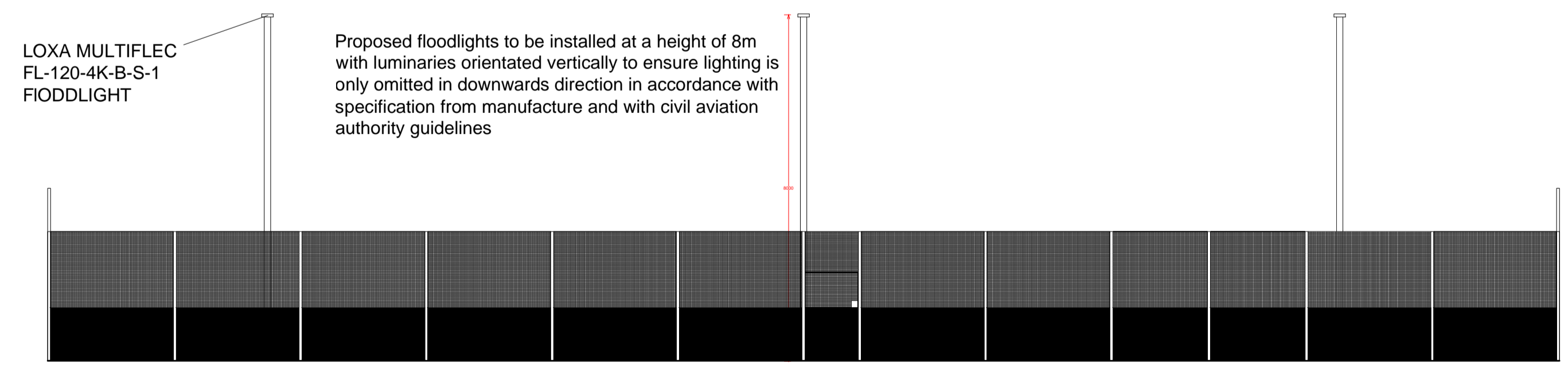
PROPOSED NORTH FACING ELEVATION



MIXED USE GAMES AREA

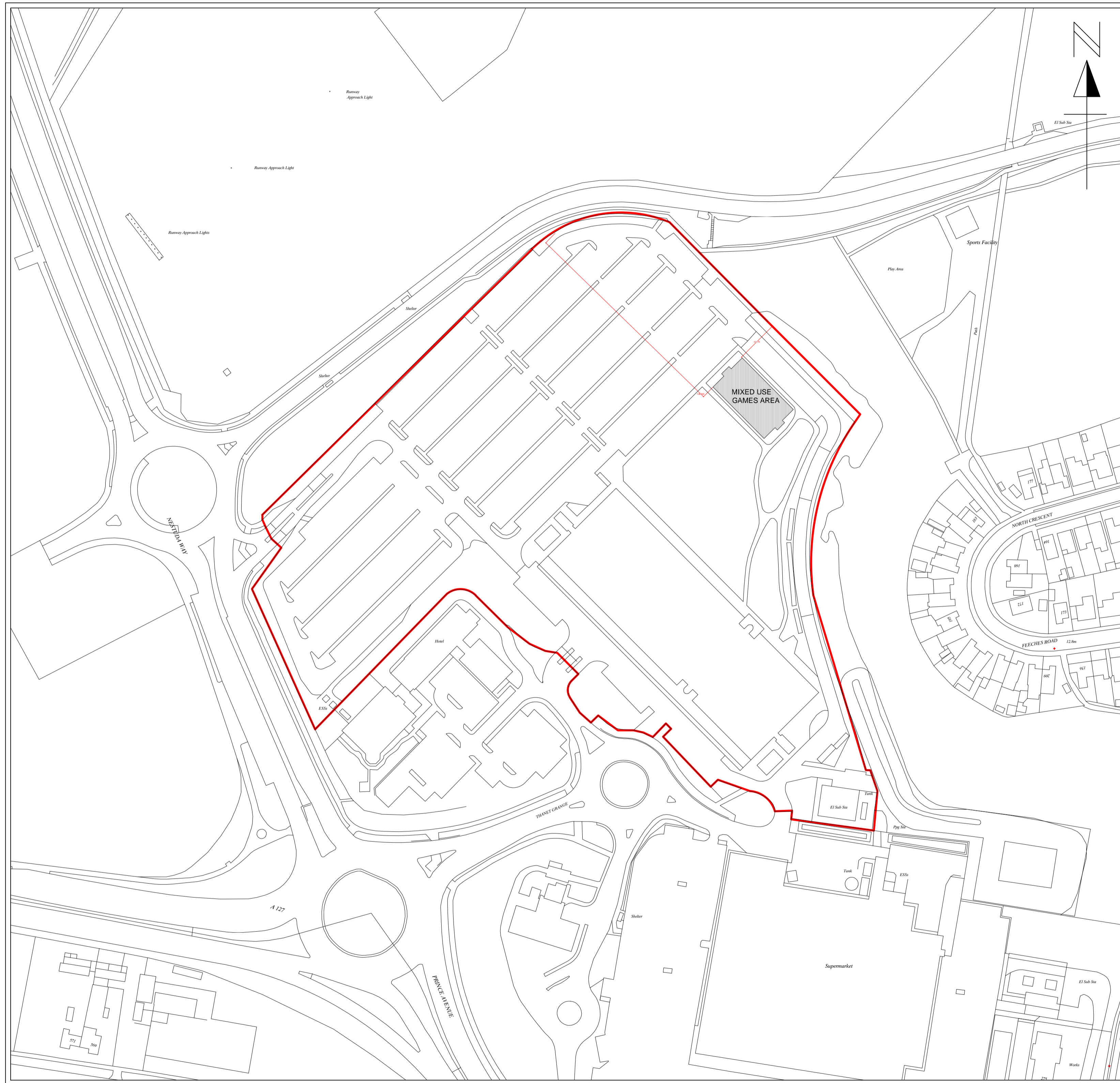
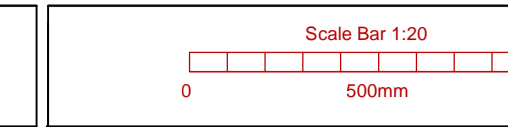
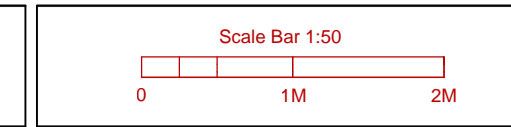
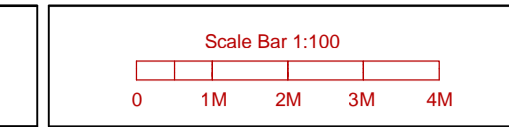
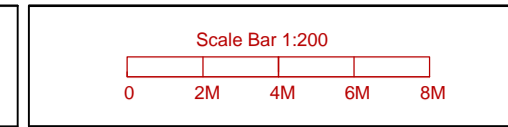
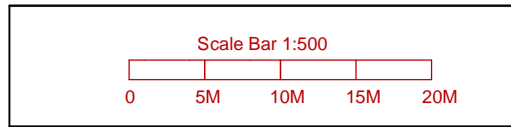
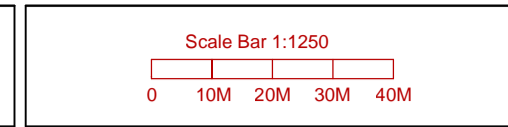
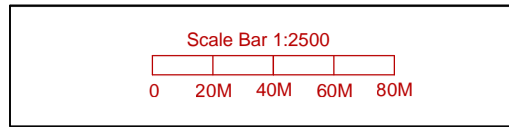


PROPOSED FLOODLIGHTING COLUMN TO WEST OF SITE

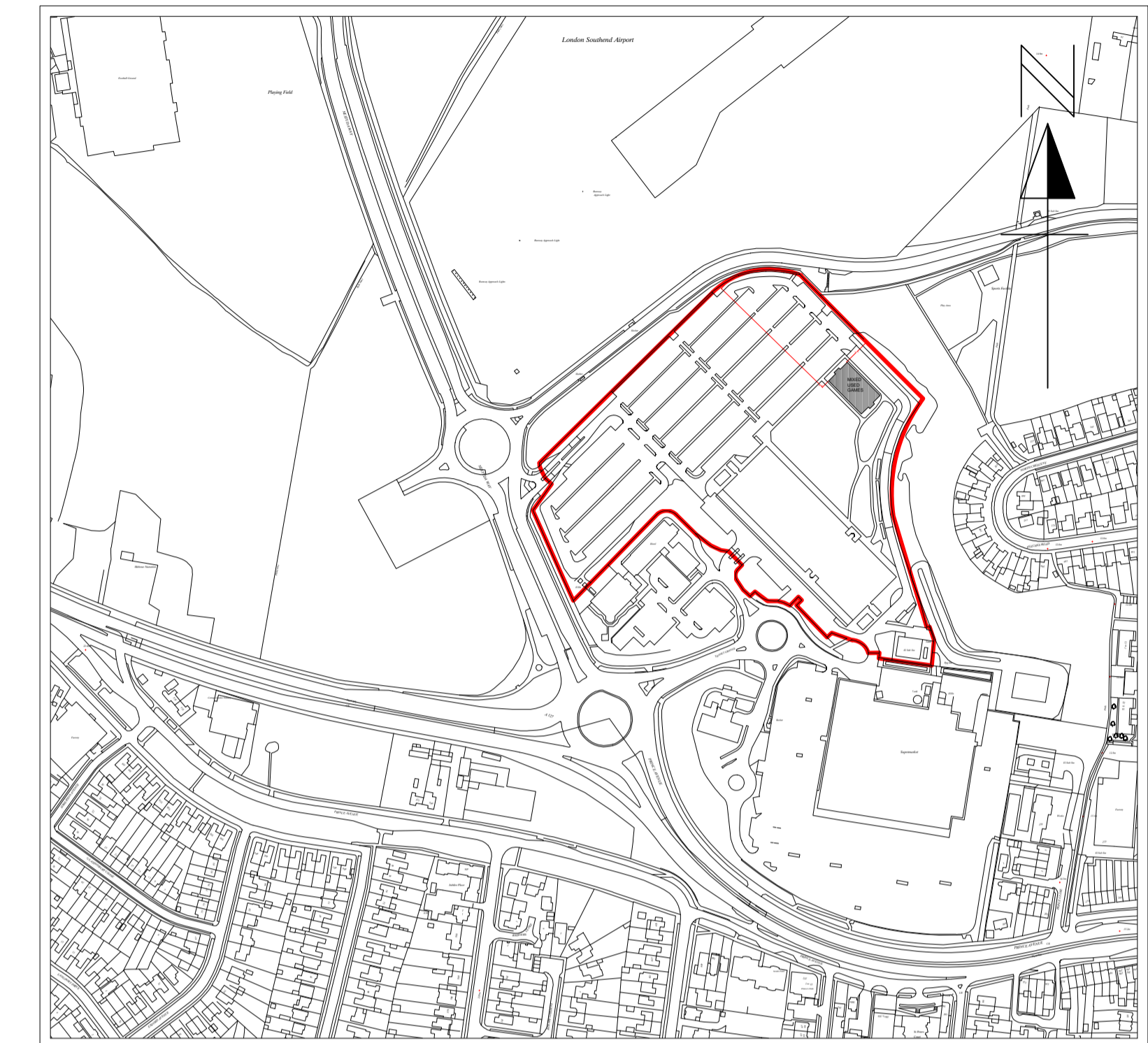


PROPOSED SOUTH FACING ELEVATION

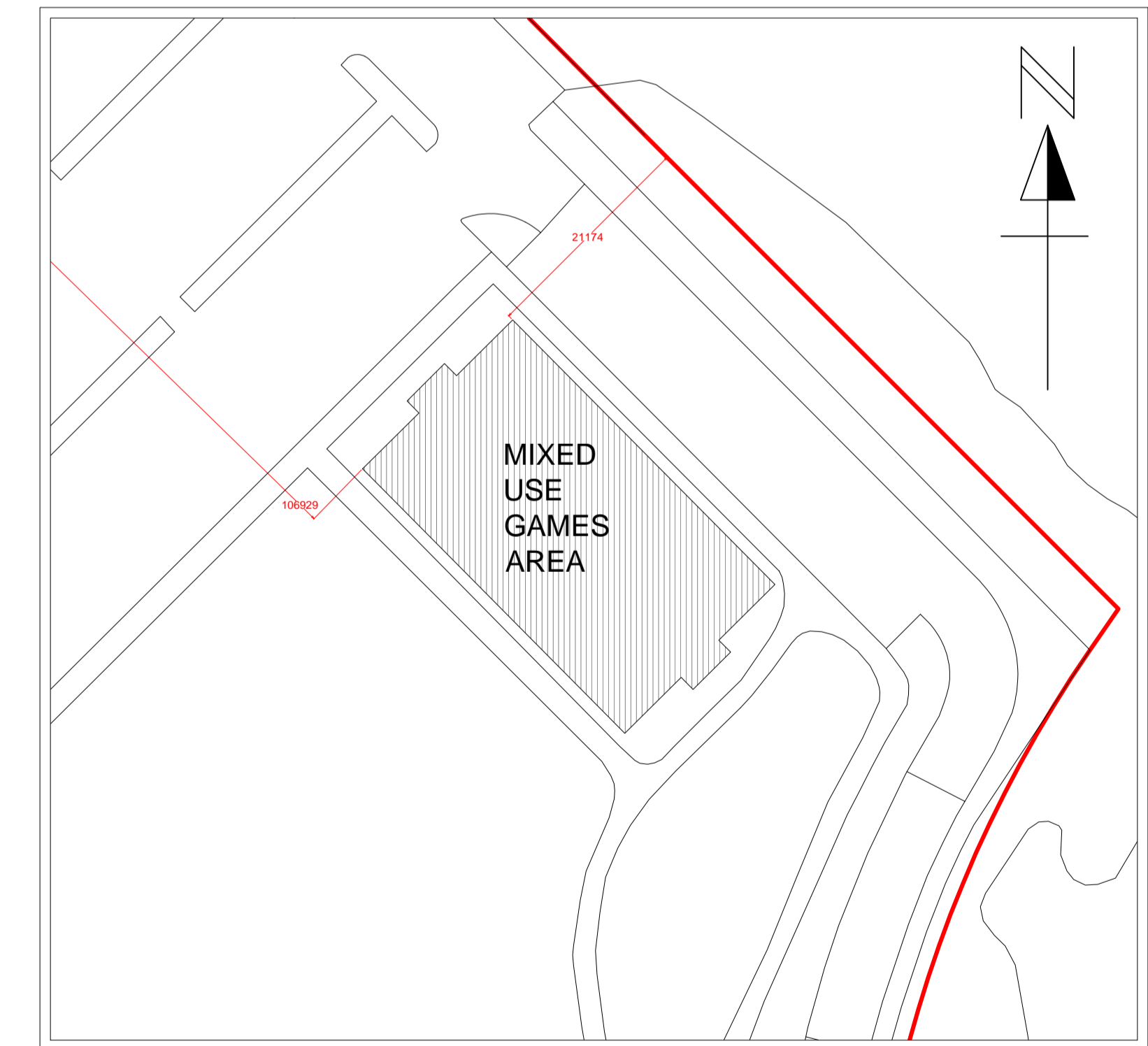
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EXISTING SITE LOCATION PLAN: SCALE - 1:1250

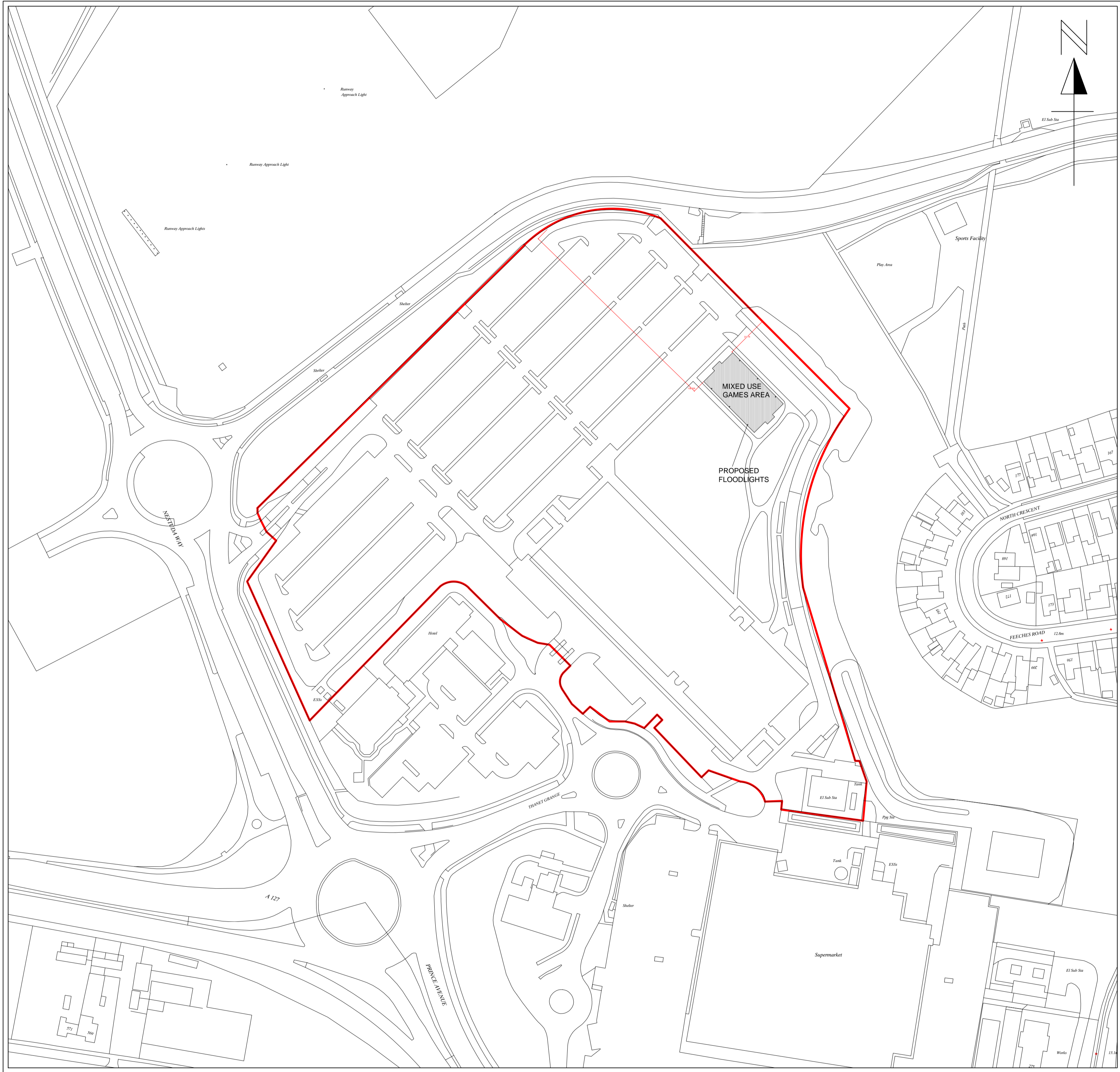
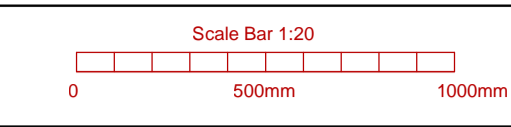
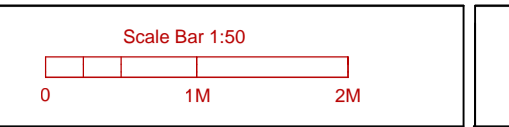
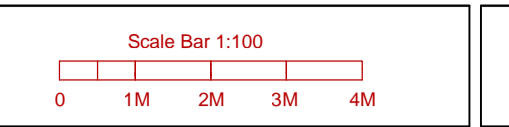
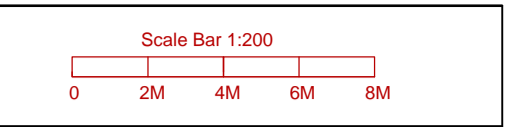
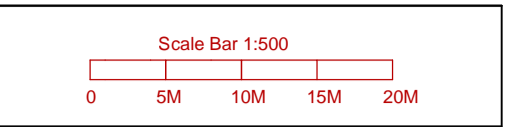
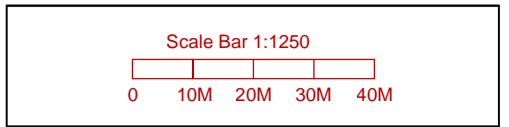
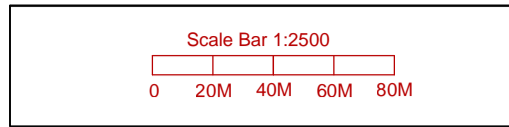


EXISTING SITE LOCATION PLAN: SCALE - 1:25,000

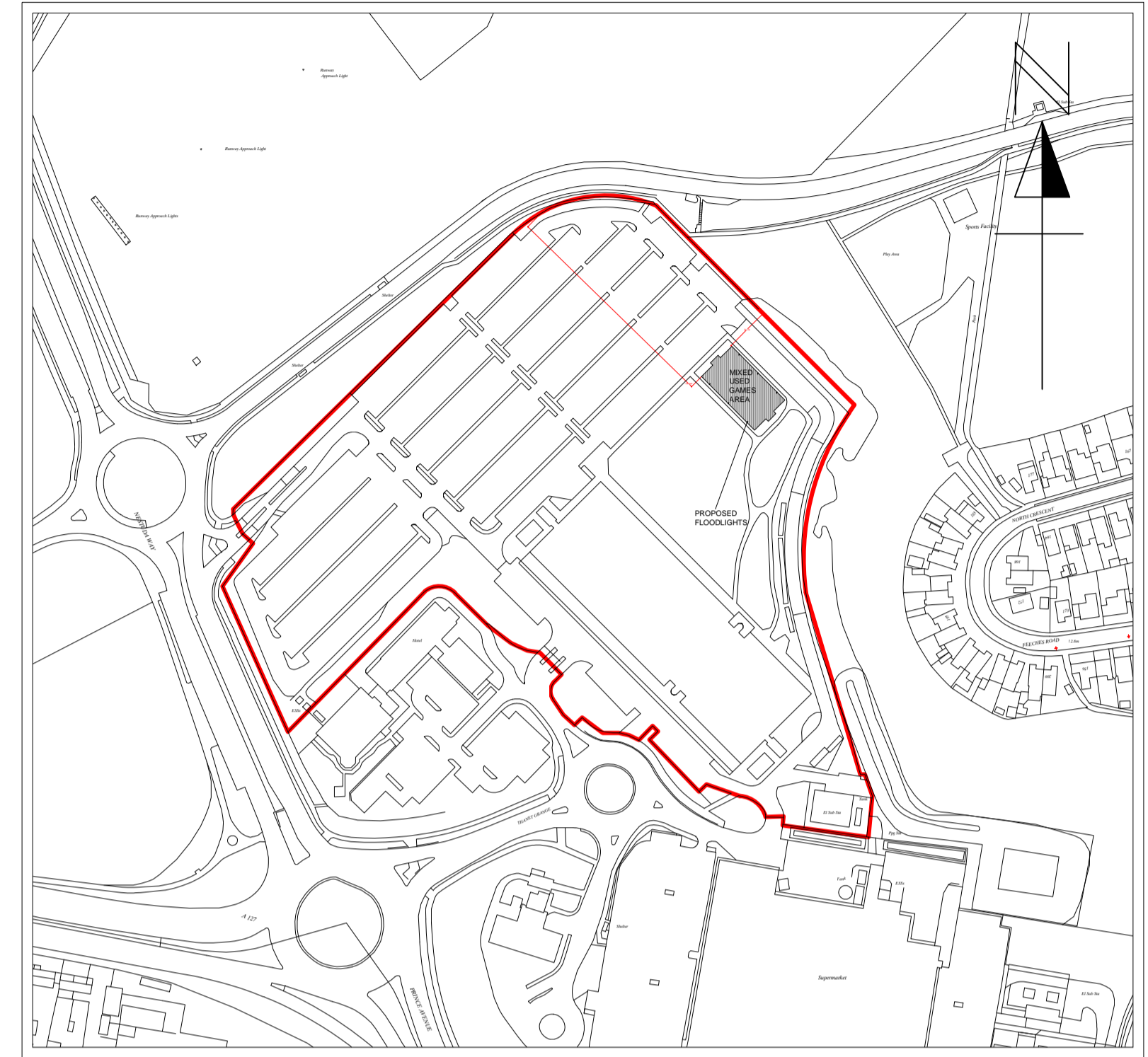


EXISTING SITE LOCATION PLAN: SCALE - 1:500

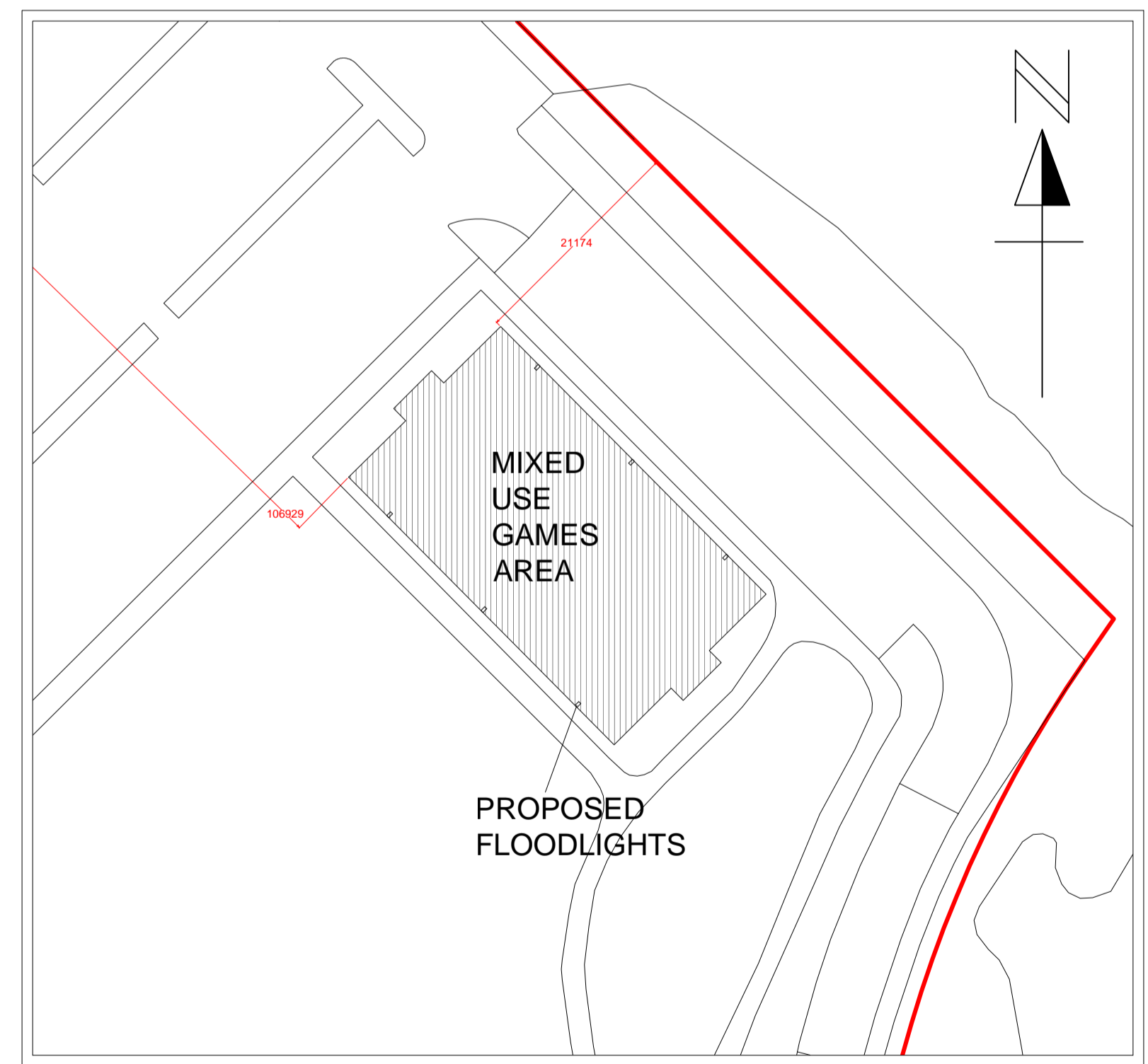
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PROPOSED SITE LOCATION PLAN: SCALE - 1:1250



PROPOSED SITE LOCATION PLAN: SCALE - 1:25,000



PROPOSED SITE LOCATION PLAN: SCALE - 1:500

Reference:	17/00409/BC3	<h1>7</h1>
Ward:	Kursaal	
Proposal:	Install external staircase to South elevation	
Address:	Business Enterprise Skills And Training Centre, Southend Adult Community College, Ambleside Drive, Southend-On-Sea	
Applicant:	Mr Leo Lord (Southend Adult Community College)	
Agent:	Neil Pointer (Southend On Sea Borough Council)	
Consultation Expiry:	13/04/17	
Expiry Date:	16/05/17	
Case Officer:	Ian Harrison	
Plan Nos:	14994-A-101 A, 14994-A-102 A, 14994-A-103 A, 14994-A-104 A, 14994-A-105 A (Existing Elevations), 14994-A-105 A (Proposed Elevations) and 14994-A-107 A.	
Recommendation:	GRANT Planning Permission	



1 The Proposal

- 1.1 The application seeks planning permission for the erection of an external staircase at the rear elevation of the Southend Business Enterprise Skills And Training Centre at the rear of Southend Adult Community College, Ambleside Drive, Southend-On-Sea.
- 1.2 The proposed staircase would project by a maximum of 2.5 metres from the rear elevation with an overall width of 6.7 metres. The staircase would be a metal staircase with a first floor door installed in the rear elevation.

2 Site and Surroundings

- 2.1 The application site is located to the South of Ambleside Drive. The site contains a large two storey building that is used as Southend Adult Community College. The building is a locally listed building. At the rear of the site are two additional buildings that are used for educational purposes, one of which is the building to which this application relates. The two storey building measures a maximum of 19.5 metres deep and 11.5 metres wide, including a first floor projection at the front (north) elevation. The building is of modern construction featuring metal cladding to the elevations and a shallow pitched roof.
- 2.2 Residential properties are located to the south and east of the application site with the rear elevations of those properties facing the proposed development and the garden areas adjacent to the shared boundaries.
- 2.3 The site is not the subject of any site specific planning policies.

3 Planning Considerations

- 3.1 The main considerations in the determination of this application are the principle of development, residential amenity and the character of the area.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) policy KP1, KP2, CP4 and CP6 and DPD2 (Development Management) policies DM1 and DM3.

- 4.1 This proposal is considered in the context of the National Planning Policy Framework 2012 and Core Strategy Policies KP2, CP4 and CP7. The NPPF states that “The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools.”

- 4.2 As the proposal does not represent a change of use and relates to works that are ancillary to the use of the site, it is considered that no objection should be raised to the principle of the development.

Impact on the Character of the Area

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) policies DM1, DM3 and DM5; Design and Townscape Guidance.

- 4.3 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF as well as Policies DM1 and DM3 of the Development Management DPD and Policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide (SPD1) also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.4 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.
- 4.5 The NPPF states that *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*.
- 4.6 The elevation that is affected by the proposed works is located at the south side of the building and is therefore not visible from the main area of public domain to the north of the site. It is considered that the proposed staircase would have a functional appearance that would not be a positive addition to the building, but neither would it cause material visual harm. Any impacts are largely mitigated by virtue of the positioning of the building in an enclosed area at the rear of the site and therefore the visual impact would only be seen within the neighbouring residential properties.
- 4.7 The small scale of the proposed addition relative to the scale of the building ensures that the visual impact of the development would not be sufficiently harmful to justify the refusal of the application. The proposed development would have no adverse impacts on the character or setting of the locally listed building at the application site.

Residential Amenity

The National Planning Policy Framework; Southend-on-Sea Core Strategy policies KP2 and CP4, Southend-on-Sea Development Management Document Policies DM1 and DM3 and the Design and Townscape Guide.

- 4.8 Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”
- 4.9 As set out above, the neighbouring properties of Southchurch Hall Close are immediately to the south of the proposed structure with the shared boundary being approximately 0.5 metres from the proposed staircase and the rear elevation of those dwellings being approximately 16 metres from the shared boundary. The gardens of those dwellings are located in the space between the dwellings and the proposed staircase.
- 4.10 Due to the scale of the proposed structure relative to the existing building, the positioning of the structure to the north of the neighbouring properties and the partially transparent form of the structure, it is considered that the development would not cause a loss of light within the neighbouring properties or create a sense of enclosure that is materially worse than the existing situation.
- 4.11 Any person on the staircase would have a clear and largely uninterrupted view towards the neighbouring properties to the south and therefore, if used regularly, the development would cause unacceptable overlooking and loss of privacy. However, the staircase is only intended to be used in times of emergency and therefore would not be frequently used. From this basis, subject to the imposition of a condition to require the door to be only used in times of emergency and the agreement of mechanisms to ensure that this is the case (alarms, restrictors etc) it is considered that the development can occur without causing unacceptable overlooking of the neighbouring properties to the south.
- 4.12 The only other property that could be affected by the development would be 179 Victoria Road, but for the same reasons as above, it is considered that the proposed development would not cause harm to the amenities of that occupants of that property.

Community Infrastructure Levy

- 4.13 The development is not CIL liable.

5 Planning Policy Summary

5.1 National Planning Policy Framework

5.2 DPD1 (Core Strategy) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance) and CP6 (Community Infrastructure).

5.3 DPD2 (Development Management) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM5 (Southend-on-Sea Historic Environment).

5.4 SPD1 Design & Townscape Guide 2009

5.5 Community Infrastructure Levy Charging Schedule

6 Representation Summary

6.1 Public Consultation

A site notice was posted and 7 addresses notified by letter. Two objections have been received which object on the following grounds:

- The proposed development will cause overlooking and a loss of privacy within the gardens areas and habitable rooms of the properties within Southchurch Hall Close.
- No guarantee can be provided that the staircase will only be used at times of emergency.

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

7 Relevant Planning History

7.1 The building to which this application relates was approved as a two storey training centre (use class D1) under the terms of application 09/02171/FUL. The wider site is the subject of a lengthy planning history, but that history is considered to be of minimal relevance to this planning application.

8 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

01 01. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 14994-A-101 A, 14994-A-102 A, 14994-A-103 A, 14994-A-104 A, 14994-A-105 A (Existing Elevations), 14994-A-105 A (Proposed Elevations) and 14994-A-107 A.

Reason: To ensure that the development is carried out in accordance with provisions of the Development Plan.

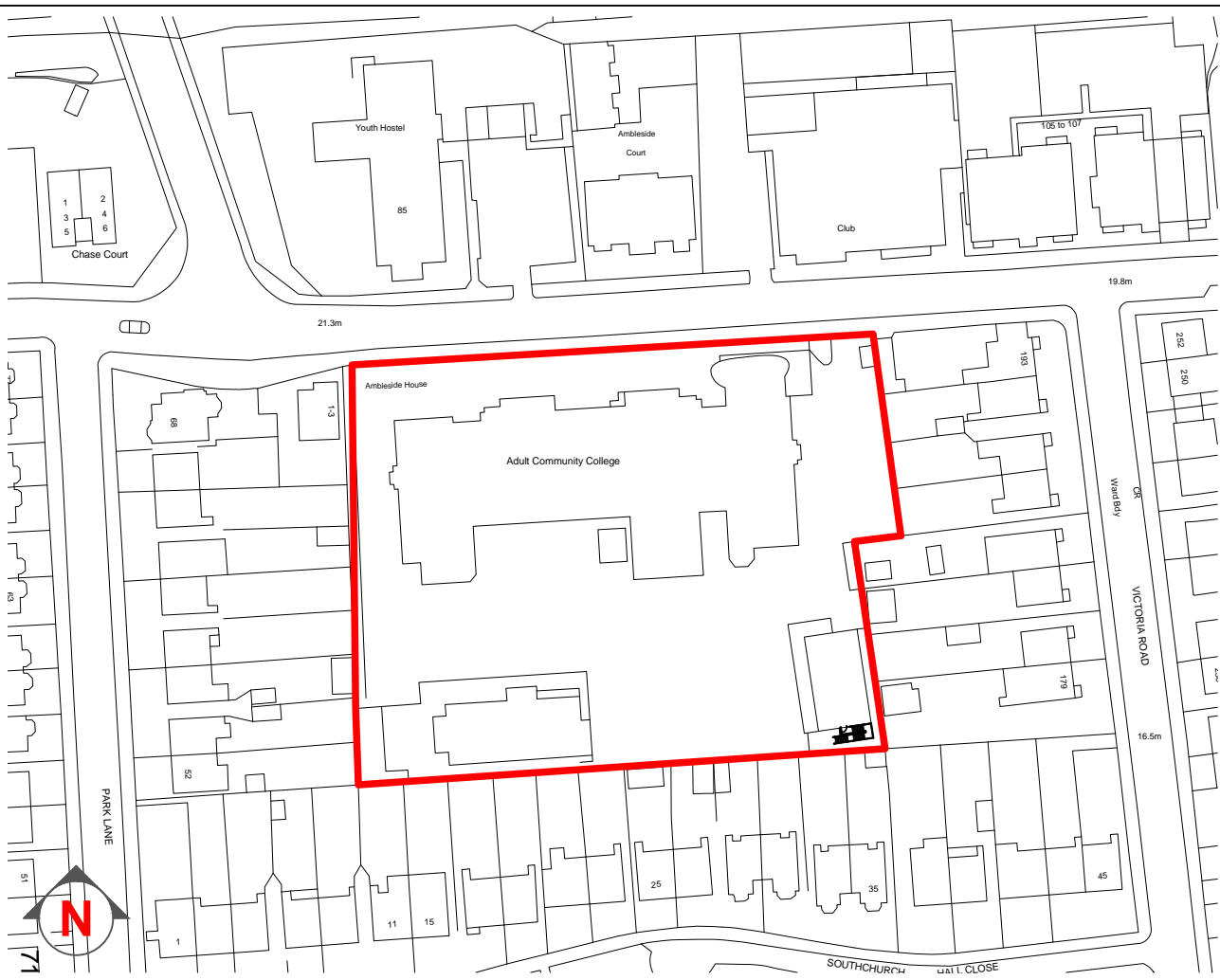
- 03 Prior to the first use of the door and staircase hereby approved, a scheme of details to ensure that the staircase and door are only used at times of need for emergency egress from the building shall be submitted to and agreed in writing by the Local Planning Authority. Subsequently the doors and stairs shall be installed in accordance with the approved details before the stairs and door are first used and be retained and maintained in the approved condition thereafter. The door and staircase shall only be used for emergency egress from the building.

Reason: To ensure that the development does not cause overlooking and a loss of privacy within neighbouring residential properties in accordance with policies DM1 and DM3 of the Southend-on-Sea Development Management Document 2015.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL



1 LOCATION PLAN
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2 SATELLITE IMAGE
 0 500 1000 SCALE: 1:500



3 SITE PLAN
 0 500 1000 SCALE: 1:500

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REV	A	Alter Red Line Boundary	NP	06/2/17
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PROJECT DETAILS
BEST CENTRE
 AMBLESIDE DRIVE
 SOUTHEND ON SEA
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 SS1 2UP
 SBC PROJECT REFERENCE
 1494

DRAWING STATUS
PLANNING

DRAWING TITLE
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DRAWING NUMBER
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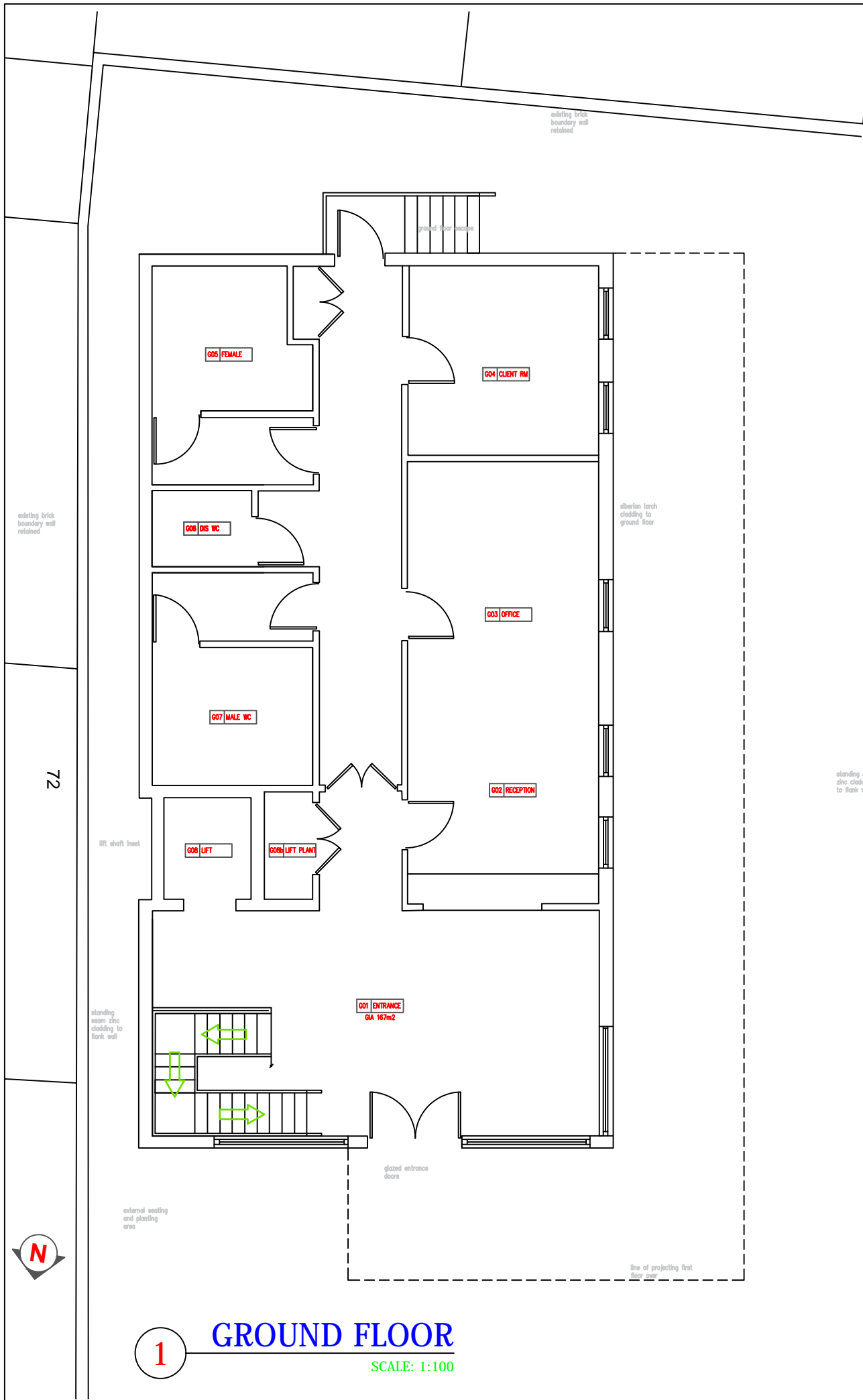
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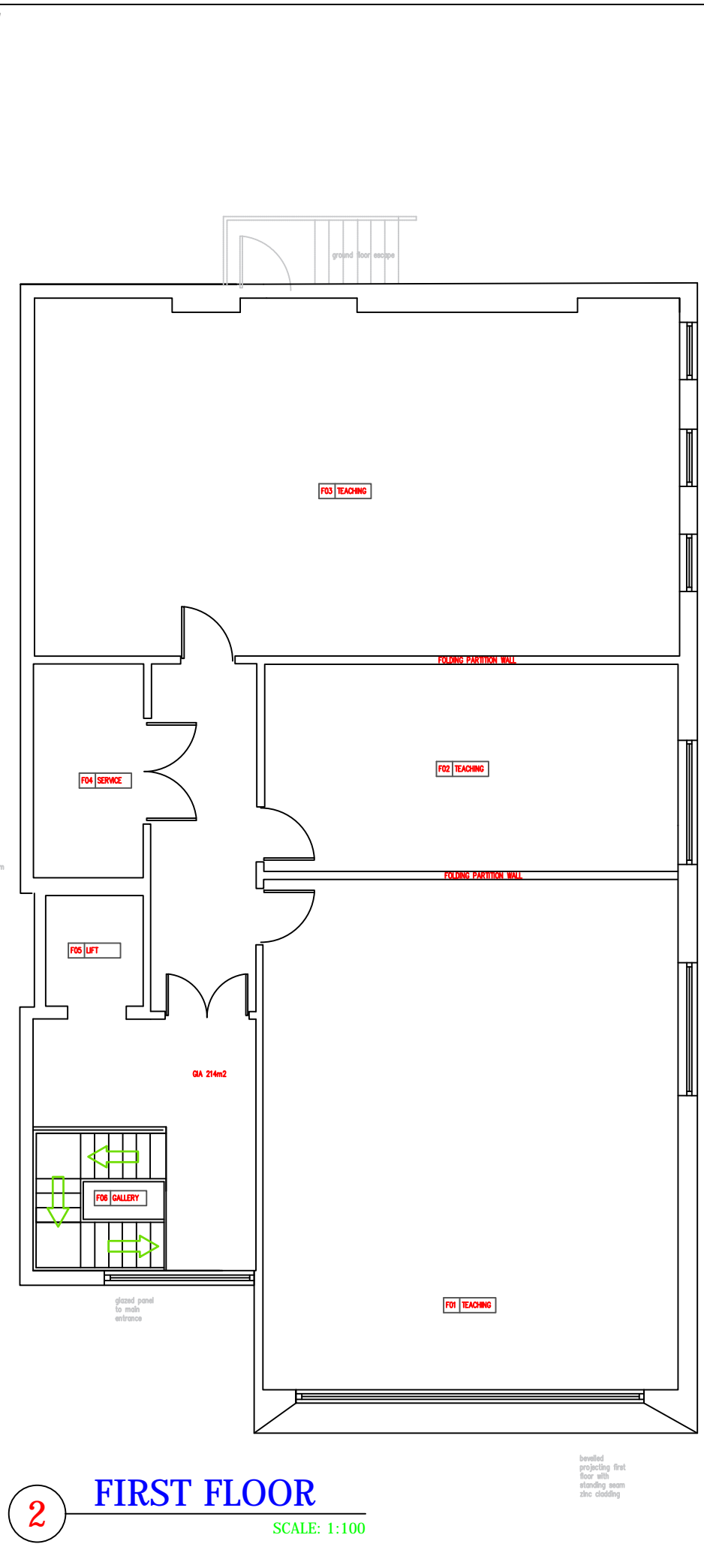
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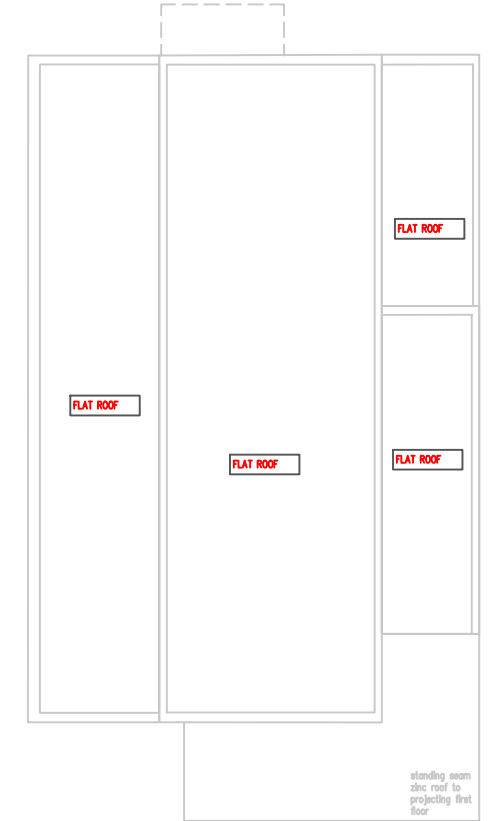
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1 GROUND FLOOR
 SCALE: 1:100



2 FIRST FLOOR
 SCALE: 1:100



3 ROOF
 SCALE: 1:100

REV	A	Site based adjustments	NP	15/2/17
		REVISION DESCRIPTION	BY	DATE

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PROJECT DETAILS
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 SS1 2UP
 SBC PROJECT REFERENCE
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PLANNING

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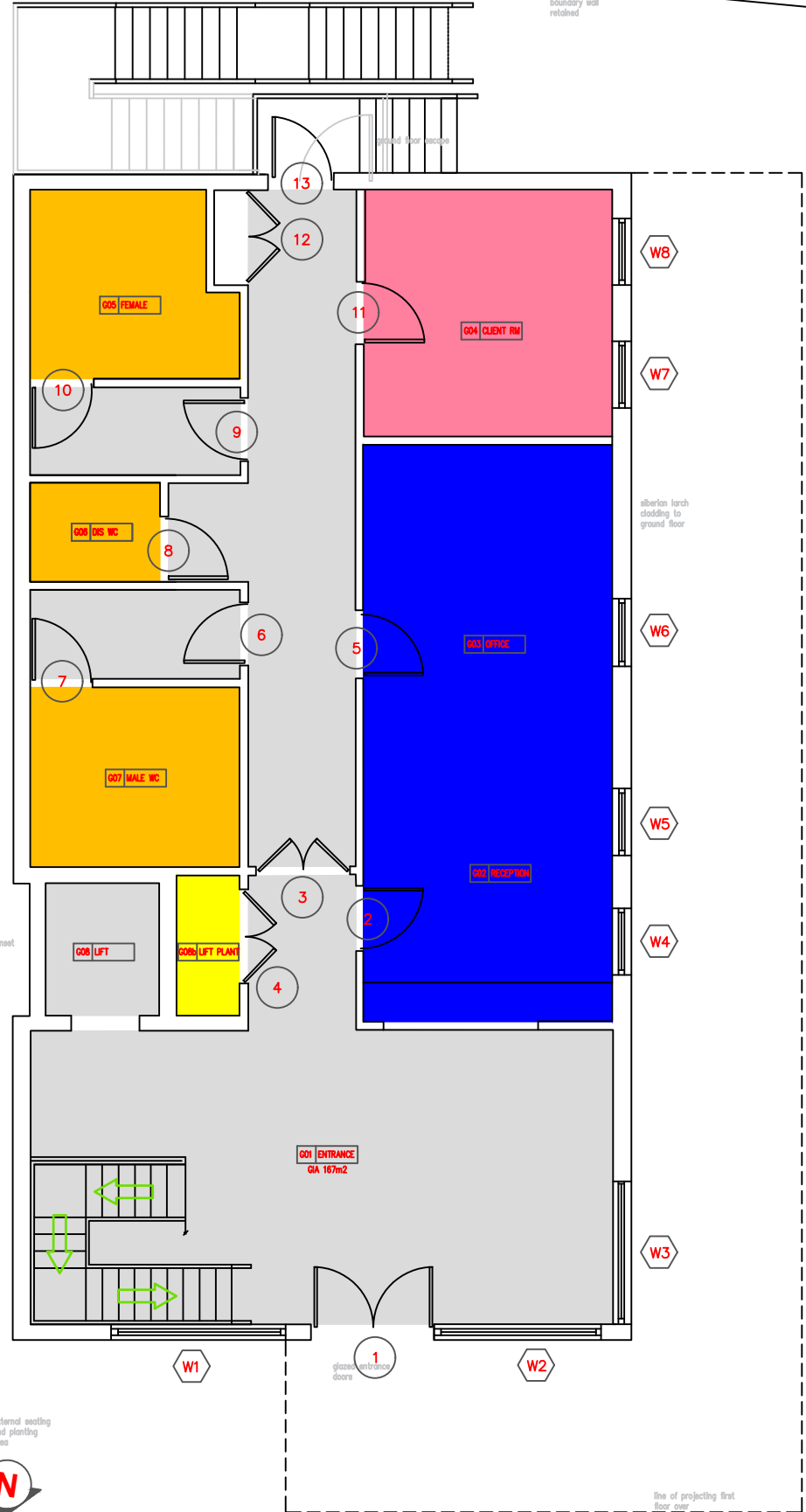
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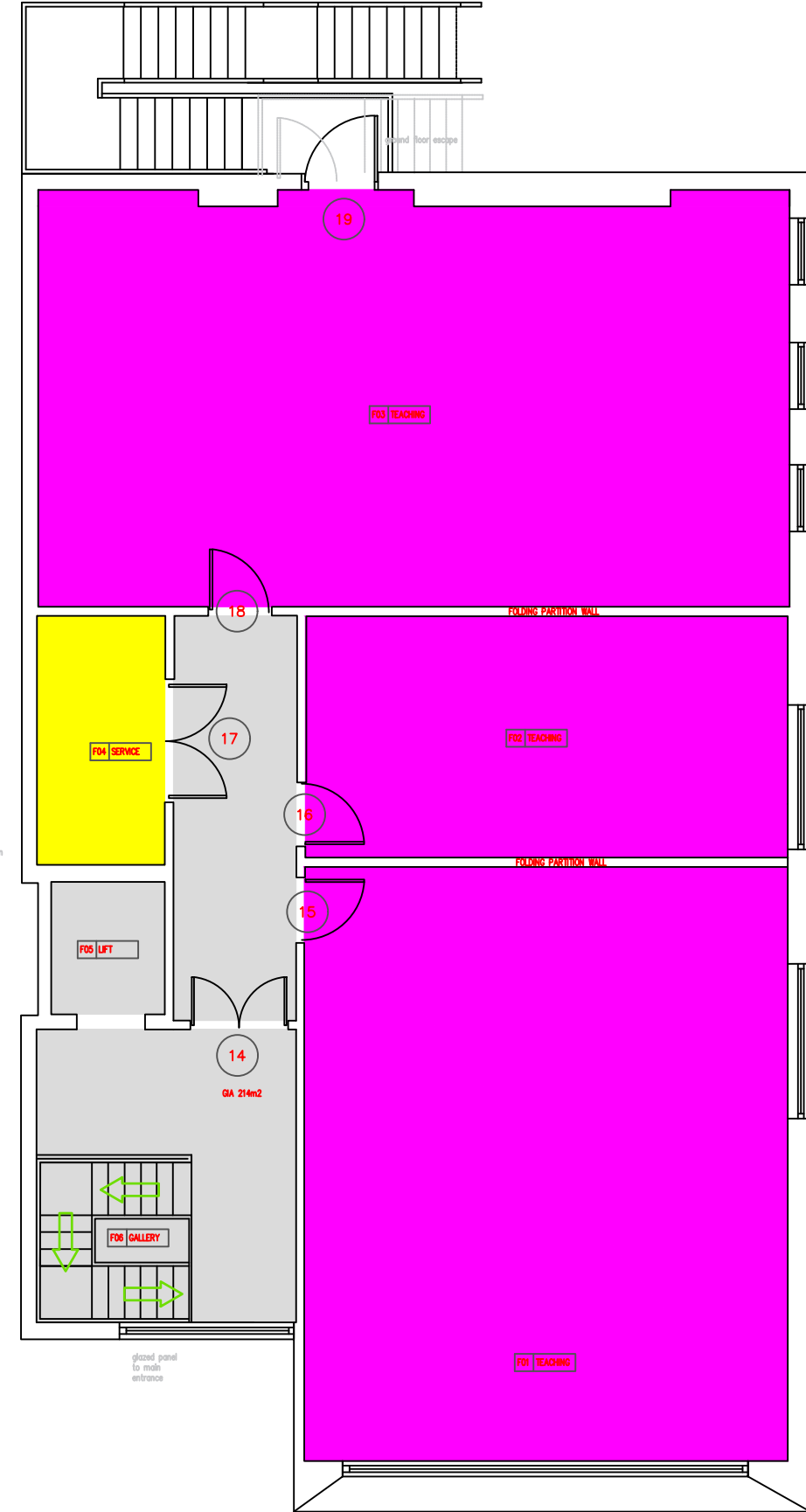
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Space Class	Name
Administration	Accounts and Payroll Office
Administration	Administration Office
Administration	Bursars Office
Administration	Human Resources Office
Administration	Information Technology Office
Administration	Medical Room
Ancillary	Bolier Room
Ancillary	Cleaners Cupboard
Ancillary	Electricity Room
Ancillary	Garage
Ancillary	Gas Meter Room
Ancillary	Lighting Room
Ancillary	Plant Room
Ancillary	Pump Room
Ancillary	Service Area
Ancillary	Store (Greenhouse / Garden)
Ancillary	Tank Room
Ancillary	Utility Room
Circulation	Atrium
Circulation	Attic
Circulation	Balcony
Circulation	Corridor
Circulation	Landing
Circulation	Lift
Circulation	Lobby
Circulation	Reception
Circulation	Stairwell
Educational Areas	Classroom
Educational Areas	Library
Educational Areas	Training Room
External Areas	Ancillary Premises
External Areas	Building Footprint
External Areas	Car Parking
External Areas	Coach / Bus Drop Off
External Areas	Games Courts
External Areas	Hard Surfaced Area
External Areas	Roads and Paths
External Areas	Soft Landscaping
External Areas	Sports Pitches
External Areas	Store (Bicycle)
Kitchen and Dining	Canteen
Kitchen and Dining	Dining Area
Kitchen and Dining	Kitchen
Kitchen and Dining	Kitchen Changing Room
Kitchen and Dining	Kitchen Washup
Kitchen and Dining	Servery
Kitchen and Dining	Store (Kitchen)
Premises Manager	Premises Manager Office
Premises Manager	Premises Manager Store
Recreational Areas	Audio Visual Studio
Recreational Areas	Sports Hall
Recreational Areas	Swimming Pool
Recreational Areas	Viewing Area
Recreational Areas	Weights and Fitness Room
Residential Areas	Bedroom
Residential Areas	Dining Room
Residential Areas	Kitchen
Residential Areas	Living Room
Residential Areas	Toilet and Bathroom
Senior Management	Chairman's Office
Senior Management	Director's Office
Senior Management	Managing Director's Office
Specialist Areas	Creche
Staff Work Areas	Information Technology Room
Staff Work Areas	IT Server Room
Staff Work Areas	Meeting Room
Staff Work Areas	Office (Not Designated)
Staff Work Areas	Science Laboratory
Staff Work Areas	Staffroom
Storage	Cloakroom
Storage	Stockroom
Storage	Store (Archive)
Storage	Store (Chemical)
Storage	Store (IT)
Storage	Store (Library)
Storage	Store (Not Designated)
Storage	Store (Science)
Storage	Store (Sport)
Storage	Store (Table)
Storage	Store (Toilet)
Toilets and Changing	Changing Area
Toilets and Changing	Shower and Changing Room
Toilets and Changing	Toilet (Disabled)
Toilets and Changing	Toilet (Female with Disabled Facilities)
Toilets and Changing	Toilet (Female)
Toilets and Changing	Toilet (Male with Disabled Facilities)
Toilets and Changing	Toilet (Male)
Toilets and Changing	Toilet (Unisex)
Unclassified	Unclassified



1 GROUND FLOOR PLAN
SCALE: 1:100



2 FIRST FLOOR PLAN
SCALE: 1:100

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A	Site based adjustments	NP	15/2/17
REV	REVISION DESCRIPTION	BY	DATE

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PROJECT DETAILS
BEST CENTRE
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1494

DRAWING STATUS
PLANNING

DRAWING TITLE
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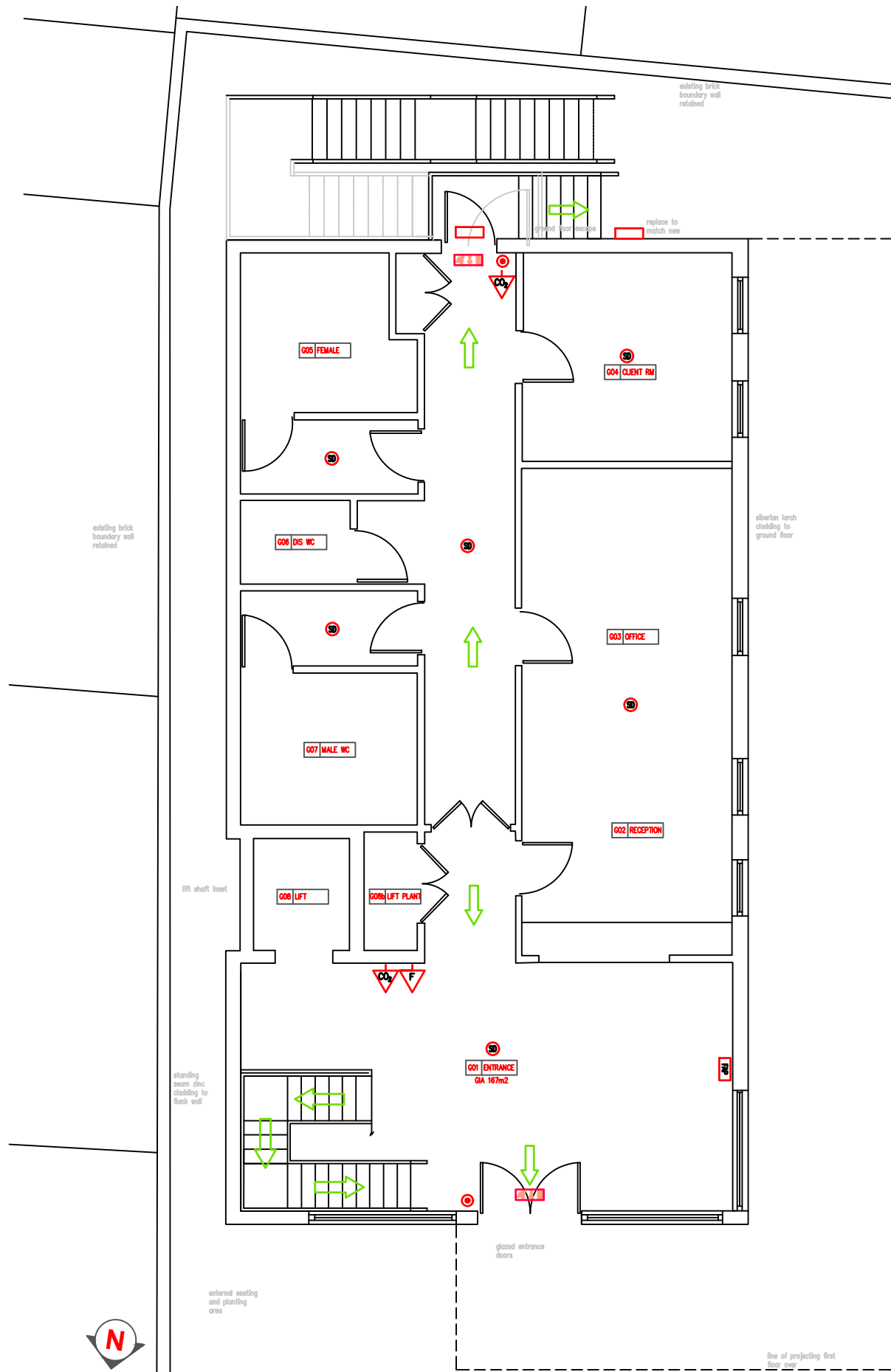
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1 **GROUND FLOOR PLAN**
 SCALE: 1:100



2 **FIRST FLOOR PLAN**
 SCALE: 1:100

74

A	Site based adjustments	NP	15/2/17
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PROJECT DETAILS
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1494

PLANNING

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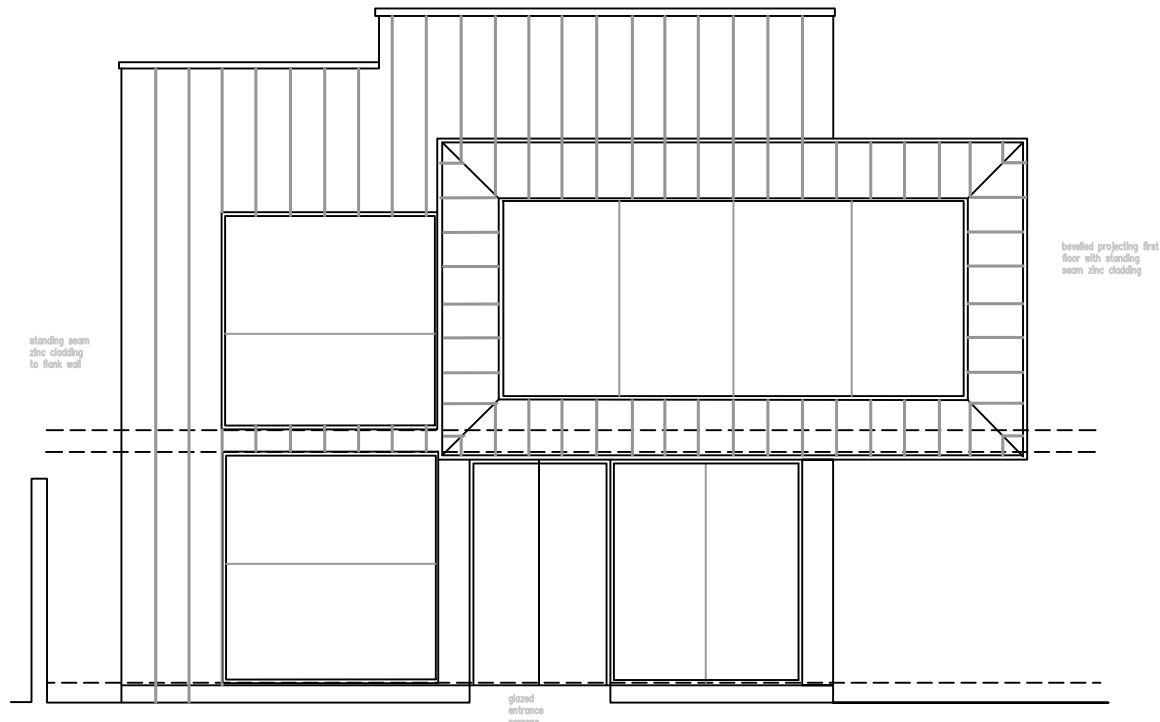
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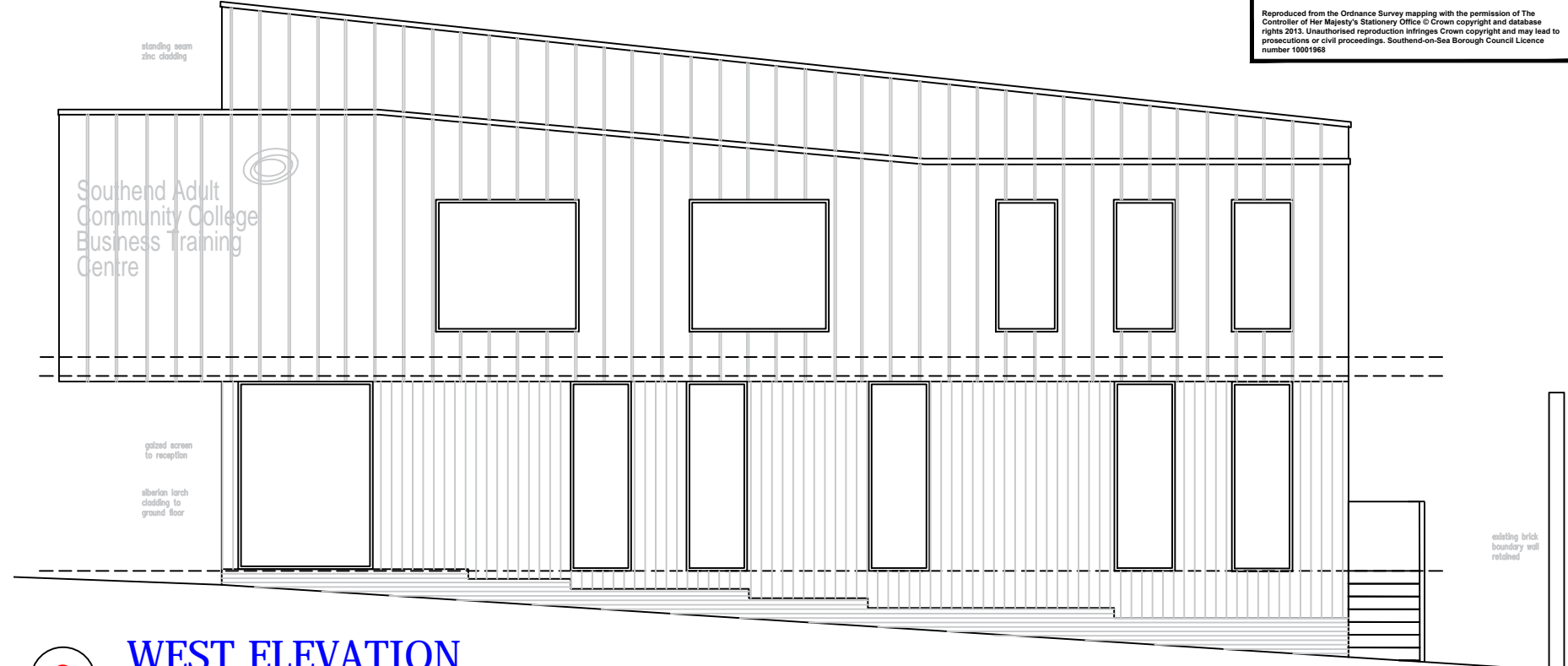
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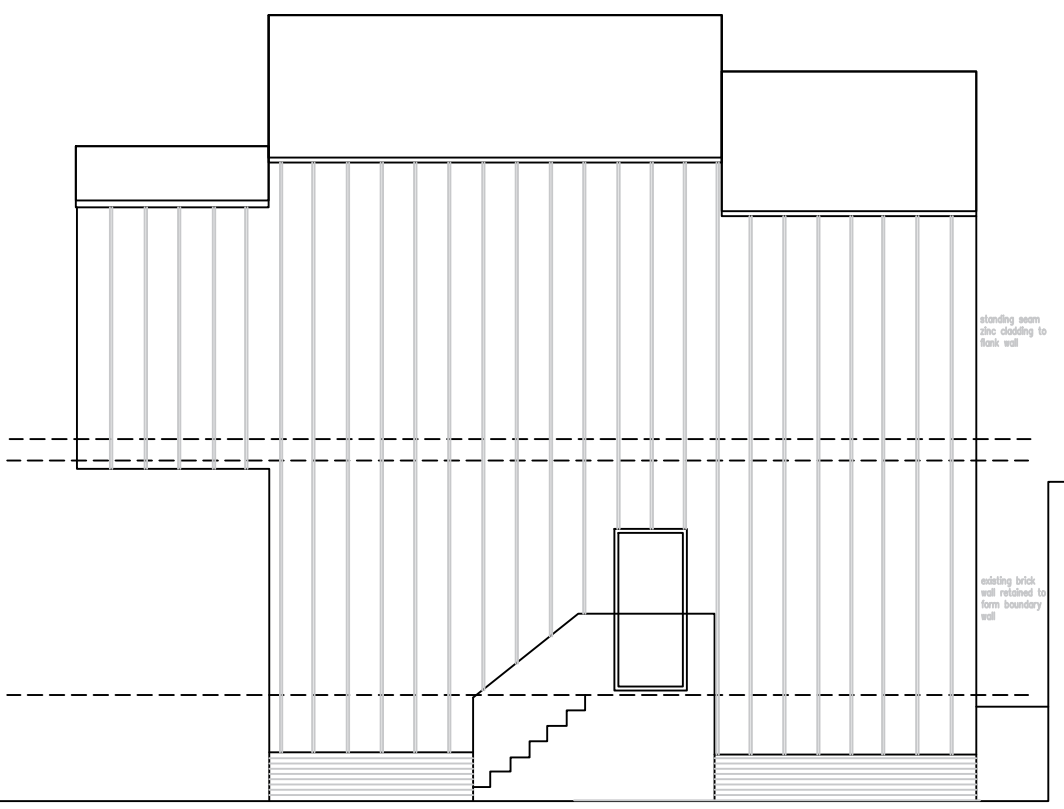
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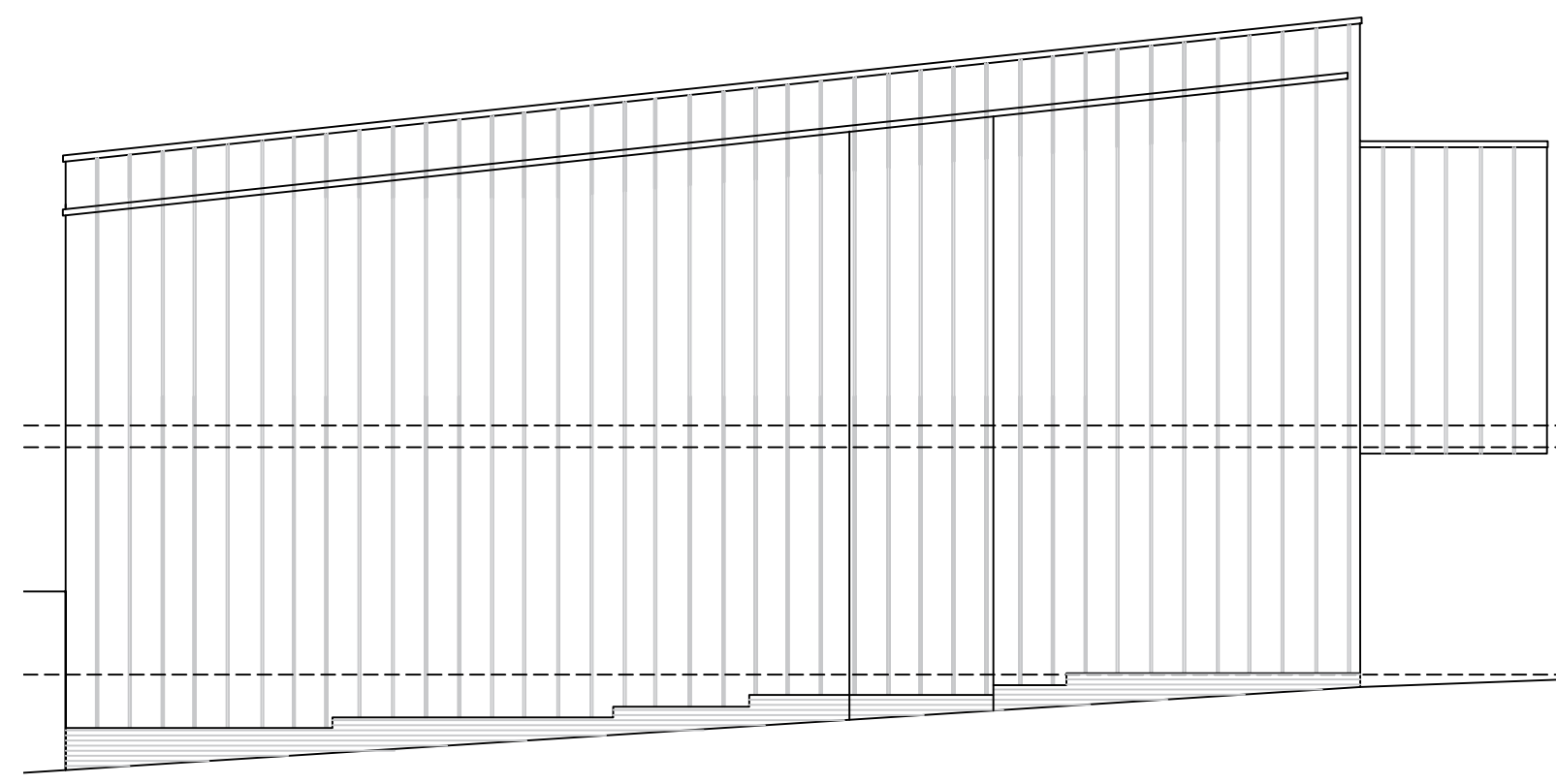
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2 WEST ELEVATION
 SCALE: 1:100



3 SOUTH ELEVATION
 SCALE: 1:100



4 EAST ELEVATION
 SCALE: 1:100

REV	A	Site based adjustments	NP	15/2/17
REV		REVISION DESCRIPTION	BY	DATE

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PROJECT DETAILS
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EXISTING ELEVATIONS

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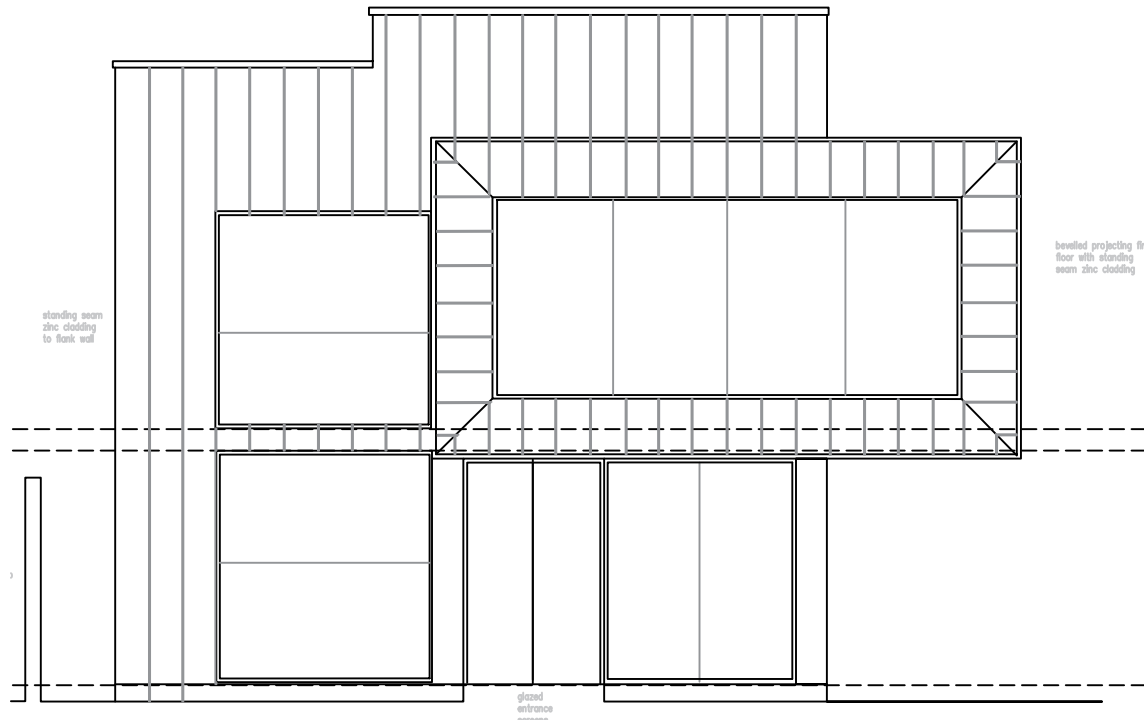
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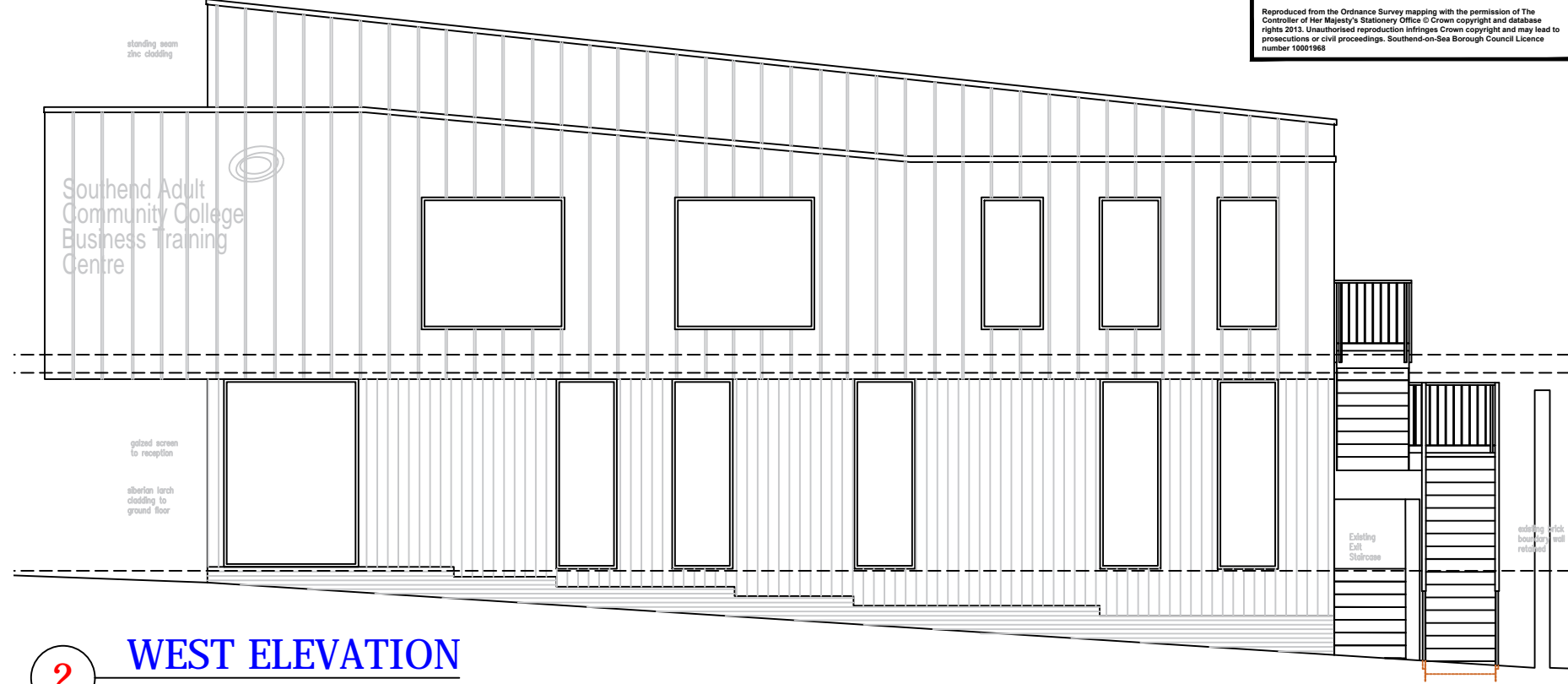
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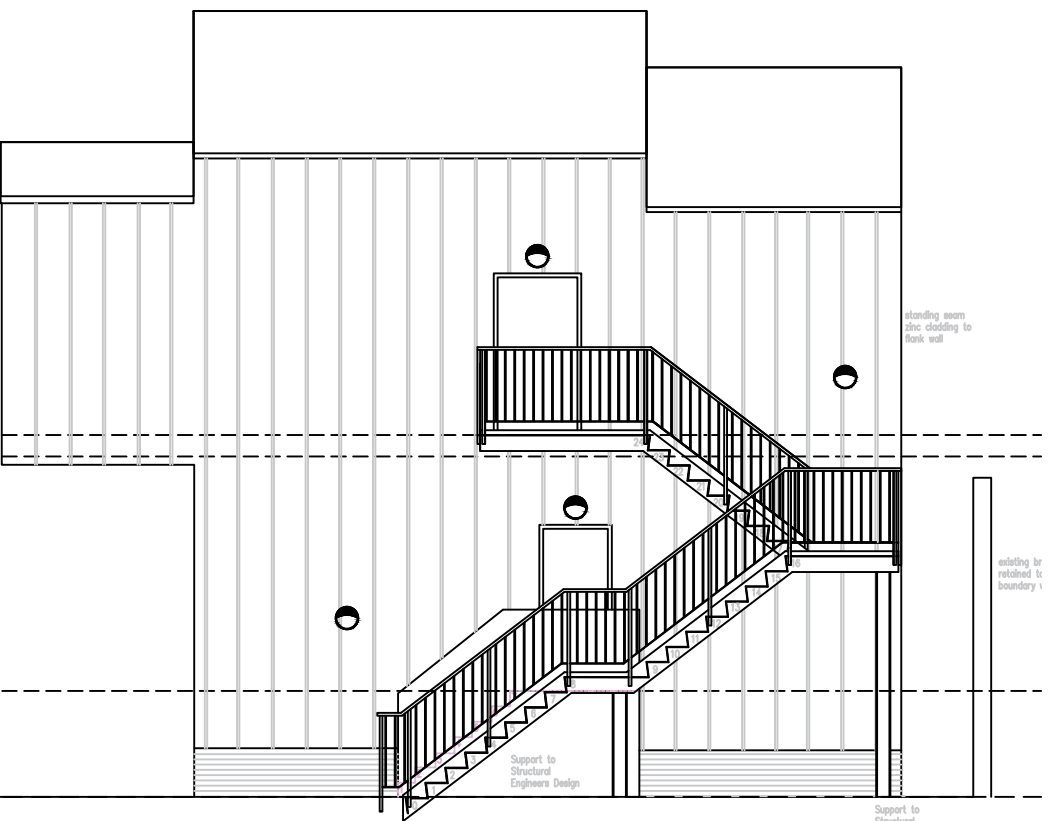
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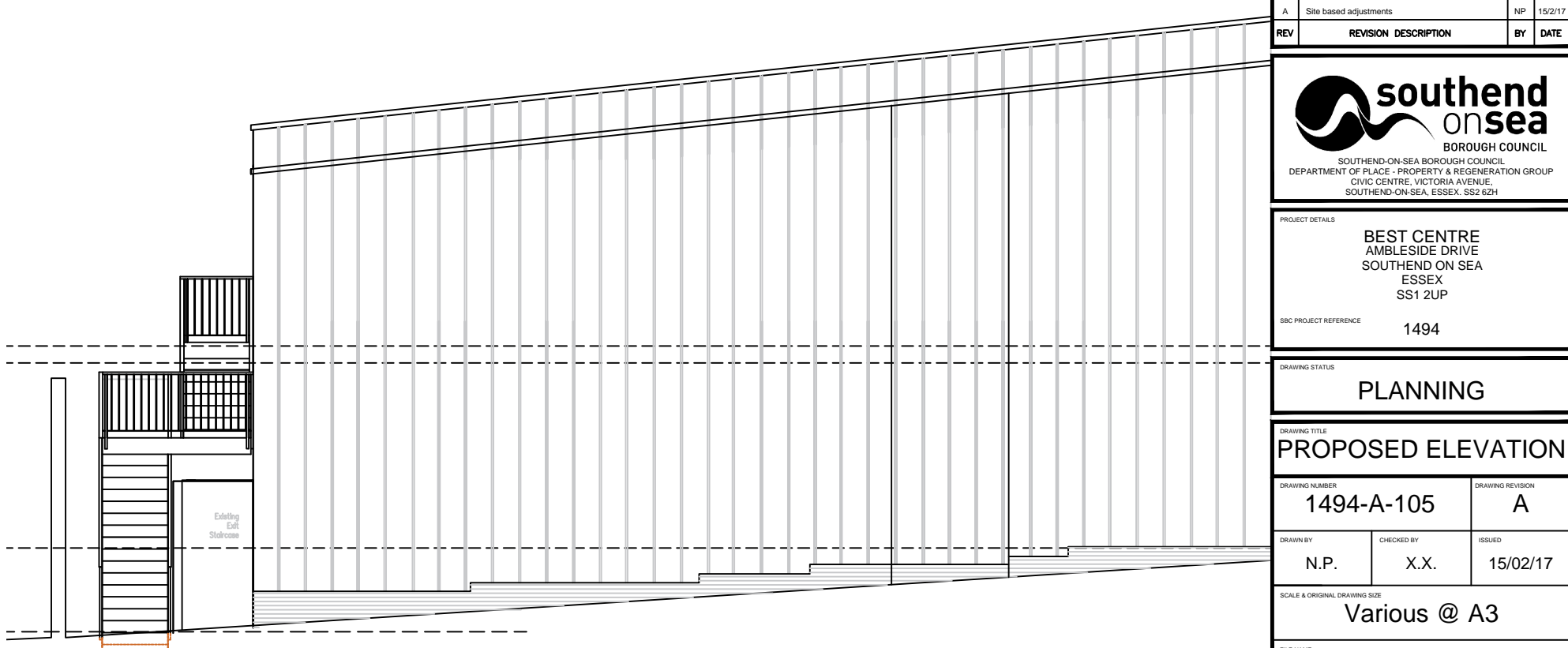
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2 WEST ELEVATION
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3 SOUTH ELEVATION
 SCALE: 1:100



4 EAST ELEVATION
 SCALE: 1:100

76

REV	REVISION DESCRIPTION	BY	DATE
A	Site based adjustments	NP	15/2/17

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PROJECT DETAILS
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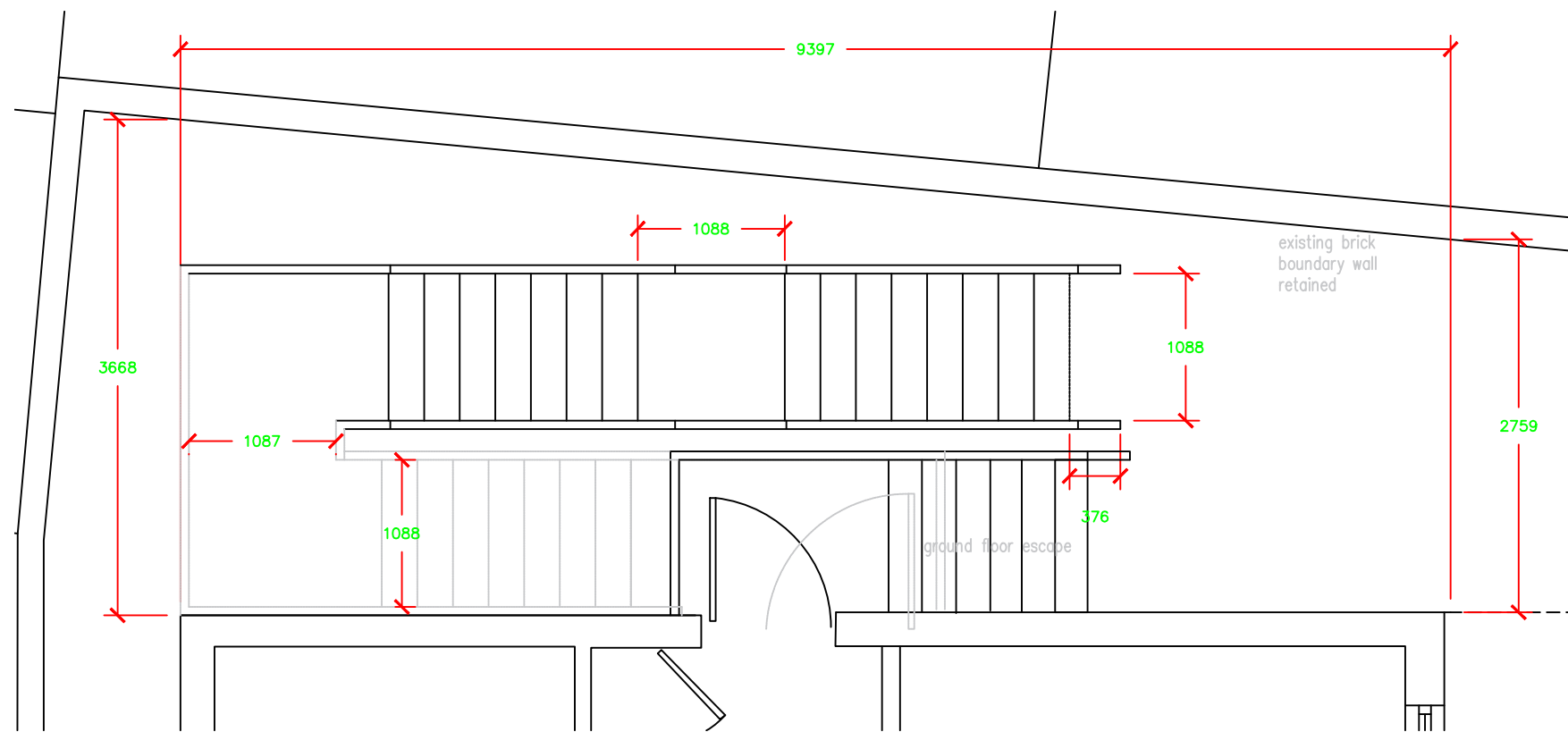
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SCALE: 1:50

77

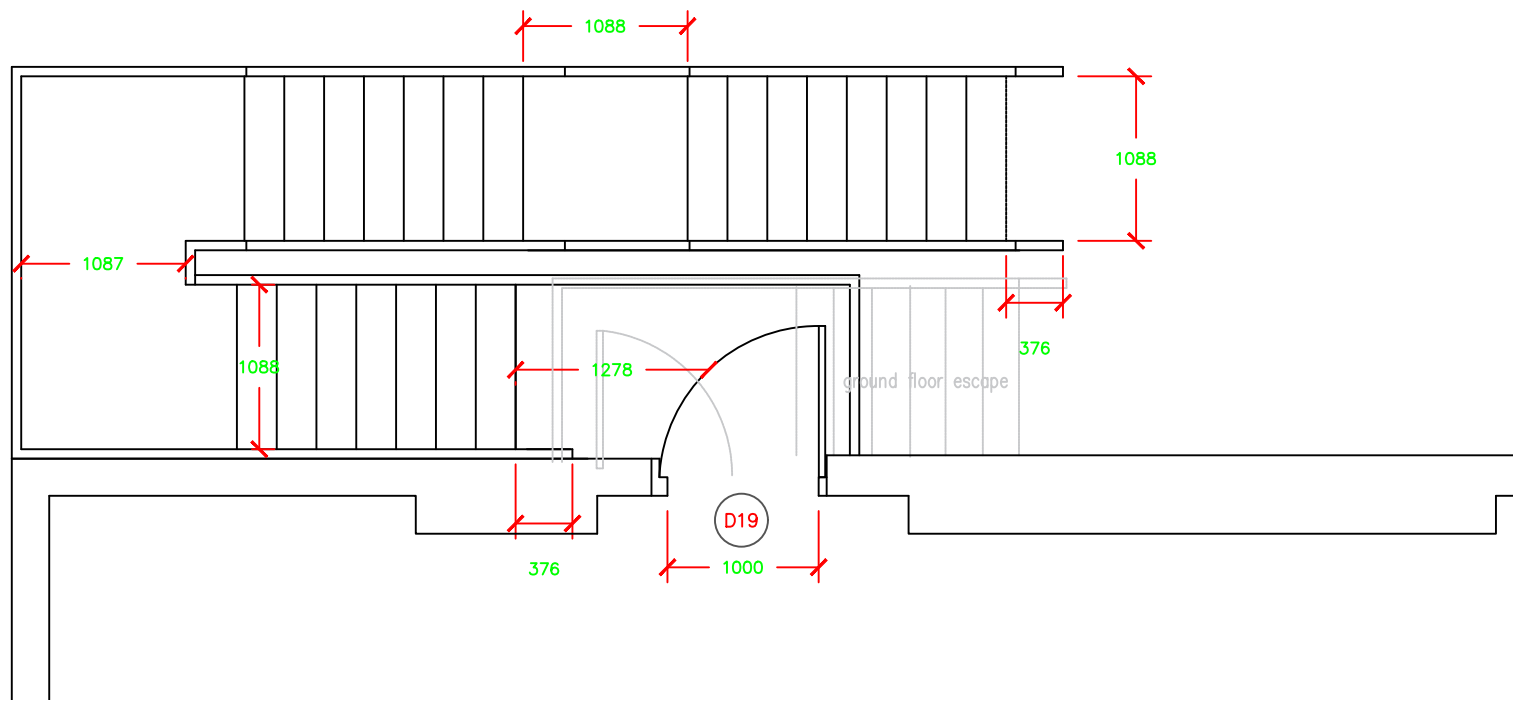
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Diagram of a door with dimensions 1000 width and 1980 height.

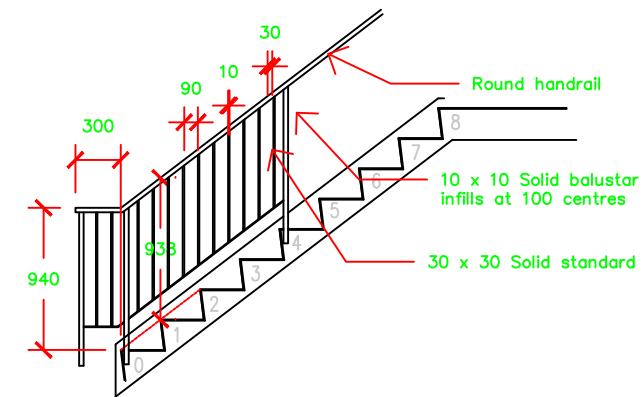
FIRE/SECURITY: FD60
 FRAME: Steel frame – White Aluminium RAL 9006
 DOOR: Steel doors – Jet Black RAL 9005
 LOCK: Briton 571 Single Door Touch Bar with 3 Point Locking
 HARDWARE: Concealed restrictor stays, Perko Powermatic Concealed Fire Door Closer & SS Kickplate inside.

Door Location:
 F03 – Teaching

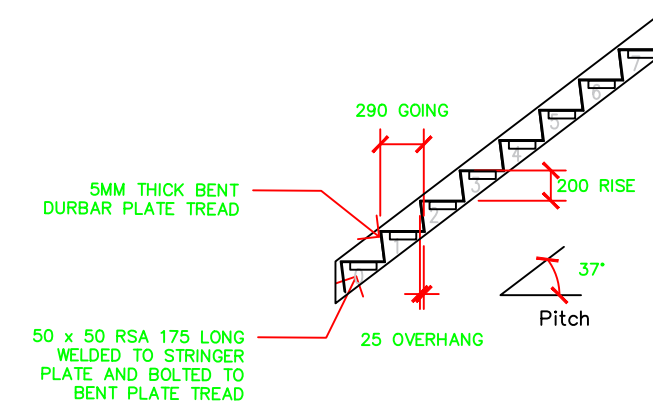
3 DOOR SCHEDULE
SCALE: 1:50



2 FIRST FLOOR
SCALE: 1:50



4 TYPICAL HANDRAIL
SCALE: 1:50



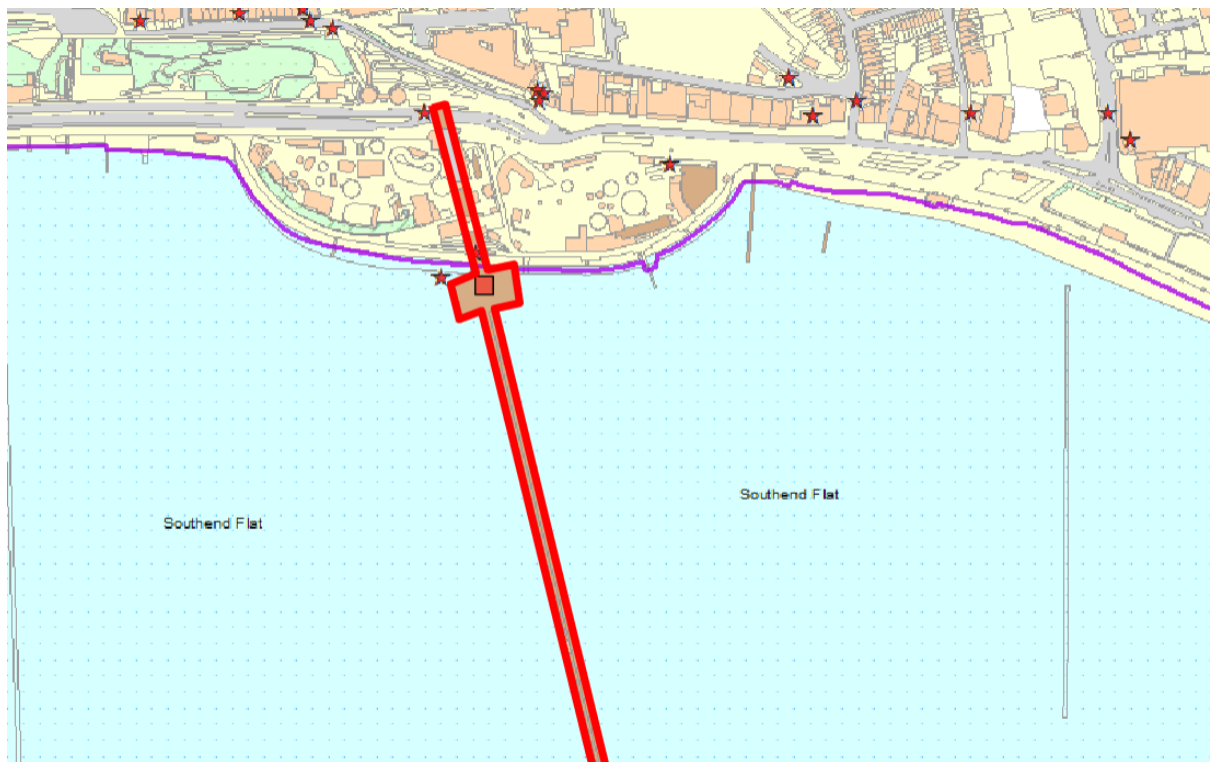
5 TYPICAL STEP
SCALE: 1:50

Notes:
 Dimensions are not to be scaled from this drawing or from CAD files.
 This drawing is based on currently available information and is not to be used as an accurate measurement of area.
 All dimensions must be checked on site before any work is commenced and any discrepancies are to be immediately notified to the Contract Administrator for direction.
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A	Site based adjustments	NP	15/2/17
REV	REVISION DESCRIPTION	BY	DATE
 SOUTHEND-ON-SEA BOROUGH COUNCIL DEPARTMENT OF PLACE - PROPERTY & REGENERATION GROUP CIVIC CENTRE, VICTORIA AVENUE, SOUTHEND-ON-SEA, ESSEX, SS2 6ZH			
PROJECT DETAILS		BEST CENTRE AMBLESIDE DRIVE SOUTHEND ON SEA ESSEX SS1 2UP	
SBC PROJECT REFERENCE		1494	
PLANNING			
DETAILS			
DRAWING NUMBER		DRAWING REVISION	
1494-A-107		A	
DRAWN BY	CHECKED BY	ISSUED	
N.P.	X.X.	15/02/17	
SCALE & ORIGINAL DRAWING SIZE			
Various @ A3			
FILE NAME			
BestCentre/1494			
1:1 check:			

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Reference:	17/00614/LBC	<h1>8</h1>
Ward:	Milton	
Proposal:	Replacement of pier pile caps to pier structure (Listed Building Consent)(Part Retrospective)	
Address:	The Pier, Western Esplanade, Westcliff-on-Sea, Essex, SS1 1EE	
Applicant:	Southend-on Sea Borough Council	
Agent:	Mr Neil Chaston, Hemsley Orrell Partnership	
Consultation Expiry:	25 th May 2017	
Expiry Date:	6 th June 2017	
Case Officer:	Abbie Greenwood	
Plan Nos:	LBCA01, LBCA02, LBCA03, LBCA04, LBCA06, LBCA07	
Recommendation:	GRANT LISTED BUILDING CONSENT	



1 The Proposal

- 1.1 This application is seeking Listed Building Consent to replace a number of cast iron pile caps within the pier substructure with a replica steel detail. The pile caps will only be replaced as and when necessary following the annual condition survey but it is considered prudent to seek consent for replacement of all the pile caps as their failure is an ongoing problem for the pier and is threatening its future stability.
- 1.2 Two previous applications ref 14/01841/LBC and 16/01397/LBC have been consented for the replacement of fractured pile caps in the past. This application seeks consent to replace all the remaining pile caps. The same materials and detail is proposed in the current application.
- 1.3 22 pile caps in the current application have already been replaced because their condition was so poor that their retention was causing serious health and safety concerns. 22 further piles caps have been identified as needing replacement in the medium term. It is likely that further defects will be identified in future surveys.

2 Site and Surroundings

- 2.1 The Pier is situated at the bottom of Pier Hill to the southern end of the High Street. It projects approximately 1.33 miles south into the estuary. The northern end of the pier includes a modern entrance that enables public access on two levels to the decked walkway and pier train. The pier is one of Southend key tourist attractions and an important part of the heritage of the town.
- 2.2 The original cast iron Pier structure dates from 1830, with extensions having been added in 1897 and 1929. The substructure is a key element of the pier. The pile caps are located at the junction of the supporting columns and the pier stem.
- 2.3 The pier is a grade II listed building. The surrounding mudflats are designated as a RAMSAR site, SSSI and Local Nature Reserve.

Planning Considerations

- 3.1 The only consideration in relation to the listed building application is the impact of the proposal on the character and significance of the listed building.

4 Appraisal

Design and Impact on the Character of the Listed Building

NPPF; DPD1 (Core Strategy) policies KP2 and CP4; DM DPD Policies DM1 and DM5

4.1 Paragraph 129 of the NPPF states that:

‘Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.’

4.2 Repair works to the iron substructure of the pier previously consented in 2016 and 2014 are currently being undertaken, but this has revealed an additional 44 defective pile caps which are cracked or fractured. Half of these have already been replaced as urgent works. The remaining 22 are in need of replacement in the medium term. Some of the pile caps have historic repairs in the form of claps around the column head to provide additional strengthening but these too are failing.

4.3 The previous listed building consent applications in 2014 and 2016 included the replacement of a number of pile caps and the same design detail and material is proposed in the current application. The new pile cap uses steel rather than cast iron for its superior strength but is of a similar design to the original.

4.4 The survey photos clearly show that the repairs are needed. The use of steel rather than cast iron is a change to the existing structure but the design of the replacement pile cap is similar to the original detail so the silhouette of the pier will be unaffected. Extending the consent to all remaining pile caps will enable the Council to undertake repairs more quickly when they are needed and the proposal will help to safeguard the future of the historic pier structure.

4.5 Historic England has not raised any concerns in relation to the application and it is therefore considered that this proposal is acceptable.

Conclusion

4.6 Having taken all material listed building considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The principle of the development is found to be acceptable and the proposal would have an acceptable impact on character and significance of the listed building. This application is therefore recommended for approval subject to conditions.

5 Planning Policy Summary

5.1 NPPF (The National Planning Policy Framework)

5.2 DPD1 Core Strategy Policies KP2 (Development Principles) and CP4(The Environment and Urban Renaissance)

5.3 DPD2 DM Policies DM1 (Design Quality) and DM5 (Southend-on-Sea’s Historic Environment)

5.4 SPD1 The Design and Townscape Guide

6 Representation Summary

Historic England

- 6.1 Consent is sought for replacement of pier caps to pier structure (part-retrospective). Following the works carried out in 2015/2016 where fractured pile caps were replaced, this application is for works to address additional cap fractures identified during works to elements supporting the railway. Having considered the documentation submitted with the application, including the report and photographs produced by Hemsley Orrell Partnership (HOP), Historic England are satisfied that the works (partly completed) are justified in accordance with national planning guidance and will not cause harm to the significance of the grade II listed pier. Indeed, they will assist in safeguarding the historic fabric of the pier for the future. Historic England therefore have no objections to the proposals on heritage grounds, should your authority be minded to approve the application for listed building consent. We consider that the application meets the requirements of the NPPF and the works will assist in safeguarding the future of the pier

Essex Wildlife Trust

- 6.2 No comments received.

Natural England

- 6.3 No comments received.

Royal National Lifeboat Institution

- 6.4 No comments received.

Parks

- 6.5 No comments received.

Structural Engineer

- 6.6 No comments received.

Public Consultation

- 6.6 A site notice was displayed. No responses have been received at the time of writing.

7 Relevant Planning History

- 7.1 The site has extensive planning history. Those relevant to this application are:
- 7.2 16/01397/LBC - Emergency works to repair or replace pile caps to pier structure (Listed Building Consent) - granted 2016

- 7.3 15/01378/LBC – Emergency works to repair and strengthen the lower timber deck at the southwest corner of the pier head (Listed Building Consent) - granted 2015
- 7.4 15/00758/LBC – various repairs and maintenance to the Prince George extension (Listed Building Consent) – granted 2015
- 7.5 14/01841/LBC - Structural repairs to Pier (Listed Building Consent) - granted 2015
- 7.6 10/01563/LBC Structural repairs to Pier (Listed Building Consent) - granted 2010
- 7.7 05/01685/LBC Remove fire damaged structural steel units, timber decking and debris. Replace with new structural steel units and timber decking (Listed Building Consent) - granted 2006.

8 Recommendation

GRANT LISTED BUILDING CONSENT subject to the following conditions;

- 01 The development hereby permitted shall commence not later than 3 years beginning with the date of this permission.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the approved plans LBCA01, LBCA02, LBCA03, LBCA04, LBCA06, LBCA07**

Reason: To ensure that the development is carried out in accordance with the Development Plan.

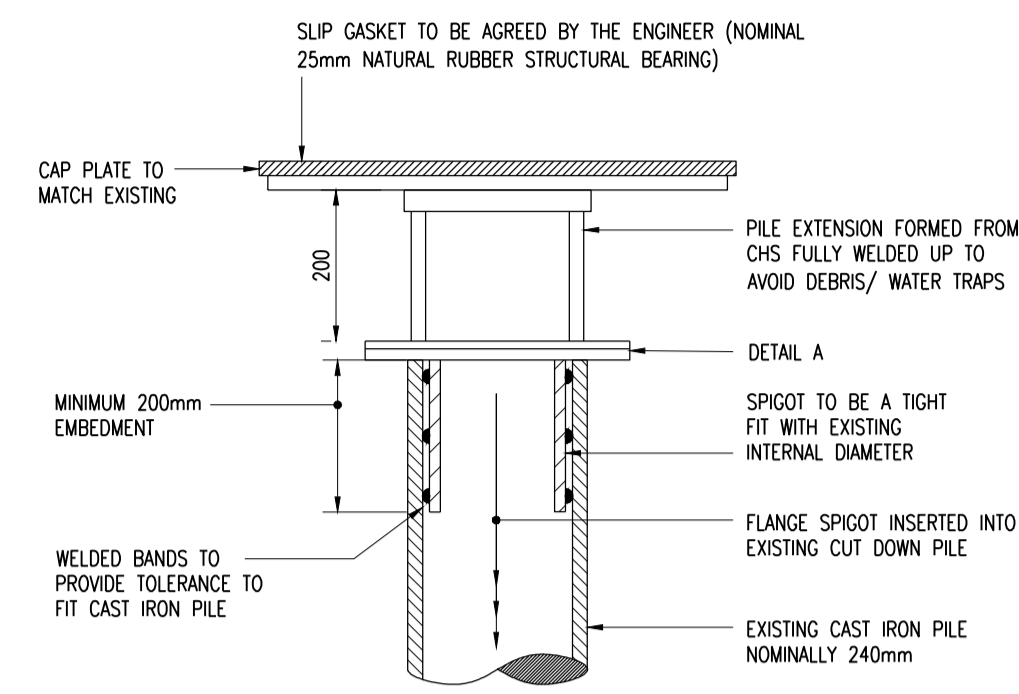
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Detailed analysis is set out in a report prepared by officers.

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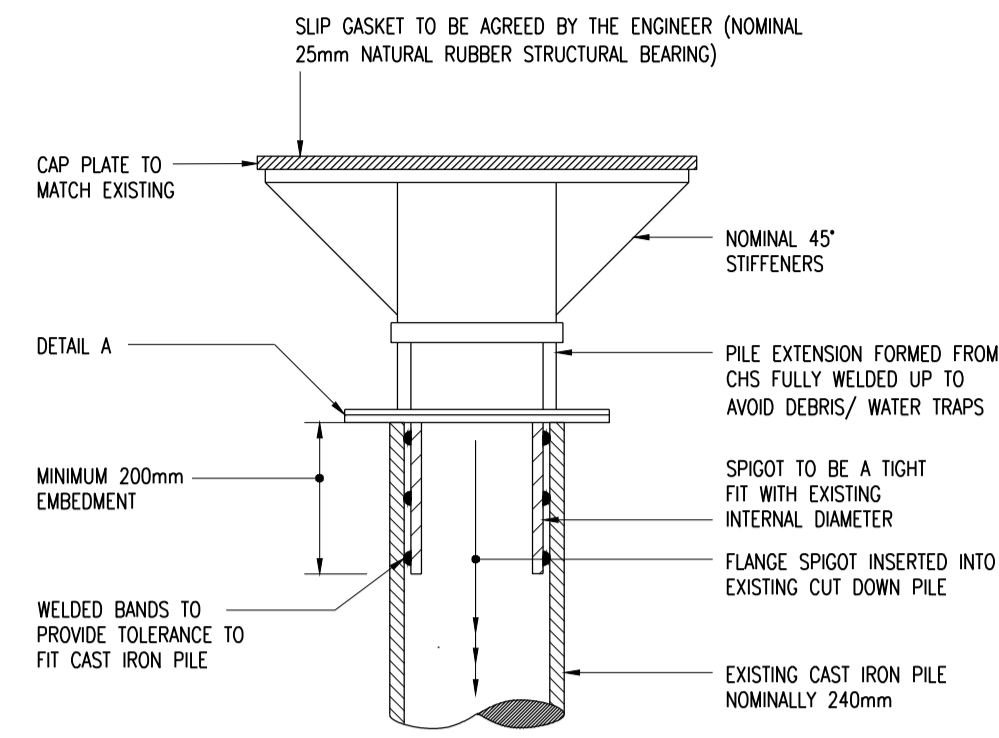
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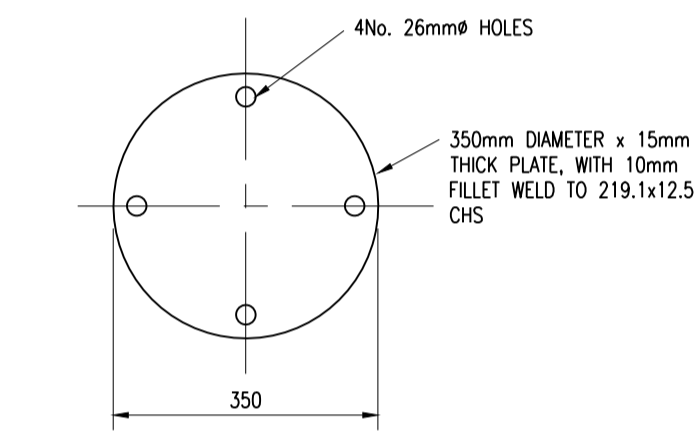
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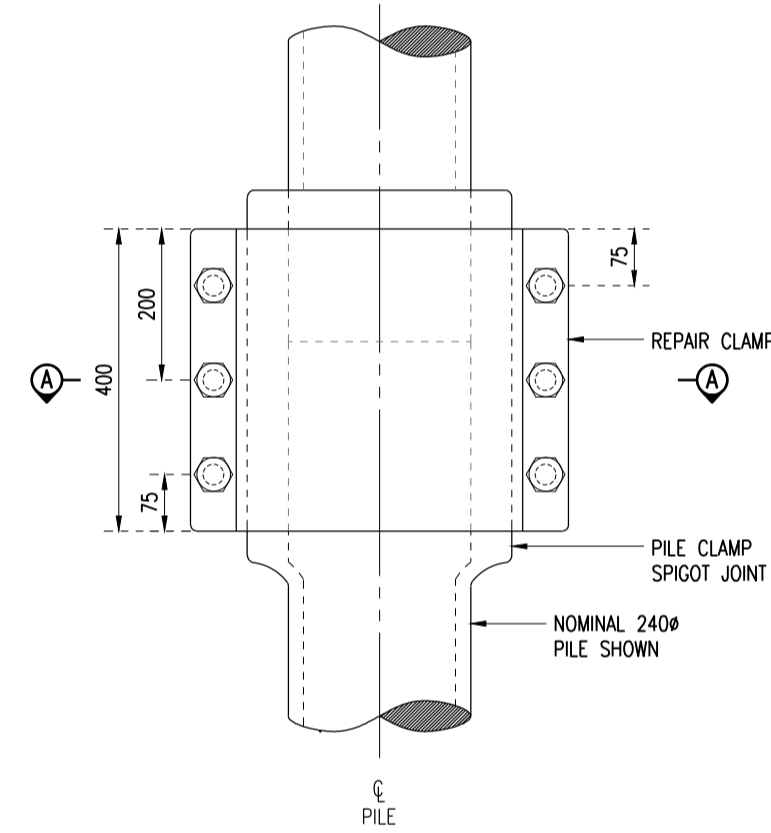
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(AT GRIDLINE 41/4)
(1:10)



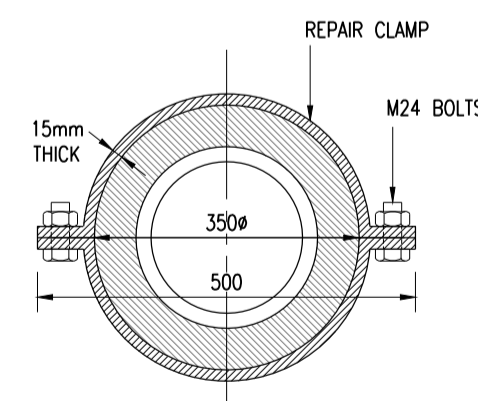
TYPICAL PILE CAP REPLACEMENT DETAIL
(1:10)



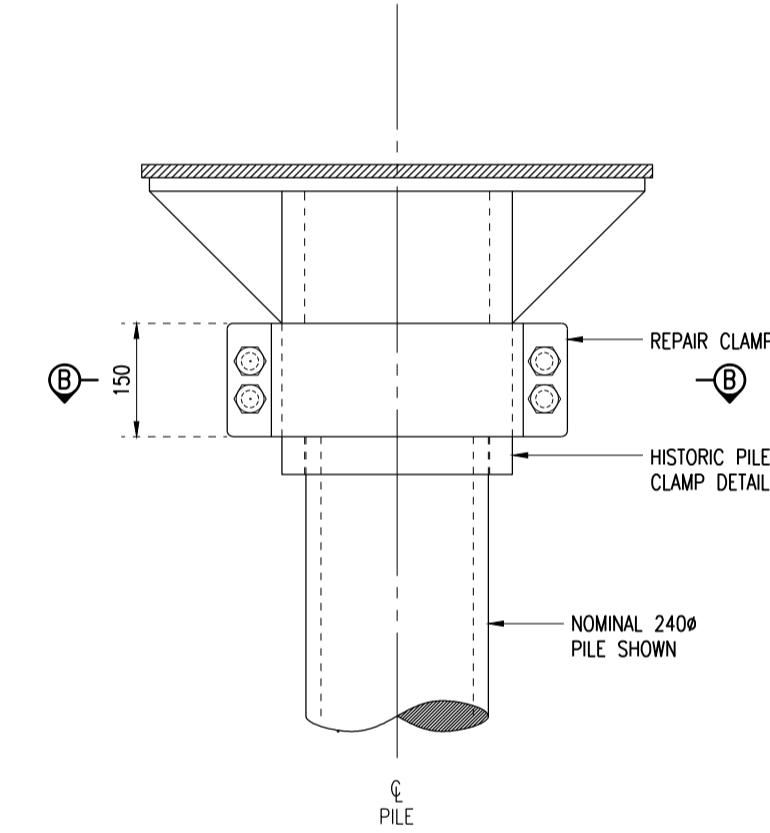
DETAIL A
NEW PILE CAP BASE-PLATE
(1:10)



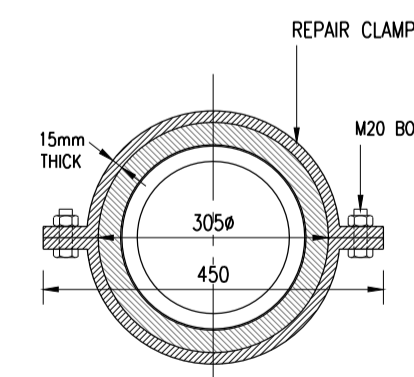
CLAMP CONNECTION DETAIL
(PILE 194/5)
(1:10)



SECTION A-A
(1:10)



CLAMP CONNECTION DETAIL
(PILES 211/4 ; 24/1 & 24/-1)
(1:10)



SECTION B-B
(1:10)

HOP
HEMSLEY ORRELL PARTNERSHIP
CONSULTING CIVIL & STRUCTURAL ENGINEERS

ISSUED FOR INFORMATION

ISSUED FOR INFORMATION		10.04.2017	L.R.S	-		
Revision		Date	By	Rev. No.		
Client SOUTHEND-ON-SEA BOROUGH COUNCIL						
Project SOUTHEND PIER RETROSPECTIVE L.B.C APPLICATION						
Title REPAIR DETAILS						
HOP HEMSLEY ORRELL PARTNERSHIP CONSULTING CIVIL & STRUCTURAL ENGINEERS HOP House, 41 Church Road, Hove BN3 2BE Tel : +44 (0)1273 223900 E-Mail : engineers@hop.uk.com www.hop.uk.com						
Scales	Date	Drawn	Engineer	Checked	Approved	HOP Contact
1:200 U.N.O	03/17	L.R.S	N.P.C	N.P.C	-	N.CHASTON
Project No.	Task No.	Dwg. No.	Rev. No.			
12211	23	LBCA04	-			

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GRIDLINES 1-17 OMITTED - NO ADDITIONAL PILE CAP REPAIRS

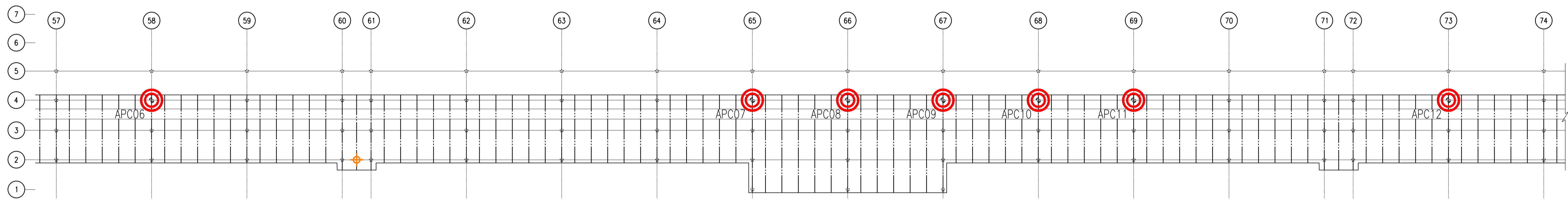
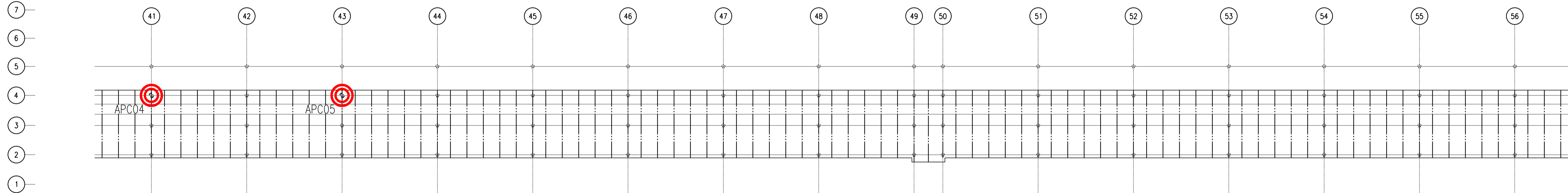
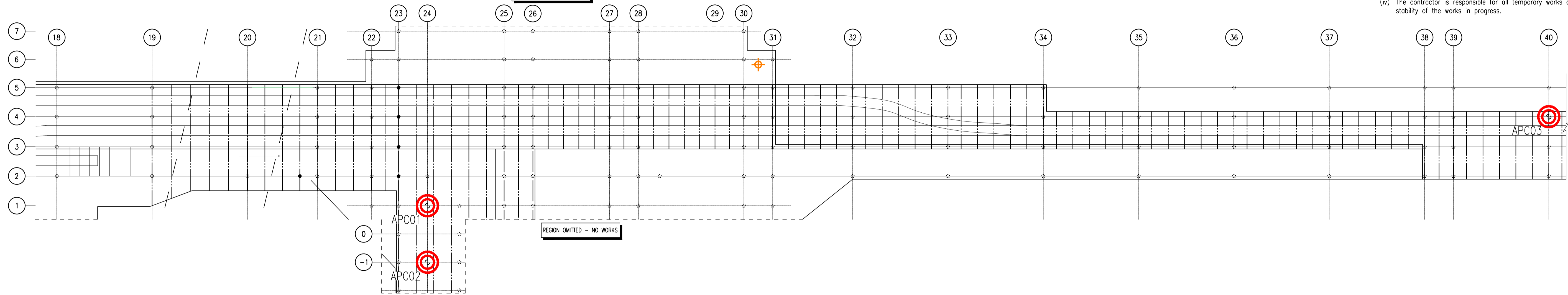
REGION OMITTED - NO WORKS

REGION OMITTED - NO WORKS

NOTES.

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KEY:-

- APC01-3 INDICATES ADDITIONAL FAILED PILE CAPS +2016
- INDICATIVE MAINS WATER FED PUMP
- INDICATIVE SALT WATER FED OUTLET
- INDICATIVE 2 WAY TUG INLET

FOR FURTHER DETAILS REFER TO 'ESSEX COUNTY FIRE AND RESCUE SERVICE DRAWING WS/14152

ISSUED FOR INFORMATION	10.04.2017	L.R.S	-
Revision	Date	By	Rev. No.

Client SOUTHEND-ON-SEA BOROUGH COUNCIL

Project SOUTHEND PIER RETROSPECTIVE L.B.C APPLICATION

Title LOCATION PLAN OF ADDITIONAL PILES WORKS SHEET 1of3



HEMSLEY ORRELL PARTNERSHIP
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 www.hop.uk.com

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 CONSULTING CIVIL & STRUCTURAL ENGINEERS

ISSUED FOR INFORMATION

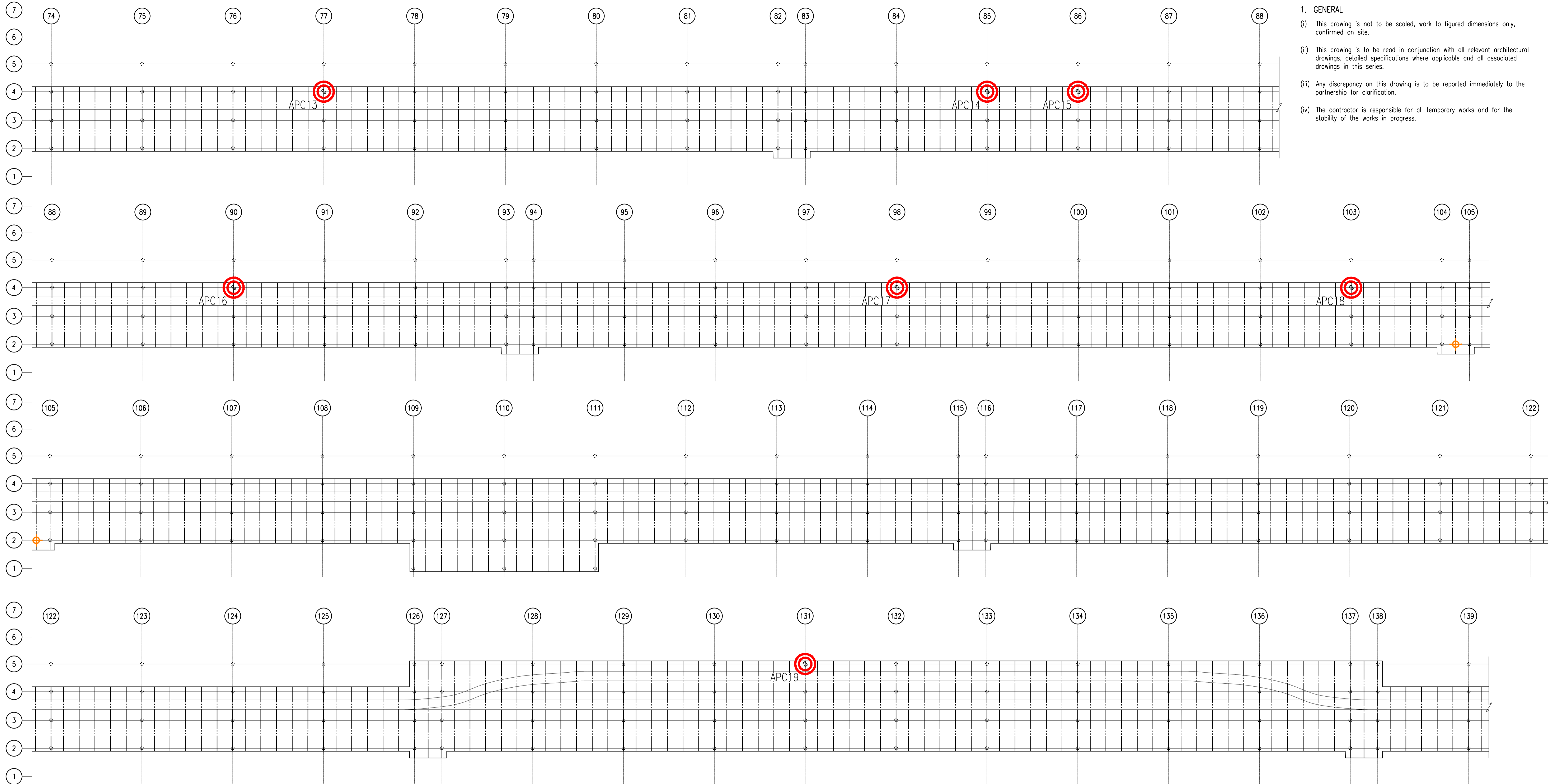
Scales	Date	Drawn	Engineer	Checked	Approved	HOP Contact
1:200 U.N.O	03/17	L.R.S	N.P.C	N.P.C	-	N.CHASTON
Project No.	Task No.	Dwg. No.	Rev. No.			
12211	23	LBCA01	-			

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NOTES.

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- (iv) The contractor is responsible for all temporary works and for the stability of the works in progress.



KEY:-

- APC (Red Circle with Cross) INDICATES ADDITIONAL FAILED PILE CAPS +2016
- Orange Diamond INDICATIVE MAINS WATER FED PUMP
- Blue Diamond INDICATIVE SALT WATER FED OUTLET
- Purple Diamond INDICATIVE 2 WAY TUG INLET

FOR FURTHER DETAILS REFER TO 'ESSEX COUNTY FIRE AND RESCUE SERVICE DRAWING WS/14152

HOP
HEMSLEY ORRELL PARTNERSHIP
CONSULTING CIVIL & STRUCTURAL ENGINEERS

ISSUED FOR INFORMATION

ISSUED FOR INFORMATION		10.04.2017	L.R.S	-		
Revision	Date	By	Rev. No.			
Client: SOUTHEND-ON-SEA BOROUGH COUNCIL						
Project: SOUTHEND PIER RETROSPECTIVE L.B.C APPLICATION						
Title: LOCATION PLAN OF ADDITIONAL PILES WORKS SHEET 2 of 3						
<p>HOP HEMSLEY ORRELL PARTNERSHIP CONSULTING CIVIL & STRUCTURAL ENGINEERS HOP House, 41 Church Road, Hove BN3 2BE Tel : +44 (0)1273 223900 E-Mail : engineers@hop.uk.com www.hop.uk.com</p>						
Scales	Date	Drawn	Engineer	Checked	Approved	HOP Contact
1:200 U.N.D	03/17	L.R.S	N.P.C	N.P.C	-	N.CHASTON
Project No.	Task No.	Dwg. No.	Rev. No.			
12211	23	LBCA02	-			

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Reference:	17/00893/DOV5	<h1>9</h1>
Application Type:	Deed of Variation within 5 years	
Ward:	Milton	
Proposal:	Modification of planning obligation (Section 106 agreement) associated with planning application 14/00914/FULM dated 3 rd July 2015 to provide a financial contribution in lieu of on-site provision of affordable housing.	
Address:	32 - 36 Valkyrie Road, Westcliff-On-Sea, Essex SS0 8BU	
Applicant:	Mr Dan Nyman of In Construction Services Ltd	
Agent:	n/a	
Consultation Expiry:	n/a	
Expiry Date:	18 th July 2017	
Case Officer:	Amanda Rogers	
Recommendation:	Delegate to the Director of Planning and Transport or Group Manager for Planning and Building Control to AGREE A MODIFICATION OF THE PLANNING OBLIGATION dated 3rd July 2015 pursuant to application 14/00914/FULM	



1 The Proposal

- 1.1 Planning permission was granted on 3rd July 2015 to *“Demolish parts of existing building and carry out various extensions to form 3 storey block of 22 self-contained flats with associated car parking, amenity space and cycle store to 30 - 36 Valkyrie Road”*.
- 1.2 This permission was subject to a Section 106 (S.106) agreement dated 3rd July 2015 to secure the following:
- Provision of 4 affordable housing units including 1 x one bedroom flat, 2 x two bedroom flats and 1 x three bedroom flats comprising 50% rental dwellings and 50% shared ownership dwelling
 - Education contribution £22,346 (paid 13/02/2017)
 - Public art contribution £775 (paid 13/02/2017)
- 1.3 Under section 106A of The Town and Country Planning Act 1990 (as amended) (TCPA) the applicant is seeking to vary the requirement for the provision of affordable housing to provide a financial contribution in lieu of on-site provision on the grounds that there is no interest from Registered Providers. The financial contribution would still represent a policy compliant position in this instance.
- 1.4 The applicant originally submitted a pre-application enquiry on 9th February 2017 seeking removal of the affordable housing requirement on viability grounds. However, officer negotiations have resulted in the applicant now agreeing to provide a financial contribution in lieu of on-site provision that is considered to be an equivalent alternative provision. The following evidence has been submitted in support of the application:
- Confirmed offer of an in-lieu affordable housing contribution of £218,000 payable within 3 months
 - Correspondence from 10 Registered Providers confirming a lack of interest in taking on the affordable housing units on-site
 - Estimated sales values from two local estate agents – Leonard Peters and Think Property
 - Assessment of Economic Viability undertaken by Morley Riches & Ablewhite Chartered Surveyors in November 2016

2 Site and Surroundings

- 2.1 The site is located on the eastern side of Valkyrie Road southeast of its junction with Genesta Road. The former hotel has been converted and extended in accordance with the permission granted in 2015 to create a 3 storey block of 22 self-contained flats, which are now partially occupied.

3 Planning Considerations

- 3.1 The material planning consideration in respect of this application is whether or not a modified planning obligation will equally meet the requirement for a contribution towards affordable housing by providing a financial contribution in lieu of on-site provision.
- 3.2 Section 106A of the TCPA allows for an application to be made to a local authority to consider a proposed modification or discharge of a planning obligation.
- 3.3 Planning obligations can be renegotiated at any point, where the local planning authority and developer wish to do so. A planning obligation is enforceable as a contract and whether it is varied or not is at the local authority's discretion. Where there is no agreement to voluntarily renegotiate, and the planning obligation is over 5 years old, an application may be made to the local planning authority to change the obligation where it "*no longer serves a useful purpose*" or would continue to serve a useful purpose in a modified way (see Section 106A of the TCPA). However, as this application to modify the S106 agreement has been made within 5 years of completion, this statutory test is not applicable.
- 3.4 The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 (as amended) set out the procedure for dealing with applications to modify or discharge a planning obligation that is more than 5 years old. However, these Regulations do not apply to requests to modify a planning obligation that is dated less than 5 years ago, which is the case in this instance. As such, an application form and public consultation is not required.

4 Appraisal

The National Planning Policy Framework, Southend Core Strategy (2007) strategic objective SO7, policies KP3 and CP8; Development Management Document (2015) policy DM7 and A Guide to Section 106 & Developer Contributions (2015)

- 4.1 Core Strategy policy CP8 states the following:

For sites providing less than 10 dwellings (or below 0.3 ha) or larger sites where, exceptionally, the Borough Council is satisfied that on-site provision is not practical, they will negotiate with developers to obtain a financial contribution to fund off-site provision. The Council will ensure that any such sums are used to help address any shortfall which in affordable housing.

- 4.2 Paragraph 2.7 of "Supplementary Planning Document: Planning Obligations" (SPD2) reiterates the fact that "*The policy [CP8] generally requires 20-30% of the proposed units to be affordable depending on the scale of the development, or a financial contribution to be made where on-site provision is either not feasible or not practicable.*" Hence, the preference in terms of affordable housing provision is on-site. Alternatively, the Council may seek to secure the affordable housing provision on another site owned by the applicant or in exceptional circumstances accept a financial contribution in lieu of on-site provision.

- 4.3 In September 2016 the Council adopted the following Corporate Policy:- *“Interim Affordable Housing Policy”*. Whilst is not a planning policy, and does not form part of the development plan, it compliments existing planning policy and sets out guidance in relation to how financial contributions for affordable housing will be calculated. The Corporate Policy was prepared in liaison with the Council’s Strategic Housing Team and has been agreed by members. It is a material consideration in the determination of this application.
- 4.4 As set out in paragraph 1.4, the applicant decided (during the pre-application process) not to pursue a reduction in the affordable housing provision on viability grounds. Therefore, to some extent the *“Assessment of Economic Viability”* (undertaken by Morley Riches & Ablewhite Chartered Surveyors in November 2016) is not relevant; however, it is considered that this report does sufficiently evidence the financial difficulties that have been encountered in relation to this site. Thus, it is considered justified in this instance to delay payment of the financial contribution for 3 months, as requested by the applicant, to give them the opportunity to refinance to raise the funds.
- 4.5 In accordance with the Council policies set out above, it is considered that the applicant has satisfactorily demonstrated that there is no interest from Registered Providers (RP’s) for the relatively small scale provision of 4 affordable housing units on this site. The same issue has been encountered recently on other sites within the borough where a small number of affordable units were to be provided. It is consistently proving difficult to secure a Registered Provider on sites where 5 affordable housing units or less are required. In addition, as far as officers are aware the developer is not in a position to locate the affordable housing on an alternative site, which may also present the risk of a Registered Provider still not being interested in purchasing the units. It is therefore, considered appropriate to allow a financial contribution in lieu of on-site affordable housing provision.
- 4.6 In this instance, the Strategic Housing Team support the proposition of accepting the offer of a financial contribution of £218,000 in lieu of providing 4 affordable housing units on site. This figure has been calculated on the basis of the methodology/formula set out in the *“Interim Affordable Housing Policy”*. The funding will be utilised to provide further affordable housing in the borough by either purchasing units or help to fund the Council’s affordable housing development programme.

5 Conclusion

- 5.1 On the basis of the above, it is considered that sufficient evidence has been provided to justify a modification of the S106 affordable housing requirement to allow payment of a financial sum in lieu of on-site provision. The financial contribution towards affordable housing is £218,000 (based on the methodology/formula set out in the *“Interim Affordable Housing Policy”*) and this represents a planning policy compliant position.
- 5.2 For the reason set out in paragraph 4.4, the affordable housing contribution would be payable within 3 months of the date of this committee.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework (NPPF) 2012 and National Planning Practice Guidance (NPPG).
- 6.2 Development Plan Document 1 (2007): Core Strategy Policies KP3 (Implementation and Resources) and CP8 (Dwelling Provision).
- 6.3 Development Management Document (July 2015): Policy DM7 (Dwelling Mix, Size and Type).
- 6.4 Supplementary Planning Document 2: A Guide to Section 106 & Developer Contributions (2015).

7 Representation Summary

- 7.1 **Strategic Housing:** In this instance, the Strategic Housing team support the proposition of accepting the commuted sum of £218,000 in lieu of providing 4 affordable housing units on site. This funding will be utilised to provide further affordable housing in the borough by either purchasing units or help to fund the Council's affordable housing development programme.

8 Public Consultation

- 8.1 None required (see paragraph 3.4 above).

9 Relevant Planning History

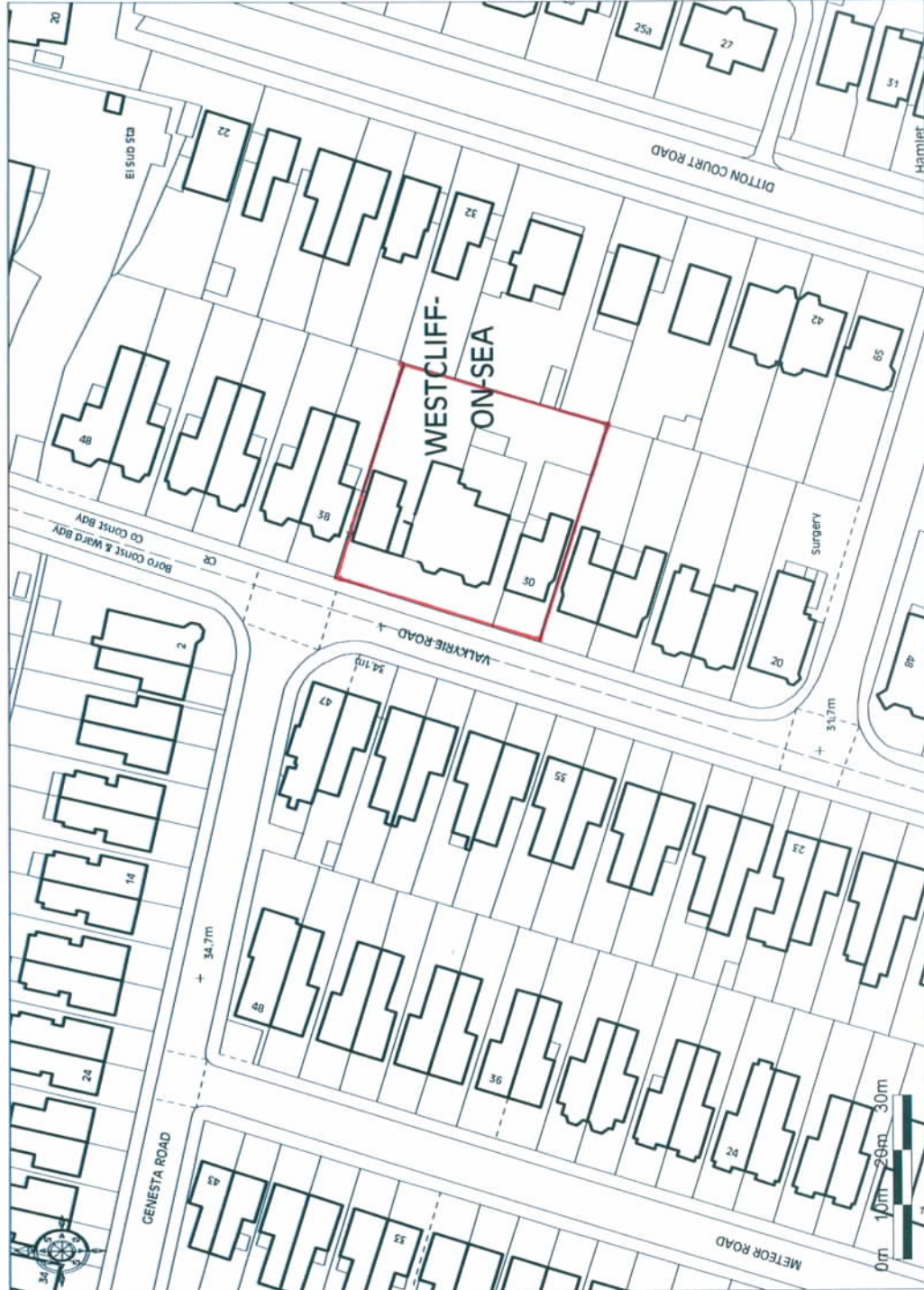
- 9.1 3rd July 2015 (14/00914/FULM): Conditional planning permission granted to *“Demolish parts of existing building and carry out various extensions to form 3 storey block of 22 self-contained flats with associated car parking, amenity space and cycle store to 30 - 36 Valkyrie Road”*.

10 Recommendation

- 10.1 Members are recommended to delegate to the Director of Planning and Transport or Group Manager for Planning and Building Control to **AGREE A MODIFICATION OF THE PLANNING OBLIGATION** dated 3rd July 2015 pursuant to planning application 14/00914/FULM to provide a financial contribution for affordable housing of £218,000 (index-linked) in lieu of on-site provision by 14th September 2017 (i.e. within 3 months of the date of this committee).

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Former Balmoral Hotel



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Plan CC/001, Scale 1:1250, Ref CC/1610

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Reference:	17/00715/FUL
Ward:	Milton
Proposal:	Convert existing dwellinghouse (Class C3) to house in multiple occupation
Address:	70 Burdett Avenue, Westcliff-on-Sea, Essex, SS- 7JW
Applicant:	Mr and Mrs Dean
Agent:	Design Associates
Consultation Expiry:	02.06.2017
Expiry Date:	21.06.2-17
Case Officer:	Janine Rowley
Plan Nos:	01 Site and existing floorplans; 02 Revision A Location and proposed plans
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought for the conversion of the existing dwellinghouse (use class C3) a five bedroom 8 person House in Multiple Occupation (HMO) falling outside of the defined use classes (Sui Generis use).
- 1.2 The application site measures 5.4 metres wide and includes a two storey building with accommodation in the roof. The main part of the existing building measures 5.4 metres by 7.3 metres with a two storey rear outrigger that projects by 7.3 metres and measures 3.6 metres wide.
- 1.3 The submitted plans show works of internal alteration but no external alterations to the existing building. The building would be adapted to contain five bedrooms measuring between 9.1 and 18.9 square metres, a kitchen of 11sqm and two bathrooms. A room to the first floor measuring 14.1sqm would benefit from its own kitchen area.
- 1.4 The applicant has stated that parking for bicycles and refuse storage will be provided at the rear of the site within a 39.5 square metre amenity area. The 2 person bedroom to the second floor would benefit from access to an existing terrace equating to 13.4sqm. No off-street car parking would be provided.

2 Site and Surroundings

- 2.1 The application site is located to the south side of Burdett Avenue. The size and details of the application site are described above.
- 2.2 The surrounding buildings are used for residential purposes and include buildings of similar scale to the dwelling at the application site.
- 2.3 The site is not the subject of any site specific planning policies.

3 Planning Considerations

- 3.1 The key considerations are the principle of the development, the design and impact on the character of the area, the impact on residential amenity, the amenities of future occupiers and highway implications.

4 Appraisal

Principle of the Development

The National Planning Policy Framework, DPD1 (Core Strategy) policies KP1, KP2, CP4, CP6 and CP8; Development Management DPD Policies DM1, DM3 and DM8.

- 4.1 The development plan contains no policies that specifically relate to Houses in Multiple Occupation. The National Planning Policy Framework states that where the development plan is silent the general presumption in favour of sustainable development means that planning permission should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 4.2 The building is located within an area of mostly residential uses. The Council’s records indicate that there are no licensed HMOs within the immediate vicinity of the application site. It is not possible to know how many small HMOs exist that would not require planning permission or a licence. In this instance it is considered that there is no basis to conclude that the proposed change of use would result in the clustering and overconcentration of HMOs within the vicinity of the site. It is noted that the Milton ward has a large share (35 of 74) of the licensed HMOs in the Borough, but none of these are within the immediate vicinity of the application site.
- 4.3 It is considered relevant to note that the Local Planning Authority has recently lost appeals relating to the overconcentration of Houses in Multiple Occupation, both of which are within the Milton Ward but would not yet appear in the list of licensed HMOs that is discussed above. In both cases (49 Milton Road and 70 Heygate Avenue) the Inspector ruled against the reasons of refusal that related to *“an overconcentration of HMOS which would have been detrimental to the overall character of the area and residential amenities”*
- 4.4 It is also considered relevant to note that the building could be used as a six person HMO without needing planning permission. This is a fallback position of significant relevance to this application.

Design and Impact on the Character of the Area:

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4 Development Management DPD policies DM1 and DM3 and the Design and Townscape Guide.

- 4.5 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF, policies KP2 and CP4 of the Core Strategy and Policy DM1 of the Development Management (DPD2). The Design and Townscape Guide (SPD1) also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.6 The NPPF states that:
- “The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.*
- 4.7 No external alterations are proposed to the existing building and it is therefore considered that the proposed change of use of the existing building would cause no harm to the character or appearance of the site or the surrounding area.

- 4.8 As noted above, it is considered relevant to understand that the appeals at 49 Milton Road and 70 Heygate Avenue referred to an alleged impact of HMOs on the character of the area. In both cases the Local Planning Authority the appeals were allowed and it is therefore considered that it would be improper to resist this application on those grounds, especially as no alterations are proposed to the existing building and the cycle and refuse store would be located at the rear of the site.

Traffic and Transport Issues

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP3, CP4; DPD2 (Development Management) Policies DM1, DM3 and DM15.

- 4.9 Policy DM15 states that *“All development should meet the parking standards (including cycle parking) set out in Appendix 6. Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/ or where the rigid application of these standards would have a clear detrimental impact on local character and context. Reliance upon on-street parking will only be considered appropriate where it can be demonstrated by the applicant that there is on-street parking capacity.”* There are no defined parking standards for House in Multiple Occupation accommodation.
- 4.10 The application site is located within walking distance to London Road with access to sustainable transport connections with a number of bus services available and access to schools, medical, leisure and community facilities and services. It is therefore considered that the site is in a reasonably sustainable location.
- 4.11 It is considered that there may be some car ownership amongst the occupants of the proposed building and noted that the proposal includes no provision for any car parking, thereby inevitably leading to on-street parking occurring. However, there are no parking standards for a House in Multiple Occupation and it is recognised that the use of this site as a house would also have generated parking demand. From this basis it is considered that it is not possible to justify refusing the application on the grounds of the lack of parking at the application site.
- 4.12 The building could be used as a six person HMO without needing planning permission which provides a fallback position of some relevance to this proposal. It is considered that the additional parking demand for this proposal for 8 persons (5 bedrooms) HMO would not give reasonable grounds to refuse the application.
- 4.13 The recently refused application at 49 Milton Road included a reason for refusal that related to the inadequate provision of parking. The Planning Inspector deemed that this should not be a reason for refusal in that location.
- 4.14 A location for cycle parking is not shown on the submitted drawings. However it is considered that cycle parking facilities can be adequately addressed through the use of conditions.

Impact on Residential Amenity:

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4, policies DM1 and DM3 of the DPD2 (Development Management Document) and the Design and Townscape Guide SPD1.

- 4.15 Policy DM1 of the Development Management Document states that any new development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.
- 4.16 No extensions or alterations are proposed to the existing dwelling and a cycle store could be installed which would not be visible above the boundary treatments. The development would therefore have no impact on the light, privacy or outlook of neighbouring properties that would justify the refusal of the application.
- 4.17 As above, it is considered relevant to note that the appeals at 49 Milton Road and 70 Heygate Avenue referred to an alleged impact of HMOs on residential amenities. In both cases the Local Planning Authority referred to the impact of the use on the general amenity of the area. The appeals were allowed and it is therefore considered that it would be unreasonable to resist this application on those grounds.
- 4.18 The more intensive use of the building would result in more instances of people looking out towards neighbouring properties. However, as the building could be converted to a six person HMO with the windows being utilised to a comparable level, it is considered that the proposal would not cause a loss of privacy or additional overlooking to an extent that would be materially worse than the fallback position. It is therefore considered that the application should not be refused on those grounds. Moreover it is considered that the proposal would not cause material impacts on the amenities of neighbouring residents in terms of noise or general disturbance to a level that would justify a refusal of permission.

Living Conditions for Future Occupiers

National Planning Policy Framework, Southend-on-Sea Core Strategy policies KP2 and CP4 and Development Management Document policies DM1, DM3 DM8.

- 4.19 A core principle of the National Planning Policy Framework is that planning should *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.”* Moreover Policy DM1 states that development should *“Provide an internal and external layout that takes account of all potential users.”*

As the proposal relates to the change of use of a single dwelling to a more intensive use, it is considered appropriate to apply weight to policy DM3 which states that *“the conversion of existing single dwellings into two or more dwelling will only be permitted where the proposed development...does not adversely impact upon the living conditions and amenity of the intended occupants.”*

- 4.20 The Council has adopted the Essex Approved Code of Practice with respect to Houses in Multiple Occupation. These standards indicate that bedrooms for one person should measure at least 8.5 square metres and rooms for two people should measure at least 12 square metres, which the proposal would meet.
- 4.21 The standards also contain specifications with respect to sanitary installations requiring the provision of two wash hand basins, two toilets and two bathrooms which must contain a shower or bath. These would be of adequate size. The proposed amenity space to the rear of the site equates to 39sqm. There are no required policy standards for amenity space for Houses in Multiple Occupation, this is considered to be an adequate quantity external space in this instance.
- 4.22 In relation to shared kitchen facilities, current standards state up to 18sqm or 2 kitchens should be provided for 6-10 persons however, flexibility maybe considered where there are 6 or 7 persons and goes on to state either a full set of shared cooking facilities or additional facilities must be provided in an appropriate number of individual lets where the room is large enough. In this instance, the HMO will have a kitchen area of 11sqm to the ground floor serving 7 persons and to the first floor a one bedroom bedsit will have its own kitchen facilities with an area of 2.9sqm. Taking into account the overall size of the lounge area and kitchen facilities provided, considering the recent decision at 54 Ashburnham Road (17/00589/FUL) and given that the abovementioned standards are not planning standards it is considered that the application should not be found unacceptable solely due to the size of the kitchen.
- 4.23 Although the adequacy and fitting out of the proposed House in Multiple Occupation is a matter for assessment by the Private Sector Housing Team, it appears that the layout of the building would be able to accord with the abovementioned standards and therefore the development can, on balance, be found acceptable.
- 4.25 It is considered that there is scope for a refuse storage area to be provided at the site under the terms of a condition.
- 4.26 For the reasons set out above, it is considered that the standard of amenity for future occupants of the building would be acceptable and therefore the application should not be refused on that ground..

Community Infrastructure Levy

- 4.27 A Large HMO falls outside of Use Classes C3 and C4 and is therefore considered to be a Sui Generis Use. At other sites, it has been assessed that the use is residential in character and therefore the change of use from a small HMO falling within Use Class C4 to a large HMO would not represent a CIL liable change of use.

5 Conclusion

- 5.1 It is considered that there are no grounds to object to the principle of the proposed development, the visual impact of the development, the lack of parking provision or the impact on neighbouring residents. It is considered that the standard of the accommodation provided would be adequate and therefore the application should not be refused on this basis. It is therefore recommended for approval.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework and National Planning Policy Guidance.
- 6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure) and CP8 (Dwelling Provision).
- 6.3 Development Plan Document 2: Development Management Policies DM1 (Design Quality) DM3 (The Efficient and Effective Use of Land), DM8 (Residential Standards) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009)
- 6.6 Community Infrastructure Levy Charging Schedule.

Representation Summary

Public Sector Housing

- 7.1 No comments have been received at the time of writing.

Highway Authority

- 7.2 There are no highway objections to this proposal currently there are no parking standards for HMO's therefore consideration has been given to the sustainable location of the site which is close to London road with a regular bus service and also Westcliff station with good rail links.

Public Consultation

- 7.3 11 neighbouring properties were notified of the application and a site notice displayed on the 12.05.2017. Two letters of representation have been received objecting to the development for the following reasons:
- Overdevelopment
 - Lack of storage
 - Lack of parking
 - Loss of a family home and introduction of place of multiple occupancy.

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

- 7.4 The application has been called in to the Development Control Committee by Cllr J. Garston and Councillor Ware-Lane.

8 Relevant Planning History

- 8.1 None.

9 Recommendation

- 9.1 **GRANT** planning permission subject to the following conditions:

01. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 01 Site and existing floorplans; 02 Revision A Location and proposed plans.

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

03. Before the occupation of the development hereby approved, details of the provision of cycle storage at this site shall be submitted to and approved by the local planning authority. The cycle parking shall subsequently be provided in accordance with the approved details prior to the first occupation of the development and be retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

04. Before the occupation of the development hereby approved, details of the provision of refuse storage facilities at the site (including day-to-day refuse storage areas and day of collection storage areas as necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided prior to the occupation of the development and be retained in perpetuity thereafter.

Reason: To safeguard the amenities of the future occupants of the proposed HMO and adjoining properties in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

05. The building shall not be adapted to enable the formation of more than 5 bedrooms and it shall not be occupied by more than 8 persons at any one time.

Reason: To clarify the terms of the permission and enable the suitable consideration of any intensification of the use of the site.

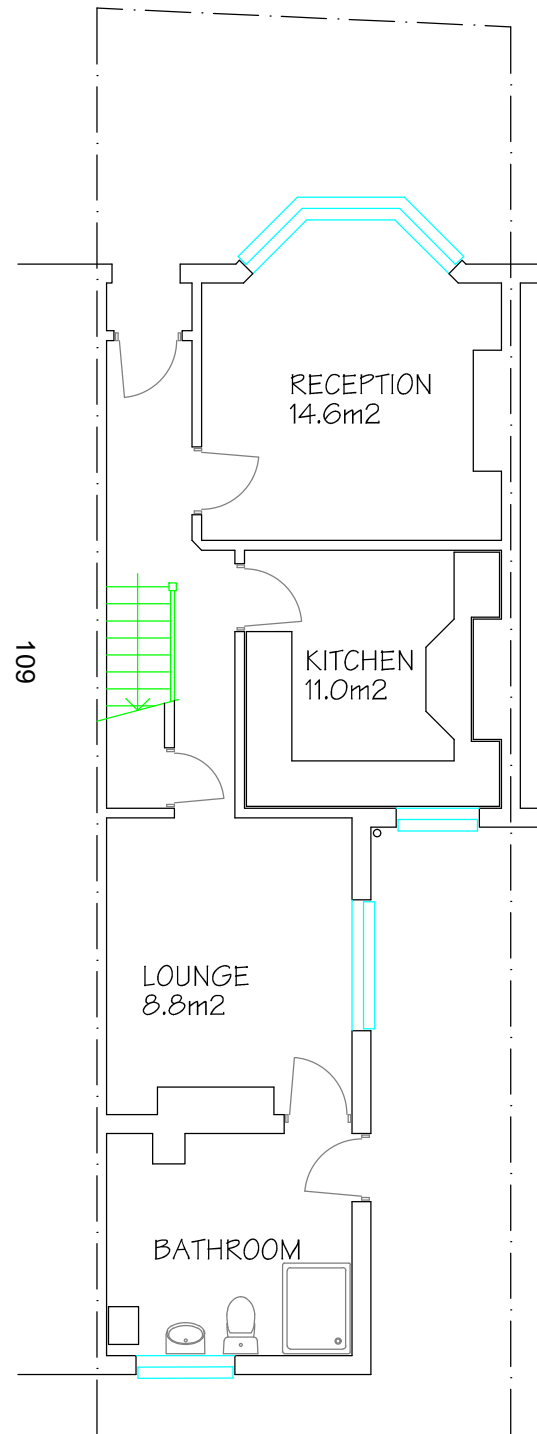
Informatives

1. You are advised that as the proposed alterations to your property do not result in new floorspace and the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

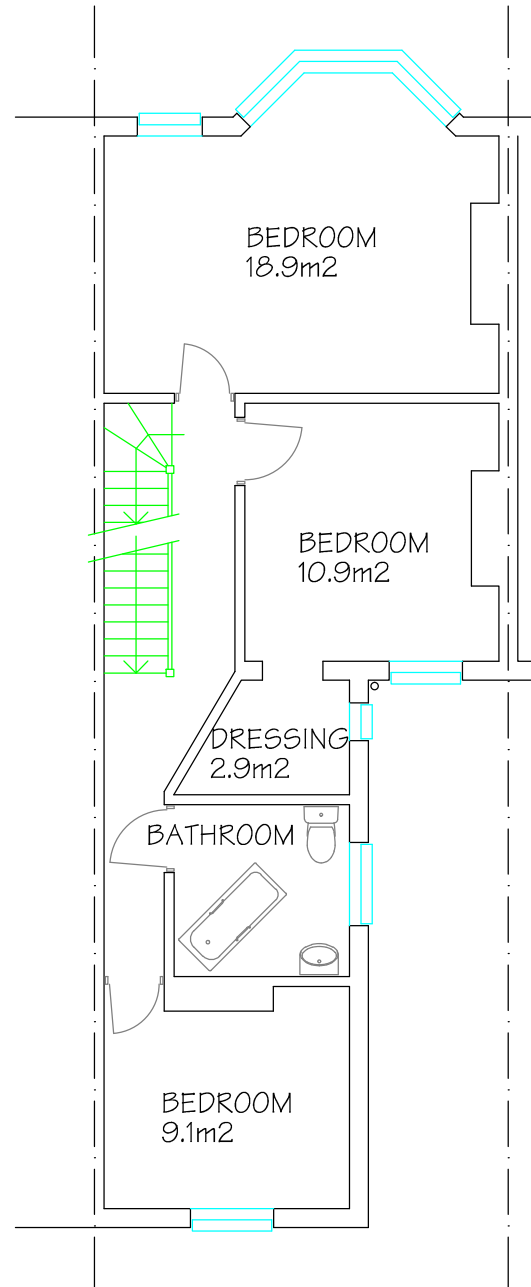
2. Please refer to www.southend.gov.uk/hmolicence for further guidance with respect to the license requirements for a HMO.

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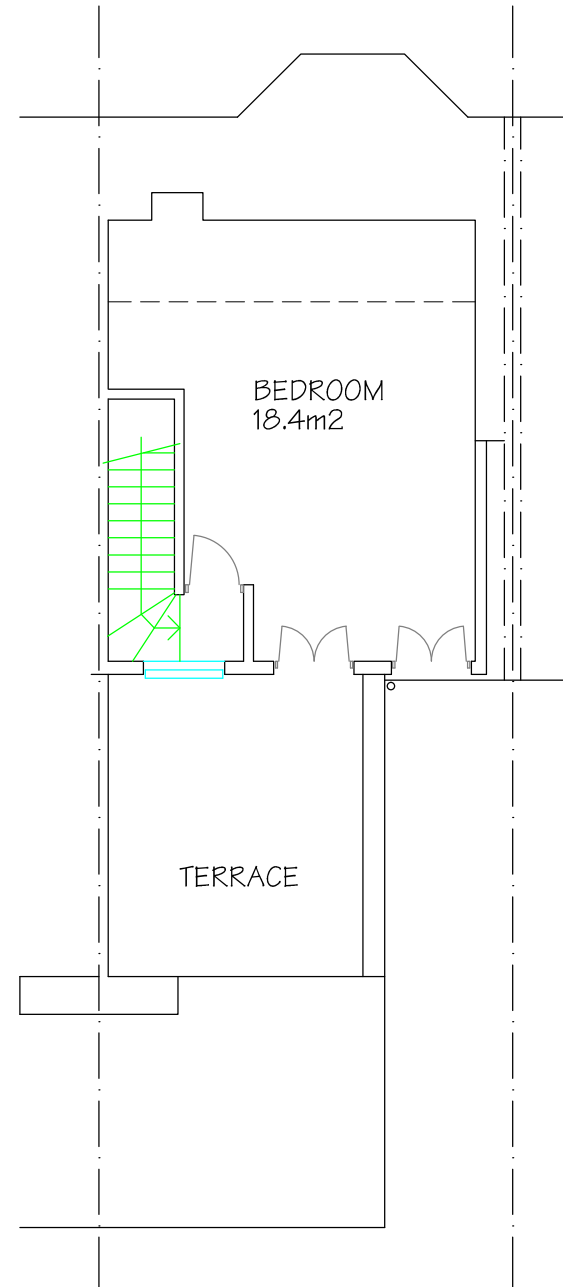
EXISTING VEHICULAR CROSSOVER



GROUND FLOOR PLAN

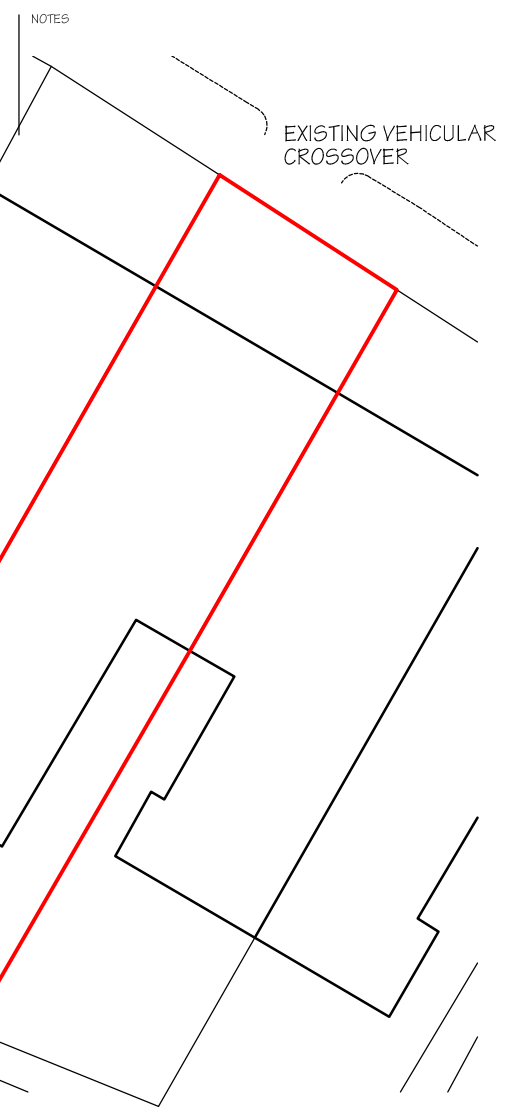


FIRST FLOOR PLAN



SECOND FLOOR PLAN

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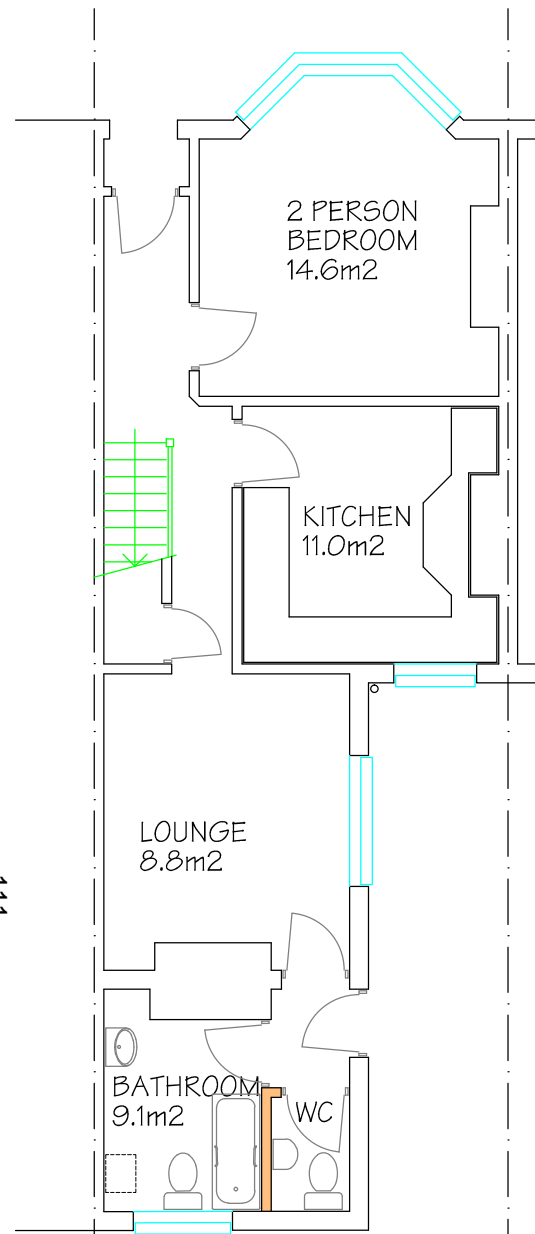
SITE PLAN - SCALE 1/200

REV	DATE	DESCRIPTION
70 BURDETT AVENUE - WESTCLIFF PROJECT TITLE SITE + EXISTING FLOOR PLANS		

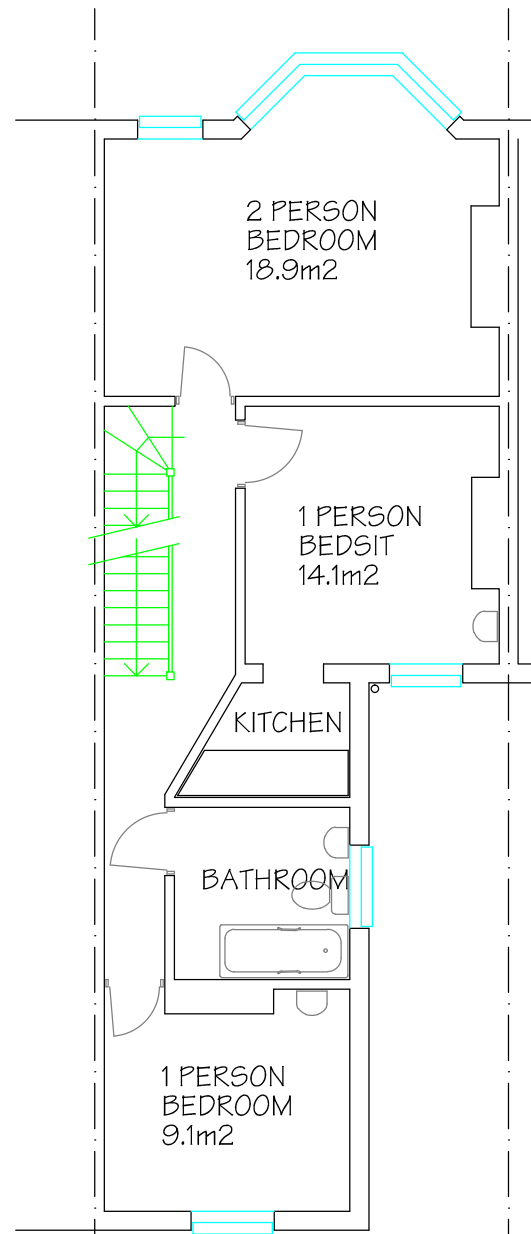
JOB NUMBER 91318	DRAWING NUMBER 01	REVISION -	DATE 24/04/2017	SCALE 1/100@A3
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Design Associates
ARCHITECTURAL DESIGN - SPACE PLANNING - PROJECT MANAGEMENT
92 LONDON ROAD - SOUTHWEND ON SEA - ESSEX - S61 1PG
TELEPHONE - 01702 592502
EMAIL - toymerry@aol.com

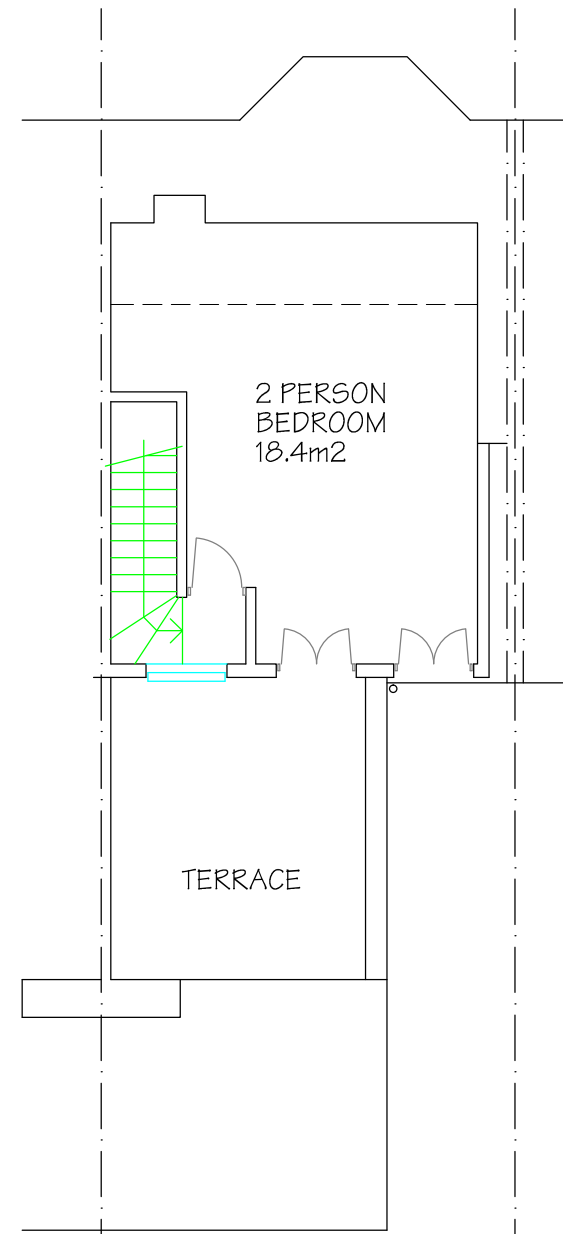
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GROUND FLOOR PLAN



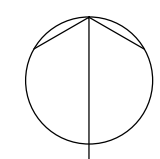
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NOTES



LOCATION PLAN - SCALE 1/1250

ACCOMODATION SCHEDULE

2 PERSON BEDROOMS - 3No
 1 PERSON BEDROOMS - 1No
 1 PERSON BEDSIT - 1No
 TOTAL 8 PERSONS

AMENITY STANDARDS

1 No KITCHEN PER 5 BEDROOM SPACES
 1 No KITCHEN IN BEDSIT
 2 BATHROOMS + 2 WC'S PER 6-10 PERSONS

REV	DATE	DESCRIPTION
A	APL 2017	EXISTING KITCHEN RETAINED

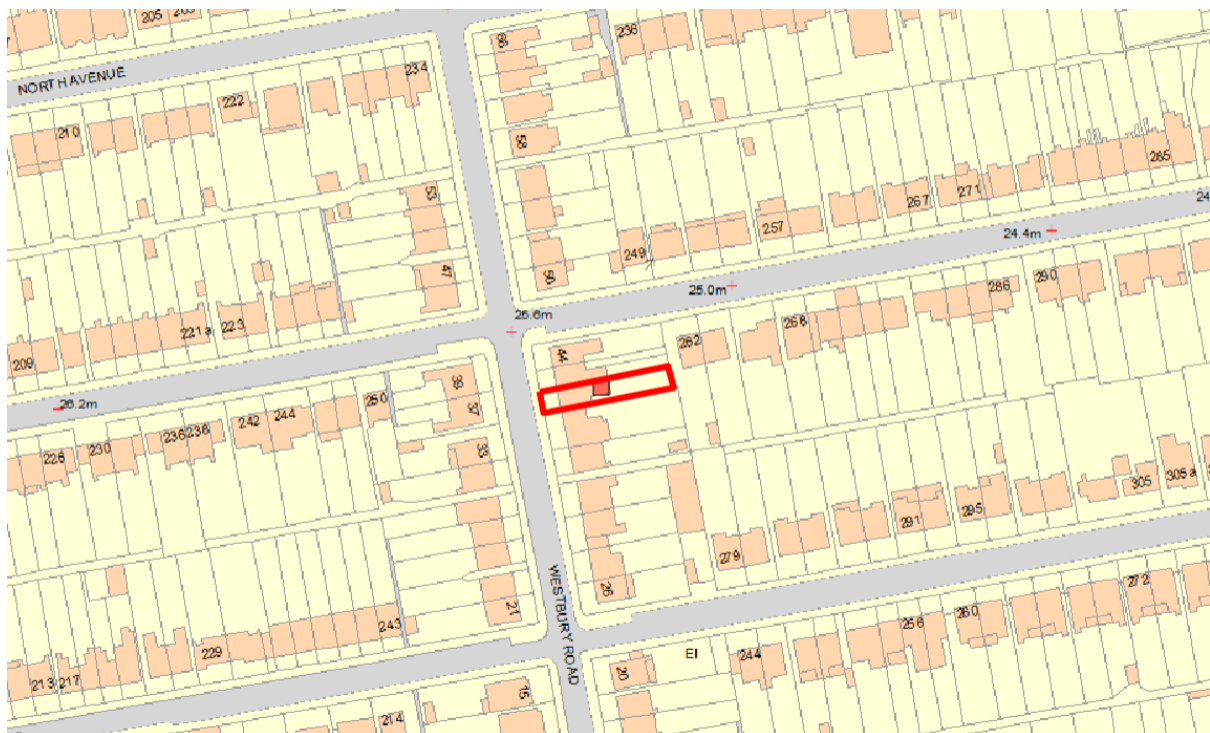
70 BURDETT AVENUE - WESTCLIFF
 CONVERT TO BEDSITS
 PROJECT TITLE
 LOCATION + PROPOSED PLANS

JOB NUMBER	DRAWING NUMBER	REVISION	DATE
91318	02	A	24/04/2017
			SCALE 1/100@A3

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Reference:	17/00769/AMDT	<h1>11</h1>
Ward:	St Lukes	
Proposal:	Retain conservatory to rear (Retrospective) (Minor amendment to planning application 14/00198/FUL)	
Address:	40 Westbury Road, Southend-On-Sea, Essex, SS2 4DP	
Applicant:	Dr Saqib Mahmud	
Agent:	Mr Graham Miles	
Consultation Expiry:	02/06/17	
Expiry Date:	27/06/17	
Case Officer:	Ian Harrison	
Plan Nos:	1472/OS, 1472/01-A, 1472/02, 1472/03, 1472/04-A and 1472/05	
Recommendation:	GRANT Planning Permission	



1 The Proposal

- 1.1 The application seeks permission for an amendment to a development that was granted planning permission under the terms of application 14/00198/FUL.
- 1.2 The site contains a two storey terraced building, with a two storey outrigger projection at the rear. To the rear of that is a small single storey projection. The building contains two flats and the former rear garden has been subdivided.
- 1.3 Planning permission was granted for a conservatory at the rear of the outrigger that measured 2.4 metres wide and 2.8 metres deep thereby remaining at the north side of the single storey projection that is described above. The conservatory was approved with an eaves height of 2.1 metres and a maximum height of 3.2 metres.
- 1.4 The conservatory that has been built measures 3.3 metres deep and 2.7 metres wide, thereby wrapping around the abovementioned single storey rear projection. The eaves height remains 2.1 metres as approved and the maximum height is 2.5 metres. The conservatory has been built with a rendered wall to the north elevation to a height of 1.9 metres with glazing above. As a temporary measure, part of a fence panel has been affixed to the south elevation to obscure views into the garden area to the south, this would be replaced with a rendered wall to match the north elevation if permission is hereby granted.
- 1.5 This application follows the refusal of application 17/00171/AMDT which also sought retrospective permission for the development that has occurred at the site. That application was refused for the following reason:

The proposed conservatory, by virtue of its design, its size and its relationship to the existing building, is harmful to the character and appearance of the existing building and the surrounding area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Southend Core Strategy (2007), policies DM1 and DM3 of the Southend Development Management Document (2015) and the advice contained within the Southend Design and Townscape Guide (2009).

- 1.6 That application followed the refusal of application 16/01659/AMDT which was refused for the following reason:

“The conservatory that has been erected, by virtue of its design, the materials used in its construction, its size and its relationship to the existing building, is harmful to the character and appearance of the existing building and the surrounding area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Southend Core Strategy (2007), policies DM1 and DM3 of the Southend Development Management Document (2015) and the advice contained within the Southend Design and Townscape Guide (2009).”

After the refusal of that application the applicant provided additional details that demonstrated the manner in which land is owned at the site, showing that the section of land to the south of the conservatory is ‘common land’ that is shared by the ground and first floor flats. It is therefore considered that the door that is proposed in the south elevation can legitimately open outwards onto land that the occupants have ability to use.

However, it should be noted that land ownership, rights of way and rights of access are not a matter for assessment by the Local Planning Authority. The consideration must focus on material planning considerations, not matters that relate to land ownership.

2 Site and Surroundings

- 2.1 The site is located on Westbury Road. The site contains a two storey terraced building which is described above.
- 2.2 The site is not the subject of any site specific planning policies.

3 Planning Considerations

- 3.1 The key considerations for this application are the principle of the development, the design and impact on the character of the area and the impact on residential amenity.

4 Appraisal

Principle of Development

National Planning Policy Framework 2012, Core Strategy Policies KP2 and CP4, Development Management Policies DM1 and DM3 and SPD1

- 4.1 Planning Practice Guidance states that one of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. It goes on to state that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.
- 4.2 This proposal is considered in the context of the National Planning Policy Framework 2012 and Core Strategy Policies KP2 and CP4. Also of relevance is Development Management DPD Policy DM1 which relates to design quality. These policies and guidance support extensions to properties in most cases but require that such alterations and extensions respect the existing character and appearance of the building. Subject to detailed considerations, the proposed extension is considered to be acceptable in principle. In this regard it is noted that a conservatory has been granted previously at this site.

Design and Impact on the Character of the Area:

National Planning Policy Framework 2012, Core Strategy Policies KP2 and CP4, Development Management DPD Policies DM1 and DM3 and SPD1

- 4.3 In the Council's Development Management DPD, policy DM1 states that development should "add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features."

- 4.4 Due to the position of the extension at the rear of the building the visual impact of the conservatory is masked from the public domain of Westbury Road and due to the boundary treatments between the extension and the highway of Central Avenue, the conservatory also has very little impact on the character or appearance of the area when viewed from Central Avenue. Although deeper and wider than previously approved, the conservatory is lower in height. The conservatory is subordinate to the scale of the existing dwelling and will feature materials that are visually acceptable. The attachment of a fence panel to the side of the conservatory is a temporary measure and would be replaced with a rendered wall to the south elevation which would match the wall that has been formed at the north elevation. This is considered to be visually acceptable. The limited visibility of the proposed conservatory means that the development has a minimal impact on the character and appearance of the site and the surrounding area.
- 4.5 It is considered that the extension does not represent the overdevelopment of the plot and does not cause harm to the character and appearance of the application site or the surrounding area.

Impact on Residential Amenity:

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3 and SPD 1 (Design & Townscape Guide (2009))

- 4.6 Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”
- 4.7 The conservatory that has been built is of equal eaves height as the conservatory that was approved and the maximum height of the conservatory is 0.7 metres lower. Although the extension is 0.5 metres deeper, it is considered that the low height of the conservatory ensures that the impact on the attached neighbouring property of 42 Westbury Road is not harmful to an extent that justifies the refusal of the application. Noting that a solid brick wall could be built at the boundary of the site to a height of 2 metres without needing permission, it is considered that the 1.9 metres tall side wall does not have an impact on residential amenity that is materially worse than a development that could be permitted development.
- 4.8 The garden of the first floor flat is located to the south west of the conservatory, but all windows within that property are above the height of the conservatory. The development therefore has no impact on the light, privacy or outlook of that flat. Moreover, it is considered that the structure is not of a scale or form that would materially detract from the usability of the amenity space that serves the flats at the site.

- 4.9 The applicant has provided additional details that demonstrate the manner in which land is owned at the site, which shows that the section of land to the south of the conservatory is 'common land' that is shared by the ground and first floor flats. It is therefore considered that the door that is proposed in the south elevation can legitimately open outwards onto land that the occupants have ability to use. However, it should be noted that land ownership, rights of way and rights of access are not a matter for assessment by the Local Planning Authority. The consideration must focus on the visual impact and the direct impact on the amenities of neighbours, not matters that relate to land ownership.
- 4.10 Due to the gap between the conservatory and all other neighbouring properties and the scale of the development that has occurred, it is considered that no other properties have been affected by the development to an extent that would justify the refusal of the application.

Community Infrastructure Levy

- 4.11 As the development creates less than 100 square metres of new floorspace at the application site, the development is not CIL liable.

Other Matters

- 4.12 It has been brought to the attention of Officers that there may have been some form of dispute between parties over the ownership of land and the encroachment of the conservatory onto land where it was not previously approved to be built. This is a civil matter between other parties that the Local Planning Authority has no scope or remit to be involved with or intervene in relation to. The simple fact that the conservatory is wider than previously approved should not be a reason to refuse this retrospective amendment application unless the implications of the increase are considered to be unacceptable on planning grounds.

5 Conclusion

- 5.1 In this instance it is considered that the development that has occurred does not cause harm to the amenities of neighbouring residents to an extent that would justify the refusal of the application and the proposal would not represent the overdevelopment of the existing dwelling or the plot on which it stands. The development is therefore considered to comply with the content of the development plan.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework

National Planning Practice Guidance.

Core Strategy DPD (adopted December 2007) Policies KP2 (Spatial Strategy) and CP4 (Development Principles)

Development Management DPD Policy DM1 (Design Quality) and DM3 (Efficient and Effective Use of Land).

Design and Townscape Guide SPD (adopted December 2009)

CIL Charging Schedule

7 Representation Summary

Public Notification

- 7.1 8 neighbouring properties were notified of the application. No letters of objection have been received. At the time of writing, the public consultation period has not expired. A summary of any comments received will be provided within a Supplementary Report.
- 7.2 This previous application was called in to the Council's Development Control Committee by Councillor Van Looy.

8 Relevant Planning History

- 8.1 Application 14/00198/FUL approved a conservatory at the rear of the dwelling. Amendments to that application were refused under the terms of applications 16/01659/AMDT and 17/00171/AMDT.
- 8.2 Planning permission was granted under the terms of application 16/01299/FUL for the erection of an outbuilding at the rear of the site.

9 Recommendation

- 9.1 **GRANT PLANNING PERMISSION subject to the following conditions:**

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 1472/OS, 1472/01-A, 1472/02, 1472/03, 1472/04-A and 1472/05

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

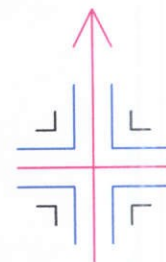
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

1. You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

2. Please note that the Local Planning Authority would wish to see the alteration of the conservatory to match the plans hereby approved within six months of the permission hereby granted. If the conservatory is not adapted within this timescale, the conservatory may be the subject of enforcement action.

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OS Location Plan - 1 : 1250

Miles Designs

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 103, Trinity Road, Southend-on-Sea, Essex, SS2 4HN.
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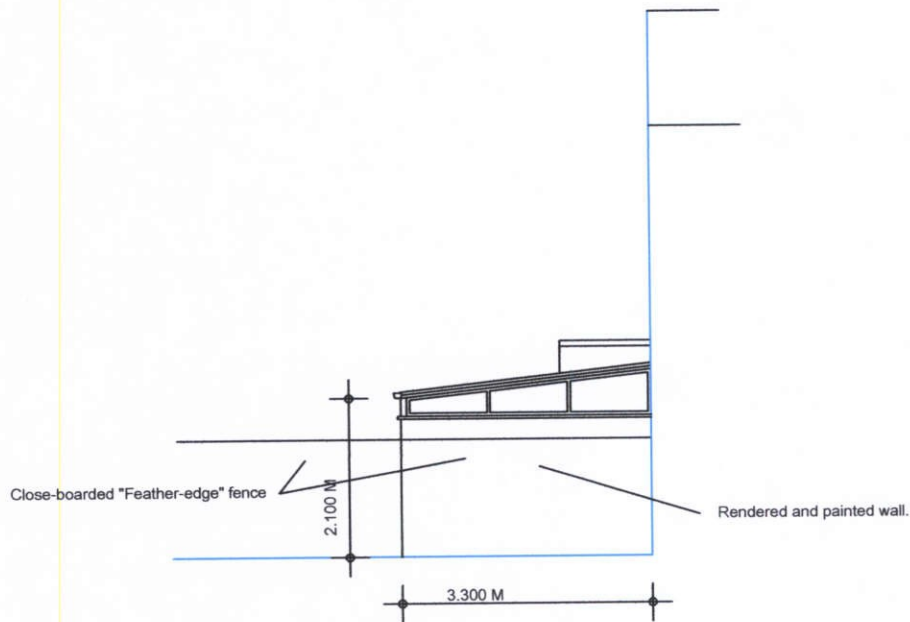
121

40, Westbury Road,
 Southend-on-Sea, SS2 4DP.

Drawing No :

1472/OS

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Side Elevation [north] - 1 : 100

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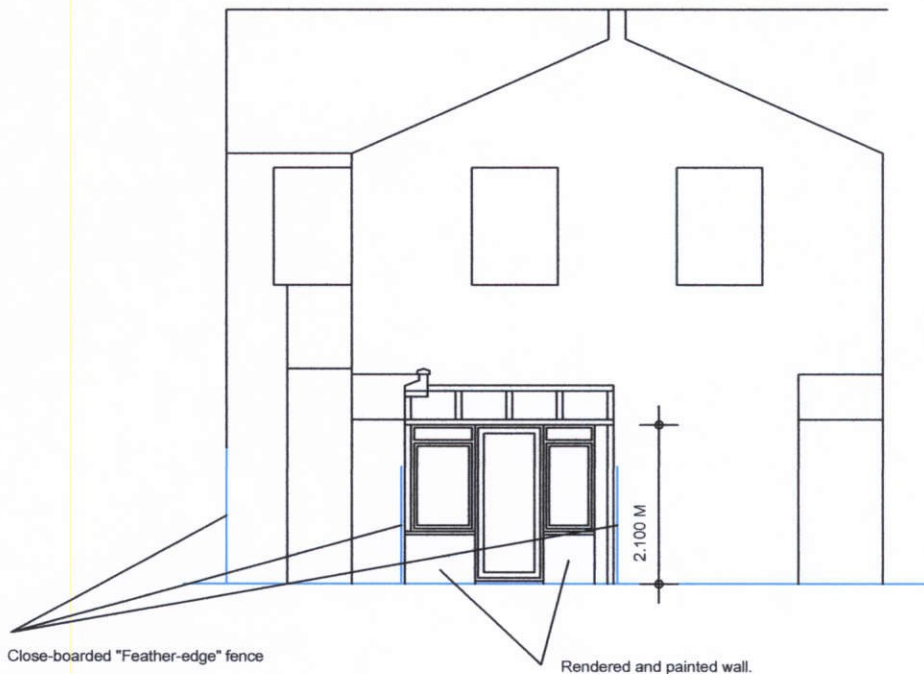
123

40, Westbury Road,
Southend-on-Sea, SS2 4DP.

Drawing No :

1472/05

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Rear Elevation [east] - 1 : 100

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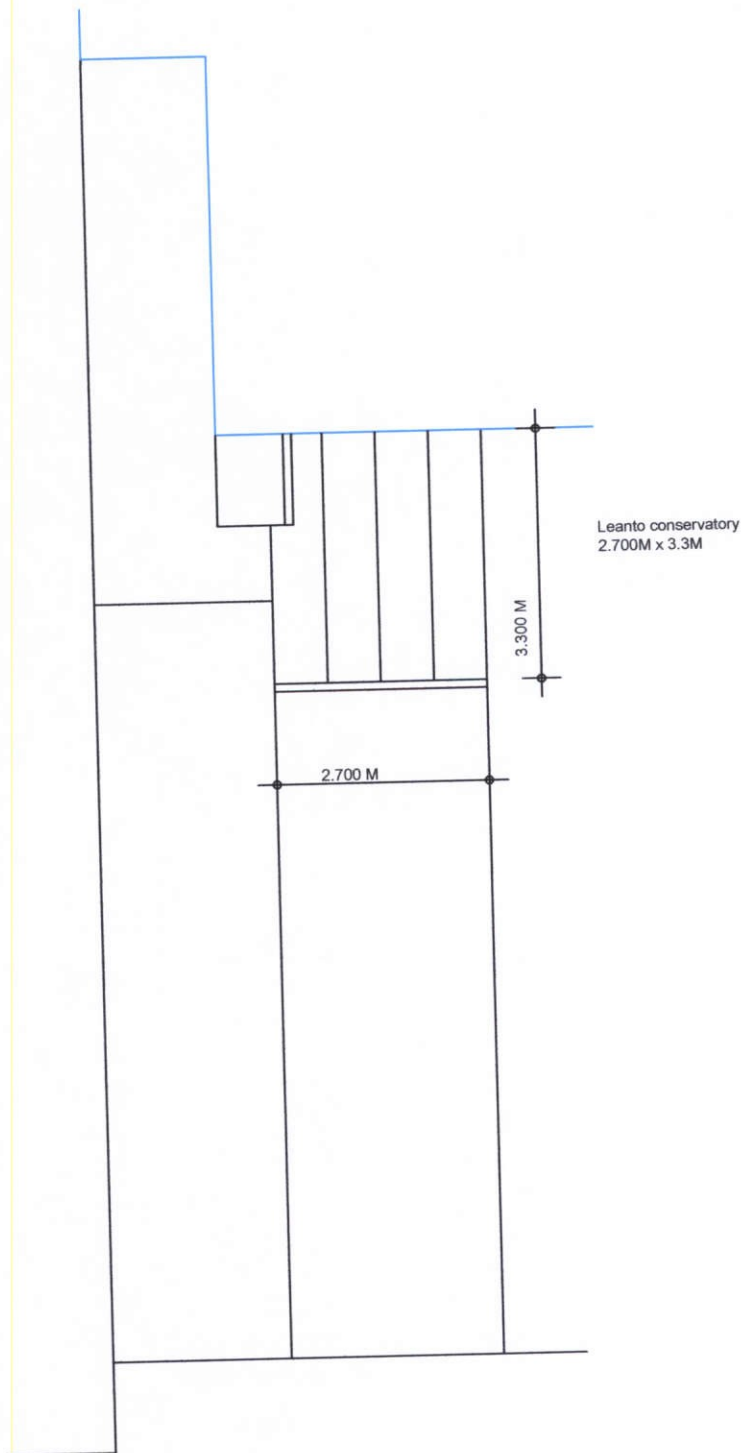
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Southend-on-Sea, SS2 4DP.

Drawing No :

1472/04

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Roof Plan - 1 : 100

Miles Designs

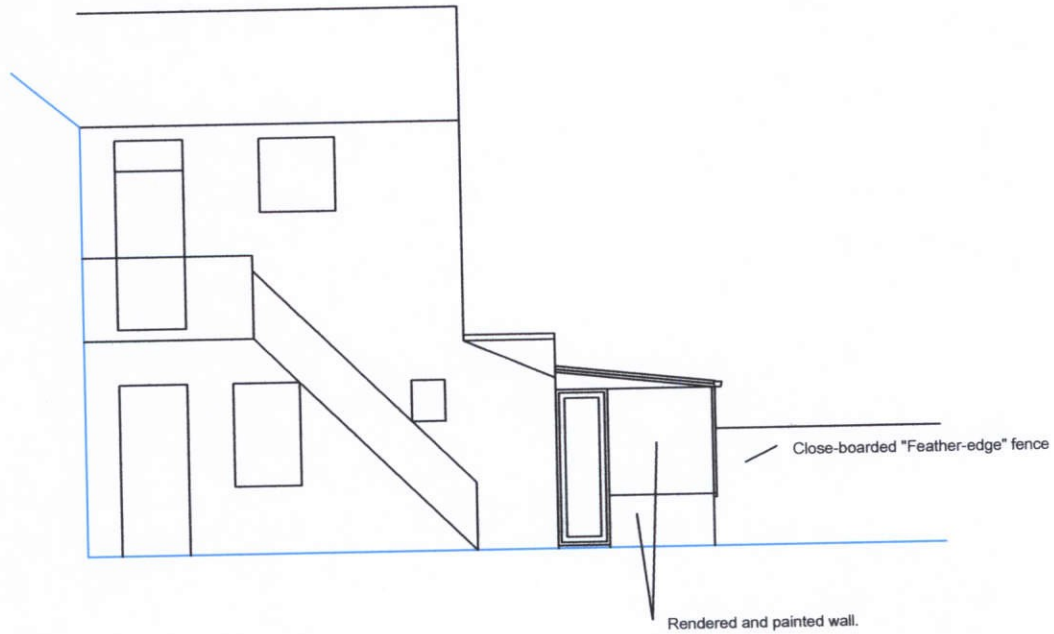
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Drawing No :

1472/02

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Side Elevation [south] - 1 : 100

Miles Designs

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129

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Drawing No :

1472/03

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1 The Proposal

- 1.1 The application seeks planning permission for the erection of a detached bungalow on land between 79 Orchard Grove and 85 Orchard Grove.
- 1.2 The application site, as coloured red on the Site Location Plan, includes the existing bungalow of 79 Orchard Grove and the land to the north of that bungalow that has been used as garden land in association with the occupation of that dwelling.
- 1.3 The application proposes the sub-division of the plot to enable the creation of a residential development site that would measure 12.5 metres deep and 12.5 metres wide. On the created plot it is proposed to erect an 'L' shaped single storey dwelling that would measure 4.8 metres wide at the front elevation, 8.2 metres wide at the rear elevation and a maximum of 9.9 metres deep. The proposed dwelling would feature a pitched roof built to an eaves height of 2.6 metres and a ridge height of 4.8 metres. During the course of the application, amended plans have been submitted to reduce the height of the dwelling by 0.4 metres.
- 1.4 One parking space would be provided for the proposed dwelling. A 41 square metre garden area would be provided for the proposed dwelling, leaving the existing dwelling with a 88 square metre garden. The proposed dwelling would have an internal floor area of 53 square metres and one bedroom which would measure 13.7 square metres in area.

2 Site and Surroundings

- 2.1 The application site measures 39 metres deep and 13.9 metres wide. The site contains a single storey dwelling that faces the south frontage of the site, with gardens to the rear and a partitioned area of the site to the rear.
- 2.2 The character of the area is residential typified by two storey dwellings to the north and west and bungalows to the south and east. A conifer tree exists immediately to the east of the application site.

3 Planning Considerations

- 3.1 The main considerations in the determination of this application are the principle of the development, design and impact on the streetscene, impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers, traffic and highways issues.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP8; Development Management DPD Policies DM1, DM3, DM7, DM8 and DM15 and the Design and Townscape Guide SPD1 (2009)

- 4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy DPD Policies KP2, CP4 and CP8. Amongst the core planning principles of the NPPF include to:
“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”
Paragraph 56 of the NPPF states; *“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Paragraph 64 of the NPPF states; *“that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*
- 4.2 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design, and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 requires that development proposals contribute to local housing needs.
- 4.3 Policy CP8 of the Core Strategy identifies that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough.
- 4.4 As part of its Strategic Housing Land Availability Assessment (SHLAA) update, the Council has published information on its potential housing supply (5 year supply of housing plus an additional 5% buffer as required by the NPPF). This demonstrates that the Council has a 6 year housing land supply against its adopted targets and therefore, meets the requirements of the NPPF in terms of housing delivery. Thus the authority is able to meet its housing needs targets without recourse to allowing development which would otherwise be unacceptable. Notwithstanding this the principle of providing a new dwelling at the site is considered to be acceptable subject to the considerations set out below.

Design and Impact on the Character of the Area

National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1 and DM3 and Design and Townscape Guide.

- 4.5 In the Council's Development Management DPD, policy DM1 states that development should "add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features."
- 4.6 Policy DM3 states that *"all development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:*
- (i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or*
 - (ii) Conflict with the character and grain of the local area; or*
 - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or*
 - (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees."*
- 4.7 Paragraph 201 of SPD1 states that *"Infill sites are development sites on the street frontage between existing buildings. These areas are usually spaces left over after earlier development or the redevelopment of small industrial units or garages. The size of the site together with an analysis of local character and grain will determine whether these sites are suitable for development. In some cases the site may be too small or narrow to accommodate a completely new dwelling (including usable amenity space and parking) and trying to squeeze a house onto the site would significantly compromise its design quality and be detrimental to neighbouring properties and local character. In these circumstances, unless an exceptional design solution can be found, infill development will be considered unacceptable."*
- 4.8 The proposed dwelling would be of similar scale to the existing dwelling at the south and the other bungalows to the north of Orchard Grove, east of the application site. It is therefore considered that the dwelling would be suitably in-keeping with the scale and appearance of the dwellings of the surrounding area.
- 4.9 The forward projection of the proposed dwelling would extend beyond the building line of the buildings to the north, but would align with the side elevation of the dwelling to the south. Given the staggered building line of the dwellings it is considered that the positioning of the dwelling would not be harmful to the character of the streetscene.

- 4.10 The proposed dwelling would be positioned close to the north and west boundaries of the site, with 1 metre and 0.8 metre gaps between the dwelling and the respective boundaries. However, a gap of 3.3 metres would be provided to the south side of the dwelling and the dwelling would be set well back from the site frontage. It is therefore considered that the proposal would not have a cramped appearance. Moreover, due to the turn in the highway which enables the proposed dwelling to have a frontage onto the public domain, it is considered that the development does not cause harm to the established grain of development within the vicinity of the site.
- 4.11 For these reasons it is considered that the visual impact of the proposed dwelling would not be harmfully at odds with the character or appearance of the site or the streetscene of Orchard Grove. The proposal is therefore considered to be in accordance with those aspects of the abovementioned policies that relate to design.

Impact on Residential Amenity.

National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1 and DM3 and Design and Townscape Guide.

- 4.12 Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”
- 4.13 The neighbouring dwelling to the north (85 Orchard Grove) features three ground floor windows in the ground floor, one which aligns with the rear of the proposed dwelling, one which aligns with the rear boundary and one which faces the shed at the rear of the property of 77 Orchard Grove. The impact of the development on the outlook from the neighbouring property would reduce in relation to each of these windows respectively due to the positioning of the dwelling. The proposed dwelling would be visible from within the ground floor windows, but due to the height of the dwelling and the changing ground levels it is considered that only the roof of the dwelling would be significantly visible above the boundary fence. The proposed dwelling would have some impact on the light, sense of enclosure and outlook within the neighbouring property, but as the dwelling would be single storey, set at slightly lower ground level and have a pitched roof that rakes away from the neighbouring dwelling, it is considered that the impact would not be harmful to an extent that would justify the refusal of the application, particularly given that the affected windows are side facing windows that already have a restricted outlook due to the presence of the boundary fence.
- 4.14 The neighbouring property to the south is within the applicant’s control and therefore any impacts of the proposed development would be self-imposed. The south elevation of the proposed dwelling would be 10.6 metres from the rear elevation of the neighbouring property and would be of a low height due to the proposed dwelling being a bungalow. It is therefore considered that the proposal would not have an unduly imposing impact on the outlook of the neighbouring property or cause a sense of enclosure to an extent that would justify the refusal of the application on those grounds. The property to the south is also found to retain an adequate area of amenity space under the proposal.

- 4.15 The neighbouring property of 77 Orchard Grove has been the subject of a single storey rear extension and it is therefore the case that the proposed dwelling would be approximately 6.5 metres from the rear elevation of that dwelling. Although the rear elevation of the proposed dwelling and the roof would be visible from within the neighbouring property to the east, the separation distance between properties and the single storey form of the proposed dwelling, ensures that the dwelling would not cause a loss of light or outlook or cause an increased sense of enclosure that would justify the refusal of the application. It is noted that since the application was first presented to the Council's Development Control Committee, the height of the dwelling has been reduced by 0.4 metres to a height of 4.8 metres in an attempt to partially address some of the concerns of the neighbouring resident.
- 4.16 It is noted that a tree exists within the neighbouring property of 77 Orchard Grove, but this tree is not statutorily protected and is not a specimen that would justify such protection. However a condition has been proposed to limit the impact of the proposal on this tree, subject to which the development is found to be acceptable.
- 4.17 No other properties would be materially affected by the proposed development to an extent that would justify the refusal of the application on those grounds.

Standard of Accommodation:

National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM8 and the Design and Townscape Guide.

- 4.18 Paragraph 17 of the NPPF states that "*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*". It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:
- Minimum property size for a 1 bedroom (2 person bed space) dwelling shall be 50 square metres.
 - Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m² ; and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
 - Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
 - A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

Weight should also be given to the content of policy DM8 which states the following standards in addition to the national standards.

- Provision of a storage cupboard with a minimum floor area of 1.25m² should be provided for 1-2 person dwellings. A minimum of 0.5m² storage area should be provided for each additional bed space.
- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home. Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.

Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

4.19 The proposed residential unit is shown to have one bedroom, with two bed spaces and would measure 53 square metres, which would comply with the abovementioned standards. Furthermore, the bedroom would be of adequate size and the amenity space provision for the proposed and existing dwellings is considered to be adequate

4.20 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. The applicant's submissions include a statement to demonstrate that the proposal would comply with these standards. As it appears that the dwelling would be able to accord with the standards of Part M4(2) of the Building Regulations it is considered that the proposed development should not be refused on those grounds and a condition should be imposed to require that the development accords with Part M4(2) of the Building Regulations.

Highways and Transport Issues:

National Planning Policy Framework, Policy KP2, CP3, CP4 and CP8 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM15 and the Design and Townscape Guide.

- 4.21 Policy DM15 states that the proposed dwelling should be served by one parking space. The proposal does comply with these requirements it is therefore considered that adequate parking is provided at the site to comply with the requirements of the development plan. It is noted that an on-street parking space would be lost to enable the provision of a dropped kerb, but it is considered that this is not an area of significant parking stress and it would remain possible for a number of cars to continue to park within the public highway. No objection should be raised to the application on the grounds of the impact on parking availability.
- 4.22 Subject to the imposition of a condition to limit the width of the proposed dropped kerb to 4.8 metres to accord with the expectations of the Highway Authority, the proposal would not cause a reduction of highway safety at the site or within the surrounding area and it is therefore considered that no objection should be raised to the application on those grounds.

Sustainability

Core Strategy Policies KP2, CP4 and CP8, Development Management DPD Policy DM2 and SPD1

- 4.23 Policy KP2 of the DPD1 and the SPD1 require that 10% of the energy needs of a new development should come from on-site renewable resources, and also promotes the minimisation of consumption of resources.

Although the applicant has provided details to show that the dwelling would be of significantly enhanced energy efficiency, no details have been submitted to demonstrate this proposal would provide 10% of the energy needs through on site renewable energy. It is considered this could be required by condition if permission is granted.

- 4.24 It is also required that water efficient design measures should be incorporated into development. Changes to legislation means that these standards have now been incorporated into Building Regulations and as such it is considered that it is reasonable and necessary to impose conditions to any permission granted at this site to require development to achieve the 'enhanced standard' of building regulations.

Community Infrastructure Levy

- 4.25 This application is CIL liable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. The proposed development will result in the erection of a building that measures 53 square metres in internal area. The proposed development would therefore require a CIL payment of £1,166.00.

Conclusion

- 4.26 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would provide adequate amenities for future occupiers, have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. The highways impacts of the proposal are not considered to be such that a refusal of planning permission would be justified. This application is therefore recommended for approval subject to conditions.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 DPD1 Core Strategy Policies CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance) and KP2 (Development Principles), CP8 (Dwelling Provision)
- 5.3 Development Management DPD Policies DM1, DM2, DM3, DM7, DM8 and DM15
- 5.4 Community Infrastructure Levy Charging Schedule
- 5.5 Design & Townscape Guide 2009 (SPD1).

6 Representation Summary

Traffic & Highways Network

- 6.1 There are no highway objections to this proposal 1 car parking space has been provided for the 1 bedroom dwelling which is considered acceptable and would not be detrimental to the public highway within the local area.

Public Consultation

- 6.2 12 neighbours were notified of the application and a site notice was posted at the site. 3 letters of objection have been received which object on the following grounds:
- The plans are incorrect as they do not show a tree and an extension.
 - The dwelling is too tall.
 - The proposal will have sewerage implications.
 - It is questioned if building on gardens is allowed.
 - The proposal represents overdevelopment.
 - Parking (on site and surrounding area)
 - The proposal would result in the loss of two on-street parking spaces.
 - Narrow (restricted) width of the road.
 - The proposal would affect the ability of a resident to access their driveway.

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

The application has been called-in to the Council's Development Control Committee by Cllr Flewitt.

7 Relevant Planning History

- 7.1 The conversion of the garage and the alteration of the elevations of the existing dwelling was granted a Lawful Development Certificate under the terms of application 16/00886/CLP.

8 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development hereby permitted shall begin not later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 79A/002/2017, Site Location Plan and Block/Site Plan**

Reason: To ensure that the development is carried out in accordance with provisions of the Development Plan.

- 03 The development shall be implemented only using the materials listed within the Materials Palette submitted with the application unless otherwise agreed in writing by the Local Planning Authority, before it is occupied.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

- 04 A scheme detailing how at least 10% of the total energy needs of the dwelling will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwelling. This provision shall be made for the lifetime of the development.**

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1).

- 05 Prior to the first occupation of the dwelling hereby approved the car parking area shown on the plans hereby approved shall be provided and made available for use by the occupants of the proposed dwelling and be retained as such in perpetuity.**

Reason: To ensure the provision of adequate car parking in accordance with policies DM8 and DM15 of DPD2 (Development Management)

- 06** Prior to occupation of the dwelling hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

- 07** Prior to the first occupation of the dwelling approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwelling hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM8 and DM15 of DPD2 (Development Management)

- 08** The development hereby approved shall be carried out in a manner to ensure the dwelling complies fully with Building Regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

- 09** Notwithstanding the provisions of Classes A, B, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or outbuildings shall be erected at the site unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenity of neighbours and the character and appearance of the surrounding area in accordance with policies DM1 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy

- 10 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the vehicle crossover installed at the site shall not measure more than 4.8 metres wide.**

Reason: In the interests of highway safety in accordance with Policy CP3 of the Core Strategy, Policies DM1, DM3 and DM15 of the Development Management Document and the Design and Townscape Guide, 2009.

- 11 Prior to the first occupation of the dwelling approved, details shall be submitted of the means of enclosing the application site/boundary treatments. The approved means of enclosure/boundary treatments shall be installed in accordance with the approved details prior to the first occupation of the dwelling hereby approved and be retained as such in perpetuity.**

Reason: To ensure the provision of appropriate means of enclosure at the site in accordance with policies DM1 and DM3 of DPD2 (Development Management)

- 12 Prior to the commencement of the development hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of the means of protecting the retained trees at neighbouring sites. This shall include the details of the means of undertaking and foundation/piling works at the site and measures to ensure the protection of the trees when undertaking such works. The agreed tree protection measures shall be fully implemented prior to the commencement of the development and the development shall be implemented in full accordance with the details approved under this condition throughout the construction process.**

Reason: To ensure the appropriate protection of trees at the site, in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, policy DM1 of Development Management Document DPD2 and SPD1 (Design and Townscape Guide).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

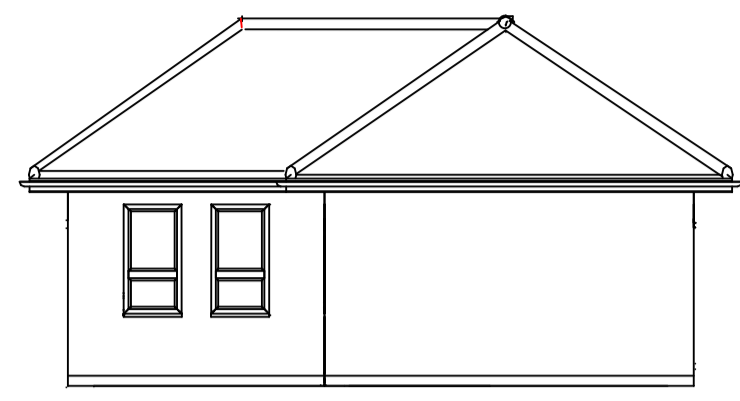
Informative

Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought.

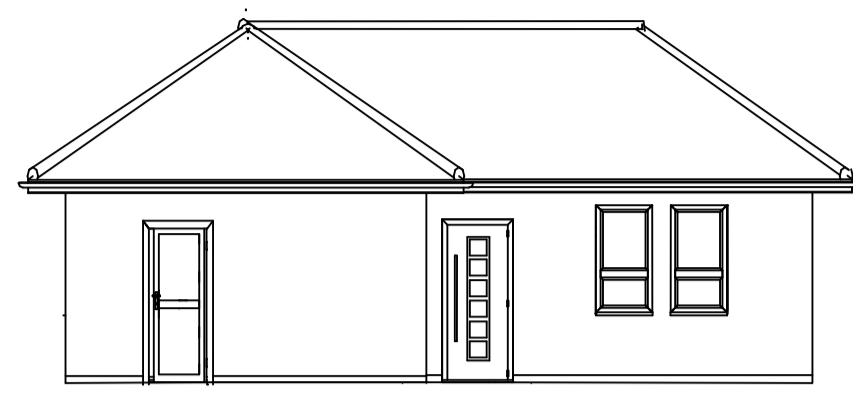
You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

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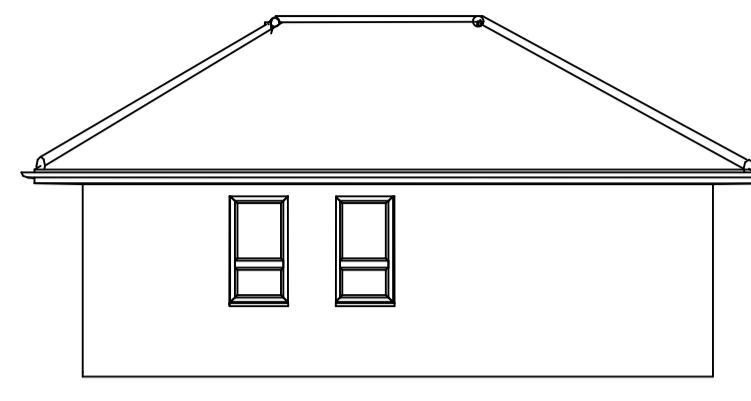
*NOTE: Internal headroom floor to ceiling height minimum of 2.5m



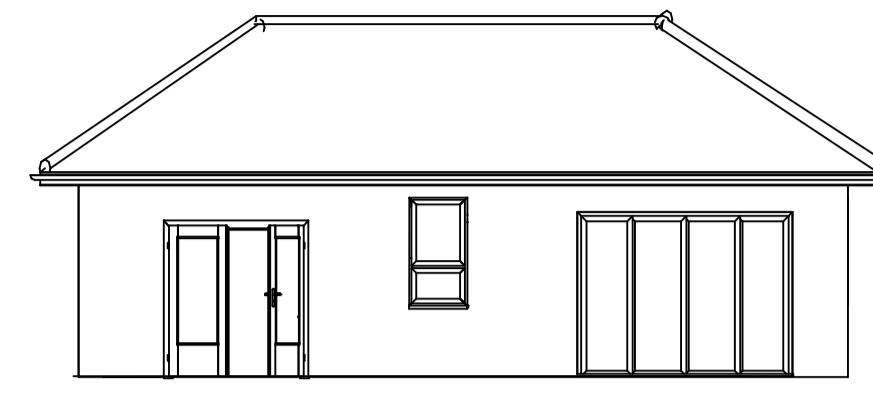
Front Elevation West facing



Side Elevation - North facing



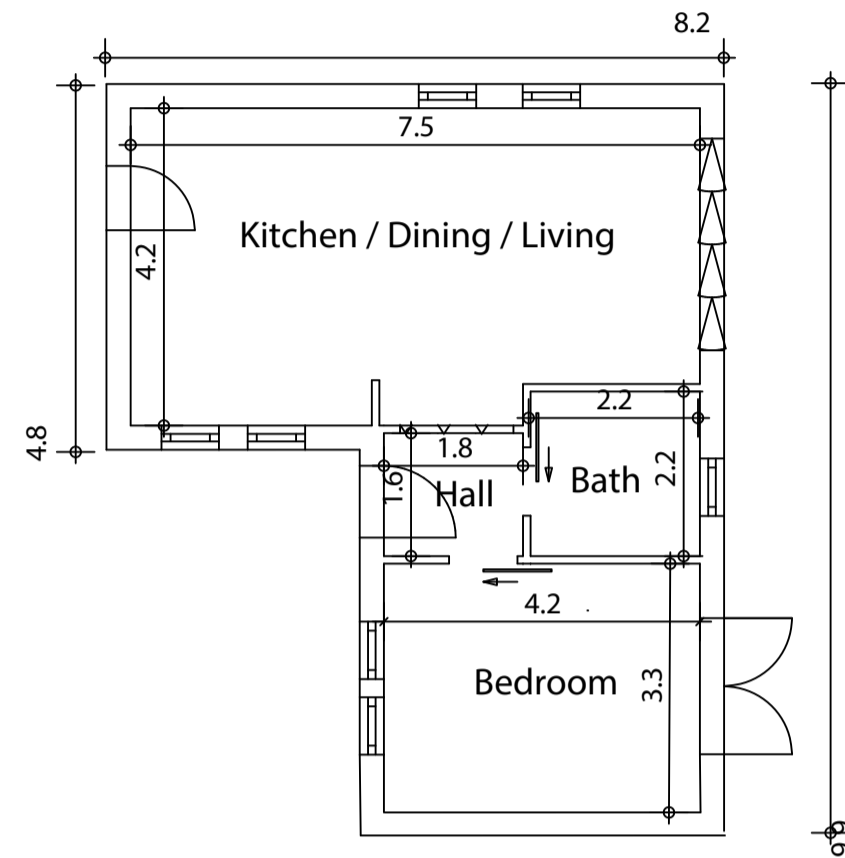
Rear Elevation East facing



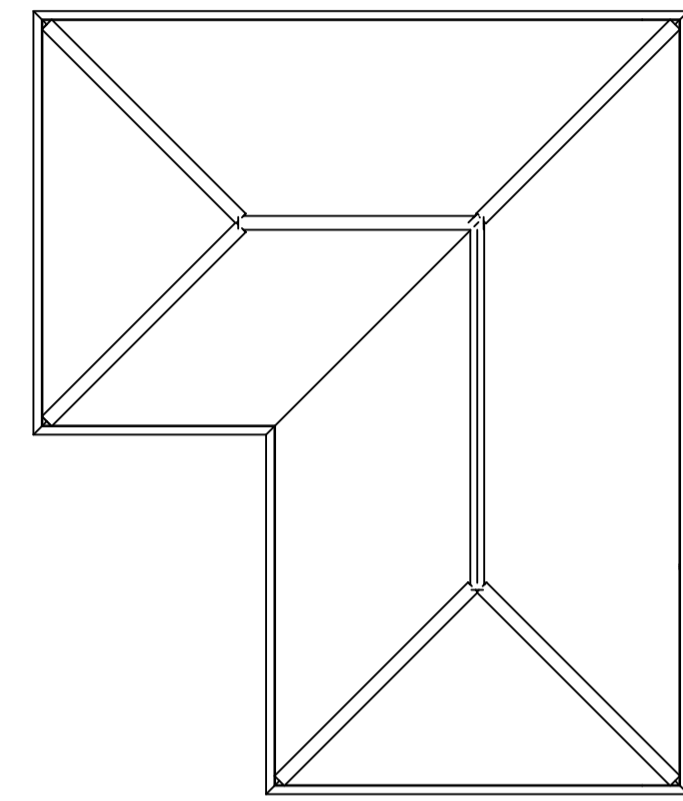
Side Elevation South Facing



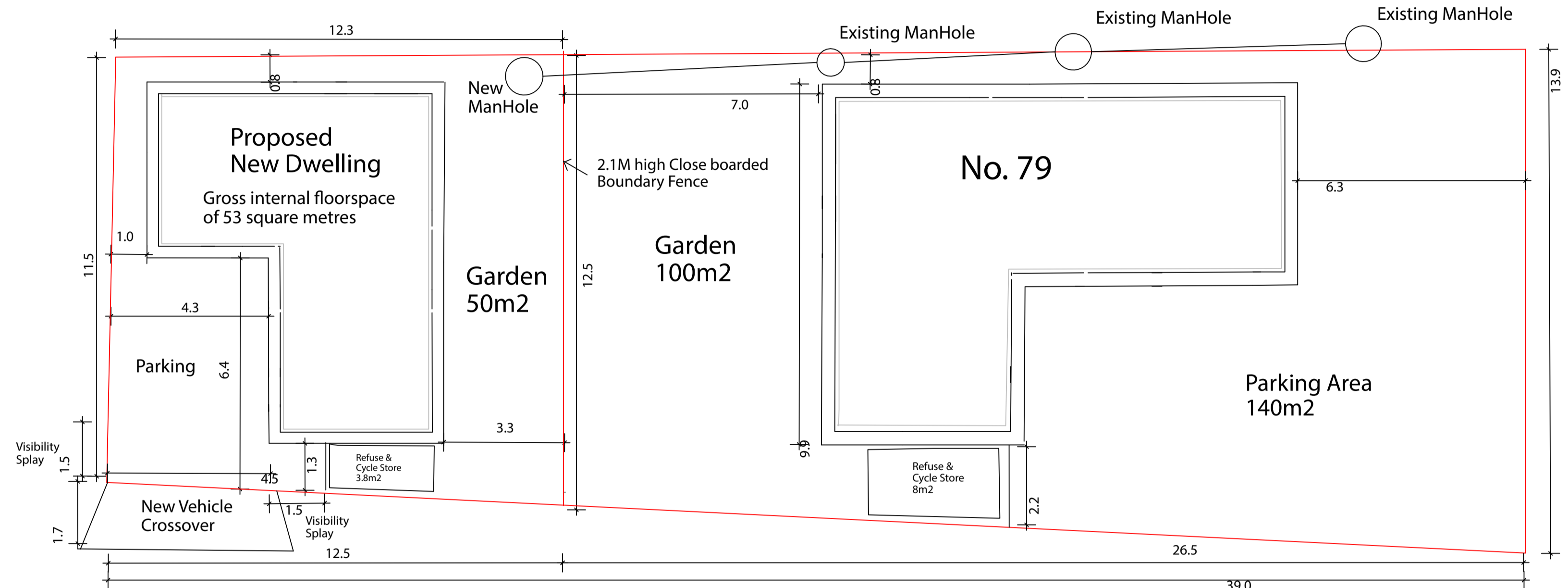
Illustrative 3D Image of New Dwelling as proposed



Ground Floor Plan

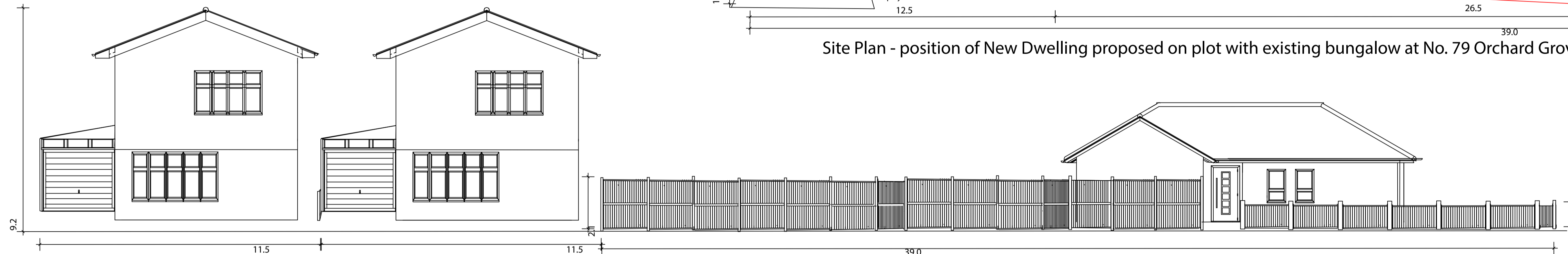


Roof Plan



Site Plan - position of New Dwelling proposed on plot with existing bungalow at No. 79 Orchard Grove

Existing Streetscene

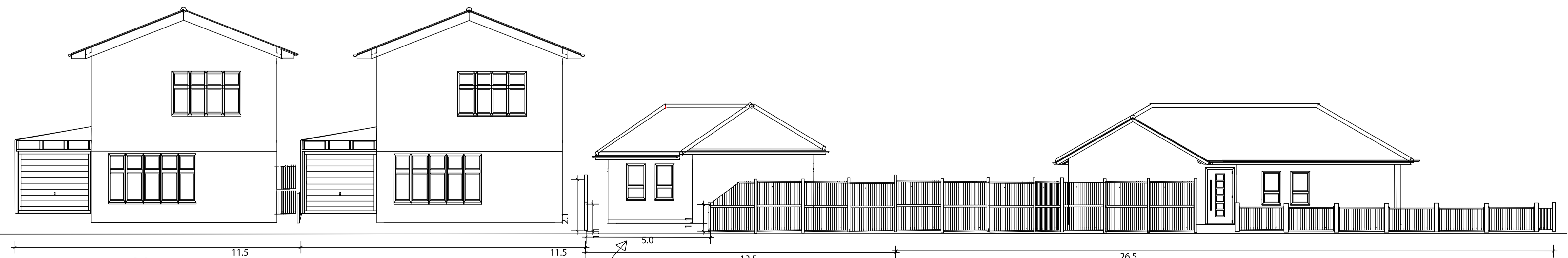


No. 87

No. 85

No. 79

Proposed Streetscene

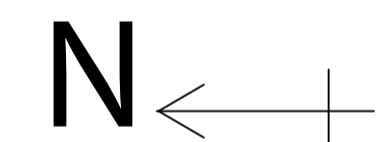


No. 87

No. 85

New Dwelling
New vehicle crossover

No. 79



SCALE 1:100



Proposal:

Subdivide Plot and construct 1No. One Bedroom Detached Bungalow, layout amenity space and Parking, new Vehicle Crossover onto Orchard Grove.

PROPOSED PLAN

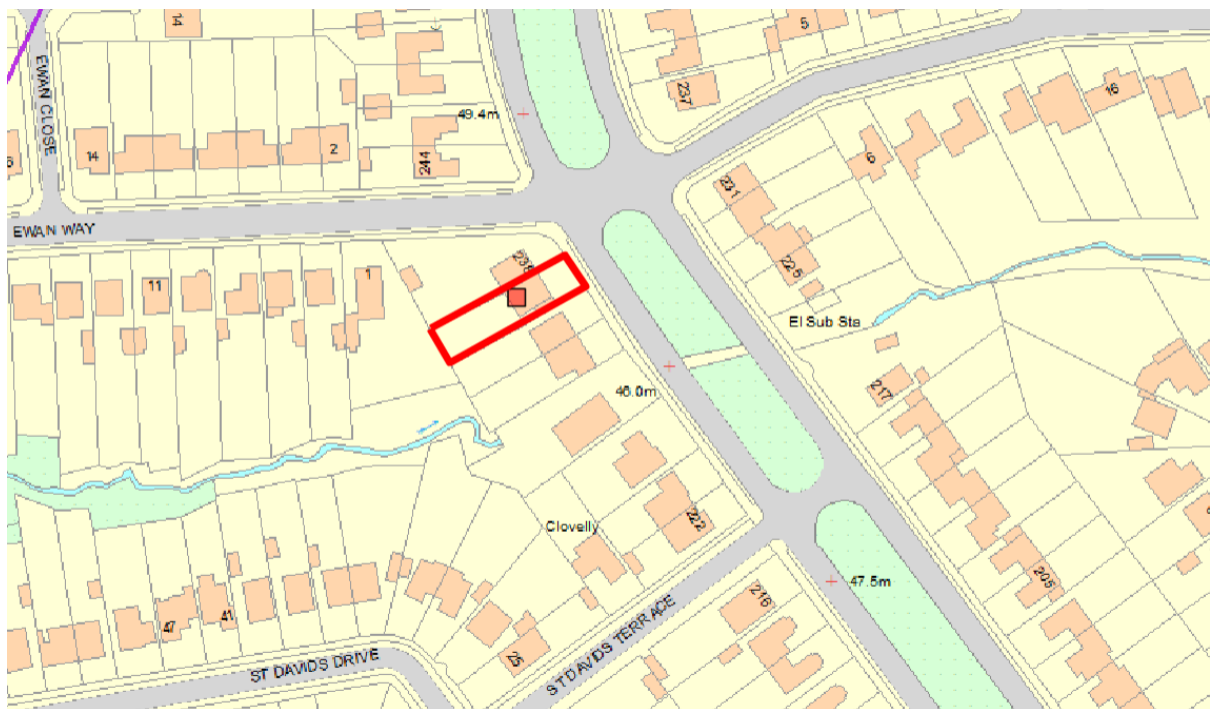
Location: Land rear of 79 Orchard Grove, Leigh-on-sea, SS9 5TP

Applicants: Mr & Mrs Young

Drawing Number: 79a/002/2017

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Reference:	17/00364/FULH	13
Ward:	West Leigh	
Proposal:	Demolish existing conservatory to rear and erect single storey rear extension	
Address:	236 Highlands Boulevard, Leigh-On-Sea, Essex, SS9 3QY	
Applicant:	Mrs Sara Procter	
Agent:	N/A	
Consultation Expiry:	28 th March 2017	
Expiry Date:	1 st May 2017	
Case Officer:	Anna Tastsoglou	
Plan Nos:	1036/2; Existing ground floor layout & Location Plan	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to demolish the existing conservatory to the rear and erect a single storey flat roof rear extension. Materials to be used would include white UPVC windows, bi-folding aluminium doors and the external walls would be finished in render to match existing.
- 1.2 The proposed single storey extension would measure a maximum of 7.2m wide x 3.9m deep, with a maximum height of 3m. The extension would enlarge an existing kitchen/dining room.
- 1.3 It is noted that the proposal was amended during the course of the application to reduce the depth of the extension by 400mm.
- 1.4 The applicant is a member of the Council's staff and therefore, the application falls to be considered by Development Control Committee.

2 Site and Surroundings

- 2.1 The site is occupied by a semi-detached two storey dwelling, located on the western side of Highlands Boulevard south of Ewan Way. The property is finished in white render, it has typical double storey front bay windows and a roof that has been enlarged to a gable to form habitable accommodation in the roof. The property has a mono-pitched side extension and a conservatory to the rear. The front curtilage is predominantly hard surfaced and used for parking.
- 2.2 The area is residential in character. This section of Highlands Boulevard is characterised by two storey semi-detached dwellinghouses, which although not uniform in terms of style and design, they are of similar size and they all have traditional characteristics. The front building line is well established and the area topographically slopes downwards to the south.

3 Planning Considerations

- 3.1 The key considerations in relation to this application are the principle of the development, design and impact on the character of the area, impact on residential amenity and any traffic and transport issues.

4 Appraisal

Principle of Development

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD2 Policies DM1 and DM3.

- 4.1 The dwelling is located within a residential area and an extension to the property is considered acceptable in principle. Other material planning considerations are discussed below.

Design and Impact on the Character of the Area

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3; SPD 1 (Design & Townscape Guide (2009))

- 4.2 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 4.3 Paragraph 56 of the NPPF states that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
- 4.4 Policy DM1 of the Development Management DPD states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.
- 4.5 According to Policy KP2 of Core Strategy (CS) new development should *“respect the character and scale of the existing neighbourhood where appropriate”*. Policy CP4 of CS requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 4.6 Paragraph 348 of The Design and Townscape Guide (SPD1) states that *“whether or not there are any public views, the design of the rear extensions is still important and every effort should be made to integrate them with the character of the parent building, particularly in terms of scale, materials and the relationship with existing fenestration and roof form.”*
- 4.7 The proposed rear extension would be larger in width from the existing conservatory; however, on balance, it would be acceptable in relation to scale of the existing property. Although the flat roof of the proposed extension would not fully integrate with the roof design of the existing property, given that it has been reduced in depth and its maximum height would be limited, on balance, it is considered that its impact on the visual amenity of the dwelling itself and the wider area is acceptable.

Traffic and Transport Issues

NPPF; Development Management DPD Policy DM15; DPD 1 (Core Strategy) Policy CP3; SPD 1 (Design & Townscape Guide (2009))

- 4.8 Policy DM15 of the Development Management DPD requires all development to meet the minimum off-street parking standards. The proposal would not result in the loss of existing parking spaces and therefore, no objection is raised in relation to car parking space provision.

Impact on Residential Amenity:

NPPF; Development Management DPD Policy DM1; SPD 1 (Design & Townscape Guide (2009))

- 4.9 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 4.10 With regard to the impact on the neighbouring property to the north No. 238 Highlands Boulevard, the rear extension would be sited up to the shared boundary and it would project approximately 3.9m beyond the rear wall of the adjacent dwelling. Given the limited height of the proposed development and the fact that the extension would be of similar depth to the existing conservatory, which is also taller from the proposed extension, on balance, it is considered that the relationship between the properties would be acceptable and not materially harmful, in terms of loss of light or domination. The neighbouring site is a corner plot and therefore, it is open to the north. Therefore, it is not considered that the proposed development would result in an undue sense of enclosure. The development would not result in overlooking, given that no windows are proposed to be installed to the north elevation.
- 4.11 The proposed extension would be sited 1.1m off the southern boundary and approximately 3.2m away from the neighbouring dwelling to the south. Although it is accepted that the proposed development would have some impact on the neighbours to the south, given that the dwelling to the south is set lower from the application site, on balance, taking into account the separation distance and the limited height of the development, it is not considered that the impact caused would result in material harm to the occupants. The proposal would not result in a material loss of light, given the orientation of the site and it would not compromise the neighbours' privacy, given that the windows proposed to the south elevation would be high level windows (around 2m from the ground).
- 4.12 An approximate 14.3 metres separation distance would be maintained between the proposed extension and the rear boundary. As such, the rear extension would have no impact on the nearby neighbours to the west, by way of overshadowing or domination.

Community Infrastructure Levy

CIL Charging Schedule 2015

- 4.13 The new floor space created by the proposal would be less than 100m². Therefore, the proposed development is not CIL liable.

5 Conclusion

- 5.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. On balance, the proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the streetscene and the locality more widely. The proposal would not result in any adverse impact on parking provision or highways safety. This application is therefore recommended for approval subject to conditions.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (2012) : Section 7 (Requiring Good design)
- 6.2 Development Plan Document 1: Core Strategy, KP2 (Development Principles), CP3(Transport and Accessibility) and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management DPD 2015: DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

7 Representation Summary

Public Notification

- 7.1 Six neighbours were consulted and no letters of objection have been received.

8 Relevant Planning History

- 8.1 05/00330/FUL - Alter hipped roof to form gable end and erect single storey side extension. Planning permission granted.
- 8.2 16/01987/GPDE - Erect single storey rear extension, projecting 4.3m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 4m. Prior approval refused.

9 GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development hereby permitted shall begin not later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1036/2 & Location Plan.**

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

- 03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and Design and Townscape Guide (2009).

- 04 The flat roof of the rear extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.**

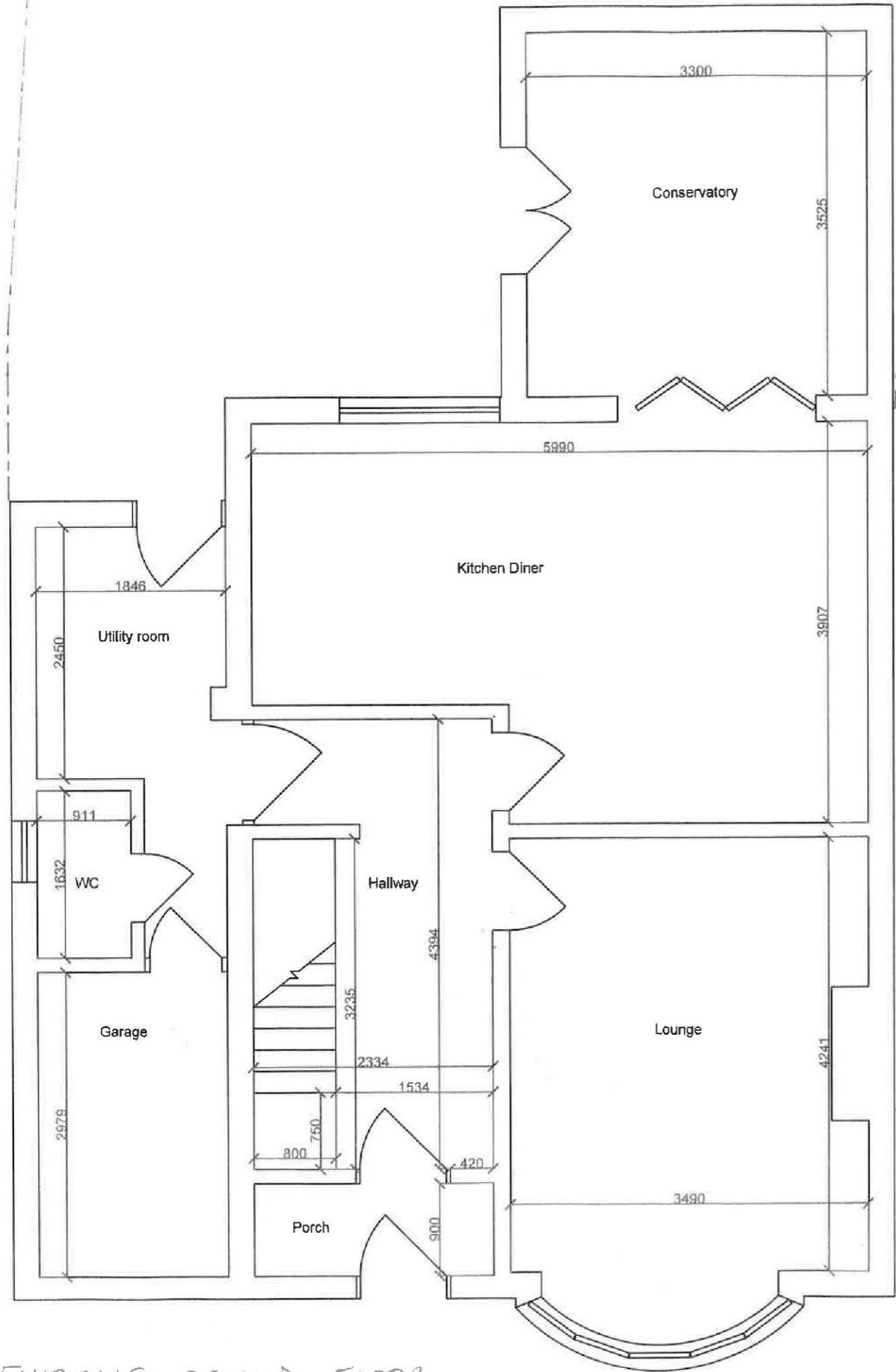
Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy CP4, Development Management Document (2015) Policy DM1, and Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

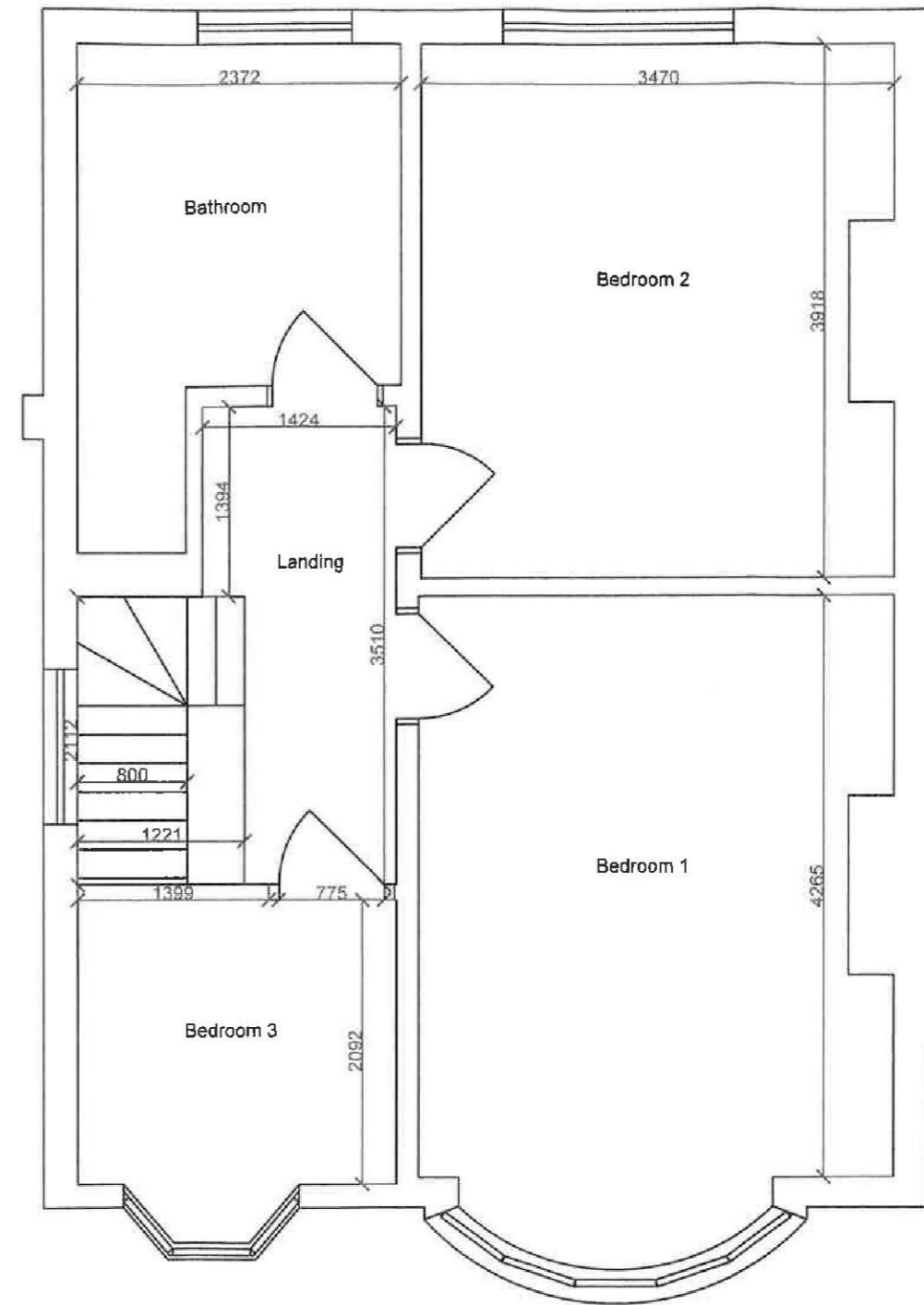
- 1 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.**

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EXISTING GROUND FLOOR LAYOUT

Left: Ground floor, below: first floor



PROPOSED -
DEMOLISH EXISTING
CONSERVATORY AND
ERECT GROUND FLOOR
REAR EXTENSION.

Mr & Mrs Procter
ADDRESS: 236 Highlands Boulevard
Leigh-on-Sea SS9 3QY

SCALE: 1:50 Do not scale from drawing

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LOCATION PLAN

236 Highlands Boulevard, Leigh On Sea, SS9 3QY



Site Plan shows area bounded by: 562215.29, 187081.07 582356.71, 187222.49 (at a scale of 1:1250), OSGridRef: TQ82288715. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

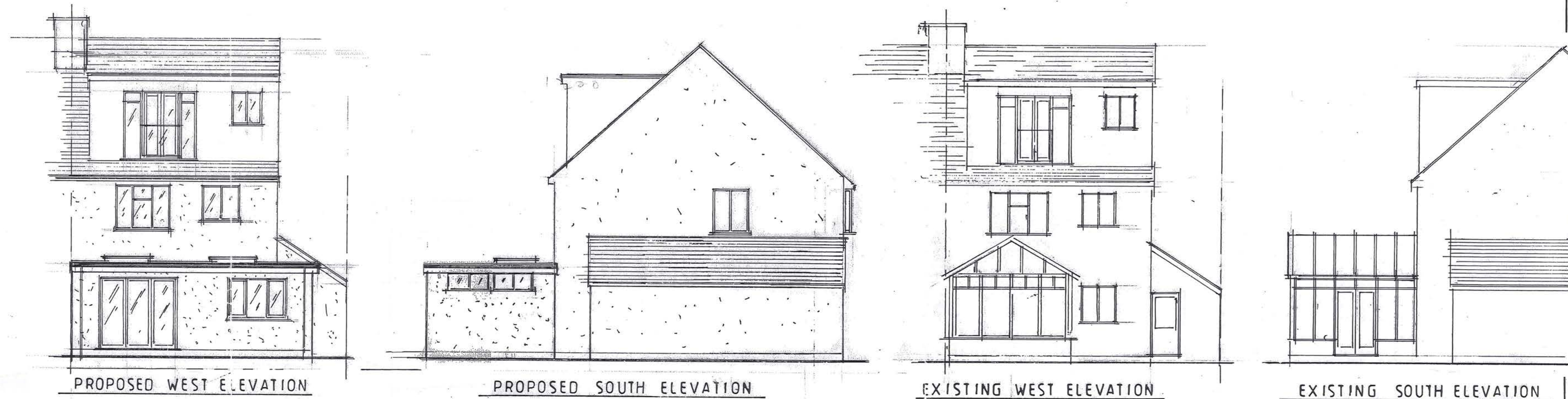
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SOAKAWAYS
Constructed from 1M cubed of hardcore at least 5.5M from any building and well away from boundaries. Maximum 30 sq. M of roof area per soakaway.

To soakaway



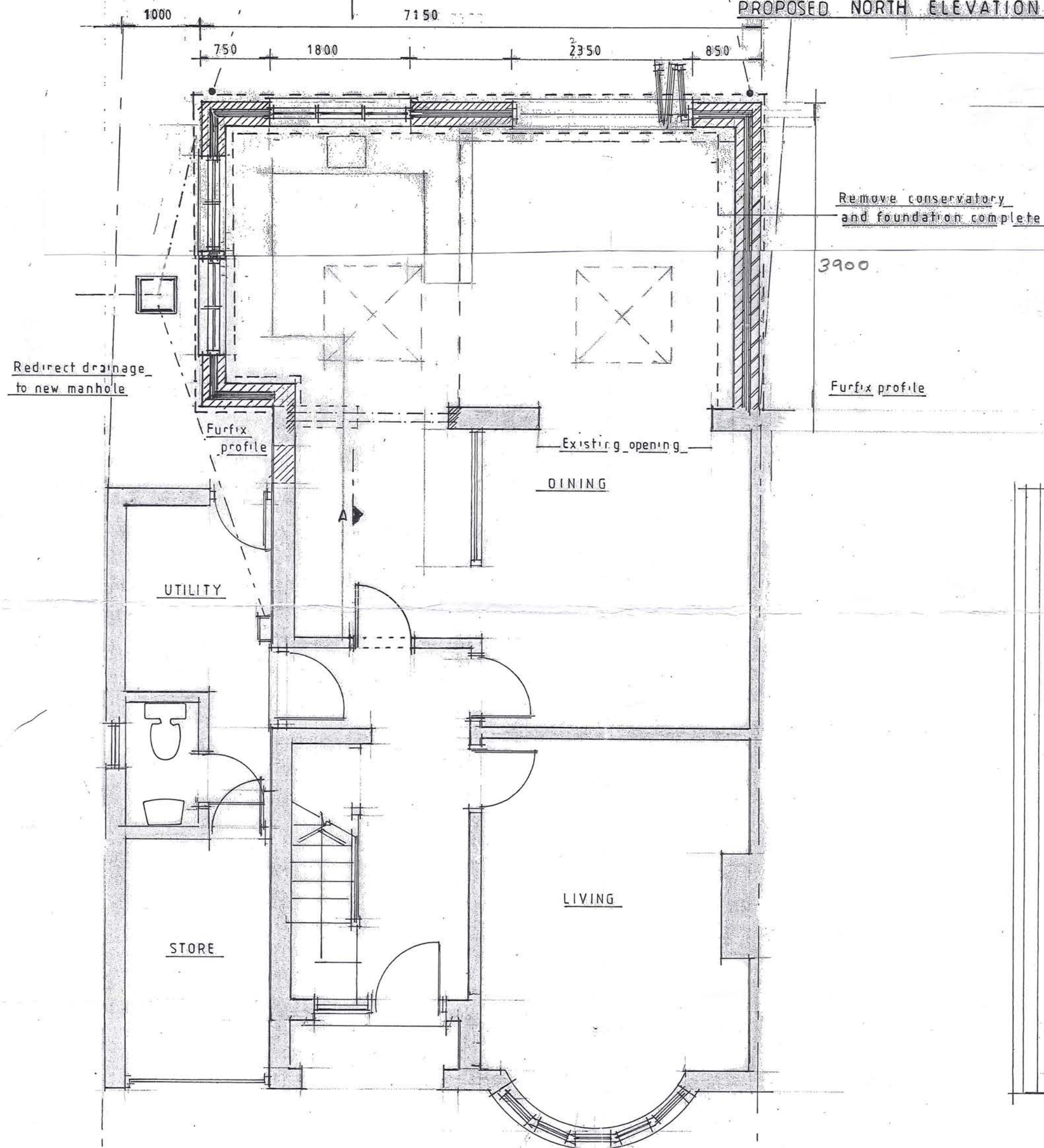
PROPOSED NORTH ELEVATION

PROPOSED WEST ELEVATION

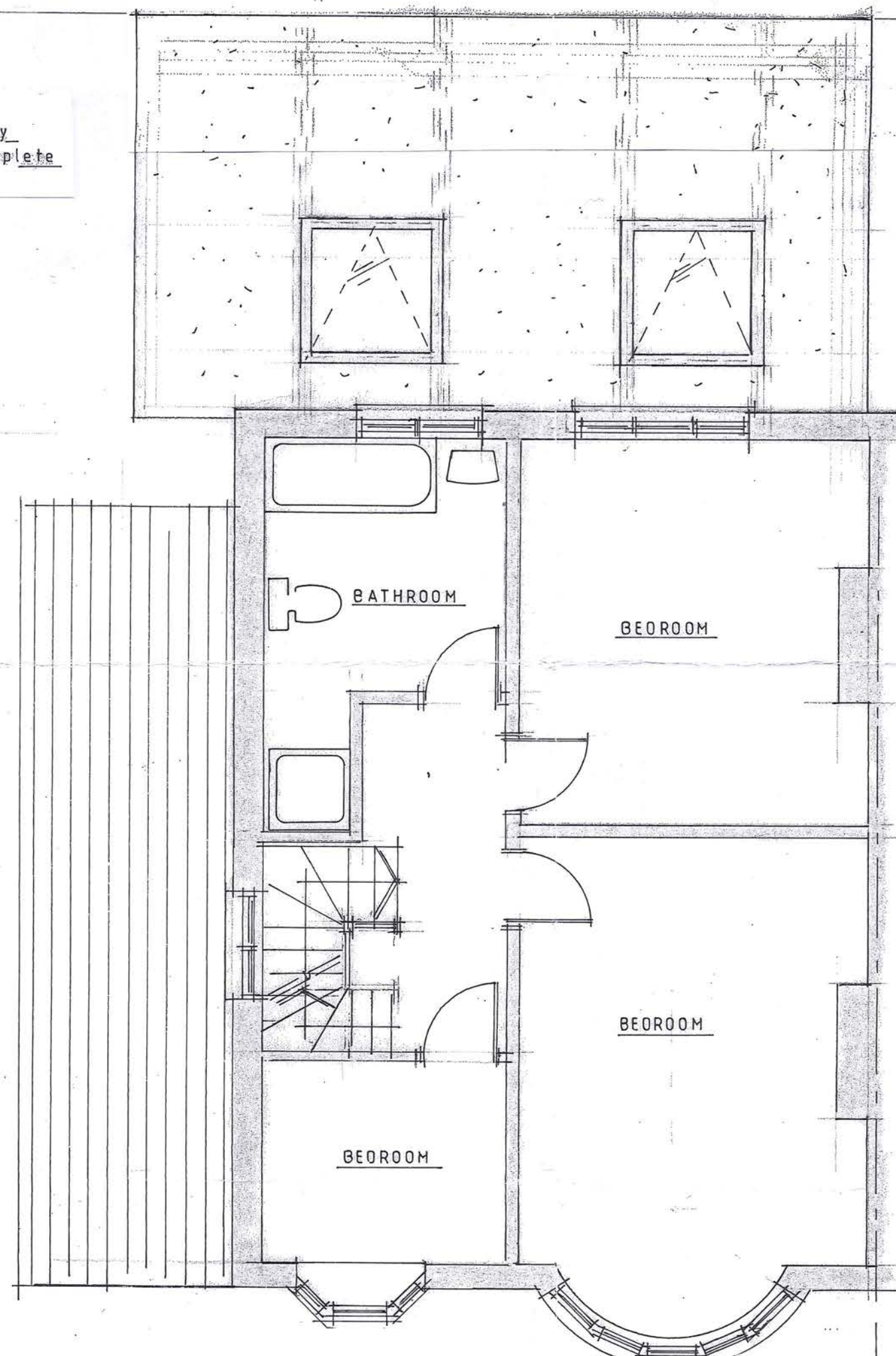
PROPOSED SOUTH ELEVATION

EXISTING WEST ELEVATION

EXISTING SOUTH ELEVATION



GROUND FLOOR PLAN

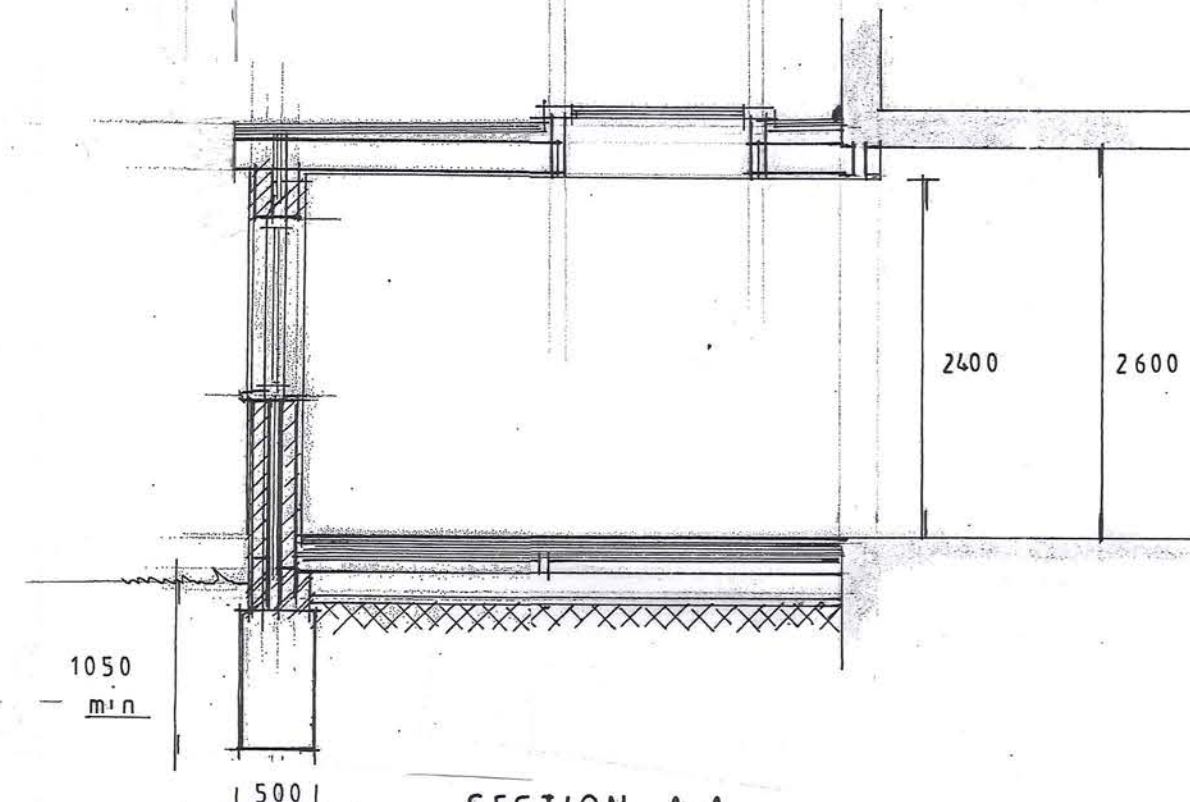


FIRST FLOOR PLAN

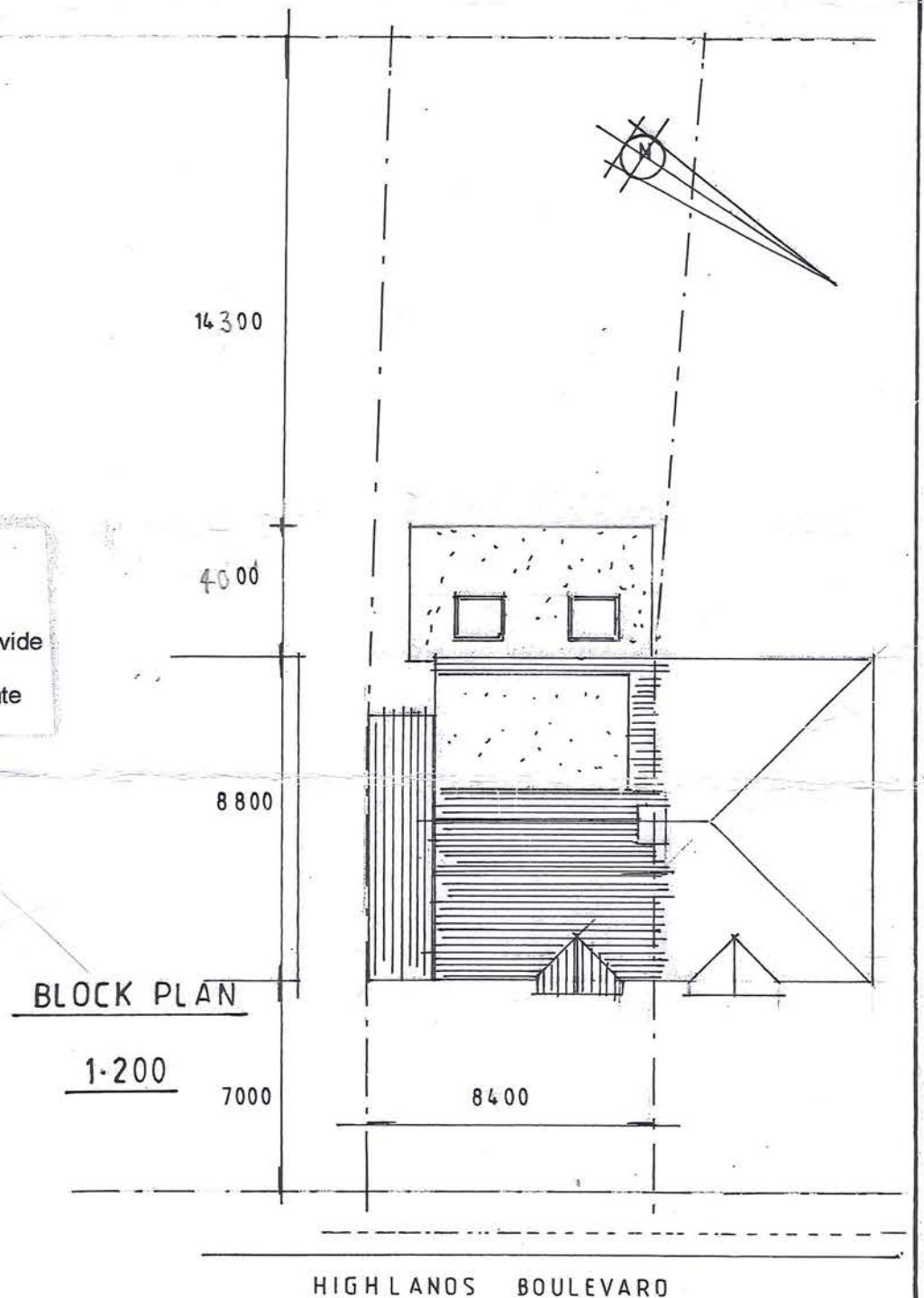
ROOFLIGHTS / LIGHTWELLS
AA rated. Double /triple joists to sides of openings. Complete with flashings
Light wells to be constructed from 100 x 50mm studwork with 100mm Celotex insulation

LATERAL AND VERTICAL RESTRAINT
5 X 30mm galvanised mild steel straps 1M long built into or screwed to blockwork or studwork and 3No. joists and rafters at maximum 2M centres to provide lateral restraint
Vertical straps at max 2M centres screwed to wall plate and blockwork to provide vertical restraint

FLAT ROOF
12.5mm layer of bonded chipping on three layers of bituminous felt to BS 747 or fibreglass roofing system, dressed up wall min 150mm and 450mm under tiles with Celotex single ply membrane 120mm with 18mm plywood on firings on 47mm x 200mm joists at 400mm centres.
Double/Triple joists bolted together around rooflights



SECTION A-A



BLOCK PLAN

1-200

HIGHLANDS BOULEVARD

ROOM VENTILATION
To be equal to 1/20 of floor area. Background ventilation to be by means of trickle vents in head of frames equal to 8000mm sq. in habitable rooms and 4000mm sq. in kitchen.

MECHANICAL VENTILATION
To wet room, en suites and wc's by means of extract fan equal to 15 litres per second operating intermittently. To kitchen and utility room by means of extract fan equal to 60 litres per second or cooker hood equal to 30 litres per second operating intermittently.

WINDOWS & EXTERNAL DOORS
To be upvc double glazed with a minimum 16mm air gap and low E glass with a U value of 1.6W/m sq C to windows and 1.8W/m sq C to doors.
Windows for escape must have a minimum opening of 450mm x 750mm.
Glazed doors and any glazing below 800mm above floor level to be made of safety glass to BS 6206

PLUMBING
Traps to have 75mm water seals. Waste pipe to basin to be 32mm. Waste to bath and sink to be 38mm.

ELECTRICS
All electrical works to be carried out in accordance With BS 7671 and Part P of the building regulations To be installed by a competent person with self certification. All switches and sockets to be between 450mm and 1200mm above finished floor level. At least 75% of new light fitting to energy efficient.

HEATING
New radiators to have thermostatic valves

SMOKE DETECTORS
To be mains operated and interlinked. Heat detector to kitchen

DAMP PROOF COURSE
To be 150mm minimum above ground level

TIMBER SUSPENDED GROUND FLOOR
21mm t+g chipboard on 50mm x 220mm joists, grade 24, at 400mm centres with noggins at mid span and 140mm of Celotex FF4000 between joists supported on clips. 150mm void below floor and 50mm concrete blinding

FOUNDATIONS
Concrete strength to be 20/20. With minimum cement Content not less than 300kg/m cubed
Minimum 450mm wide x 1050mm deep minimum, subject to site conditions. Finishing a minimum of 500mm below any roots and invert of drain.
Foundations running through line of drains to be so constructed that no pressure is transferred to the pipework
Foundations adjacent to boundary to be 600mm wide to be excavated and poured in geographical sequence with reinforcing bars connecting. Adjoining pads not to be excavated and poured within 24 hours.
Reinforcement to have minimum of 70mm cover. Holes to be concreted immediately after excavation. Form movement joint with 10mm polystyrene where abutting neighbouring foundations.

EXTERNAL WALLS
Either: 100mm Fibrelite concrete blocks externally finished with 2 coats of waterproof render or brickwork to match existing 100mm cavity with 80mm Drytherm 32 insulation and finished internally with 100mm Calcon 3.5N blockwork finished with 12.5 mm plaster and skim. Durox trench blocks below ground Any timber floors to be ventilated through solid floors, air bricks to achieve equivalent of 1500mm sq. per metre run. Cavity trays above steel beams.

EXTERNAL WALL ON BOUNDARY
100mm facing brickwork, 100mm cavity, filled with Drytherm 32 insulation, 100mm Durox blockwork finished internally with 12mm lightweight plaster and 5mm skim. Brickwork only below dpc or trench blocks.

WALL TIES
To be twist type at 750mm crs horizontally 450mm crs vertically staggered.

LINTOLS
Cavity wall lintols to be Catic CG90/100 type or similar approved
Solid walls to be Catic CN71A unless otherwise stated.

MRS S. PROCTER.

PROPOSED REAR EXTENSION

236 HIGHLANDS BOULVD
LEIGH-ON-SEA

1:50 1:100

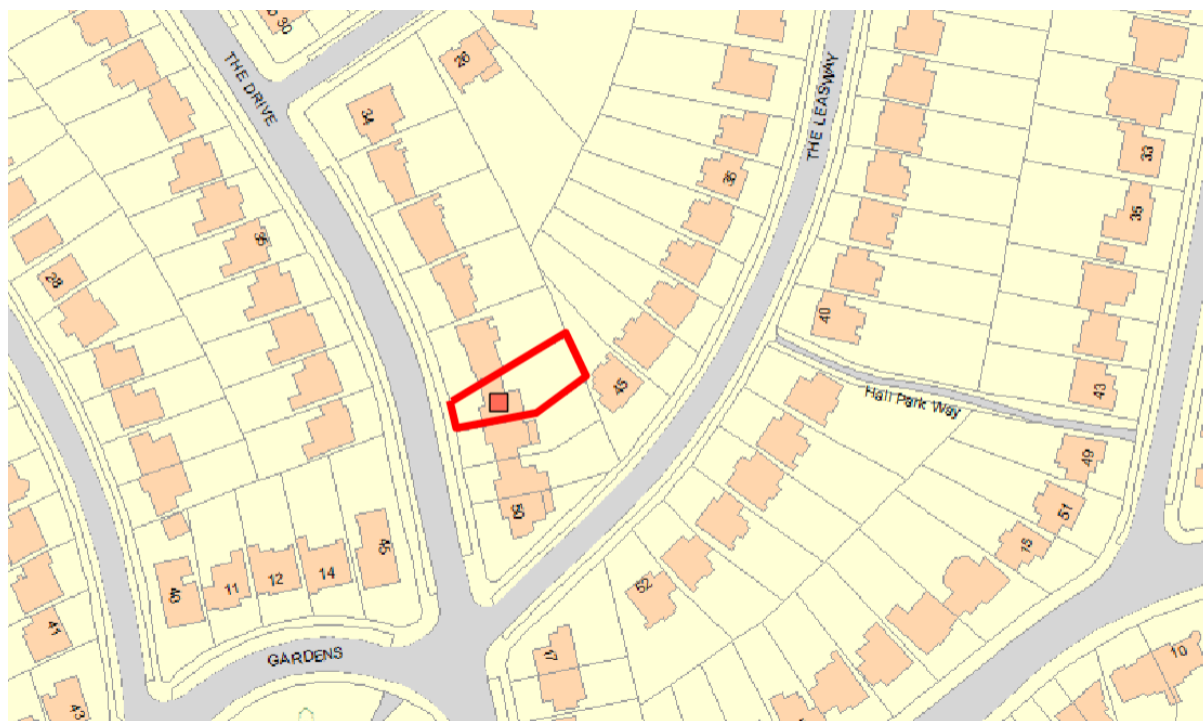
APRIL 17

SP

103612

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Reference:	17/00435/FULH	14
Ward:	Chalkwell	
Proposal:	Erect single storey side extension	
Address:	44 The Drive, Westcliff-On-Sea, Essex, SS0 8PN	
Applicant:	Meryl Harry and Nicholas Harry Carrigan	
Agent:	Mr Mark Hipsey	
Consultation Expiry:	5 th April 2017	
Expiry Date:	30 th June 2017	
Case Officer:	Anna Tastsoglou	
Plan Nos:	28620 06	
6Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to erect a flat roof single storey side extension. Materials to be used would include UPVC windows and doors, single ply GRP roofing and the external walls would be finished in render to match existing.
- 1.2 The proposed side extension would have an L-shape, it would be sited to the rear of the existing single storey store to the side of the dwelling and it would measure a maximum of 6.1m deep x 3.1m wide, with a maximum height of 3 metres. The proposed extension would accommodate a kitchen and a wet room.
- 1.3 The application is required to be considered by to the Development Control Committee as the applicant is a member of the Council's staff.

2 Site and Surroundings

- 2.1 The application site is located on the eastern side of The Drive to the north of its junction with The Leasway and it is occupied by a two storey semi-detached dwelling, with a front gable projection, finished in render and red hanging tiles. The front garden is mainly planted incorporating a pavement crossing and on drive parking.
- 2.2 The surrounding area is residential, characterised by a consistent streetscene of two storey, semi-detached, 1930s, hipped roofed dwellinghouses. Mature trees and grass verges are planted along the public highway.

3 Planning Considerations

- 3.1 The key considerations in relation to this application are the principle of the development, design and impact on the character of the area, any traffic and transport issues and impact on residential amenity.

4 Appraisal

Principle of Development

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3.

- 4.1 The dwelling is located within a residential area and an extension to the property is considered acceptable in principle. Other material planning considerations are discussed below.

Design and Impact on the Character of the Area:

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3; SPD 1 (Design & Townscape Guide (2009))

- 4.2 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 4.3 Paragraph 56 of the NPPF states that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*
- 4.4 Policy DM1 of the Development Management DPD states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.
- 4.5 Policy DM3 (5) also advises that *‘Alterations and additions to a building will be expected to make a positive contribution to the character of the original building and the surrounding area through:*
- (i) The use of materials and detailing that draws reference from, and where appropriate enhances, the original building, and ensures successful integration with it; and*
 - (ii) Adopting a scale that is respectful and subservient to that of the original building and surrounding area; and*
 - (iii) Where alternative materials and detailing to those of the prevailing character of the area are proposed, the Council will look favourably upon proposals that demonstrate high levels of innovative and sustainable design that positively enhances the character of the original building or surrounding area.’*
- 4.6 According to Policy KP2 of Core Strategy (CS) new development should *“respect the character and scale of the existing neighbourhood where appropriate”*. Policy CP4 of CS requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 4.7 Paragraph 351 of The Design and Townscape Guide (SPD1) states that *“side extensions should be designed to appear subservient to the parent building. This can generally be achieved by ensuring the extension is set back behind the existing building frontage line and that its design, in particular the roof, is fully integrate with the existing property.”* It is also added that *“extensions over one storey should be set off the boundary to provide an equivalent amount of contextual separation that reflects the prevailing local character and should always be continues on their form.”*

- 4.8 The property is a semi-detached dwellinghouse with a flat roof side extension which projects in line with the main front building line of the dwelling. It is proposed to erect a flat roof single storey side extension, which would be sited to the rear of the existing store. The proposed extension would have a marginally taller flat roof from the existing store (approximately 300mm higher); however, given its position around 2.7m back from the front building line and the existing extension, it is not considered that this marginal increase in height would not be readily visible from the public domain. The neighbouring dwelling to the north has an existing side extension with a front parapet and therefore, it is considered that the proposed extension would be largely hidden behind the neighbouring side extension when approaching the site from the north. No objection is raised regarding the finishing materials and the proposal is considered to have an acceptable impact on the visual amenity of the area and the host property.

Traffic and Transport Issues

NPPF; Development Management DPD Policy DM15; DPD 1 (Core Strategy) Policy CP3; SPD 1 (Design & Townscape Guide (2009)

- 4.9 Policy DM15 of the Development Management DPD requires all development to meet the minimum off-street parking standards. The proposal would result in partial loss of an existing store which cannot be used as parking and therefore, the proposal would not result in net loss of existing parking spaces. As such, no objection is raised in relation to car parking space provision.

Impact on Residential Amenity:

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policy DM1; SPD 1 (Design & Townscape Guide (2009)

- 4.10 The Design and Townscape Guide (SPD1) states that *“extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.”* (Paragraph 343 - Alterations and Additions to Existing Residential Buildings). Policy DM1 of the Development Management DPD requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities *“having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.”*
- 4.11 The proposed single storey extension would be sited a minimum of 1m off the northern boundary with 42 The Drive and it would not project beyond the existing wall along the shared boundary. The neighbouring dwelling to the north has an existing garage abutting the boundary and the dwelling is located a further 2.2m away from the boundary. It is also noted that the application site sits lower from the adjacent dwelling to the north. Therefore, on the basis of the all the above, it is considered that the proposed single storey flat roof extension would not have a detrimental impact on the residential amenity of the neighbouring occupiers, in terms of loss of light, undue sense of enclosure or overbearing impact. The bathroom window to the north elevation is not considered to result in overlooking, given the existing retained wall between the two properties.

- 4.12 The proposed extension would not project beyond the existing rear elevation of the dwelling and therefore, it would not cause any greater impact on the amenities of the neighbours to the south, by way of overshadowing or domination.
- 4.13 An approximate 13.8 metres separation distance would be maintained to the rear boundary. Thus, the proposed side extension would not have any detrimental impact on the amenity of the neighbours to the east, in terms of loss of light, sense of enclosure or overlooking.

Community Infrastructure Levy

CIL Charging Schedule 2015

- 4.14 The new floor space created by the proposal would be less than 100m². Therefore, the proposed development is not CIL liable.

5 Conclusion

- 5.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. The proposal would not result in any unacceptable highways impacts or in an increase off-street parking demand. The application is recommended for approval subject to conditions.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (2012) : Section 7 (Requiring Good design)
- 6.2 Development Plan Document 1: Core Strategy KP2 (Development Principles), CP3(Transport and Accessibility) and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management DPD 2015: DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

7 Representation Summary

Public Consultation

- 7.1 Eight neighbours were consulted and no letters of objection have been received.

8 Relevant Planning History

- 8.1 No relevant planning history.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development hereby permitted shall begin not later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 28620 06.**

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

- 03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and Design and Townscape Guide (2009).

- 04 The flat roof of the side extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy CP4, Development Management Document (2015) Policy DM1, and Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

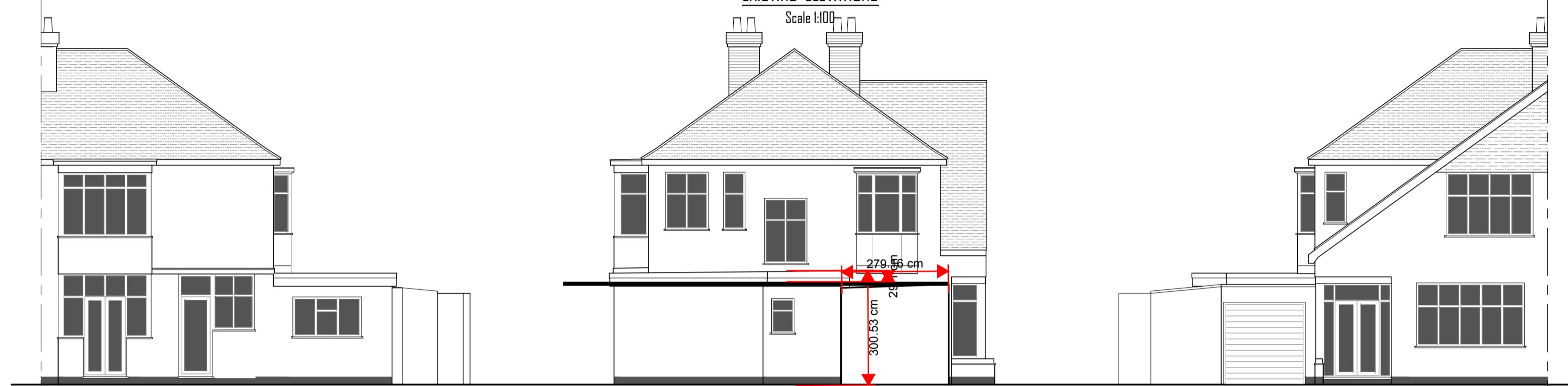
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EAST ELEVATION

NORTH ELEVATION EXISTING ELEVATIONS

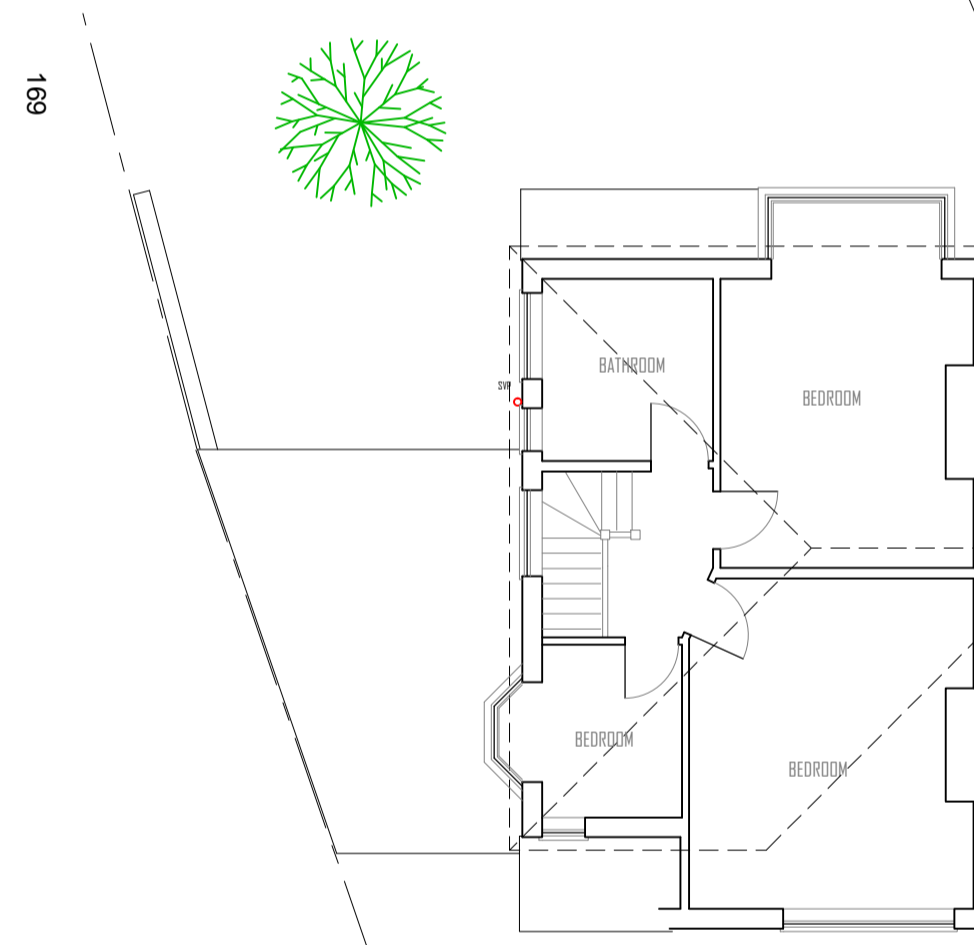
WEST ELEVATION



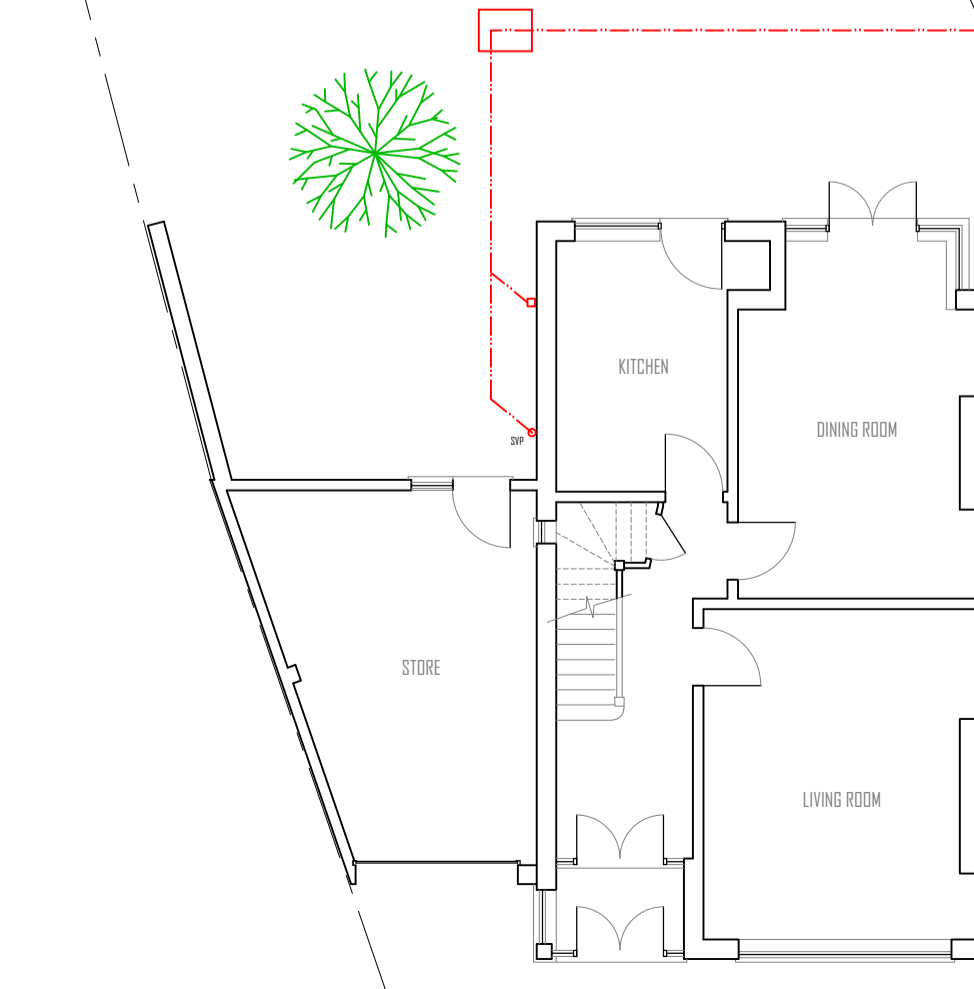
EAST ELEVATION

NORTH ELEVATION PROPOSED ELEVATIONS

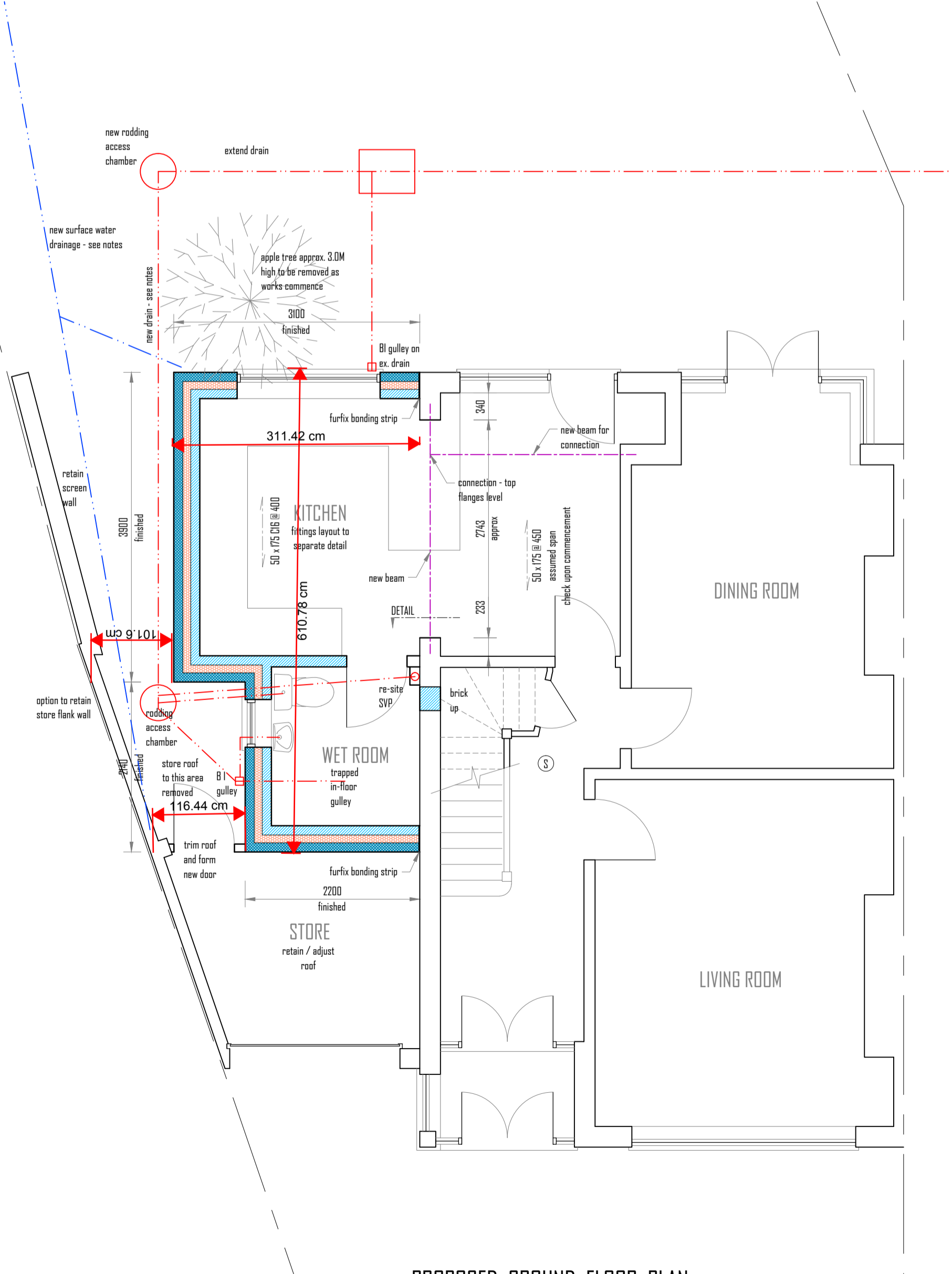
WEST ELEVATION



EXISTING FIRST FLOOR PLAN Scale 1:100



EXISTING GROUND FLOOR PLAN Scale 1:100



PROPOSED GROUND FLOOR PLAN Scale 1:50

Party Wall Etc. Act 1996 This scheme falls within the scope of the above Act. Please note that notice must be served at least two months prior to the commencement of works. Such notice must be given in writing, in the proper manner as laid down in the Act. The Client is advised to seek advice.

It is the employer's responsibility to ensure compliance with the **Construction (Design & Management) Regulations 2015**. A Design Stage Risk Assessment has been prepared and must be passed to the main contractor.

Foundations to be in mass concrete to 1:3:6 mix with ordinary portland cement. 500mm wide. Foundation 1500mm deep or to the bearing soil or 550 mm below evidence of root growth, whichever is the greater and to the satisfaction of the Building Control Officer. Depth MAY need to be increased subject to ground conditions and tree roots discovered all in accordance with the NHBC Tables. Foundation depth to be agreed with the Building Control Officer and changes in depth to be no more than 300mm increments.

Drain runs positions, direction and invert are assumed and must be exposed and examined by the Building Control Officer for confirmation of drainage layout plans.

New FW drain to be in 100mm Hepstave or Dama Pipes to BS 4680 laid to falls of 1:40 and surrounded in 150mm pea-shingle. New rodding access chambers / manholes to be precast concrete or plastic backed with and on 150mm DPC.

New SW drain to be in 100mm Hepstave or Dama Pipes to BS 4680 laid to falls of 1:40 and surrounded in 150mm pea-shingle and to run to new soakaway to be sited no less than 4500mm from any structure. Liaise with the BCO and agree gutter falls and discharge to ensure approximately 30.00 sq. m. catchment to discharge to the soakaway with the remainder discharging as existing. The capacity of the proposed soakaway to be 1.0 cu. m. Sides and base of soakaway pit to be lined with geotextile material.

New floor: minimum 70mm sand/cement screed with light mesh reinforcement on 1000gpm polythene with welded joints as vapour barrier or 85mm Celotex FF4000 insulation on thin layer of sand blinding to take out irregularities of the tamped slab on 1200gpm polythene DPM with welded joints and lapped up to the horizontal DPC throughout. Celotex laid in accordance with the manufacturer's instructions and to incorporate edging strips. NOTE: should under-floor heating be selected, care must be taken to follow the installation instructions by messrs Celotex. 100mm opc slab on no less than 100mm well-consolidated hardcore.

External walling in cavity walling with external face finished in two-coat sand/cement render with waterproof additive all in accordance with BS 5262 including finished with bell drip at the DPC all on 100mm Tarmac Hemlite 3.5N blocks with beds and perps raked 12mm. 100mm cavity fully filled with 97mm Celotex CF5000 interlocking sheets and incorporating RT2 ties @ 450mm vertical and 750mm horizontal centres, and inner skin of 100mm 3.5N Durox Supablock. Cavity closures either Termabate 100 or block return and vertical DCP dependent upon fixings required for chosen door profile. Wall ties to the cavity are to be @ max. 300mm vertical centres @ cavity close. DPC to BS743 to be 150mm above finished ground level. Bricks or Class A Blocks below DPC. "Firtex" stainless steel bonding strip, fibre board and mastic at juncture of new to existing walling. Wall plate restrained by 30x5mm mild steel strips bonded to blockwork and at 1200mm centres. Incorporate 225 x 75 air bricks and telescopic @ 1500mm centres for sub-floor ventilation.

New roof to incorporate beams/members and fixings as detailed. Roof finished in single layer AA rated GRP laid and finished to manufacturer's instructions on 126mm Celotex Tempcheck Deck TA4000 on vapour control layer (VCL) to BS 6229. VCL on minimum 19mm ply on firing pieces on flat roof joints as specified. Ceilings lined 12.5mm plasterboard and set on 1200gpm polythene.

Exposed steel beams to be encased two layers of 12.5mm plasterboard with staggered joints.

New windows / doors to be in powder coated aluminium frames to achieve 1.5 W/sq.m.K and to incorporate Low-E glass (e.g. EnerG15). Part L1 B 2010 Compliant. Glazing to window and doors to be in safety glass to BS 6206.

Provide a 150mm diameter **extract fan** to the kitchen area. Fan to have a capacity of 60 L / sec. and to vent to the external air. A cooker hood over the hob, of 30 L / sec and venting to the external air will be an acceptable alternative.

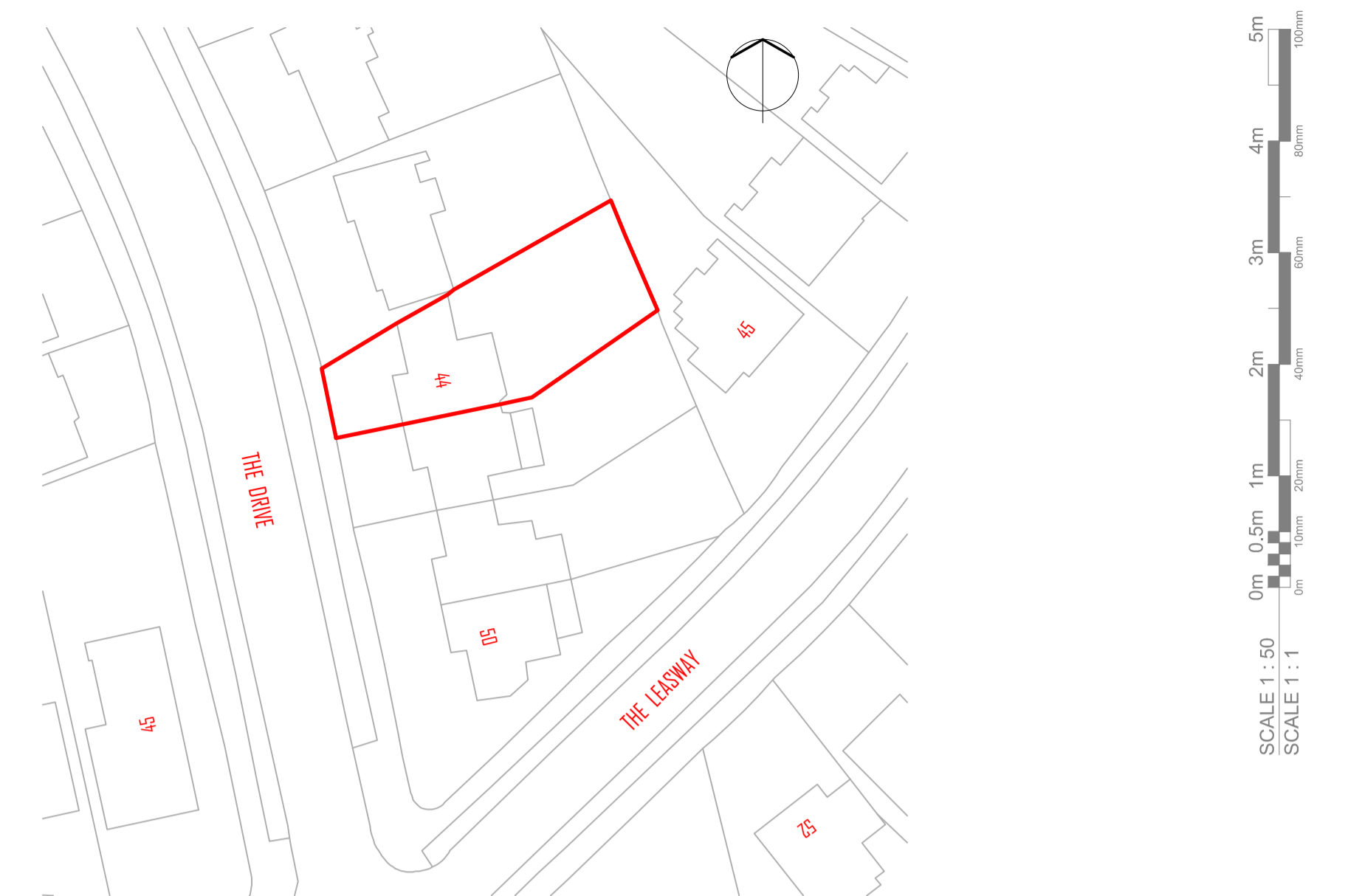
Provide a 100mm diameter **extract fan** to the cloakroom. Fan to have a capacity of 30 L / sec. and to vent to the external air.

Plumbing Sink and appliance wastes 38mm., all with rodding eyes at bends. Wastes in uPVC and fitted to BS 5572. All wastes greater than 1500mm in length to be 38mm dia. all combined wastes to be 50mm dia. all fittings to incorporate 75mm anti-siphonic traps. No connection to SVP within 200mm below WC connection. New SVP with long radius bend at base and cage at head no less than 1.0M above nearby window.

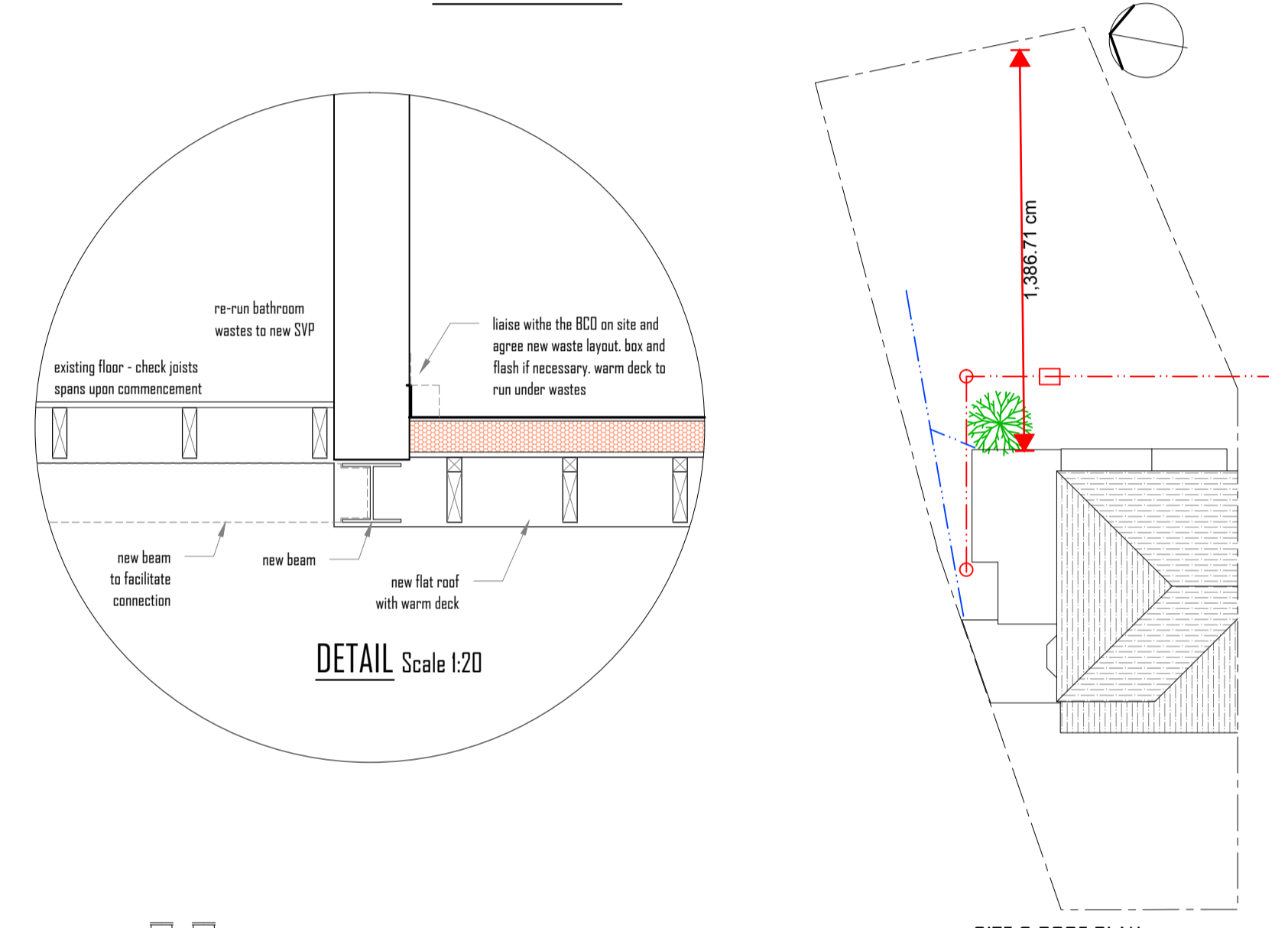
Extend the existing gas fired **heating system** in accordance with specialists details. New areas to be individually zoned and thermostatically controlled.

All new **electrical work** is to be undertaken by a suitably qualified competent person. Upon completion, a test Certificate is to be issued by that person proving compliance with all relevant codes and regulations including Part P of the Building Regulations. Note: Provide 1 in every 4 fixed lighting points is to have a fitting that can only take lamps having a luminous efficacy greater than 40 lumens per circuit-Watt.

Smoke detector to be located in the hallway no more than 3.0M from any bedroom door mains operated to BS 5446 Part 1 1990.

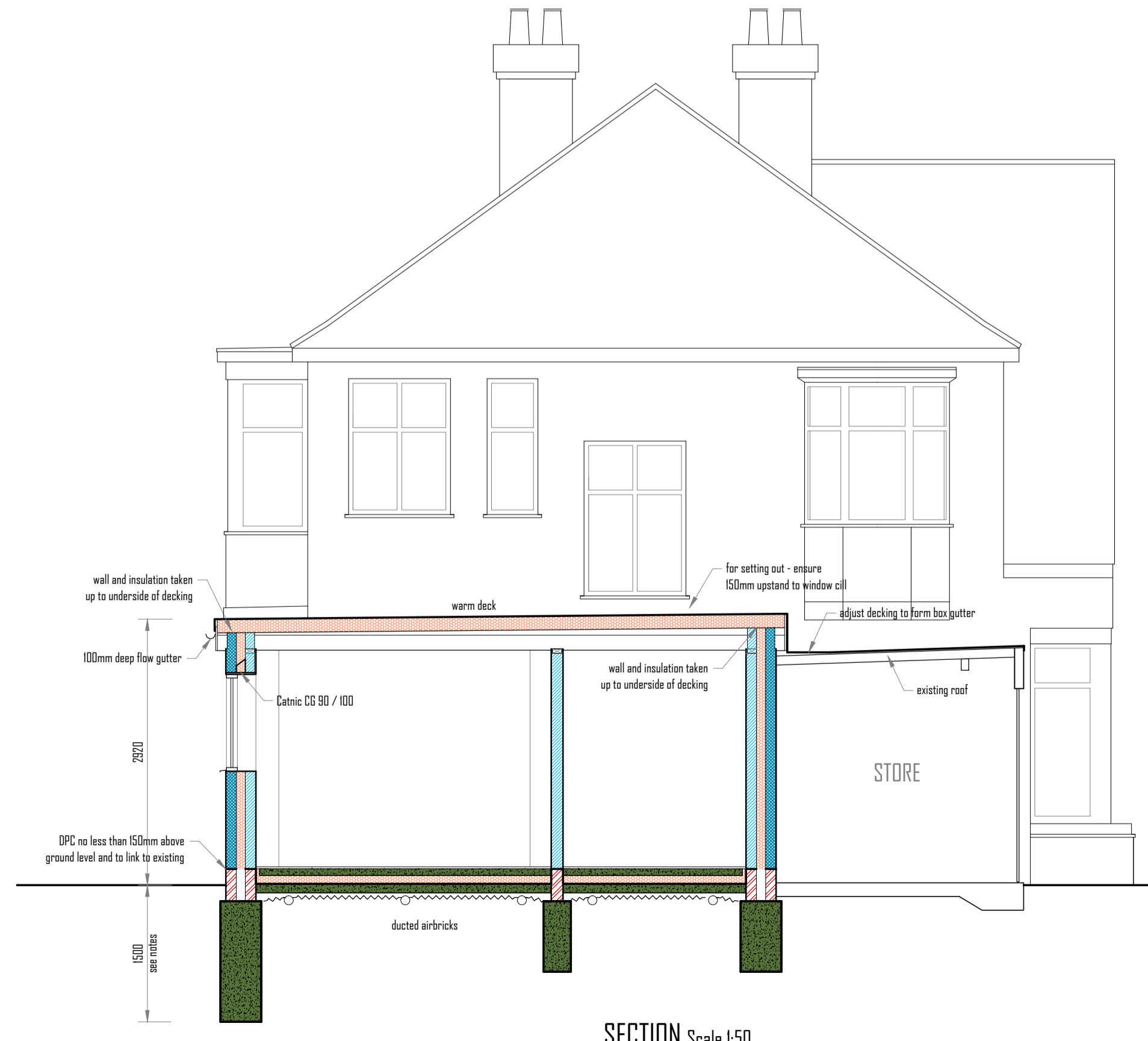


LOCATION PLAN Scale 1:250

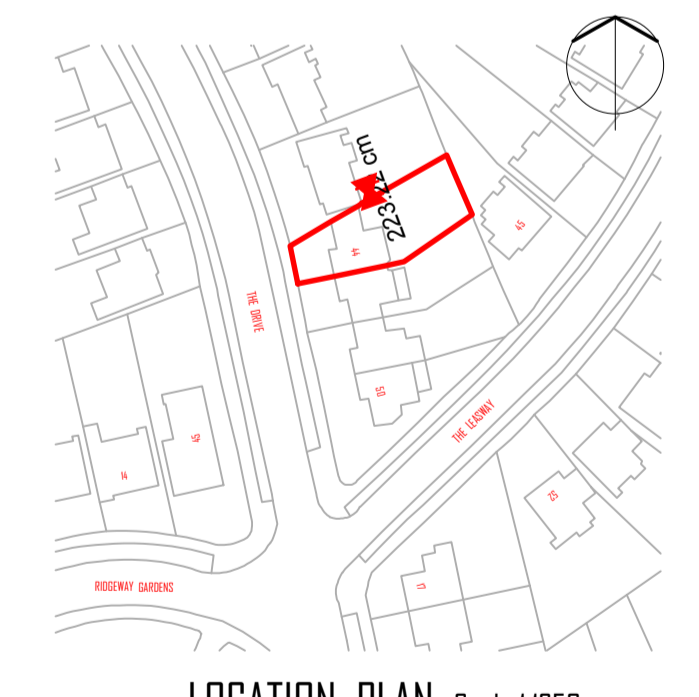


DETAIL Scale 1:20

SITE & ROOF PLAN Scale 1:200



SECTION Scale 1:50



LOCATION PLAN Scale 1:250

This drawing is not yet approved and is therefore subject to variation

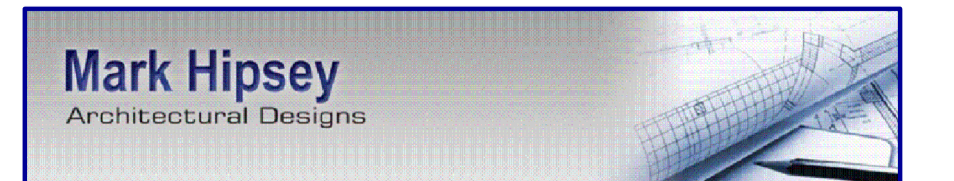
GENERAL ARRANGEMENT
for presentation under the Building Regulations and the Town Planning Act

Proposed single storey extension
44 The Drive
Chalkwell SSD 8PN

2862 06 MARK HIPSEY
92 London Road
Southend on Sea
SS1 1PG

February 2017
Scales as shown when fit

Office: 07702 300 101
Mobile: 07750 930 945
E-mail: mark@markhipsey.co.uk
Website: markhipsey.com



44 The Drive



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Reference:	17/00607/FULH
Ward:	Belfairs
Proposal:	Erect extensions to roof to form gable ends to both sides and a first floor rear extension to form habitable accommodation in roof with dormers to front, rear and side. Erect two storey side extension and ground floor side and rear extensions, install recessed balcony to rear and alter elevations (Amended Proposal)
Address:	96 Woodside, Leigh-on-Sea, Essex, SS9 4RB
Applicant:	Mr Willer
Agent:	DK Building Designs Limited
Consultation Expiry:	05/06/17
Expiry Date:	05/06/17
Case Officer:	Ian Harrison
Plan Nos:	3112-01 Sheet 1 of 2 (Revision B) and 3112-01 Sheet 2 of 2 (Revision A)
Recommendation:	GRANT Planning Permission



1 The Proposal

- 1.1 The application proposes the extension of the property through the erection of extensions at the side and rear of the existing dwelling and the creation of a second floor of accommodation (at first floor level) through the associated insertion of dormer windows to the front, side and rear and enlargement of the roof of the building.
- 1.2 The main part of the existing dwelling measures 11.7 metres deep and 7.3 metres wide. The eaves height of the dwelling is 2.6 metres and the ridge height is 6.2 metres. A single storey flat roof extension projects 2.2 metres from the rear of the main part of the dwelling and two small bay windows exist at the front of the dwelling.
- 1.3 The roof of the existing dwelling would be reconfigured to cover the main part of the existing dwelling and the existing rear projection. The resultant roof would be built to the same eaves and ridge height as the existing dwelling with the main ridge running parallel to the highway to provide a gable end to each side. To the rear would be a longer section of pitched roof that would run perpendicularly to the front roof, with an integral, recessed balcony to the rear. Two dormers would be provided at the front of the dwelling.
- 1.4 At the side of the dwelling would be a 2.7 metre wide, 7.1 metre deep two storey extension with a pitched roof that would continue from the side of the front part of the main dwelling with an eaves height of 2.7 metres and a maximum height of 6 metres. A single storey extension would project from the rear of the side extension and the existing dwelling, thereby wrapping around the south west corner of the dwelling. The single storey extension would project by 4.3 metres from the existing dwelling and would measure a maximum of 10 metres wide.
- 1.5 An 'L' shaped flat roofed dormer would be provided to the rear of the front roof and the side extension and to the west side of the longer, rear roof. Similarly, an 'L' shaped flat roof dormer would also be provided to the east side of the roof.
- 1.6 The resultant dwelling would feature four bedrooms. The applicant has submitted a statement with the application to demonstrate that the proposed dwelling would comply with Part M4(2) of the Building Regulations.
- 1.7 This application follows the refusal of application 17/00040/FULH which proposed side, rear and first floor extensions that would have been materially different to the extensions now proposed. That application was refused for the following reason:

1. The proposed roof extensions would, by virtue of the scale, bulk, design and siting, represent disproportionate and overly dominant additions that are harmful to the character and appearance of the host dwelling and the wider surrounding area. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance.

2 Site and Surroundings

- 2.1 The site is located to the North of Woodside. The site contains a single storey detached dwelling.
- 2.2 The buildings in the surrounding area are in residential use with the dwellings featuring a mixture of single and two storey properties.

3 Planning Considerations

- 3.1 The key considerations of this application are the principle of the development, the design and impact on the character of the area and the impact on residential amenity.

4 Appraisal

Principle of Development

National Planning Policy Framework 2012, Core Strategy Policies KP2 and CP4, Development Management Policy DM1 and DM3 and SPD1

- 4.1 This proposal is considered in the context of the National Planning Policy Framework 2012 and Core Strategy Policies KP2 and CP4. Also of relevance is Development Management DPD Policy DM1 which relates to design quality. These policies and guidance support extensions to properties in most cases but require that such alterations and extensions respect the existing character and appearance of the building. Subject to detailed considerations, the proposed extension to the dwelling is considered to be acceptable in principle.
- 4.2 Policy DM3 states that:
- “The conversion or redevelopment of single storey dwellings (bungalows) will generally be resisted. Exceptions will be considered where the proposal:*
- (i) Does not create an unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and*
- (ii) Will not result in a net loss of housing accommodation suitable for the needs of Southend’s older residents having regard to the Lifetime Homes Standards.”*
- 4.3 Since the adoption of the abovementioned policy, Lifetime Homes Standards have been replaced through the modification of Part M of the Building Regulations. The applicant has submitted a statement to demonstrate that the dwelling would comply with Part M(2) of the Building Regulations and therefore, subject to the imposition of an appropriate condition to ensure compliance, it is considered that the proposed development should be found to be in accordance with criteria 2 of the above policy extract.
- 4.4 The impact on the streetscene in respect of point (i) above is fully considered in the section below. However, the surrounding area features a mixture of bungalows and two storey dwellings and therefore a two storey dwelling would not be at odds with the general character of Woodside in principle.

- 4.5 From this basis it is considered that the proposed development should not be found to be contrary to the abovementioned policy relating to the protection of bungalows.

Design and Impact on the Character of the Area:

National Planning Policy Framework 2012, Core Strategy Policies KP2 and CP4, Development Management Policies DM1 and DM3 and SPD1

- 4.6 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policy DM1 of the development management DPD and in the Policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide (SPD1) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 4.7 In the NPPF it is stated that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* In the Council’s Development Management DPD, policy DM1 states that development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features.”*
- 4.8 Paragraph 375 of SPD1 states that *“In a few cases it may be possible to extend a property upward by adding an additional storey however this will only be appropriate where it does not conflict with the character of the street.”* Paragraph 366 of SPD1 states that *“Dormer windows, where appropriate, should appear incidental in the roof slope (i.e. set in from both side walls, set well below the ridgeline and well above the eaves). The position of the new opening should correspond with the rhythm and align with existing fenestration on lower floors. It goes on to state that “the materials should be sympathetic to the existing property. The space around the window must be kept to a minimum. Large box style dormers should be avoided, especially where they have public impact, as they appear bulky and unsightly. Smaller individual dormers are preferred.”*
- 4.9 The character of the surrounding area is defined by featuring a mixture of two and single storey dwellings, some of which have been converted to form additional accommodation within the roof. Given the mixed character of the area, it is considered that there is scope in principle to convert the roof without the resultant dwelling appearing unduly at odds with the character of the site or the surrounding area.
- 4.10 The previous application at this site was materially different as a large gable end would have been presented to the front elevation. It was considered that the provision of the large gable, with large overhang features, would have materially increased the bulk of the roof of the dwelling. It was noted that whilst other properties within Woodside (particularly those further to the east of the application site) have been the subject of significant extensions, alterations or replacement, the dwellings that surround the application site are of quite simple design and reduced bulk which is brought about through the regular use of hipped gables and roofs that rake away from the public highway.

It was therefore considered the alteration to the roof form would have materially increased the bulk of the dwelling and make the dwelling out-of-keeping with the character and scale of the original building and properties within the surrounding area. It was stated that the harm would have been exacerbated by the scale of the side extensions roof.

- 4.11 The applicant has modified the proposal to include a roof that rakes away from the highway and therefore the main previous ground of concern has been overcome. Gable ends exist at the side and rear elevations of properties within the area, most notably at 100 Woodside, and therefore it is considered that the retention of gable ends to the side and rear elevations would not be harmfully at odds with the character and appearance of the site and the surrounding area.
- 4.12 It is noted that there are several examples of similar dormers on the front elevation of properties within the immediate vicinity of the site. Therefore it is considered that the front dormers proposed by this application would not cause harm to the character and appearance of the existing dwelling that would be contrary to the abovementioned design guidance. The proposed flat roof dormers to the rear and sides of the roofs would be masked from the public domain, subordinate to the roof and of suitable scale and therefore would not cause sufficient visual harm to warrant the refusal of the application.
- 4.13 Paragraph 351 of SPD1 states that *“side extensions should be designed to appear subservient to the parent building. This can generally be achieved by ensuring the extension is set back behind the existing building frontage line and that its design, in particular the roof, is fully integrated with the existing property. Poorly designed side extensions will detrimentally affect the proportions and character of the existing property and so extreme care should be taken to ensure the original design qualities are preserved. Set backs can also alleviate the difficulty of keying new materials (particularly brickwork) into old and disguises slight variations.”*
- 4.14 The proposed side extension would be subservient to the existing dwelling in terms of height as it would be 0.25 metres lower than the ridge height of the main dwelling and would be of a width that is narrower than the width of the existing dwelling. The proposed side extension is of reasonably simple form and it is therefore considered that, taken in isolation, no objection should be raised on design grounds to the proposed side extension. The impact of the roof of the extension is considered above.
- 4.15 The proposed single storey rear projection would be masked from the public domain and would, on balance, be proportionate and in-keeping with the scale of the existing dwelling. It is therefore considered that the rear extension should be found acceptable on design grounds.

Impact on Residential Amenity:

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3 and SPD 1 (Design & Townscape Guide (2009))

- 4.16 Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”
- 4.17 The neighbouring property of 98 Woodside is located to the west of the application site. The main part of that dwelling would be a minimum of 4.5 metres from the proposed two storey side extension. However, a single storey side projection that hosts a kitchen (with north facing windows) would be 2.6 metres from the proposed extension. The side elevation of the neighbouring dwelling features one window which appears to serve a habitable room (perhaps a dining room) and it appears that this is the only window that serves that room as the windows at the front of the property appear to be the only windows serving the lounge area at the front of that dwelling. The height of the side extension (6 metres to the ridge) its proximity to the shared boundary and the presence and orientation of the windows within the neighbouring dwelling would cause the extension to have an impact on the outlook and light conditions of the neighbouring dwelling. In this case it is considered that the impact on the outlook and the light conditions of the neighbouring property would be mitigated by the separation distance that would be retained between the main part of the neighbouring dwelling which would ensure that the impact would not be to an extent that would justify the refusal of the application on those grounds. The applicant’s submissions make it clear that the proposed side facing windows would feature obscured glazing and be fixed shut below a height of 1.7 metres and therefore, whilst there are side facing windows proposed, it is considered that they would not cause an unacceptable loss of privacy (subject to the use of suitable conditions). The forward positioning of the proposed rear facing dormer windows could enable very oblique views into the kitchen area of the neighbouring property. However, due to the height and angle of overlooking, it is considered that the impact would not be at a level that would justify the refusal of the application and the level of overlooking would be no worse than that which would be caused by virtue of the existing semi-transparent boundary treatments. As these windows would serve a bathroom it is considered that they can be required to be fitted with obscure glass.
- 4.18 As above, it is considered that the obscure glass of the partially fixed shut windows would ensure that the proposed accommodation would not harmfully overlook the property of 94 Woodside to the east. That dwelling is broadly in line with the existing dwelling at the application site and therefore the main impact would be the erection of a 4.3 metre deep rear extension at the application site.

Due to the separation distance of approximately 5.5 metres between the proposed extension and the rear facing window of the neighbouring property and the presence of the neighbour's garage between the dwelling and the habitable rooms of the neighbouring property, it is considered that the proposed extension would not cause a loss of light or outlook or an increased sense of enclosure to an extent that would justify the refusal of the application. Similarly, due to the elevated position of the first floor windows in the side elevation of the neighbouring property, the pitch of the roof which rakes away from the neighbour and the separation distance, it is considered that the proposed extension and alteration to the main part of the dwelling would not cause material harm to the amenities of neighbouring residents.

- 4.19 No other properties would be significantly affected by the proposed developments.

Community Infrastructure Levy

- 4.20 This development is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development will result in the erection of a building that measures 241 square metres in internal area. Therefore allowing for a discount associated with the floorspace of the existing dwelling (92 square metres), the proposed development would require a CIL payment of £3,278.00.

5 Conclusion

- 5.1 The proposed development would enable the enlargement of the residential property at the site without causing material harm to the amenities of neighbouring residents. Moreover, it has been set out that the proposed dwelling would accord with Part M4(2) of the Building Regulations and as such the loss of a bungalow at the site should not be objected to in principle, in accordance with policy DM3 of the Development Management document. The modified design of the extensions addresses concerns that lead to the refusal of the previous application at this site. The proposals would materially increase the size of the dwelling, but not to an extent that would result in the dwelling being harmfully out-of-keeping with the character and appearance of the surrounding area and it is therefore recommended that the application is approved.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework

Core Strategy DPD (adopted December 2007) Policies KP2 (Spatial Strategy) and CP4 (Development Principles)

Development Management DPD Policies DM1 (Design Quality) and DM3 (Efficient and Effective Use of Land)

Design and Townscape Guide SPD (adopted December 2009)

Community Infrastructure Levy Charging Schedule.

7 Representation Summary

Public Consultation

- 7.1 5 neighbouring properties were notified of the application. One letter has been received which asks for confirmation that the height of the roof/ridgeline is not going to be raised.

The application has been called-in to the Council's Development Control Committee by Cllr Aylen.

8 Relevant Planning History

The reason for the refusal of application 17/00040/FULH is discussed above.

9 Recommendation

- 9.1 **GRANT PLANNING PERMISSION** subject to the following conditions:

- 01 **Condition:** The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 **Condition:** The development hereby permitted shall be carried out in accordance with the following approved plans: 3112-01 Sheet 1 of 2 (Revision B) and 3112-01 Sheet 2 of 2 (Revision A)

Reason: To ensure that the development is carried out in accordance with provisions of the Development Plan.

- 03 **Condition:** Unless otherwise agreed in writing with the local planning authority the development hereby permitted shall be constructed entirely of materials that match the materials used in the construction of the existing building.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3 and the advice contained within the Council's Design and Townscape Guide.

- 04 The flat roof of the extensions hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3

- 05 The proposed first floor windows on the side (east and west) elevations of the extended roof hereby approved shall be fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and shall be fixed shut or provided with a fanlight opening (with the fanlight opening being set not less than 1.7 metres above the adjacent internal finished floor level) prior to the first use of the extensions hereby approved. The window shall be permanently retained as such thereafter.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Southend-on-Sea Core Strategy 2007 policies KP2 and CP4, Development Management Document policies DM1 and DM3

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

Informative

- 01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount and when this is payable. As this chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will shortly be issued. Charges and surcharges may apply if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.**

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Two-storey side extension, single story rear extension and convert loft at 95 Woodside Leigh-on-Sea

Notes
 All dimensions and or load-bearing walls to be checked and agreed on site as correct by contractor prior to commencement of works and ordering of materials. Any discrepancies to be reported to DK Building Designs prior to commencement of works. DK Building Designs will accept no responsibility for works commenced on site prior to planning approval (if relevant) and building control approval.

Plans are copyright and are not to be used without consent from DK Building Designs.

If applicable, clients / contractor to liaise with neighbours to abide with party wall act etc.

All beam calculations (if applicable) as per separate sheet. All stated spans of beams are clear spans only, between supports. Additional length to be added for end bearing of beams. Beams to cover full length of padstones.



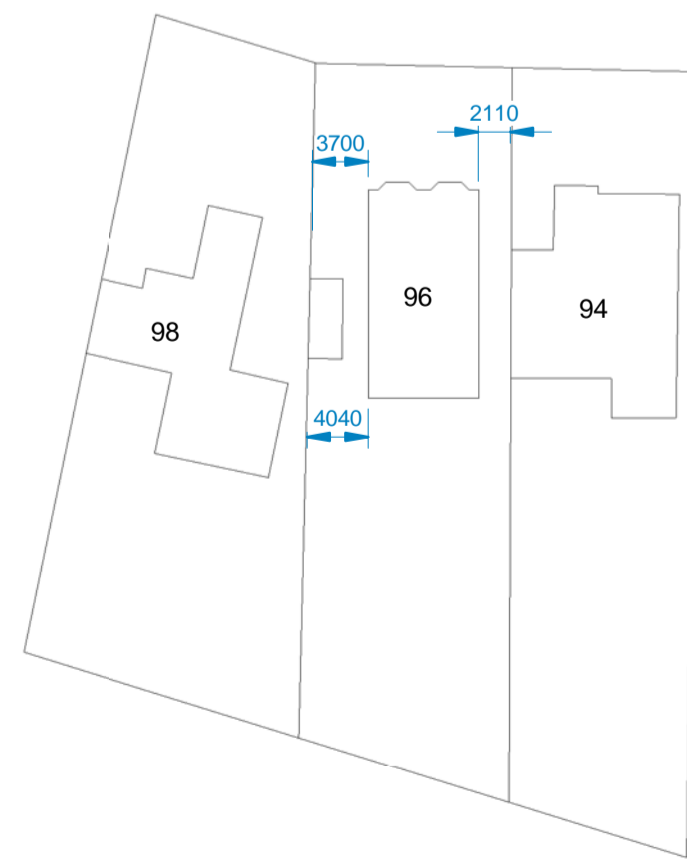
3D View 1



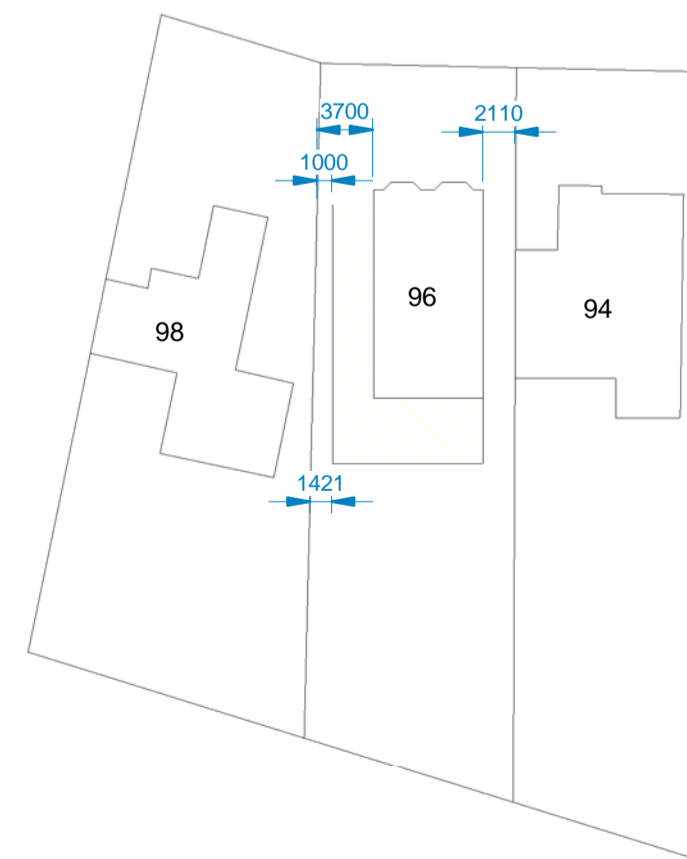
3D View 2



3D View 3



Site Plan Existing
 1 : 500



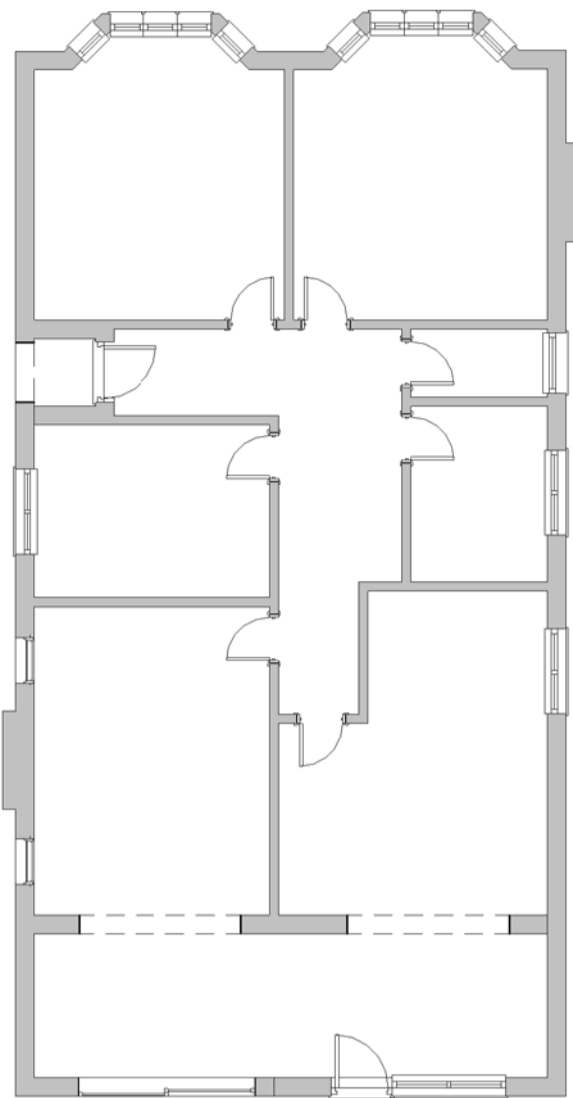
Site Plan Proposed
 1 : 500



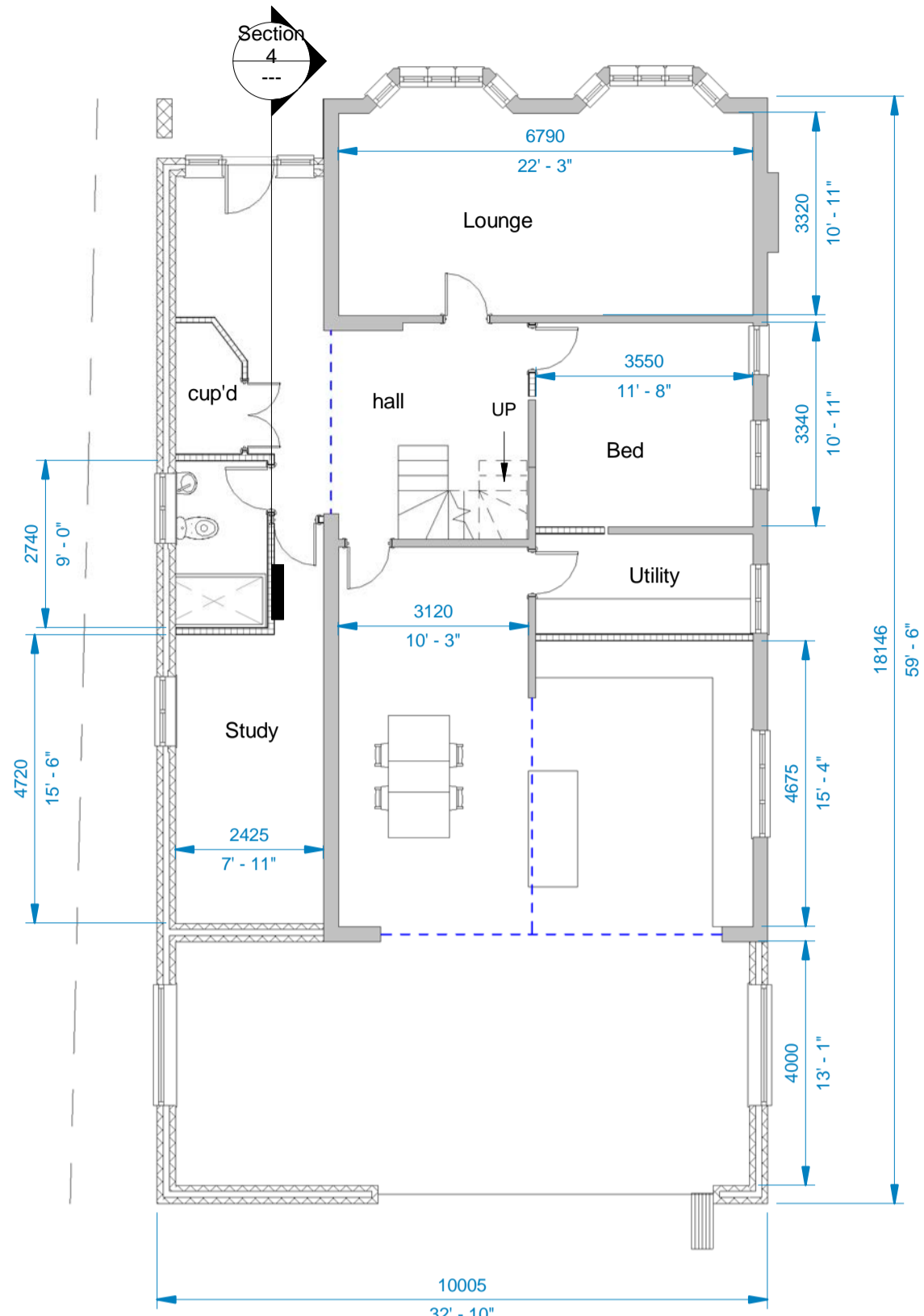
Location Plan
 1 : 1250

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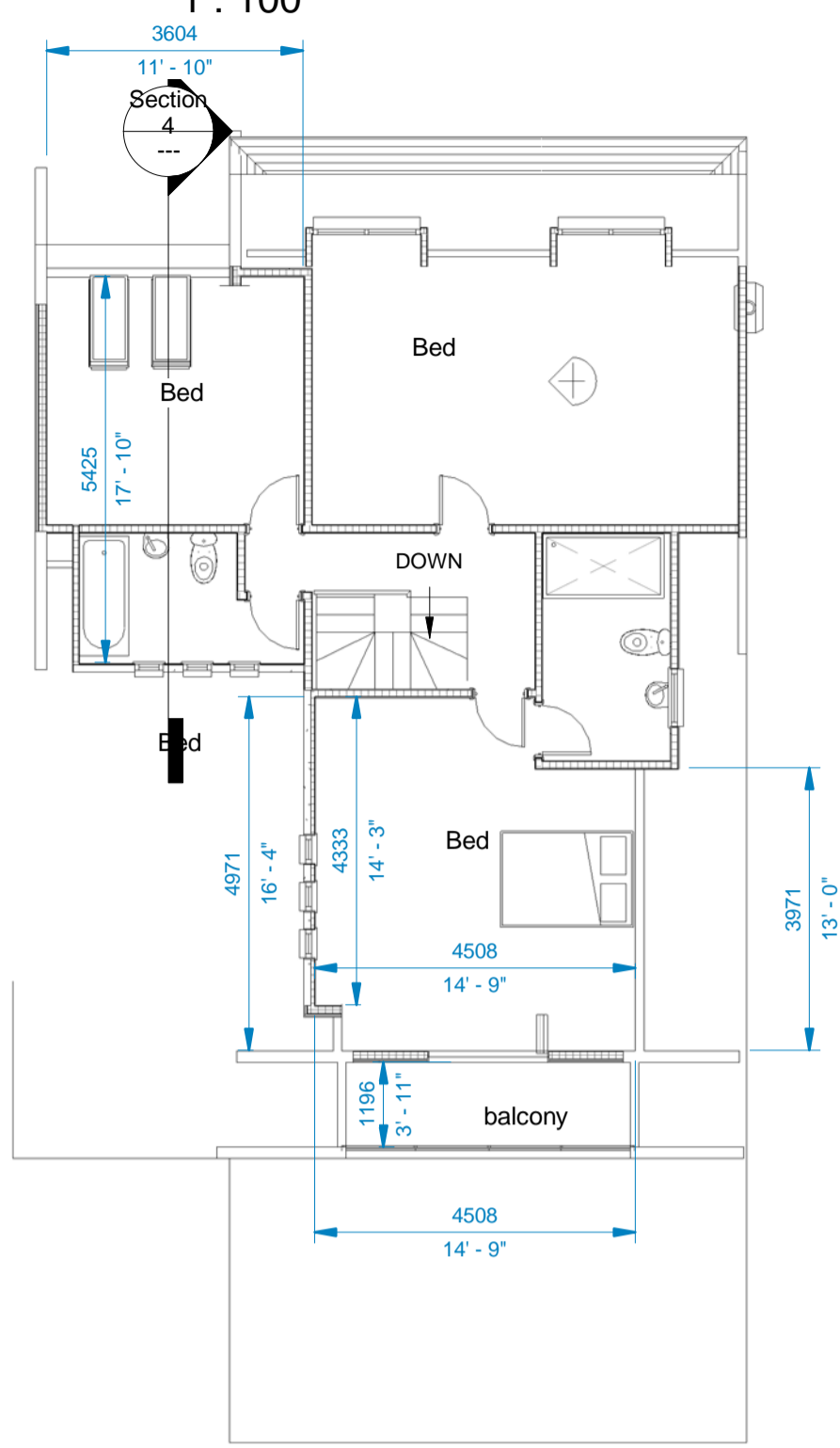
Existing Ground
1 : 100



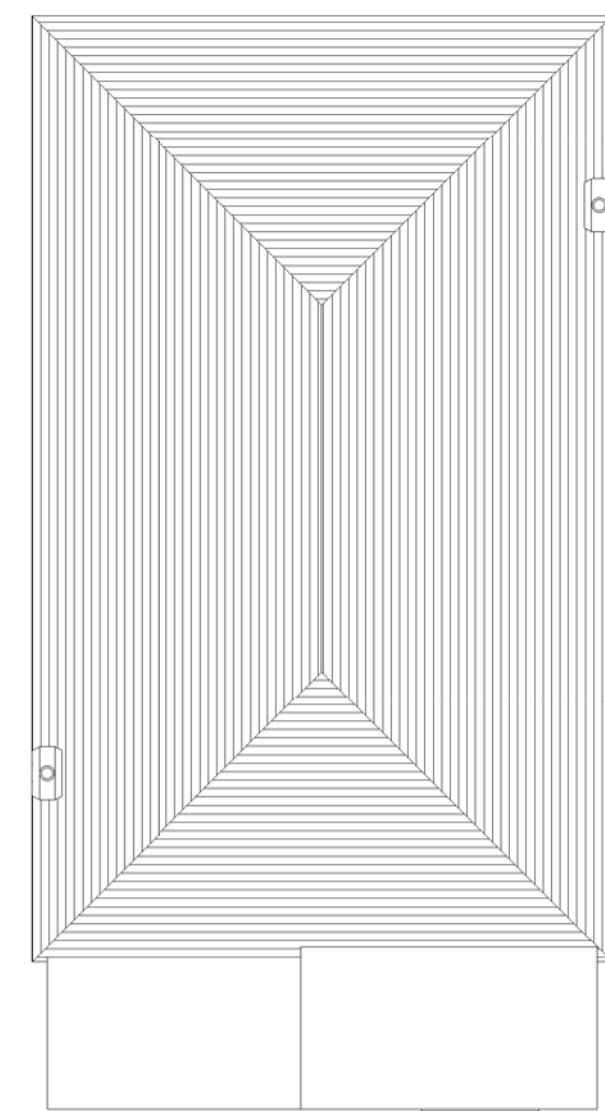
Proposed Ground
1 : 100



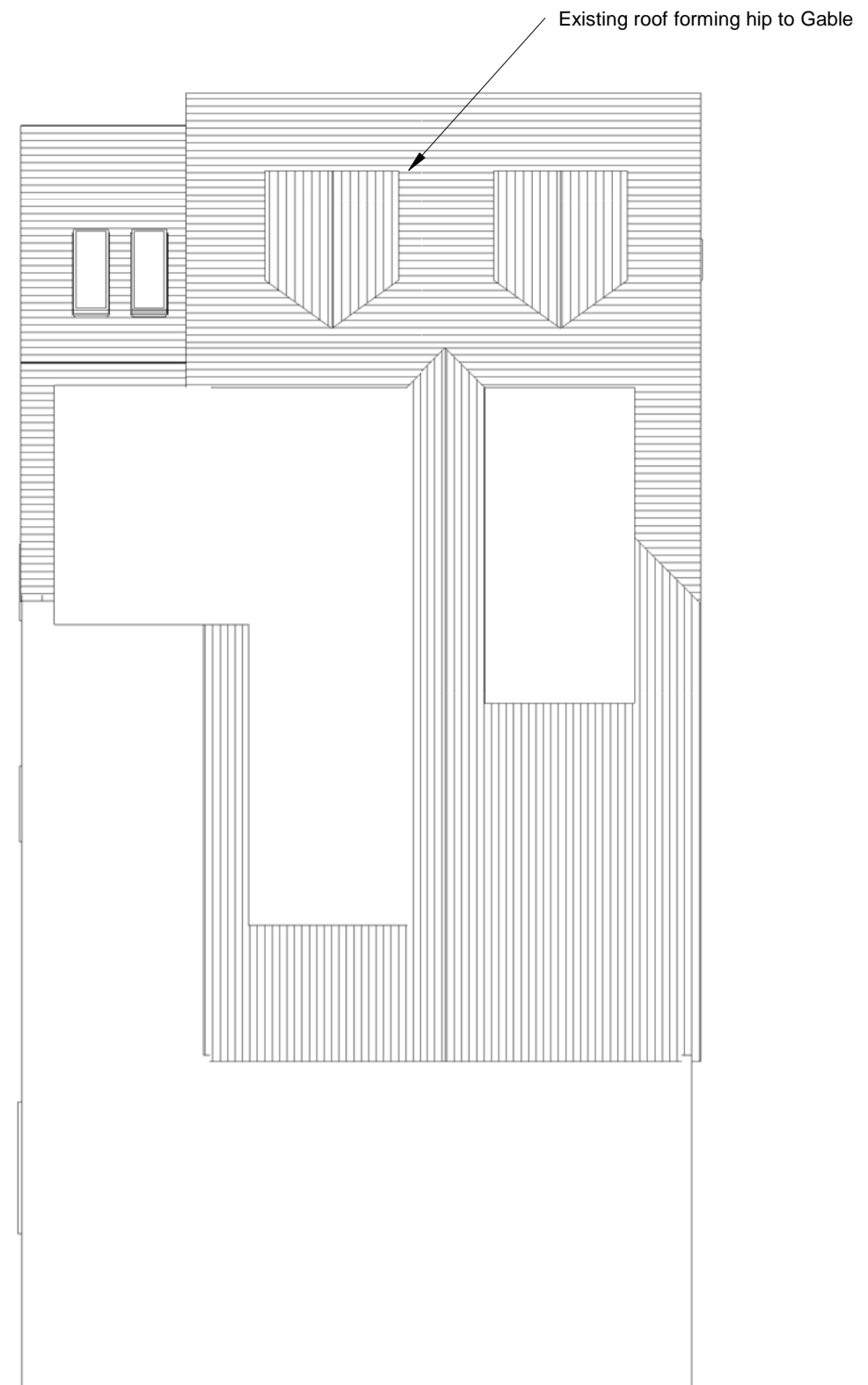
Proposed First
1 : 100



Existing Roof Plan
1 : 100



Proposed Roof Plan
1 : 100



DRG NO	3112-01
Revision No.	B Sheet 1 of 2
Date	December 2016 A1 size

Two-storey side extension, single story rear extension and convert loft at 95 Woodside Leigh-on-Sea

Notes
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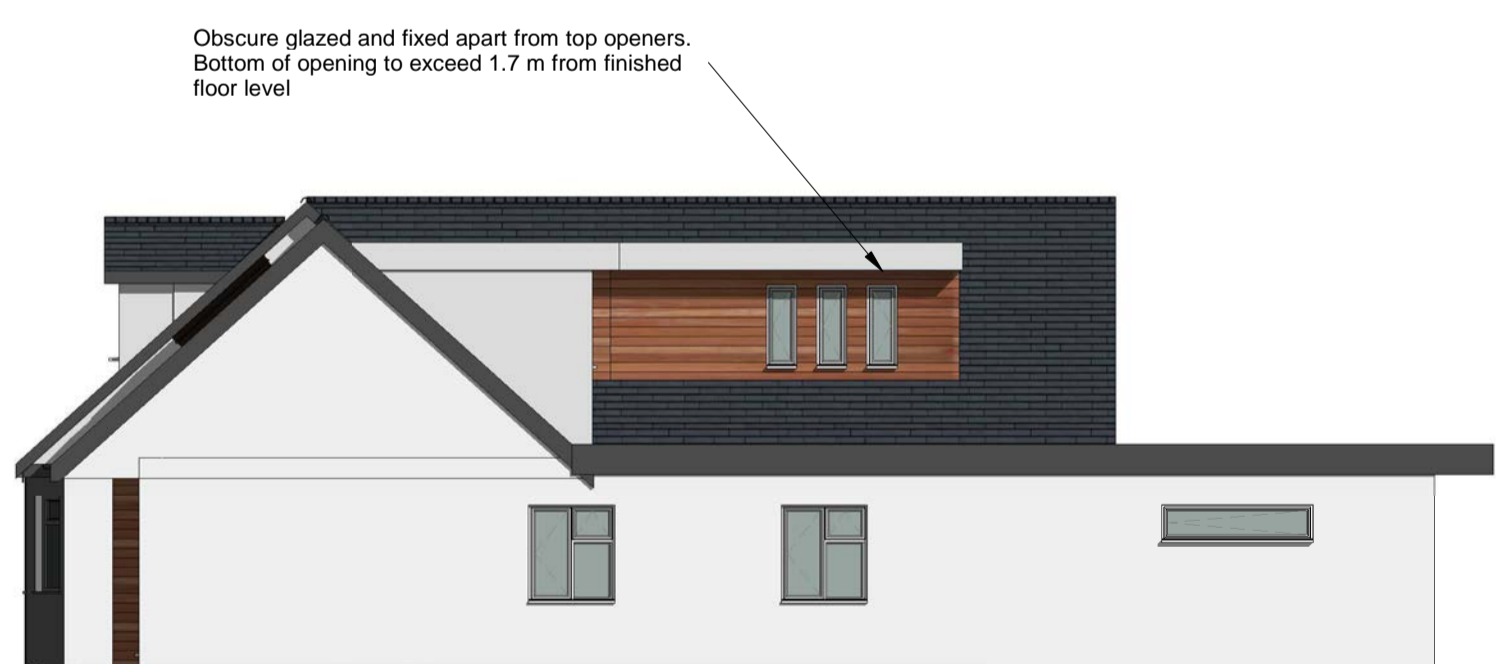
183



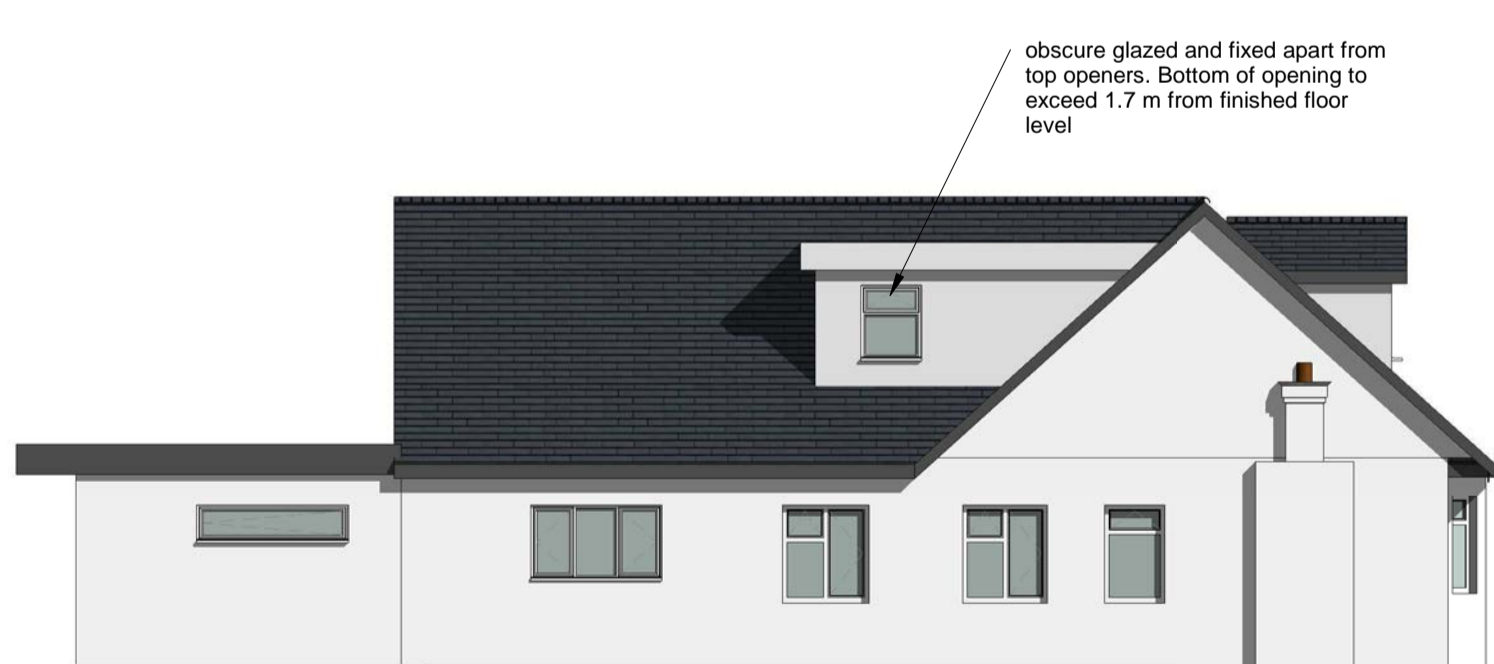
Proposed Front
1 : 100



Proposed Rear
1 : 100



Proposed Side L
1 : 100



Proposed Side R
1 : 100



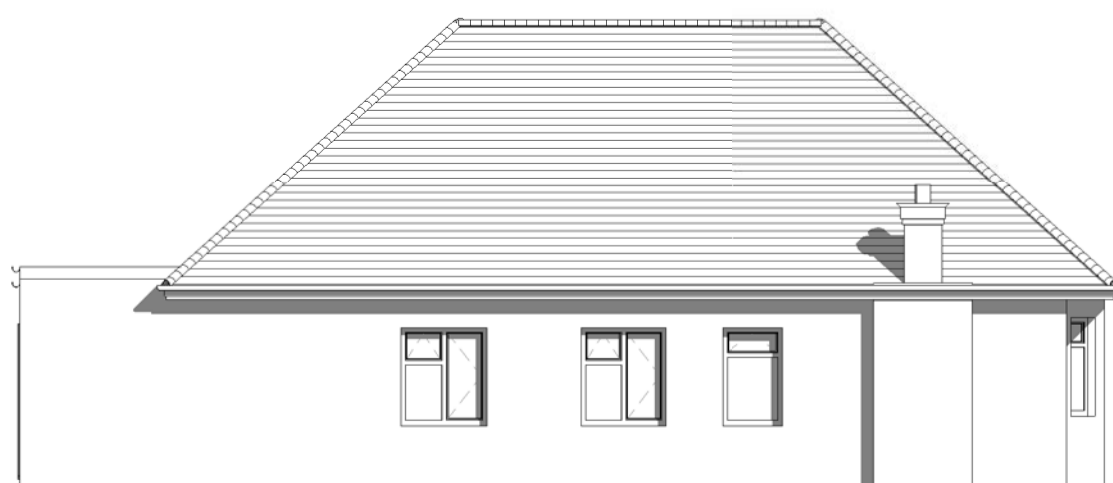
Existing Front
1 : 100



Existing Rear
1 : 100



Existing Side L
1 : 100



Existing Side R
1 : 100

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DEVELOPMENT CONTROL COMMITTEE

Wednesday, 14th June 2017

COUNCIL PROCEDURE RULE 46

The following action taken in accordance with Council Procedure Rule 46 is reported. In consultation with the Chairman:-

1. The Deputy Chief Executive (Place) authorised:

- 1.1 Shoebury Garrison, Ness Road, Shoeburyness
Section 106 Agreement date 6th February 2004 pursuant to
Outline Planning Permission 00/00777/OUT (as amended by
Deed of Variation dated 15th January 2015 – application ref
14/00153/DOV

The securing of a licence with Avant Homes as soon as possible; and that on receipt of a satisfactory Collateral Warranty from The Morton Partnership, the Council take responsibility by way of the aforementioned licence, for the following historic structures associated with the sea wall:

- No.1 Repository Berth
- No.2 Boat House
- No. 6/7 Search Light Emplacement
- No. 8 Machine Gun Emplacement
- No. 9 Heavy Quick Firing Battery
- No.10 9.2" Gun Pit
- No. 12 Experimental Casemates
- No.13 Gog's Berth
- No.14 Barge Pier
- No.16 Summer House

- 1.2 Application 16/01503/FULM 411-415 Sutton Road, Southend-on-Sea

The removal of the clause from the Section 106 agreements regarding the provision of public art, in line with the Inspector's comments on the previous appeal on this site.

Additionally, in accordance with the amended plans to provide a more policy compliant unit mix at this site, the revision to the recommendation to reflect these amendments so that the clause now reads:

- A minimum of 9 units of affordable rented housing units (20% overall provision) comprising 4x1 bed and 5x2 bed units.