

Public Document Pack  
SOUTHEND-ON-SEA BOROUGH COUNCIL

**Development Control Committee**

Date: Wednesday, 13th September, 2017

Time: 2.00 pm

Place: Committee Room 1 - Civic Suite

Contact: Tim Row - Principal Committee Officer

Email: [committeesection@southend.gov.uk](mailto:committeesection@southend.gov.uk)

**A G E N D A**

**1 Apologies for Absence**

**2 Declarations of Interest**

**3 Supplementary Report**  
Report to be tabled at the meeting

\*\*\*\* **Introduction**

\*\*\*\* **Reports on Pre-Meeting Site Visits**

**4 17/01001/FUL - 141 Leighton Avenue, Leigh-on-Sea (Leigh Ward)**  
(Pages 5 - 26)

**5 17/01287/FUL - Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea (Leigh Ward)** (Pages 27 - 42)

\*\*\*\* **Main Plans Report**

**6 17/00821/AMDT - Crown Secretarial College Ltd, 411 - 415 Sutton Road, Southend-on-Sea (Victoria Ward)** (Pages 43 - 88)

**7 17/01090/FUL - 78 Mountdale Gardens, Leigh-on-Sea (Blenheim Park Ward)** (Pages 89 - 104)

**8 17/01041/FUL - 34 Percy Road, Leigh-on-Sea (West Leigh Ward)**  
(Pages 105 - 136)

**9 17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea (West Leigh Ward)** (Pages 137 - 148)

**10 17/00969/FUL - 42A Lord Roberts Avenue, Leigh-on-Sea (Leigh Ward)**  
(Pages 149 - 162)

.../cont'd...

- 11 17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea (Leigh Ward)**  
(Pages 163 – 176)
- 12 17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea (Chalkwell Ward)**  
(Pages 177 - 188)

**TO: The Chairman & Members of the 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.

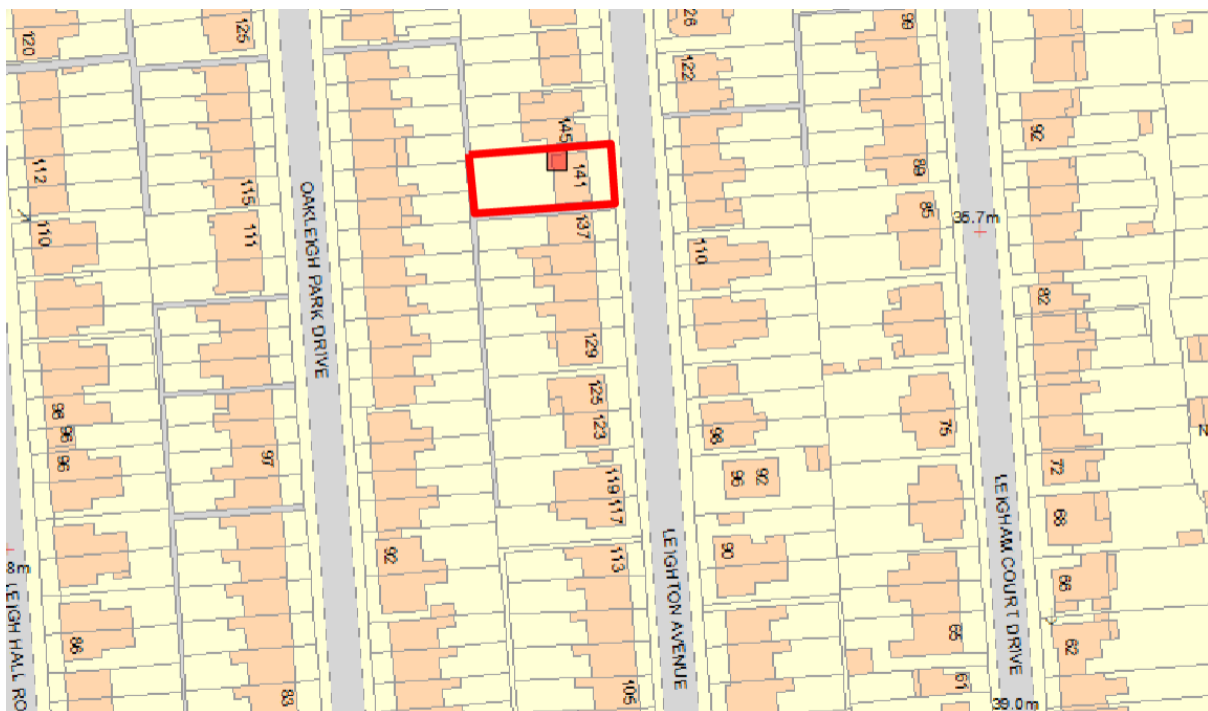
#### **3. Procedures on Site Visits**

- (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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<b>Reference:</b>	17/01001/FUL	<b>4</b>
<b>Ward:</b>	Leigh	
<b>Proposal:</b>	Demolish existing two storey dwelling house and erect a pair of two storey semi-detached dwelling houses, layout associated parking and form vehicular accesses on to Leighton Avenue	
<b>Address:</b>	141 Leighton Avenue, Leigh-On-Sea, Essex, SS9 1PX	
<b>Applicant:</b>	Mr Herrtage	
<b>Agent:</b>	Mr John Beuvink	
<b>Consultation Expiry:</b>	18.08.2017	
<b>Expiry Date:</b>	13.09.2017	
<b>Case Officer:</b>	Janine Rowley	
<b>Plan No's:</b>	17-101 PO1C; 17-101 P02; 17-101 P03; 17-101 PO4 & 17- 101 P05	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## 1 The Proposal

- 1.1 Planning permission is sought to demolish the existing two storey dwelling at 141 Leighton Avenue and erect 2 no., two storey, three bedroom, semi-detached dwellinghouses. The dwellings would have gabled roofs to the flank elevations and double storey front gable projections, single storey outriggers to the rear with accommodation in the roof and flat roof dormers to the rear.
- 1.2 Materials to be used would include UPVC windows, aluminum and timber doors, clay tiles and the external walls would be finished in render with clay hanging tiles. The front hardstanding would be paved with permeable block paving. The properties would be by timber boarded fencing.
- 1.3 The proposed dwellings would measure 11m wide x 13m deep at ground floor and 11m deep at first floor. They would be 6.2m high to the eaves, with a maximum height of 9.7 metres. The flat roof rear projection would have a maximum height of 3.7m. The proposed dormers to rear would measure 4m wide x 1.5m high, projecting out the deepest point by 2.6m.
- 1.4 The proposed dwellings would have a kitchen, lounge, dining room to the ground floor, 3 bedrooms to the first floor and family room to the second floor.
- 1.5 Amenity space would be provided to the rear of the properties and would measure approximately 64.6sqm for house 2 and 56.6sqm for house 1. Two parking spaces per dwelling perpendicular with the highway and a line of landscaping would be installed between the two semi-detached dwellings. One additional vehicle crossover is to be formed and the existing one extended. A refuse store is proposed to be located to the rear garden of each dwellinghouse. No cycle store has been shown in the plans submitted.
- 1.6 It should be noted this application has been submitted following the refusal of application 17/00422/FUL, which sought planning permission to demolish the existing dwellinghouses and erect a pair of semi-detached dwellinghouses. The application was refused for the following reasons
  1. *"The proposal fails to meet the minimum off-street parking standards and therefore, it would result in unacceptable additional on-street parking to the detriment of highway safety and the local highway network contrary to the National Planning Policy Framework, Policy CP3 of the DPD1 Southend Core Strategy (2007) and Policy DM15 of the Development Management Document DPD2 (2015)".*
  2. *"The proposed crossover to the north would be located within the root protection area of a street tree and would therefore result in damage to the tree's roots, to the detriment of its health and amenity value of the tree within the streetscene. This is contrary to the National Planning Policy Framework, Southend Core Strategy DPD1 (2007) Policies KP2 and CP4, policies DM1 and DM3 of the Development Management Document DPD2 (2015) and the Design and Townscape Guide (2009)".*

- 1.7 It should be noted the overall design and scale of the dwellings remains unchanged from application 17/00422/FUL. The main changes are that two parking spaces are now proposed together with the formation of a 4.8m wide vehicle crossover to each dwelling. This would result in removal of the existing street tree. The revised application includes an Arboricultural Report and the Councils Arboricultural Officer has visited the site to assess the tree supporting the removal of the tree due to its overall condition.

## **2 Site and Surroundings**

- 2.1 The site is located on western side of Leighton Avenue, south of London Road and it is occupied by a detached house. The size of the existing plot is almost double the size of the neighbouring plots to the north and south. The rear garden of the property is also larger in relation to the neighbouring properties. The property is a shallow pitched, gabled, roof two storey dwelling with bow windows at ground floor and at first floor corner windows. Half of the front curtilage of the dwelling is hard surfaced and used for parking, while this other half is landscaped and enclosed by a low stone wall.
- 2.2 The area is residential in character, comprising predominantly two storey semidetached and terraced dwellinghouses. Whilst the properties in the surrounding area are not of the same design, they are all of traditional design with similar features. The dwelling on the western side of the road, with the exception of application dwelling, have two storey front gable projections, with characteristic steep gables and vertically proportionated windows. It is noted that a mature street tree is sited on the highway to the front of the application site.

## **3 Planning Considerations**

- 3.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area including the impact on the existing street tree, living conditions for future occupiers, impact on neighbouring properties, any traffic and transport issues, sustainability, CIL liability and whether the proposal has overcome the previous reasons for refusal of application 17/00422/FUL.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework 2012; Core Strategy 2007 Policies KP2, CP4, and CP8; Policies DM1, DM3, DM8 and DM15 of the Development Management Document 2015 and the Design and Townscape Guide**

- 4.1 The property is located within a residential area and it is currently occupied by a detached two storey dwelling. As noted above, the prevailing character of the area is for two storey dwellinghouses with narrower frontages than the

application site. On that basis, no objection is raised to the principle of the proposed residential use, which has also been accepted under application 17/00422/FUL.

- 4.2 Amongst other policies to support sustainable development, the National Planning Policy Framework seeks to boost the supply of housing by delivering a wide choice of high quality homes. Policy KP2 of the Core Strategy requires that "all new development contributes to economic, social, physical and environmental regeneration in a sustainable way". Policy CP8 of the Core Strategy identifies the need of 6,500 homes to be delivered within the whole Borough between 2001 and 2021.
- 4.3 Policy DM3 of the Development Management Document promotes *"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 The application site is located within a residential area and as such, residential development within the area is considered acceptable in principle. Although the frontage of the property is almost double the size of the frontages of the adjacent properties, the proposal is a more intensive residential use and the erection of two dwellings needs to be assessed in relation to all material planning considerations including design and impact on the character of the area, living conditions of the future occupiers, residential amenity, and parking provision, all of which are fully assessed below.
- 4.5 It should be noted that good design is a fundamental requirement of new development in order to achieve high quality living environments. Its importance is reflected in the National Planning Policy Framework, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that "the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."
- 4.6 Paragraph 56 of the National Planning Policy Framework 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."* One of the core planning principles of stated in the National Planning Policy Framework requires *"to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.
- 4.7 Policy DM1 of the Development Management Document 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"*.

- 4.8 According to Policy KP2 of the Core Strategy states that new development should "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of the Core Strategy 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".
- 4.9 Paragraph 201 of the Design and Townscape Guide advises 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. Other options, such as an extension to an adjacent building or a garage may be more achievable. However, in certain situations, where the density, grain and openness of an area are integral to its special character, infill development of any kind will not be appropriate in principle... where it is considered acceptable in principle, the key to successful integration of these sites into the existing character is to draw strong references from the surrounding buildings. For example, maintaining the scale, materials, frontage lines and rooflines of the neighbouring properties reinforces the rhythm and enclosure of the street. This does not necessarily mean replicating the local townscape, although this may be an option."*
- 4.10 The proposed development would retain the existing front building line of the existing dwelling and the total width of the two properties would be marginally wider than the existing dwelling (700mm wider). To the rear the property would project significantly further back than the existing property; however, its depth would not be dissimilar to the depth of the neighbouring properties. The pitch of the roofs would resemble the pitches of the neighbouring properties. It is therefore considered that the siting of the proposed dwellings would be acceptable and it would not have a discordant visual impact.
- 4.11 The west side of this section of Leighton Avenue is made of neat runs of two storey terraced dwellings to the south and a pair of semi-detached properties to the north. Although the dwellings are not uniform in character, they have similar architectural characteristics. Topographically the area slopes downwards to the north, resulting in variations to the ridge heights, with properties to the north being sited marginally lower from those to the south of them. The proposal is to form two, two storey gabled dwellings with double storey front bay features, single storey mono-pitched rearward projections and flat roof rear dormers. The proposed dwellings reflect the scale and general size of the neighbouring dwellings and the ridge and eaves line are maintained. Although the design of the front projections is a contemporary

interpretation to the design of the neighbouring traditionally designed features, on balance given that the main proportions, in terms of the width of the projections and steepness of the gable tops and the size of fenestration, are maintained, no objection is raised to an alternate design for the projecting features. It is therefore considered that the development would draw satisfactorily reference from the neighbouring dwellings and would not be detrimental to the character of the wider area.

- 4.12 There is no objection to the proposed single storey rear extension, given that it would be of an appropriate scale and design. The scale and overall bulk of the proposed rear dormers is considered acceptable, given that they would be set in from side elevations, ridge and eaves heights. Although they would have a flat roof and a box style, they would not be visible from public vantage points, and thus, on balance, they would not have a harmful impact on the appearance of the proposed dwellings or the wider area.
- 4.14 A mature street is located on the highway in front of the application site. The proposal seeks to install vehicle crossovers, 4.8m each in width with a pavement either side, to provide two parking spaces per dwelling. Previously (under application 17/00422/FUL) the siting of the vehicle crossover was in very close proximity to the street tree and its roots and it was therefore considered to potentially detrimentally affect its health and subsequently its visual amenity. However, since determination of the previously refused application the applicant has provided additional supporting information in relation to the overall condition of the tree. Excavation of the pavement to determine the direction and depth of the tree roots plan has been undertaken and this has established that both direct and indirect damage is being caused to the boundary wall and pavement by the tree. The tree is a mature specimen and has amenity value. The Councils Arboricultural Officer has assessed the tree and states that the Maple tree outside of 141 Leighton Avenue is showing significant root trespass on the property. He confirms it is causing both direct and indirect damage to the boundary wall, supporting the applicants view. The Councils Arboricultural Officer has confirmed there are no means of mitigating the damage other than by removing the tree. The applicant has offered to replace the street tree. Whilst the loss is regrettable the tree is not a suitable species for long term retention and the Council will seek for a two for one replacement when dealing with the landscaping condition. It should be noted the applicant has agreed to providing a two for one replacement of the street tree, which is welcomed. In light of this the positioning of the vehicle crossovers serving each dwellinghouse is now considered acceptable and has overcome reason of refusal 02 of application 17/00422/FUL.

### **Living Conditions for Future Occupiers**

**National Planning Policy Framework 2012, Core Strategy Policies 2007 KP2, CP4 and CP8; policies DM1, DM3, DM8 of the Development Management Document 2015 and National Housing Standards; Design and Townscape Guide 2009**



- 4.15 Delivering high quality homes is one of the Government's requirements according to the National Planning Policy Framework. Since 1<sup>st</sup> of October 2015 Policy DM8 of the Development Management Document has been superseded by the National Housing Standards regarding the minimum internal floorspace standards
- 4.16 The proposal is for the erection of two no. two storey (with roof accommodation), three bedroom (5 persons) dwelling. According to the above standards the internal floorspace requirement for each dwelling would be minimum of 99sqm. The proposed dwellings would be around 154sqm and as such, they would meet the above national standards even if the family room to the second floor was converted to a 4<sup>th</sup> bedroom.
- 4.17 With regard to the bedroom sizes, the double bedrooms would meet the minimum floorspace requirement as set in the National Housing Standards. Although the single bedrooms would be smaller than 7.5sqm (6.1sqm), given that the size of the proposed dwellings is significantly larger than the overall internal floorspace requirements, it is considered that this element of the proposal is acceptable in this instance. All habitable rooms would be provided with adequate light, outlook and ventilation and as such, .no objection is raised in relation to living conditions.
- 4.18 With regard to the amenity space, policy DM8 of the Development Management Document states that all new dwellings should "*make provision for usable private outdoor amenity for the enjoyment of intended occupiers*". On balance, it is considered that adequate and sufficient rear gardens would be provided for both dwellings and therefore, no objection is raised in relation to the outdoor amenity space requirements of the future occupiers.
- 4.19 According to Design and Townscape Guide refuse storage and recycling should not be visible from the streetscene and as such, it should be located either internally to the development or to the rear of the property, to minimise the adverse visual impact. Refuse has been shown to be provided to the rear garden which is considered to be an appropriate location.
- 4.20 Policy DM3 (ii) of the Development Management Document (adopted since October 2015) has been substituted by building regulation M4 (2). These requirements include a step-free access to the dwelling and any associated parking space, a step-free access to a WC and any private outdoor space, accessible accommodation and sanitary facilities for older people or wheelchair users and socket outlets and other controls reasonably accessible to people with reduced reach. The applicant has submitted a statement, demonstrating that the proposed dwellings would comply with all the above. It is therefore considered that the proposed two storey dwellings would be accessible and adaptable dwellings.

### **Impact on Neighbouring Properties**

**National Planning Policy Framework; Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1 and**

### **DM3; Design & Townscape Guide (2009)**

- 4.21 Policy DM1 of the Development Management Document 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."*
- 4.21 With regard to the impact on the property No. 145 Leighton Avenue to the north, the proposal would be located approximately 850mm off the shared boundary and 1.7m away from the south flank wall of the neighbouring dwelling. The rear wall of the single storey element of the development would be positioned in line with the rear of 145 Leighton Avenue to the north, whilst the first floor set back 2.3m. To the front, the dwellings would not project beyond the existing dwelling to the north. As such, the proposed development would not adversely impact on light on the windows to the rear and front elevations of the property and it would not result in an undue sense of enclosure.
- 4.22 A clear window is located in the south elevation at ground floor of 145, although the window appears to serve a non-habitable room and on balance it is considered that it would not have a detrimental impact on the amenity of nearby occupiers of no. 145 Leighton Avenue. It is noted that no objections were raised in relation to this issue under application 17/00422/FUL. Two windows are proposed to be installed to the north elevation, which of house 2, which would serve a kitchen and bathroom and will be conditioned to be glazed in obscure glass to prevent possible overlooking.
- 4.23 The proposal would be located only 850mm away from the property to the south. The ground floor projection would project 800mm back from the rear of the neighbouring single storey rear extension and around 1.3m beyond the rear wall of the first floor. Given that this is a limited rearward projection at ground and first floor beyond the rear walls (at ground and first floor) of the adjacent dwelling to the south, it is not considered that the proposal would have a detrimental impact on the residential amenity of the occupants of the No. 137 Leighton Avenue, by way of overshadowing or domination. Although there are two windows at first floor on the north elevation of the property to the south, they are glazed in obscure glass and taking into account the relationship of the existing two storey dwelling with the neighbouring property, it is not considered that the impact of slightly increased height of the proposed dwellings would be materially greater than that caused by the existing property. The proposed dwellings would be positioned in line with the front building line of the dwelling to the south and thus, they would not have any materially harmful impact in terms of loss of light or domination.
- 4.24 The proposed single storey element of the dwellings would be sited around 10 metres away from the rear site boundary, while the first floor would be sited an additional 2.3m away from this boundary. This separation distance between the rear elevation of the proposed dwellings and the rear boundary is considered sufficient to prevent from unacceptable overshadowing or

overlooking impact on properties to the rear.

- 4.25 The proposed windows in the front elevation would overlook the highway and neighbouring front gardens, which is considered acceptable.

#### **Traffic and Transport Issues**

##### **National Planning Policy Framework; Core Strategy (2007) policy CP3, policy DM15 of the Development Management Document (2015), Design and Townscape Guide (2009)**

- 4.26 Policy DM15 of the Development Management Document requires all development to provide adequate parking. The provision of a minimum of two off-street parking spaces is required per proposed dwelling.
- 4.27 Previously under application 17/00422/FUL, one parking space per dwelling was proposed. The applicant is now intending to provide two off street parking spaces per dwelling and would therefore comply with policy DM15 of the Development Management Document overcoming reason 01 of the previously refused application 17/00422/FUL. Previously the siting of the vehicle crossovers under application 17/00422/FUL would be located in close proximity to the root protection zone of the mature street tree, which was considered to have a detrimental impact on the health and resulting visual amenity of the street tree. However, as stated above in paragraph 4.14, additional information has been provided whereby the existing Maple tree outside of 141 Leighton Avenue is showing significant root trespass onto the property. It is causing both direct and indirect damage to the boundary wall. The Councils Arboricultural Officer has confirmed there are no means of mitigating the damage other than removing the tree, therefore no objections are raised in relation to the installation of the crossovers and therefore the proposal has overcome reason 01 of application 17/00422/FUL.
- 4.28 Although no cycle store has been shown on the plans submitted, should permission be granted, this will be dealt by condition, given that the rear gardens of the proposed dwellings provide adequate space to accommodate a cycle store.

#### **Use of on Site Renewable Energy Resources and Sustainable Construction**

##### **National Planning Policy Framework 2012, Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policy DM2; Design & Townscape Guide (2009)**

- 4.29 Policy KP2 of the Core Strategy requires that *"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, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration.* Policy DM2 of the

Development Management Document also states that *"to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions"*

- 4.30 Whilst the applicant has illustrated solar panels to be installed on the roof, further details will be dealt with by condition to ensure the proposal complies with policy KP2 of the Core Strategy.
- 4.31 Policy DM2 (iv) of the Development Management Document requires all new development to provide "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 can be dealt with by condition.

### **Permitted Development Rights**

- 4.32 It is noted that given the limited size of the plot, any alterations/extension of the dwellings allowed by the General Permitted Development Order may have an unacceptable living conditions for future occupiers (i.e. should the rear amenity space be significantly reduced by a rear extension) or impact on the neighbouring properties (i.e. increased overlooking from additional dormer windows). For this reason it is considered reasonable that permitted development rights for the proposed dwellinghouses be removed if the application is deemed acceptable.

### **Community Infrastructure Levy**

#### **CIL Charging Schedule 2015**

- 4.33 This application 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 includes a gross internal area of 316sqm, which may equate to a CIL charge of approximately £20,856 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

## **5 Conclusion**

- 5.1 Having taken all material planning considerations into account, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The dwellinghouses by reason of their design, scale, amenity space and parking provision would provide a positive addition within the streetscene protecting the overall character and appearance of the surrounding locality while providing

adequate amenities for future occupiers whilst protecting the amenities of neighbouring properties, adequate parking is provided to meet the needs of occupiers. The proposal has therefore overcome the previous reasons for refusal of application on 17/00422/FUL, and is considered acceptable.

## **6 Planning Policy Summary**

- 6.1 National Planning Policy Framework (2012): Section 4 (Promoting sustainable transport), Section 6 (Delivering a wide choice of high quality homes) and Section 7 (Requiring good design)
- 6.2 Core Strategy 2007 Policies KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), and CP8 (Dwelling Provision).
- 6.3 Development Management Document 2015: Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards) and DM15 (Sustainable Transport Management)
- 6.4 Design & Townscape Guide, 2009
- 6.5 CIL Charging Schedule 2015
- 6.6 National Housing Standards 2015

## **7 Representation Summary**

### **Transport 7 Highways**

- 7.1 The application has provided 2 car parking spaces per dwelling this meets current policy guidance. The applicant will also replace the existing street tree on a two for one basis which our parks team has agreed. It is not considered that the application will have a detrimental impact upon the public highway. The applicant will be required to apply to highways to construct the new vehicle crossover.

There are no highway objections to this proposal.

### **Design and Regeneration**

- 7.2 No comments received.

### **Aboricultural Officer**

- 7.3 The maple outside this address is showing significant root trespass onto the property. It is causing both direct and indirect damage to the boundary wall. There are no means of mitigating the damage other than removing the tree; it is too close to root trench.

As the applicant has offered to replace the tree it would be to the benefit of the street scene to accept this and remove the tree which is not a suitable species for long term retention in any case.

#### **Environmental Health**

- 7.4 No objection. However, demolition and construction can give rise to some nuisance issues, which can be controlled, by the imposition of conditions

#### **Public Consultation**

- 7.5 12 neighbours have been consulted and a site notice posted on site and two letters of representation have been received stating as follows:

One letter of objection

- Revisions do not remove additional pressure for parking
- Disturbance during construction
- 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.

One letter of support

- Full support of demolition of existing house
- The tree should be removed as blocks light to nearby residents

- 7.6 Councillor Arscott has requested this application be dealt with by Development Control Committee.

### **8 Relevant Planning History**

- 8.1 Demolish existing two storey dwelling house and erect a pair of two storey semi-detached dwelling houses, layout associated parking and form vehicular access on to Leighton Avenue- Refused (17/00422/FUL)

### **9 Recommendation**

**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: 17-101 PO1C; 17-101 P02; 17-101 P03; 17-101 PO4 & 17-101 P05.**

**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, porch canopy, 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 only be carried out in accordance with the approved details.**

**Reason: To safeguard character and appearance of surrounding area in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.**

- 04 The development shall not be occupied until four car parking spaces have been provided at the site in accordance with drawing 17-101 PO1C, 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 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 policy CP3 of the Core Strategy, policy DM15 of the Development Management Document.**

- 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 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 including new street tree shrubs and plants to be retained and planted together with a planting 11 specification**
- viii. 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 Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy.

- 07 Prior to the commencement of development details of any trees to be removed shall be submitted to and agreed in writing with the local planning authority. All trees to be felled shall be replaced by trees only a two for one basis of such size, species and location first agreed in writing 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 Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy.

- 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 by the Local Planning Authority prior to the commencement of development 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 (2007) and policy DM2 of the Development Management Document.

- 09 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 (lppd) (110 lppd 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, Core Strategy policy KP2, Development Management Document policy DM2 and Design and Townscape Guide.

- 10 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'**

**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, Core Strategy policy KP2, Development Management Document policy DM2 and Design and Townscape Guide.**

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.**

**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, Core Strategy Policies KP2 and CP4, DPD2 Development Management Document Policy DM1 and Design and Townscape Guide.**

- 12 Prior to their occupation the proposed 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 and shall be retained as such in perpetuity thereafter. 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**

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

- 13 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 DM3, DM8 and DM15 of Development Management Document.  
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.**

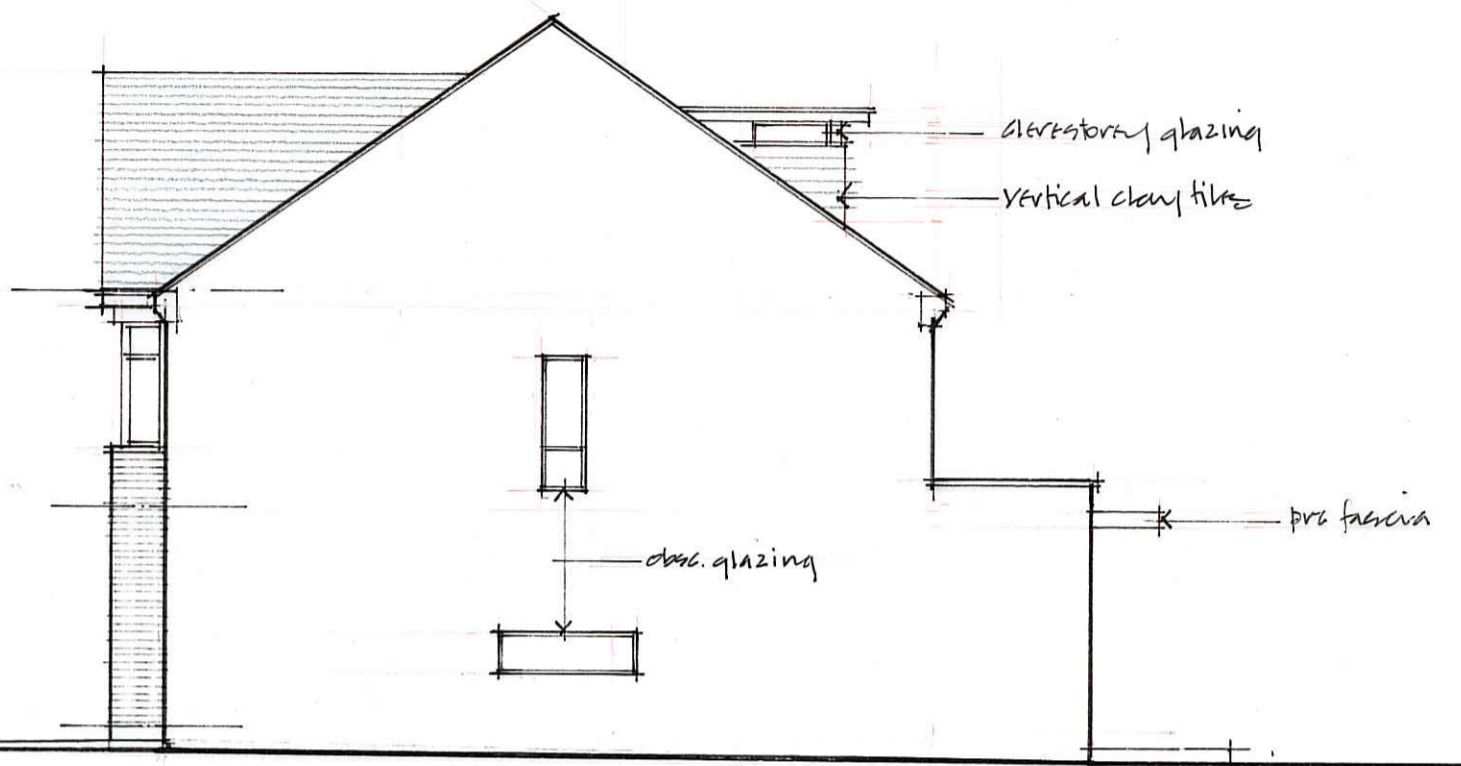
**You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL 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](http://www.southend)**

**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.**

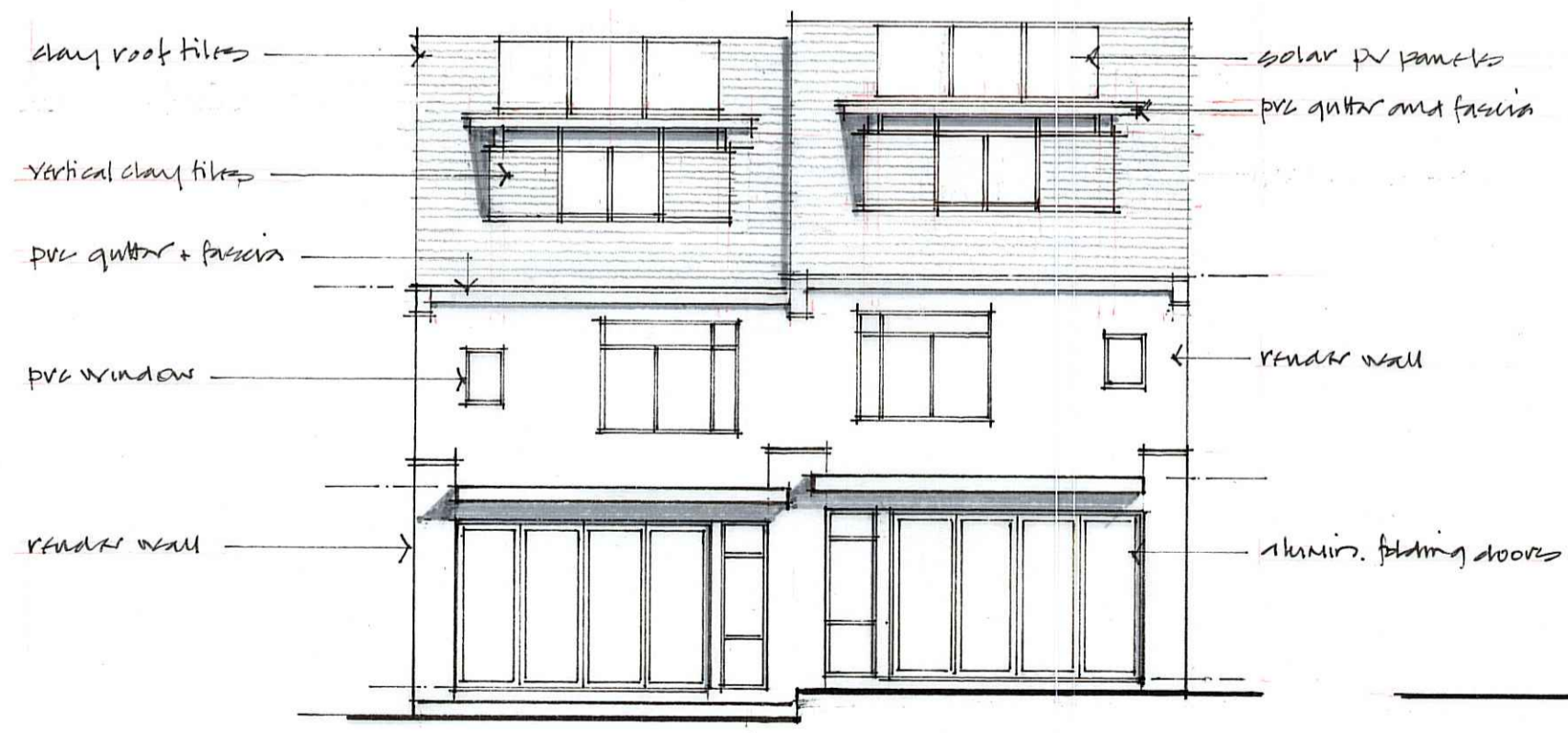
REVISION	



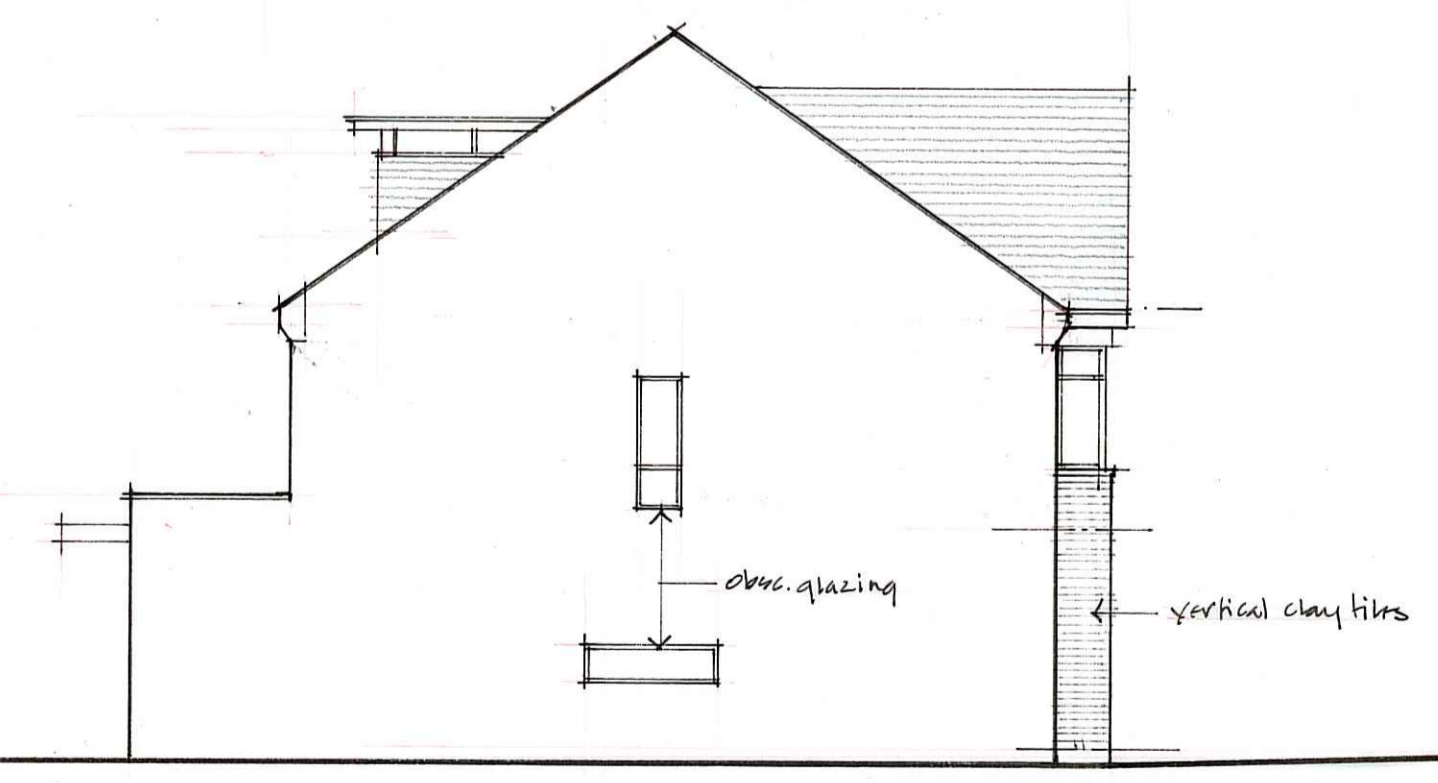
FRONT ELEVATION (EAST)



SIDE ELEVATION



REAR ELEVATION (WEST)



SIDE ELEVATION

21

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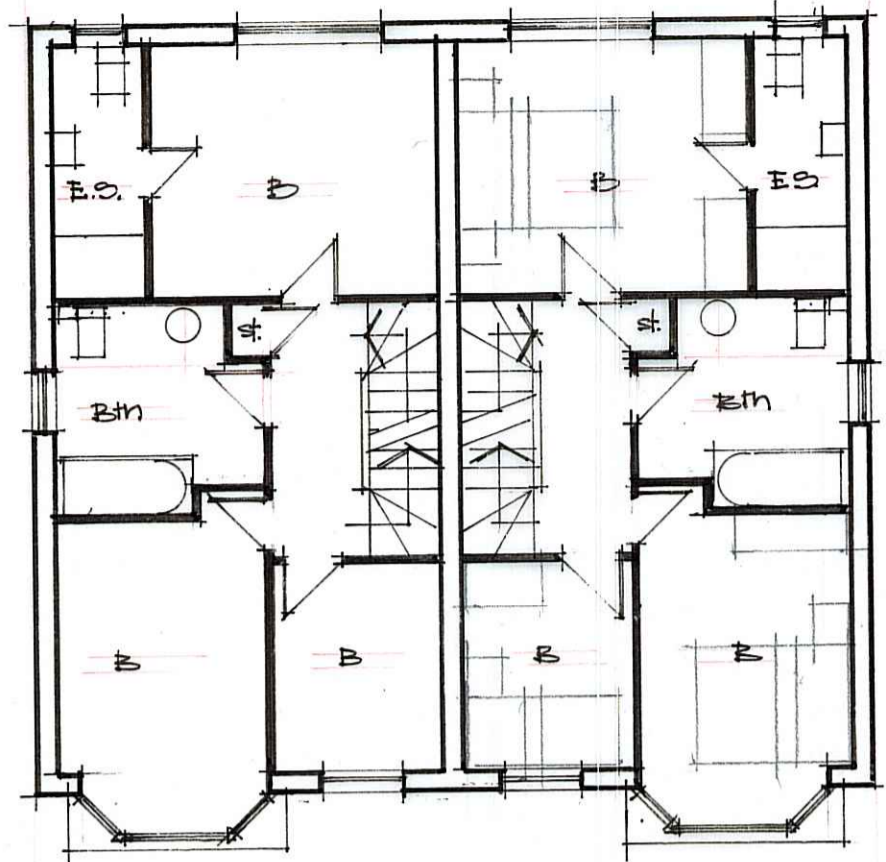
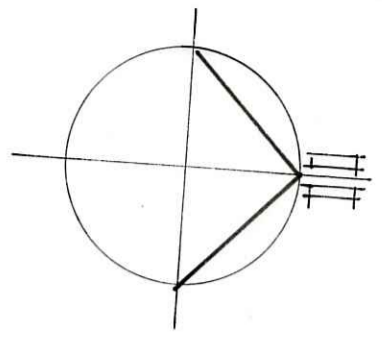
**PROPOSED RESIDENTIAL DEVELOPMENT**  
**141 Leighton Avenue Leigh on Sea**

**ELEVATIONS**

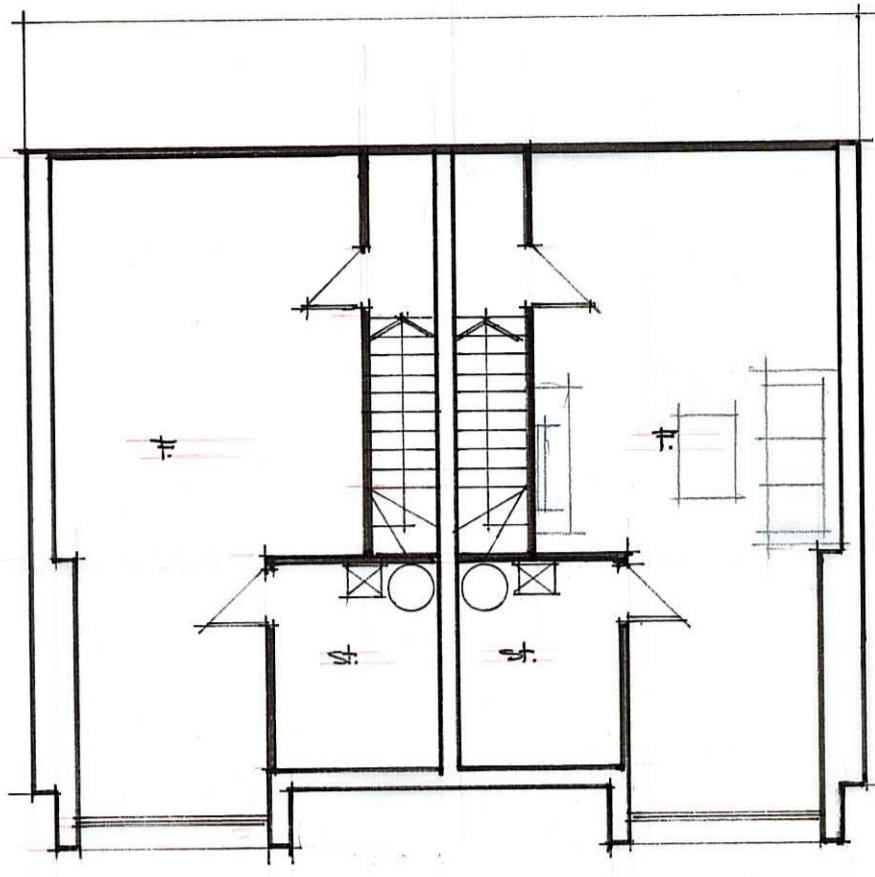
DATE MARCH 17	JOB No. 17-101	REV
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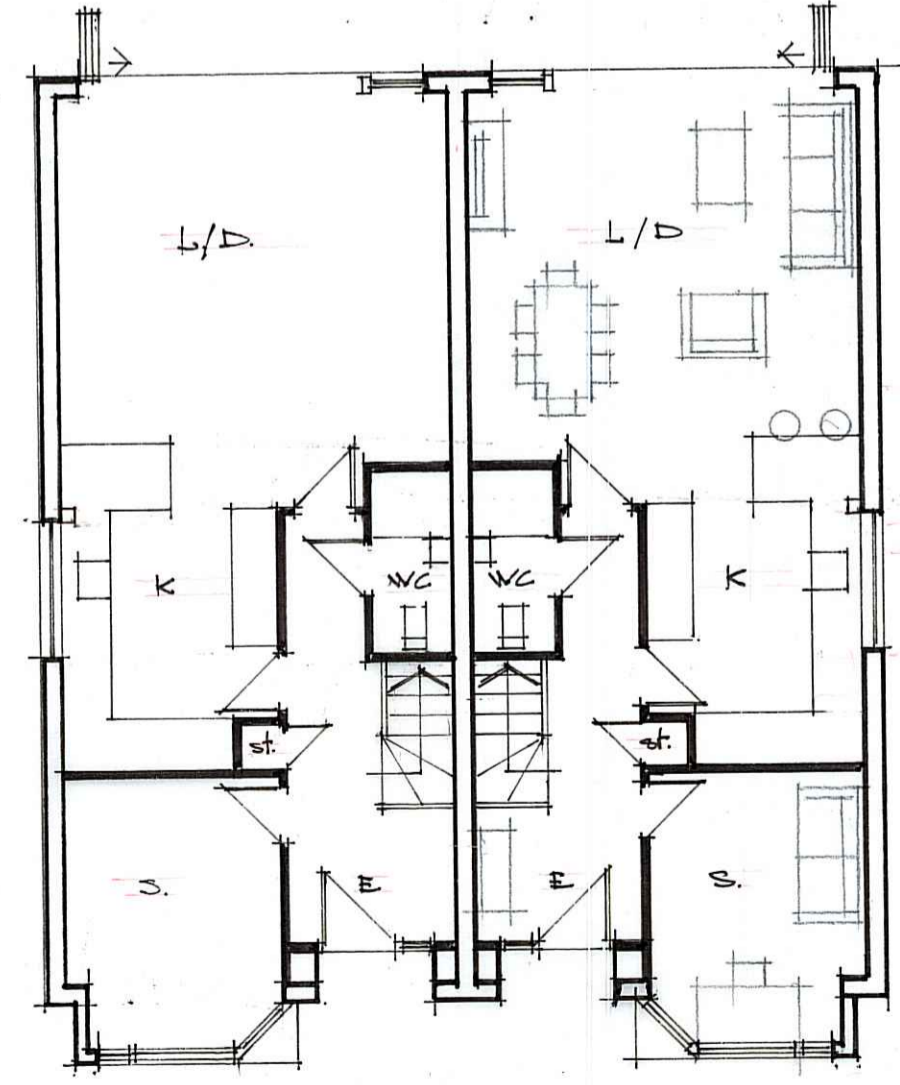




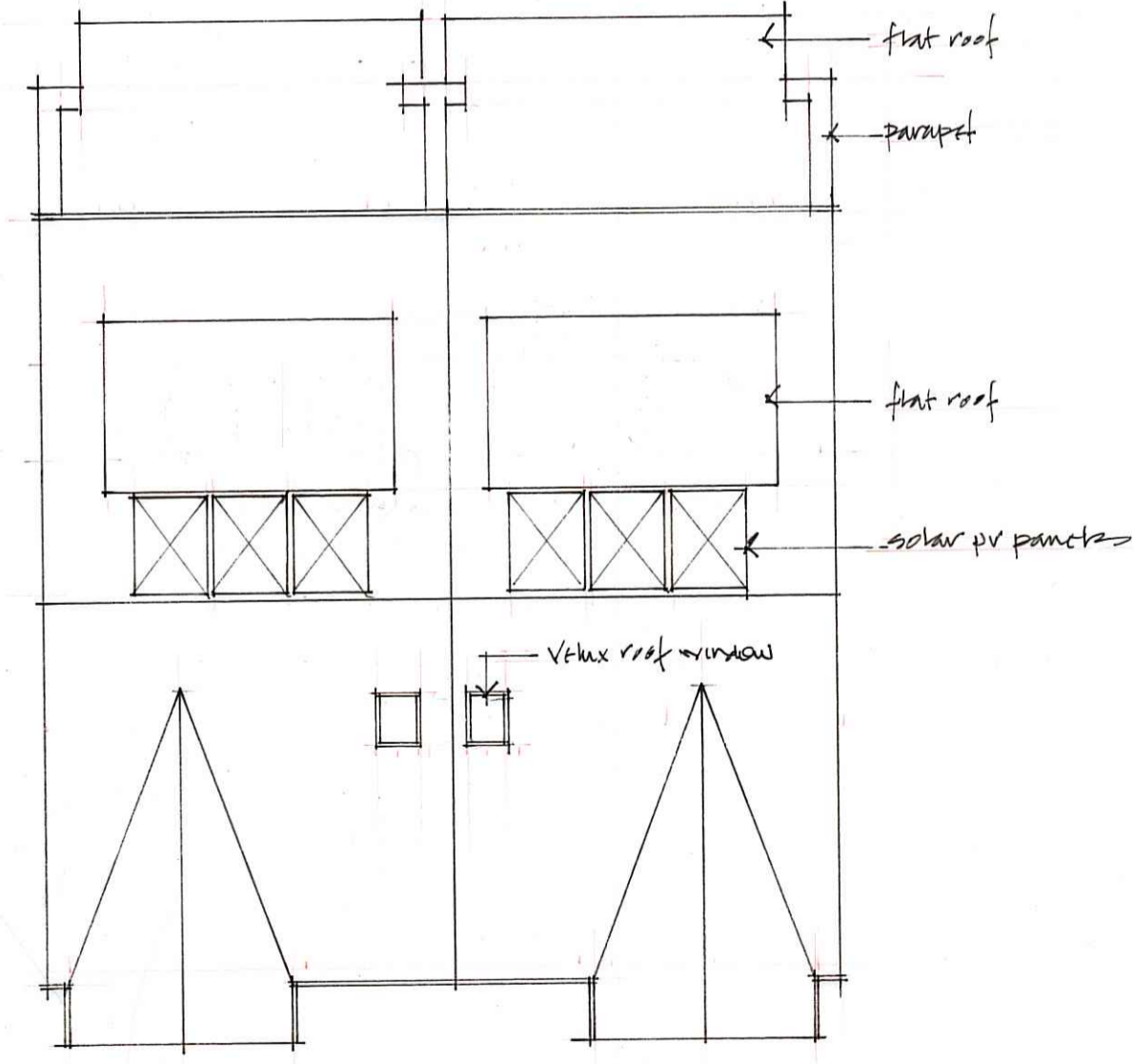
FIRST FLOOR



SECOND FLOOR



GROUND FLOOR



ROOF

PROPOSED RESIDENTIAL DEVELOPMENT  
141 Leighton Avenue Leigh on Sea

FLOOR PLANS  
ROOF PLAN

DATE	MARCH '17	JOB No.	17-101	REV
SCALE	1:100 @ A2	DRW. No.	402	

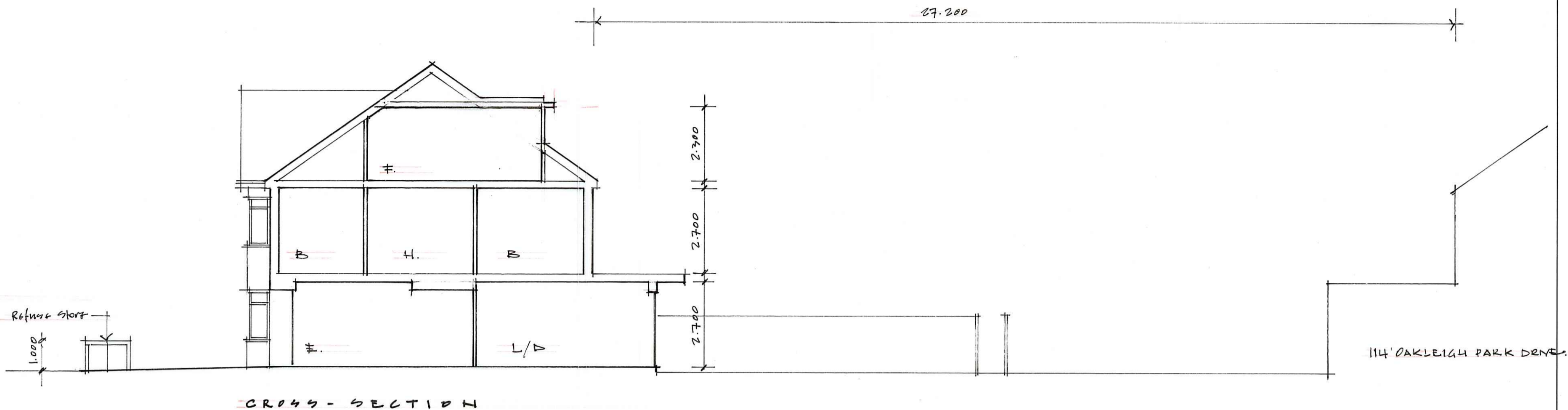
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REVISION



CROSS-SECTION

25

Schedule of Materials

		Sandtoft 20/20 Clay Roof Tiles Flanders <a href="http://www.sandtoft.com">www.sandtoft.com</a>
White Render Walls		
		Black UPVC Fascia and gutters
		Bay Window Wall Tiles Hawkins Dark Heather <a href="http://www.marleytermit.co.uk">www.marleytermit.co.uk</a>
Painted Steel Arch Dulux Royal Blue		
Brick detailing: Refuse store Ibstock Bexhill Purple Multi <a href="http://www.ibstock.co.uk">www.ibstock.co.uk</a>		
		White UPVC Windows and Doors

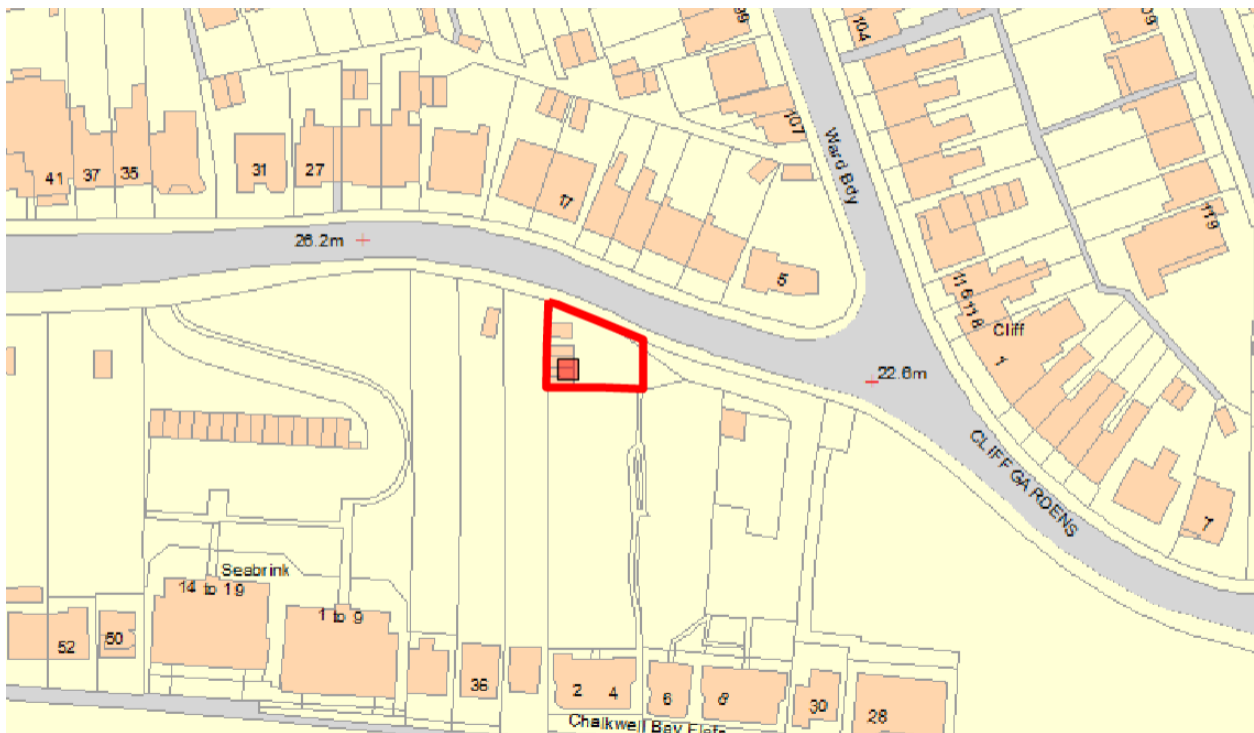
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<b>PROPOSED RESIDENTIAL DEVELOPMENT 141 Leighton Avenue Leigh on Sea</b>		
<b>CROSS- SECTION MATERIALS SCHEDULE</b>		
DATE March '17	JOB No. 17-101	
SCALE 1:100 e A2	DRW. No. P04	REV

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<b>Reference:</b>	17/01287/FUL	<h1>5</h1>
<b>Ward:</b>	Leigh	
<b>Proposal:</b>	Erect additional garage to existing garage site rear of 1 to 4 Chalkwell bay flats (Amended Proposal)	
<b>Address:</b>	Site Of Garages Rear Of 1 to 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-On-Sea, Essex, SS9 1EA	
<b>Applicant:</b>	Mr Christopher Bailey	
<b>Agent:</b>	N/A	
<b>Consultation Expiry:</b>	28.08.2017	
<b>Expiry Date:</b>	04.09.2017	
<b>Case Officer:</b>	Kara Elliott	
<b>Plan Nos:</b>	Location Plan, PL1, Site Plan, EL1	
<b>Recommendation:</b>	<b>REFUSE PLANNING PERMISSION</b>	



# 1 The Proposal

- 1.1 The application seeks permission to erect a garage on land to the south of Grand Parade.
- 1.2 The application site measures a maximum of 17 metres deep and 17 metres wide, with mostly hard-surfaced land that falls from the highway of Grand Parade to the north towards the amenity land of Chalkwell Bay Flats to the south. At the west edge of the site is a line of five garages. A fence exists at the south and north boundaries of the site and a railing is observed at the east boundary of the site.
- 1.3 The application proposes a garage at the south east corner of the site that would measure 5.2 metres deep and 3.2 metres wide. The garage would have a mono-pitch roof with a maximum height of 2.25 metres at the northern end. The garage would be built from bricks with a corrugated steel roof and would have a wooden up-and-over garage door. No details of colour have been provided.
- 1.4 This application is a resubmission of a previously refused scheme which was subsequently dismissed at appeal; reference 16/01593/FUL The proposed garage was to be set within the same position as now proposed but measured 5m x 2.75m and was to be finished in reinforced concrete panels with an aggregate finish and would have a galvanised metal door.
- 1.5 The application was refused as the design, siting and the materials for the garage was considered to be detrimental to the character and appearance of the application site and the area more widely. Furthermore, the garage did not meet the minimum garage size as prescribed by the adopted Parking Standards and policy DM15 of the Development Plan; 3 metres by 7 metres. The inadequate internal dimensions of the proposed garage were considered likely to result in the loss of an existing parking space and would therefore generate addition on-street parking demand in an area already under considerable parking stress.
- 1.6 The reasons for refusal in full were as follows;
  1. The proposed development would, by reason of its design, siting and the materials used, be detrimental to the character and appearance of the application site and the area more widely. 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 advice contained within the Southend-on-Sea Design and Townscape Guide (2009).
  2. The proposed development would result in a reduction in the area available for parking vehicles at the application site and be likely to cause additional vehicles to park within the surround public highway, to the detriment of the free flow of traffic and highway safety conditions in the area. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policy CP3 of the Southend-on-Sea Core Strategy (2007); and Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015).

## **2 Site and Surroundings**

- 2.1 The appeal site is located on the southern side of Grand Parade within a predominantly residential area. It contains a row of 5 garage structures, orientated at right angles to the road, and a parking area. The land slopes away steeply beyond the garages, to the large rear gardens of dwellings along Undercliff Gardens.
- 2.2 The buildings of the surrounding area are in residential use with dwellings and flats built to various heights and design. Ground levels change significantly from higher ground to the North to lower ground to the South.

## **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, the impact on residential amenity and the effect on parking provision, highway safety and whether the application has overcome the previous reasons for refusal and the Inspectors objections at appeal.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework, Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management (2015) Policies DM1, DM3, DM6 and DM15 and Design and Townscape Guide (2009)**

- 4.1 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 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.”* In addition, policy DM6 requires additional attention to be paid to maintaining the character of the seafront which will be discussed further below.
- 4.2 No national or local planning policies provide grounds to object to the principle of providing additional garaging within an established parking and garage court. Furthermore, no objection was raised to the principle of development at the time of the previous application.

### **Design and Impact on the Character of the Area**

**National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Development Management (2015) Policies DM1, DM3 and DM6 and Design and Townscape Guide (2009)**

- 4.3 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 Policy of the Council's Development Management Document (DMD) which 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." 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.*"
- 4.4 DM Policy DM6 specifically addresses the seafront areas of the Southend Borough and it is noted that the application site is included within Seafront Character Zone 3 (The Cinder Path – Old Leigh to Chalkwell Station including Undercliff Gardens and Grand Parade). The stated expectation is that the Local Planning Authority will "*continue to protect and enhance the open character and undeveloped, green space, frontage and estuary views.*" It is stated that; "*Development will be considered acceptable where it adds to the overall quality of Undercliff Gardens [and] Grand Parade*" and "*Development that materially changes the existing character, appearance and form of the area will be resisted.*"
- 4.5 To enable an assessment to be made in respect of these policies it is considered appropriate to establish the existing character of the site and the surrounding area. In this regard it is noted that the established pattern of development at the south side of Grand Parade is for residential buildings to be provided at lower ground level and for their gardens, parking, outbuildings and other ancillary developments to be undertaken to the north. In many instances this has led to garages and other such outbuildings being provided in close proximity to the highway of Grand Parade, albeit with most buildings being of a height that results in the roof the buildings being close to the ground level of the highway. The block of five garages at the site is therefore in-keeping with the garages at the rear of the two adjacent sites to the west and at least 12 other garages with various other forms, designs and relationships to the highway.
- 4.6 Similarly, the appeal Inspector considered that the existing garage structures within the appeal site, whilst of no particular architectural merit, are sited within the lower part of the appeal site and their roof level broadly matches the height of a fence along the frontage with Grand Parade. The front elevations of the timber garage structures, which are visible from along Grand Parade to the east, reflect the timber fencing which encloses them and they therefore appear to be well assimilated within the streetscape, conform to the prevailing pattern of development along this side of Grand Parade and contribute to the spatial qualities of the area.
- 4.7 Attempts have been made to improve the appearance of the garage by the use of brickwork walls and a timber garage door instead of the previous aggregate finish concrete panels and metal door. However, whilst the use of incongruous materials was a contributing factor to the previous refusal, this does not overcome the demonstrable harm from the siting of the structure in this position due to its visual prominence. It is also noted that the proposed materials do not match those of the other garages.

Furthermore, orientation of the building coupled with the proposed use of brickwork at a depth of 5.2 metres, would result in a large expanses of blank brickwork walls clearly visible from the east and west, further increasing its harmful prominence.

- 4.8 The Inspector considered that the siting of a garage in this location would considerably erode the spatial qualities of the site. Crucially, the proposed garage subject of this resubmitted application is bigger than previously refused. Therefore, the proposed development is considered to result in significant harm to the character and appearance of the streetscape and area.
- 4.9 The proposed development would not cause a loss of views towards the estuary to the south. However, the visual impact of the garage as a result of its size, scale, bulk, use of materials and siting, would result in demonstrable harm to the character and appearance of the site and the wider area.
- 4.10 The proposal would be contrary to the relevant local policies, national guidance and the guidance of the Southend on Sea Townscape and Design Guide 2009 which advises that development must have a positive relationship to its context, reinforce local distinctiveness and seek to enhance the character of an area.

#### **Impact on Residential Amenity:**

#### **NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; DPD2 (Development Management Document (2015) Policy DM1 and Design & Townscape Guide (2009)**

- 4.11 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. Similarly, policy DM1 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.*”
- 4.12 The building would be positioned on the opposite side of Grand Parade from the dwellings to the north and at a much lower ground level and would be a significant distance from the residential properties to the south (50 metres). It is therefore considered that the proposal would not cause a loss of light, privacy or outlook to any neighbouring properties to an extent that would justify the refusal of the application on those grounds.

#### **Traffic & Transport**

#### **The National Planning Policy Framework; Core Strategy (2007) policies KP2, CP3; Development Management Document (2015) Policy DM15**

- 4.13 The Council’s Adopted Parking Standards state that a garage space should measure 3 metres by 7 metres in order for it to be considered as a parking space. The preamble to policy DM15 (Paragraph 7.12) states that “*Garages that have an internal dimension below 7.0m x 3.0m will not be considered or counted as a parking space.*”

- 4.14 The previously refused garage measured 5m x 2.75m and the reason for refusal was upheld by the appeal Inspector who considered that due to its size lesser than the required standard, it would be likely to result in the loss of an existing parking space and would generate additional on-street parking demand in an area already under considerable parking stress.
- 4.15 The proposed garage would measure 5.2m x 3.2m, which is still less than the minimum standard as prescribed by adopted policy DM15 and the adopted Parking Standards. The applicant considered the minimum garage size to be excessive and has provided a list of 'popular modern cars' and their sizes to demonstrate that the proposed garage would accommodate them. However, at the time of the previous appeal, the Inspector was clear that whilst the proposed garage (at 5m x 2.75m) may be able to accommodate a normal car, the supporting text of Policy DM15 states that garages need to be large enough to accommodate some storage also, hence the required internal dimensions. It was concluded that on this basis, the required dimensions of the adopted standard were deemed reasonable. The above finding holds significant material weight in the determination of this application.
- 4.16 Therefore, the previous reason for refusal has not been resolved; the proposed garage would not meet with minimum garage size and would cause a net-loss of usable parking space at the application site, contrary to policies CP3, DM3 and DM15.

#### **4.17 Community Infrastructure Levy**

##### **National Planning Policy Framework; Community Infrastructure Levy Charging Schedule**

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.

This application is CIL liable. However, as the proposed development 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.

#### **5 Conclusion**

- 5.1 For the reasons set out above it is considered that the size, scale, bulk, use of materials, siting and the prominence of the proposed structure would result in demonstrable harm to the character and appearance of the site and the wider area from a dominant and harmful visual impact. It is also considered that the proposed development, due to its failure to meet the adopted standards for garage sizes, would represent a net loss of usable parking at the site; thereby likely to cause an increased demand for on-street parking, within an area of parking stress.
- 5.2 The application has failed to overcome the previous reasons for refusal and the Inspectors appeal decision and is therefore unacceptable.

## **6 Planning Policy Summary**

6.1 National Planning Policy Framework

6.2 Core Strategy (2007) Policies KP2 (Spatial Strategy), CP3 (Transport and Accessibility) and CP4 (Development Principles)

6.3 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM6 (The Seafront) and DM15 (Sustainable Transport Management).

6.4 Community Infrastructure Levy Charging Schedule.

6.5 Design and Townscape Guide (2009)

## **7 Representation Summary**

### **Leigh-on-Sea Town Council**

7.1 No comments received

### **Design and Regeneration Team**

7.2 No comments received

### **Parks**

7.3 No comments received

### **Transport and Highways**

7.4 No comments received

### **Society for the Protection of Undercliff Gardens**

7.5 No comments received

### **Public Consultation**

7.6 18 neighbouring properties were notified of the application and a site notice was posted at the site. 1 letter of objection has been received.

Summary of objection;

- *Concerns in relation to obscuring views from Grand Parade*

### **Member Representations**

7.7 The application has been called-in to be determined by the Development Control Committee at the request of Councillor Mulroney and Councillor Evans.

## **8 Relevant Planning History**

- 8.1 16/01593/FUL - Erect additional garage to existing garage site rear of 1 to 4 Chalkwell bay flats. REFUSED 04.11.2016, APPEAL DISMISSED 04.04.2017.

## **9 Recommendation**

- 9.1 **Members are recommended to;**

**REFUSE PLANNING PERMISSION for the following reasons;**

1. **The proposed development, by reason of its size, scale, bulk, use of materials, siting and the prominence of the proposed structure, would be detrimental to the character and appearance of the application site and the area more widely. 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 advice contained within the Southend-on-Sea Design and Townscape Guide (2009).**
2. **The proposed development would result in a reduction in the area available for parking vehicles at the application site and be likely to cause additional vehicles to park within the surround public highway, to the detriment of the free flow of traffic and highway safety conditions in the area. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policy CP3 of the Southend-on-Sea Core Strategy (2007); and Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015).**

**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. The Local Planning Authority is willing to discuss the best course of action in respect of any future application for a revised development.**

### **Informative**

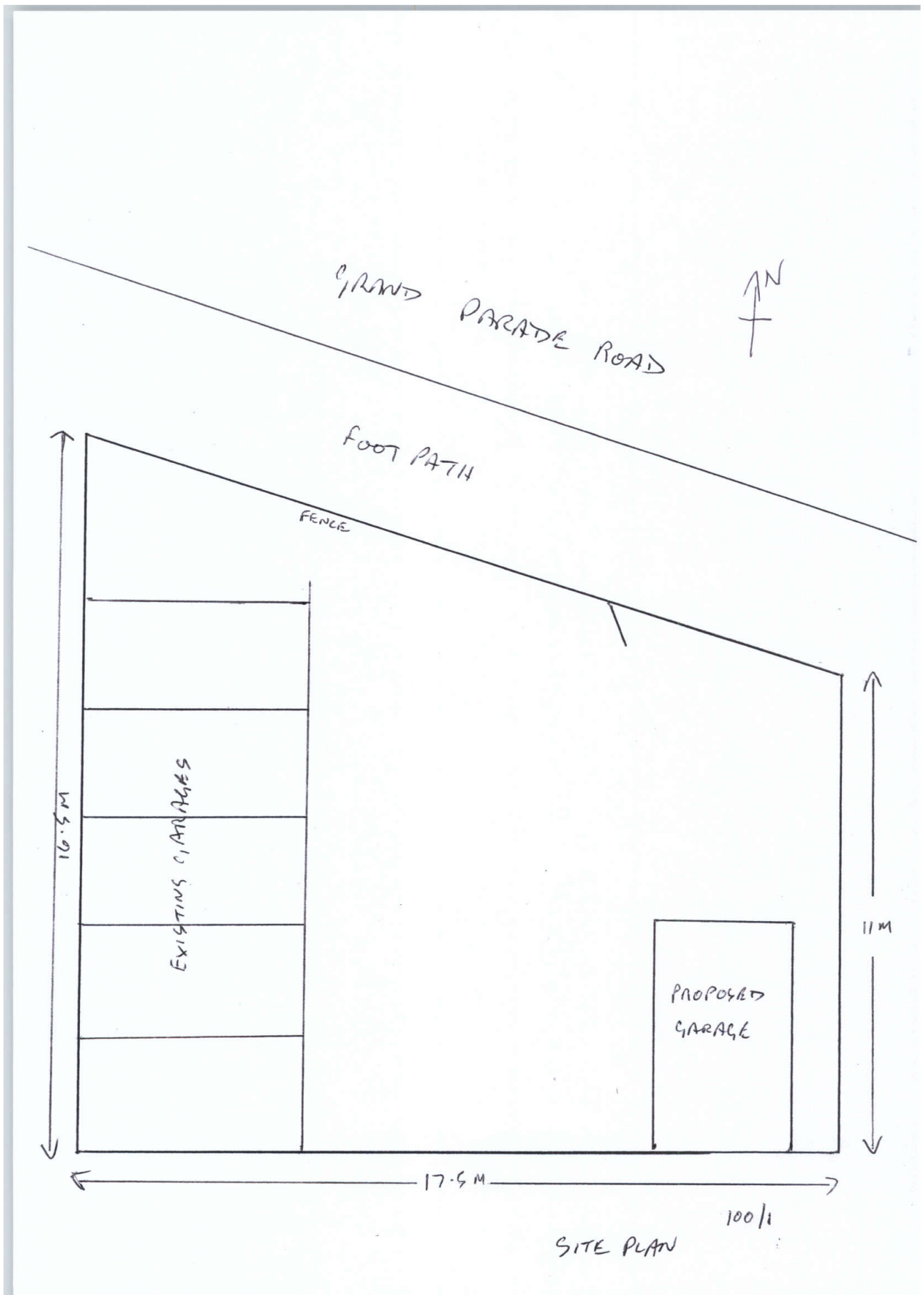
**You are advised that as the proposed development equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)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



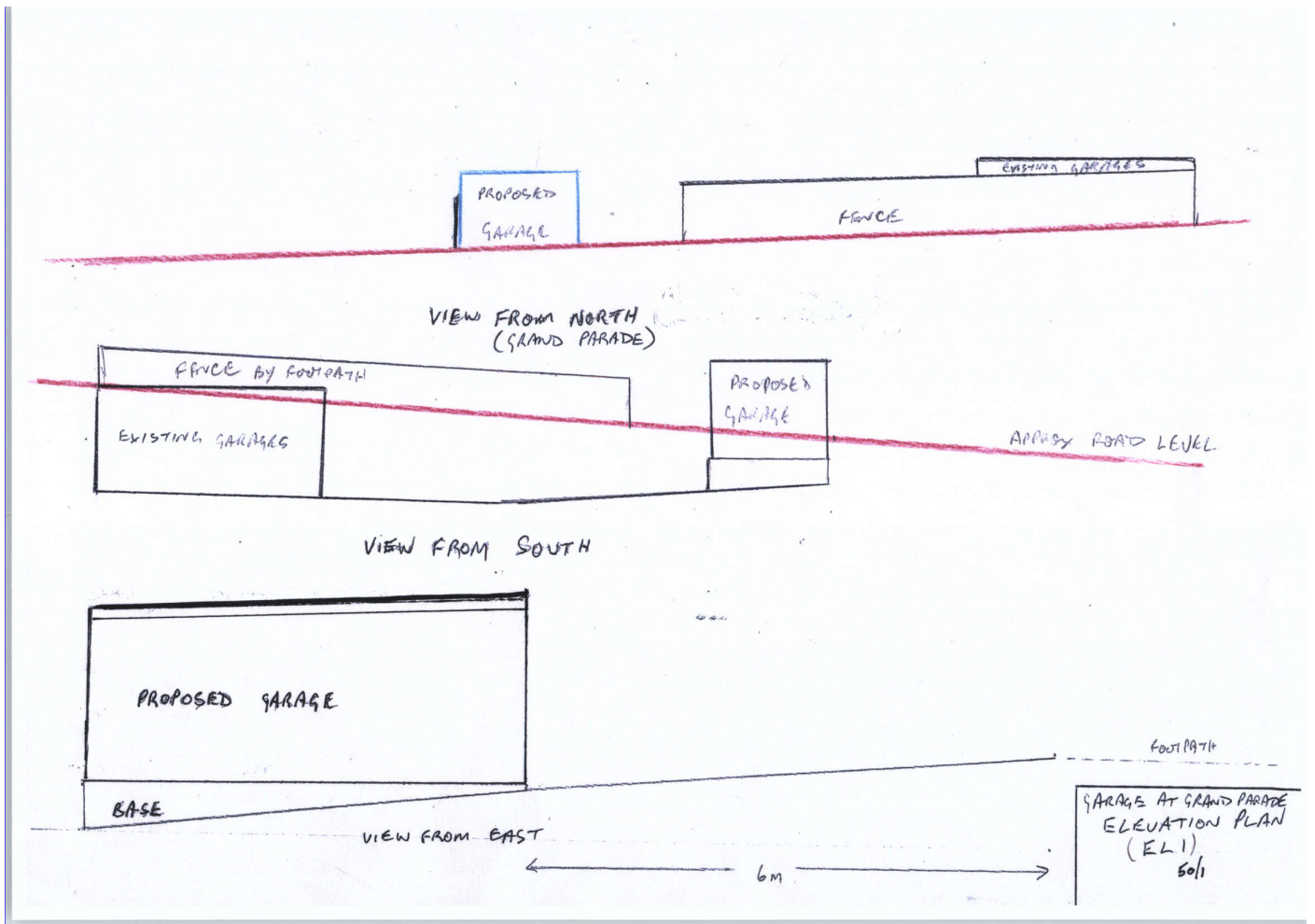


SCALE 1/1250 LOCATION PLAN

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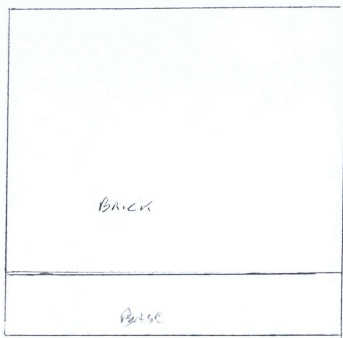


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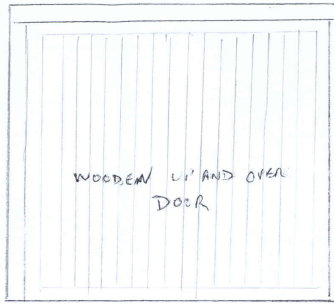


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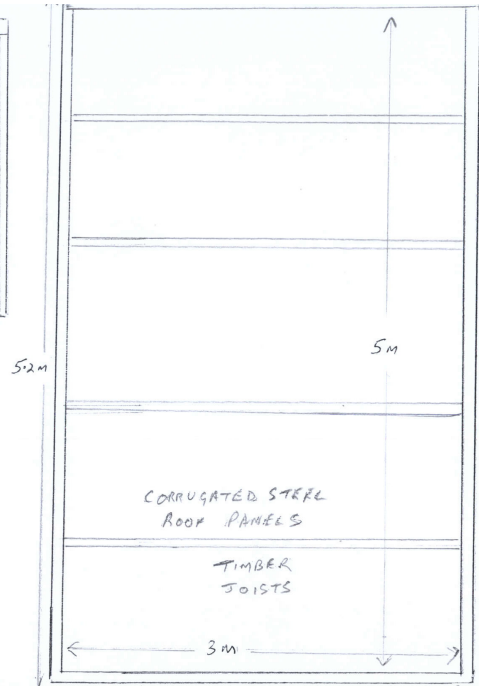




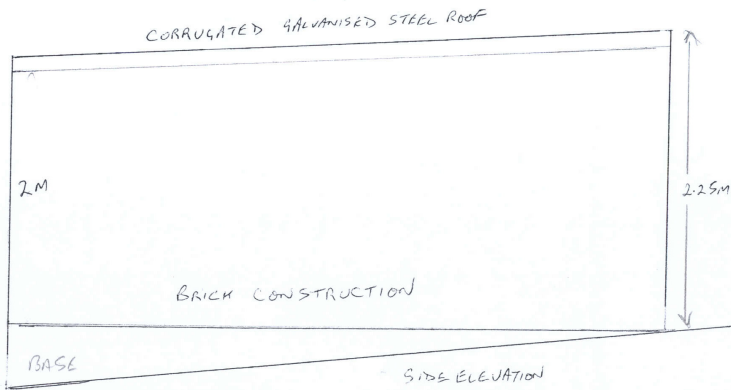
REAR ELEVATION  
VIEW FROM SOUTH



FRONT ELEVATION  
VIEW FROM NORTH



PLAN VIEW



SIDE ELEVATION  
VIEW FROM EAST

PROPOSED GARAGE AT GRAND PARADE SSS IEA  
(PL1) 25/1

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<b>Reference:</b>	17/00821/AMDT	<b>6</b>
<b>Ward:</b>	Victoria	
<b>Proposal:</b>	Application to vary condition 2 (approved plans) of planning permission 16/01503/FULM (Demolish existing buildings, erect 3 storey block comprising of 44 flats, 252sq. m retail commercial floor space at ground floor, communal amenity space, landscaping, parking and associated works) dated 29/03/2017 to alter elevations, alter layout, alter unit mix.	
<b>Address:</b>	411-415 Sutton Road Southend on Sea	
<b>Applicant:</b>	Dove Jeffrey Homes Ltd	
<b>Agent:</b>	FRONT Architecture Ltd	
<b>Consultation Expiry:</b>	8 <sup>th</sup> August 2017	
<b>Expiry Date:</b>	20 <sup>th</sup> September 2017	
<b>Case Officer:</b>	Charlotte Galforg	
<b>Plan Nos:</b>	FRNT_16.563_200_P5 site plan and streetscene; FRNT_16.563_201_P4 Block A floor plans; FRNT_16.563_202_P4 Block B floor plans; FRNT_16.563_204_P4 Block A elevations; FRNT_16.563_205_P4 Block B elevations; FRNT_16.563_203_P3 Block C Floor Plans; FRNT_16.563_206_P4 Block C elevations: Location plan 001.	
<b>Recommendation:</b>	Delegate to the Head of Planning and Transport or the Group Manager Planning to GRANT PLANNING PERMISSION subject to completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (As Amended).	



# 1 The Proposal

## Background

- 1.1 This application seeks amendments to the scheme approved under ref 16/01503/FULM, to demolish existing buildings, erect a 3 storey block comprising 44 flats, 252sq.m of retail commercial floor space at ground floor, communal amenity space, landscaping, parking and associated highways works. It is now proposed that the development would be taken on by a Registered Provider (Estuary) and the changes that are proposed are required to “support the viability of affordable housing across the scheme”.
- 1.2 The changes that are proposed are as follows and essentially propose to alter the building’s elevations, layout, and the unit mix. It should be noted that the application as originally submitted also proposed to remove roof top amenity space and lifts, however these elements have been reinstated at the request of officers.
- 1.3 The approved scheme 16/01503/FULM proposed:

- 4 x 1 bedroom 2 person flats
- 22 x 2 bedroom 3 person flats
- 10 x 2 bed 4 person flats
- 8 x 3 bed 4 person flats.

The amended scheme proposes:

- 4 x 1 bed 2 person flats
- 14 x 2 bed 3 person flats
- 26 x 2 bed 4 person flats.

- 1.4 Internal changes include:  
Block A and B - Bin store access door has been moved from the North to the West side of the building; en-suite bathrooms removed; layout changes to facilitate bedroom changes as outline in para 1.3. Block C - layout changes to facilitate bedroom changes as outline in para 1.3.
- 1.5 The external elevations are proposed to be amended to reflect minor changes to window detail and location, and the revised bin store location.
- 1.6 The remainder of the scheme is unchanged from that approved under ref 16/01503/FULM.
- 1.7 The ground floor of the southernmost units would comprise a retail/commercial unit (252 sqm of retail space would be provided). The parking areas to serve both uses would be laid out to the rear. The upper floors would be solely used for residential purposes. Balconies would be provided for a number of the units and large communal amenity areas would be provided at roof level. A total of 828 sqm of amenity space is provided, the majority of which is roof top communal area, and which equates to approx. 18.sqm per dwelling.
- 1.8 The development would be of a contemporary design, with a flat roof. The buildings are articulated by the use of canopies, balconies and the use of materials. The proposed materials are buff brick and white render, with timber clad panels and grey UPVC windows and grey aluminium doors. Fencing would be erected on boundaries and the hardstanding is proposed to be permeable block paving.
- 1.9 A total of 44 car residential parking spaces (100%) are proposed to the rear of the development together with 52 cycle parking spaces. New parking/loading laybys are proposed to be created within the highway, providing an additional loading space to the front of the development, together with parking bays. 10 on site spaces would be provided to serve the commercial unit and 6 on street car parking spaces/loading bay created. Two vehicular accesses are proposed to serve the development, one at the southern end of the site to serve the commercial units and parking and one towards the northern end, to serve the residential units.
- 1.10 The opening hours of the retail units were previously confirmed to be 0700 – 2300 hours, 7 days a week.
- 1.11 9 units 2 x 1 bed and 7 x 2 bed are proposed to be Affordable Housing (tenure affordable rent). This equates to 20%. The applicant has submitted a supporting statement from the Estuary Housing setting out why the proposed changes are considered necessary. It is understood that it Estuary's intention to occupy the whole of the development is as Affordable Housing, however this is subject to funding.

## **2 Site and Surroundings**

- 2.1 The application site lies on the western side of Sutton Road, between the junction of Vale Avenue and Kenway. The site covers an area of 0.3 hectares. Buildings currently occupy the majority of the site. The existing buildings on the site are primarily 2-storey, with the main height focused on the street frontage with a parapet roof detail. Some of the buildings are rendered in white, others are brick. Generally they have crill windows. This site and the buildings on it, form part of a significant block with a long, linear street frontage.
- 2.2 There is at present a limited area of off street parking to the front of the buildings, this currently results in vehicles overhanging the footpath, is of a poor quality, and has a negative visual impact. There is a run of mature street trees to the front of the site. There are a number of existing vehicular accesses crossing the pedestrian footpath.
- 2.3 The last authorised use of the site was for B8 (warehouse) employment use.
- 2.4 Development around the site is generally two storey, however a small, three storey block of flats has recently been erected opposite the site. Also to the north of the site, at the junction of Sutton Road and East Street lie a number of blocks of 4 storey, flat roof, flats. To the north and south of the application site lie commercial units. Opposite to the east is a mix of two storey houses, flats and shops with flats above. To the rear (west) of the site, lie the two storey residential properties in Glenhurst Road. These have rear gardens which abut the site.
- 2.5 The site is allocated as proposals site PA9.1 within the emerging Southend Central Area Action Plan (SCAAP) as part of the Sutton Gateway Policy Area and as part of a wider site for housing and community uses.

## **3 Planning Considerations**

- 3.1 The principle of redevelopment of the site for retail and residential uses, specifically 44 flats has previously been accepted under application ref 16/01503/FULM, as has the size, scale and mass of the development, the impact of the development on traffic generation and highways safety and amount of parking provision. The amount of development and footprint of the building remains unchanged and therefore the impact on trees, archaeology, flood risk and drainage, contamination and sustainability remains the same as that previously considered to be acceptable.
- 3.2 The only matters which now fall to be considered are therefore, housing mix, detailed design, impact on surrounding occupiers, living conditions for future occupiers and developer contributions.

## **4 Appraisal**

### **Housing mix**

**Planning Policies: NPPF, Core Strategy (2007) policies KP2, CP8; Development Management Document (2015) Policy DM7.**

- 4.1 To create balanced and sustainable communities in the long term, it is important that future housing delivery meets the needs of households that demand private market housing and also those who require access to affordable housing. Providing dwellings of different types (including tenure) and sizes will help to promote social inclusion by meeting the needs of people with a variety of different lifestyles and incomes. A range of dwelling types will provide greater choice for people seeking to live and work in Southend and will therefore also support economic growth. The Council therefore seeks to ensure that all residential development provides a dwelling mix that incorporates a range of dwelling types and bedroom sizes, including family housing, to reflect the borough's housing need and housing demand. Policy DM7 of the Development Management Document requires all residential development to provide a mix of dwelling size and type.
- 4.2 Paragraph 159 of the NPPF requires local planning authorities to have a clear understanding of housing needs in their area and they should prepare a Strategic Housing Market Assessment ('SHMA') which identifies the scale and mix of housing that the local population is likely to need. The Southend-on-Sea Housing Strategy 2011, the SHMA 2013 and the Council's Community Plan 2011-2021 seek to provide sustainable balanced communities and advise that housing developments will need a range of tenures and size of dwelling. The SHMA has identified a shortage of family accommodation in Southend, despite an acute demand for this type of dwelling. Consequently, to address this shortfall and meet demand, residential development proposals will normally be expected to incorporate suitable family accommodation. The provision of high quality, affordable family homes is an important strategic housing priority in Southend and the Core Strategy highlights a need to retain a stock of larger family housing.
- 4.3 Policy DM7 states:
- "The Council will promote the mix of dwellings types and sizes, taking account of those outlined in the SHMA, illustrated in Policy Table 2, in all new major\* residential development proposals. Where a proposal significantly deviates from this mix the reasons must be justified and demonstrated to the Council."*
- 4.4 Application 16/01503/FULM was amended during its submission to include 8 x 3 bed units (18%) and proposed a mix of 1, 2 and 3 bed dwellings of which 20% would be required to be affordable. It is noted that this was a significant uplift from the scheme that was previously allowed at appeal (15/01130/FULM) and which contained 26% one bed units and 73% 2 bed units. .
- 4.5 The development is now to be brought forward on behalf of a Registered Provider (RP). It is noted that although intention of the RP applicant is to provide 100% AH, in order to address grant funding issues for the registered provider, the scheme is proposed in a policy compliant form, ie 20% AH will be required by S106.

- 4.6 The RP is seeking to provide a mix of one and two bed units only (for 2, 3 and 4 persons). They have submitted supporting evidence summarised as follows:

*“Estuary Housing Association’s current demand for Affordable Housing is 1 and 2 bedroom properties. Estuary find on [sic] 3 bedroom properties where families fully reliant on benefits will struggle with the affordability, even though rental levels are within Local Housing allowance, this is due to the benefits cap.*

*Where there are family units without an appropriate outside “private space” i.e. houses with gardens we have often experienced high levels of complaints from occupants of neighbouring properties reporting nuisance behaviour caused by children/youths. We have found that where there is sufficient private space, reports of this nature are far reduced. In the event private space is not possible, we would recommend 2 bedroom rather than 3. With 3 bedroom property the maximum occupancy is greater and this in turn can cause more issues due to the volume of persons. Noise is our highest reported “anti-social behaviour type.*

*We would further advocate 2 bedroom properties rather than 3 to support future flexibility of the occupants in the event they need to move. Where there is a need for alternative accommodation Estuary would encourage residents to consider mutual exchange as an option, however, persons occupying a 3 bedroom flat without access to a private space would struggle to secure a swap via this route as this type of accommodation is far less sought after.”*

- 4.7 Whilst officers are not persuaded by all the arguments put forward by Estuary it is noted that the Strategic Housing Team have responded that: As of June 2017 the Homeseekers Register data shows the greatest need for of affordable rented accommodation is 1 and 2 bed accommodation accounting for 84.5% of those in highest priority bands. Therefore a mix of 1 and 2 bed accommodation offered in this scheme is found to be acceptable by the Strategic Housing Team.

- 4.8 It is also noted that the previous application on the site (15/01130/FULM), although refused, was not refused for reasons relating to the housing mix, and the Inspector allowed the subsequent appeal. That development did not include 3 bed units. The permission (15/01130/FULM) remains extant and this is a material consideration when considering the current application.

- 4.9 On balance, given the evidence of the RP, the current Homeseekers Register data, the history of the site and the fall back position of the extant permission, it is considered that the revised housing mix as proposed is acceptable in this particular case.

#### **Design, regeneration and the impact on the character of the area.**

**Planning Policies: NPPF, Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) Policies DM1, DM3; Design and Townscape Guide (2009).**

- 4.10 A core planning principle set out in Paragraph 17 of the NPPF is to seek to secure high quality design and good standards of amenity for existing and future occupants.

- 4.11 The NPPF also states at paragraph 56:  
“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.”
- 4.12 The need for good design is reiterated in policies KP2 and CP4 of the Core Strategy DM1 and DM3 of the Development Management Document the Design and Townscape Guide.
- 4.13 As noted above, the scale, mass and height of the development has previously been found to be acceptable. The only changes to the design of the building now proposed, result from the changes in internal layout. These changes are limited to the relocation of a door to the refuse store on block A and the repositioning and resizing of several windows within the development. The impact on the overall design and resulting character of the development is minor and is considered to be acceptable.

#### **Impact on amenity of adjacent occupiers and future occupiers of the development**

##### **Planning Policies: NPPF, Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) policies DM1, DM3, DM8; Design and Townscape Guide (2009)**

- 4.14 Policies DM1 and DM3 of the Development Management DPD and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. The size, scale, siting, massing, general position of fenestration and provision of roof terraces were all accepted as part of application 16/01503/FULM. Thus the only issue to be considered at this juncture, in relation to the impact on neighbours relates to the amendments that are now proposed.
- 4.15 The revised siting of the refuse store door and internal changes to the units will have no impact on surrounding occupiers. The number of units remains the same and the level of occupation has not increased as a result of the proposed amendments, thus there will be no greater impact on neighbours in terms of the activity created as a result of the development.
- 4.16 It is noted that the properties in Glenhurst Road, to the rear of the site, are located some 36m from the rear of the proposed flats. The alterations to the fenestration that are proposed are minor, mainly relating to a slight change in positioning of windows and will not result in greater numbers of windows, or larger windows facing towards the rear of the site, or increased overlooking. It is likely these changes will be barely perceptible to surrounding occupiers.
- 4.17 Thus the impact of the development on the amenities of adjacent occupiers is considered to be in accordance with policy and it acceptable.

### *Impact on future occupiers*

- 4.18 It is also necessary to consider whether the proposed amendments will result in an acceptable environment for future occupiers of the flats. Development Management Document Policies DM1, DM3 and DM8 refer.

### *Size and layout of units*

- 4.19 It is the Council's aim to deliver good quality housing, ensuring that new developments contribute to a suitable and sustainable living environment now and for future generations. To achieve this, it is necessary to ensure that new housing developments provide the highest quality internal environment that will contribute to a good quality of life and meet the requirements of all the Borough's residents. Minimum space standards are intended to encourage provision of enough space in dwellings to ensure that they can be used flexibly by residents, according to their needs, and that sufficient storage can be integrated.
- 4.20 The National Technical Standards (NTS) include housing size standards. The proposed development as amended meets the NTS unit and bedroom size standards. The changes to fenestration that a proposed no result in any decrease in amount or quality of light to the affected rooms.

### *Amenity Space*

- 4.21 Private outdoor space is an important amenity asset and provides adults and children with external, secure recreational areas. It is considered that this space must be useable and functional to cater for the needs of the intended occupants. All new residential units will be expected to have direct access to an area of private amenity space.
- 4.22 The amount and detail of the proposed amenity space was agreed for application 16/01503/FULM as a total of 828sqm of amenity space, the majority of which is roof top communal area, with some balconies. This equates to approx. 18.sqm per dwelling, which is quite generous for this type of development. The alteration to unit mix does not result in increased occupancy levels and therefore the amount and quality of amenity space is considered to remain acceptable to meet the needs of occupiers.
- 4.23 Thus, taking into account the proposed amendments, the quality of the environment for future occupiers is considered to be acceptable and in accordance with policy.

### **Developer contributions**

**Planning Policies: NPPF; Core Strategy (2007) policy KP3.**



- 4.24 The Core Strategy Police KP3 requires that:  
*“In order to help the delivery of the Plan’s provisions the Borough Council will:*  
*2. Enter into planning obligations with developers to ensure the provision of infrastructure and transportation measures required as a consequence of the development proposed.*  
*This includes provisions such as; a. roads , sewers, servicing facilities and car parking; b. improvements to cycling, walking and passenger transport facilities and services; c. off-site flood protection or mitigation measures, including sustainable drainage systems (SUDS); d. affordable housing; e. educational facilities; f. open space, ‘green grid’, recreational, sport or other community development and environmental enhancements, including the provision of public art where appropriate; g. any other works, measures or actions required as a consequence of the proposed development; and h. appropriate on-going maintenance requirements.”*
- 4.25 The above addresses the specific mitigation for 411 Sutton Road for matters not addressed within the Regulation 123 Infrastructure List. With the exception of the detail of the proposed affordable housing units, the provisions of the S106 Agreement are the same as those previously agreed in relation to application 16/01503/FULM.
- 4.26 Affordable Housing – The development is proposed to be built out with 20% AH required by the S106 agreement in compliance with DM7. The applicant states that the tenure is to be affordable rented units (as agreed under application 16/01503/FULM) and considers the provision of 2 x 1 bed and 7 x 2 bed units, as proposed, to meet current need. Given the history of the site, and the evidence submitted by the application, this revised unit mix and proposed tenure is considered acceptable.
- 4.27 Highways works – Highways works are proposed to the front of the site to create the additional loading and parking bays and to alter street furniture. These works are required to meet the needs of the development and should be carried out by the developer at their expense. It is considered that it will be more financially efficient for the developer to carry out these works (rather than the Council) and therefore they will be controlled by use of a Grampian Condition. A contribution of £4000 is, however, sought as part of the S106 Agreement to fund the necessary TRO for the development.
- 4.28 Travel Packs and Travel Plans – Travel Packs will be required for the residential development and a travel plan will be required for the retail development.
- 4.29 Public realm enhancements – These will be a welcome element of the scheme and in line with the principles set out in the emerging SCAAP and should contribute to the regeneration of this part of Sutton Road. These will be integral to the highways works with details now required by Grampian condition and will include but not be limited to: removal of existing redundant crossovers and street furniture to the front of the site and installation of new street furniture and paving to the front of the site.

- 4.30 The contributions proposed are considered to meet the tests set out in the CIL Regulations 2010. Without the contributions that are set out above the development could not be considered acceptable. Therefore if the S106 agreement is not completed within the relevant timescale the application should be refused. An option to this effect is included within the recommendation in Section 10.

### **Community Infrastructure Levy Regulations**

- 4.31 The Community Infrastructure Levy Regulations 2010 came into force on 6 April 2010. The planning obligation discussed above and as outlined in the recommendation below has been fully considered in the context of Part 11 Section 122 (2) of the Regulations, namely that planning obligations are:

- a) necessary to make the development acceptable in planning terms; and
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development

The conclusion is that the planning obligation outlined in this report would meet all the tests and so that if the application were otherwise considered to be acceptable this would constitute a reason for granting planning permission in respect of application.

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 gross internal area of approximately 3,155 sqm. The resulting total CIL contribution for this site is approximately £78,764.12, however this is subject to confirmation and may also be significantly reduced if the applicant is able to claim Social Housing relief.

## **5.0 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 mix of units is found to be acceptable taking into account the history of the site and current housing need. 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 acceptable. This application is therefore recommended for approval subject to completion of a S106 Agreement and to conditions.

## **6.0 Planning Policy Summary**

- 6.1 NPPF - National Planning Policy Framework: Achieving sustainable development, Core Planning Principles, Policies: 1. Building a strong, competitive economy; 4. Promoting sustainable transport, 6. Delivering a wide choice of high quality homes; 7. Requiring good design; 8. Promoting healthy communities; 10. Meeting the challenge of climate change, flooding and coastal change; 11. Conserving and enhancing the natural environment.
- 6.2 Core Strategy (2007) Policies- Key Policies, KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP1 (Employment Generating Development); CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance); CP6 (Community Infrastructure); CP8 (Dwelling Provision).
- 6.3 Development Management Document (2015) Policies: Policy DM1 – Design Quality; Policy DM2 – Low Carbon Development and Efficient Use of Resources; Policy DM7 – Dwelling Mix, Size and Type; Policy DM8 – Residential Standards; Policy DM11 – Employment Areas; Policy DM15 – Sustainable Transport Management.
- 6.4 Design & Townscape Guide (2009).
- 6.5 Planning Obligations (2010)
- 6.6 CIL Charging Schedule 2015, Regulation 123 List
- 6.7 National Housing Technical Standards 2015
- 6.8 Southend and Central Area Action Plan (SCAAP) Revised Proposed Submission Document (2016)

## **7.0 Representation Summary**

- 7.1 **Police Architectural Liaison Officer** - no response.
- 7.2 **Police Licensing Liaison Officer** – no response.
- 7.3 **Parks** – no response.
- 7.4 **Traffic and Highways** – No objection
- 7.5 **Design and Regeneration** – No objection.
- 7.6 **Environmental Health** – No comments regarding proposed amendments.

7.7 **Housing – Affordable housing threshold** - Core Strategy Policy CP8 provides the guidance on the affordable housing threshold for residential developments. This is outlined below:

10 to 49units = 20%, 50+ units = 30%

This development therefore complies with this requirement and over provides the necessary amount of affordable housing.

Dwelling Mix - The SHMA Review 2013 undertook an assessment of affordable dwelling needs and consequently set out a recommended affordable dwelling mix for Southend on Sea, the percentages Indicated below are the affordable housing provision by bedroom size for the borough.

The percentage of affordable housing element required within the borough: -

1 bed	2 bed	3 bed	4+ bed
16%	43%	37%	4%

The development does not meet this requirement however this is due to the overall housing mix offered i.e. only offering 1 and 2 bed flats. In respect of affordable dwelling mix, size and type – policy DM7 stipulates a preferred affordable dwelling mix and indicative tenure mix as outlined in the SHMA. It also specifies that the Council will take into account latest affordable housing evidence when considering an appropriate mix therefore in order to respond to mounting housing pressures we have analysed current and historic housing need figures from the Council’s Homeseeker’s Register to make this response.

As of June 2017 our Homeseeker’s Register figures for Housing bands A&B (highest priority) are as follows:

MinBedSize	Band A	Band B	Grand Total	%
0/1	117	32	149	54.98
2	35	45	80	29.52
3	4	28	32	11.81
4		9	9	3.32
5		1	1	0.37
Grand Total	156	115	271	

The Homeseekers Register data shows the greatest need for of affordable rented accommodation is 1 and 2 bed accommodation accounting for 84.5% of those in highest priority bands. Therefore a mix of 1 and 2 bed accommodation offered in this scheme is found to be acceptable by the Strategic Housing Team.

Tenure Mix - As indicated in the Development Management DPD Policy DM7 we would request tenure mix of: - 60/40% (60% rented, 40% intermediate housing).

The proposed scheme offers 26 affordable rent units and 18 shared ownership units which equates to an overall tenure mix of 60:40 which is line with the policy and is therefore welcomed by the Strategic Housing team.

Overall - The Strategic Housing team support this proposal and welcome the provision of 44 units of affordable housing in the borough.

## 8.0 Public Consultation

8.1 Site notices posted and 67 neighbours notified. Press notice published. Site Notice displayed.

8.2 Two letters received from the same objector raising the following issues:

- No indication of boundary fencing or landscape details [**Officer comment: this issue will be dealt with by condition.**]
- Possible damage to property during development [**Officer Comment – this matter would be dealt with under separate legislation.**]
- Concerns re removal of asbestos. [**Officer Comment – this matter would be dealt with under separate legislation.**]
- The area is surrounded by blocks and blocks of new build flats and the parking situation is already a nightmare.
- Noise
- Privacy

8.3 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.

## 9.0 Relevant Planning History

9.1 June 2015 – Planning permission refused to: demolish existing buildings, erect part 3/part4 storey block comprising 55 flats, 395sqm retail commercial floorspace at ground floor, communal amenity space, landscaping, parking and associated works. 14/02043/FULM

Refused for the following reason: *The proposed development, by reason of its bulk, height, and massing, along with its proximity to nearby residential properties, would result in overbearing and overlooking to the detriment of residential amenities, contrary to the NPPF, Policy CP4 of the Southend Core Strategy 2007, C11 and H5 of the saved Southend Borough Local Plan 1994, and guidance contained within the Design & Townscape Guide.*

9.2 November 2015 – Planning permission refused for proposed a 3 storey block of 49 flats with 395sqm of retail/commercial space at ground floor (15/01130/FULM) That application was refused for the following reasons:

*01. The proposed development, by reason of its bulk, height, and massing, along with its proximity to nearby residential properties, would result in overbearing and overlooking to the detriment of residential amenities, contrary to the NPPF, Policy CP4 of the Southend Core Strategy 2007, DM1 of the Southend Development Management DPD and guidance contained within the Design & Townscape Guide*

*02. The proposed development fails to meet the National Housing Technical Standards in terms of unit sizes and would not result in high quality flexible living environments. As such the proposal is contrary to Policy DM8 of the Southend Development Management DPD (2015).*

*03. The proposed development would fail to make provision for adequate and accessible private outdoor amenity space, by virtue that the plans submitted do not demonstrate how the rooftop terrace could be accessed by wheelchair users and less ambulant residents. As such the proposal is contrary to Policy DM8 of the Southend Development Management DPD (2015) and Part M4 of the Building Regulations 2010.*

The application was subsequently allowed on appeal.

- 9.3 July 2017 – Prior Approval granted to Demolish former college buildings (Application for Prior Approval for Demolition) ref 17/00709/DEM.
- 9.4 August 2017 - Details approved pursuant to condition 9 (Construction Method Statement) of planning permission 16/01503/FULM ref 17/00883/AD
- 9.5 August 2017 - Details approved pursuant to condition 4 (Hard and Soft Landscaping) and 19 (Landscape Management Plan) of planning permission 16/01503/FULM ref 17/00884/AD
- 9.6 August 2017 - Details approved pursuant to condition details pursuant to condition 25 (Tree work and tree protection method statement) of planning permission 16/01503/FULM ref 17/00885/AD
- 9.7 August 2017 - Details approved pursuant to condition 26 (Public Realm Improvement details) of planning permission 16/01503/FULM 17/00974/AD
- 9.8 Under consideration - Application for approval of details pursuant to condition 15 (Details of SUDs) of planning permission 16/01503/FULM dated 29.03.2017ref 17/00954/AD

### **Recommendation**

#### **10.0 Members are recommended to:**

- (a) **DELEGATE to the Head of Planning and Transport or Group Manager of Development Control & Building Control to GRANT PLANNING PERMISSION subject to completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to seek the following:**
- **A minimum of 9 units of affordable rented housing units (20% of overall provision) comprising 2x1 bed and 7x2 bed units.**
  - **Traffic Regulation Order contribution of £4,000**
  - **Provision of Travel Packs for residents.**
  - **Retail Travel Plan.**
- (b) **The Director for Planning and Transport or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:**

**01** The development hereby permitted shall be begun not later than 3 years beginning with the date of the original permission (29<sup>th</sup> March 2017).

**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: FRNT\_16.563\_200\_P5 site plan and streetscene; FRNT\_16.563\_201\_P4 Block A floor plans; FRNT\_16.563\_202\_P4 Block B floor plans; FRNT\_16.563\_204\_P4 Block A elevations; FRNT\_16.563\_205\_P4 Block B elevations; FRNT\_16.563\_203\_P3 Block C Floor Plans; FRNT\_16.563\_206\_P4 Block C elevations: Location plan 001.

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

**03** No construction works above the floor slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening, fenestration, front porches and hoods have been submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

**Reason:** To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy 2007, Policy DM1 and DM3 of the Development Management Document 2015 and the Design and Townscape Guide 2009

**04** Hard and Soft Landscaping shall be carried out in accordance with details approved under application 17/00884/AD and plan No 2244-17 received on 14<sup>th</sup> August 2017 unless otherwise agreed in writing with the Local Planning Authority. Hard Landscaping shall be completed prior to first occupation of the development and soft landscaping/planting shall be completed within the planting season following first occupation of the development. (or within any other time limit agreed in writing with the local planning authority) The landscaping shall be permanently retained thereafter. If any trees are removed or found to be dying, severely damaged or diseased within 5 years of planting them, they must be replaced with trees of a similar size and species.

**Reason:** In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 and DM3 of the Development Management Document 2015.

- 05** The development shall not be occupied until space has been laid out within the site in accordance with drawing No. 200 P4 for cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking spaces shall be permanently retained thereafter for the parking of occupiers, staff and visitors to the development.

**Reason:** To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document 2015.

- 06** The development shall not be occupied until a car park management plan for the development has been submitted to and agreed in writing by the Local Planning Authority. The development shall only be occupied in accordance with the agreed management plan.

**Reason:** To ensure that the car parking is satisfactorily managed in the interests of traffic management and highway safety in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015)

- 07** The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out only in accordance with the approved details.

**Reason:** To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

- 08** The development shall not be occupied until details of the secure, covered cycle parking spaces to serve the residential development and cycle parking spaces to serve the retail/commercial unit have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and shall be retained thereafter.

**Reason:** To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) DPD1 and Policy DM15 of the Development Management Document (2015).

- 09** Construction shall be carried out in accordance with the Construction Method Statement approved under application 17/00883/AD unless otherwise agreed in writing with the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.



**Reason: In the interests of visual amenity and to protect the amenities of occupiers of the development and surrounding occupiers pursuant to Policies CP4 of the Core strategy (2007) and policies DM1 and DM3 of the Development Management Document (2015).**

- 10 Before the retail use hereby permitted begins a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the retail unit is occupied. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.**

**Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015)**

- 11 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment should be at least 5dB(A) below the prevailing background at 3.5 metres from ground floor façades and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.**

**Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015.)**

- 12 The retail use hereby permitted shall not be open to customers outside the following times: 07:00 to 23:00 hours on any day.**

**Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015)**

- 13 No deliveries or refuse collection shall be taken at or despatched from the retail unit outside the hours of 07:00-19:00hours Mondays to Fridays and 08:00-13:00hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.**

**Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).**

- 14 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology approved under application ref 17/00953/AD. The results of the site investigation shall be made available to the local planning authority before any construction begins.**

**If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.**

**If, during the course of development, any further contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures before the development is brought into use.**

**Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015)**

- 15 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:**

**i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;**

**ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;**

**iii) a timetable for its implementation; and**

**vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.**

**Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy (2007) and area in accordance with Policy DM2 of the Development Management Document 2015.**

- 16 Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the retail use hereby permitted begins and residential apartments are occupied. The development shall be carried out in accordance with the approved details. No additional external lighting shall be installed on the building without the consent of the Local Planning Authority.**

**Reason: In the interest of the visual amenities and character of the area, and to protect the amenities of surrounding occupiers in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 of the Development Management Document (2015).**

- 17 No construction works above the level of the floor slab shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the Local. Planning Authority. The details shall include the insulation scheme including predicted internal Lmax and LAeq levels for the noise sources identified in the noise assessment. Glazing and ventilation shall be selected with relevant acoustic properties as outlined in the Noise Assessment submitted with application 16/01503/FULM and dated 18 December 2014. The agreed noise prevention measures will be installed prior to first occupation of the dwellings and retained at all times thereafter.**

**Reason: In order to the protect the amenities of future residents in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).**

- 18 Demolition or construction works shall not take place outside 07:30hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays nor at any time on Sundays or Bank Holidays.**

**Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).**

- 19 Landscape management of the development, including management responsibilities and maintenance for all landscape areas shall be carried out only in accordance with details approved under application 17/00884/AD.**

**Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015.)**

**20** No construction works above the level of the floor slab shall take place until details of the proposed Photovoltaic cells set out in the Energy and Sustainability Statement by Fusion 13 submitted with application 16/01503/FULM have been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and brought into use on first occupation of the development.

**Reason:** To ensure the development maximises the use of renewable and recycled energy, water and other resources, in accordance with Policy KP2 of the Core Strategy (2007) and Policy DM2 of the Development Management Document 2015.

**21** Prior to the installation of any shopfront, the details of the design, materials, glazing, doors, shutters, signage and lighting shall be submitted to and approved in writing by the Local Planning Authority. The retail unit development shall be carried out in accordance with the approved details before it is occupied and permanently retained thereafter.

**Reason:** In order to protect the character and visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document 2015.

**22** Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007, or any order revoking and re-enacting that Order with or without modification, no advertisement shall be displayed on the building without the prior written consent of the Local Planning Authority.

**Reason:** In the interest of the visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 and DM13 of the Development Management Document (2015).

**23** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be installed within the development or on the buildings unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to protect the character and visual amenities of the development and surrounding area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015)

- 24** The commercial floorspace hereby approved shall only be occupied for uses falling within Use Class A1 retail and shall not be used for any other purpose and for no other purpose including any within Classes A, C3 or D1 of the Town and Country Planning (Use Classes) Order 1987 as amended (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force). The hereby approved Use Class A1 retail floorspace shall also not be used for any alternative uses otherwise permitted under the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking or re-enacting that Order).

**Reason:** In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 25** The development shall be carried out in accordance with the Method Statements for Tree Protection and Tree Works approved under application 17/00885/AD unless otherwise agreed in writing by the Local Planning Authority.

**Reason** In the interests of amenity, to protect existing trees and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management Document (2015)

- 26** The development shall not be occupied until new accesses, removal of the existing redundant crossovers and street furniture, loading bays, on street car parking spaces and public realm improvements in accordance with details approved under application 17/00974/AD have been implemented in full and (prior to this) the Council as Highways Authority has approved in writing a full scheme of highways works and the relevant associated highways approvals are in place.

**Reason:** In the interests of sustainability, accessibility, highways management, efficiency and safety in accordance Core Strategy (2007) policies KP2, KP3 and CP3 and policies DM1 and DM15 of the Development Management Document (2015)

#### **Informatives**

- 1** The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.

- 2** For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from [www.DEFRA.Gov.UK](http://www.DEFRA.Gov.UK)
- 3** The applicant is reminded that this permission does not bestow compliance with the Licensing Act 2003. Applicants should contact the Council's Licensing Team for more advice on 01702 215005.
- 4.** Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
- 5.** An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.
- 6** There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire and Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk of life, business continuity and limit the impact of fire on the environment and local economy. Even where not required under Building Regulation's guidance, ECFRS would strongly recommend a risk base approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We would also encourage developers to use them to allow design freedom, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the regulations are met.
- 7** The applicant is reminded that additional water supplies for fire fighting may be necessary for this development. The applicant is urged to contact the Water Technical Officer at Service Headquarters tel 01376 576342

- 8 Please note that the proposed development 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 CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).
- 9 In relation to Condition 26; you are advised to contact Highways Engineer – Martin Warren; (Tel: 01702 215003) to discuss the requisite Highways Licence/Agreements under the Highways Act 1980. You are advised that a Highways Licence/Agreement needs to be in place before any works are carried out to the public highway and any works to public transport infrastructure (e.g. bus stops) will need to be carried out by a Council approved contractor.

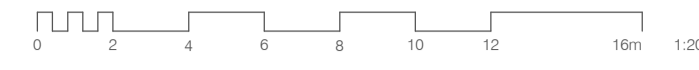
c) In the event that the planning obligation referred to in part (a) above has not been completed by 20<sup>th</sup> September 2017 the Director of Planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development will not :- i) provide for improvements to the public highway and the public realm within the vicinity of the site; ii) provide an effective means of enforcing/delivering a Travel Plan; iii) provide for a satisfactory provision of public art and iv) provide for a satisfactory method of servicing the development vi) provide for affordable housing. As such, the proposal would not make a satisfactory contribution towards the quality of the built environment within the vicinity of the site, would traffic congestion and be to the detriment of highway safety and is likely to place increased pressure on public services and infrastructure to the detriment of the general amenities of the area, contrary to Policies KP2, KP3, CP3, CP4 and CP6 of the Core Strategy, Policies DM1, DM3, DM7, and DM15 of the Development Management DPD 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.

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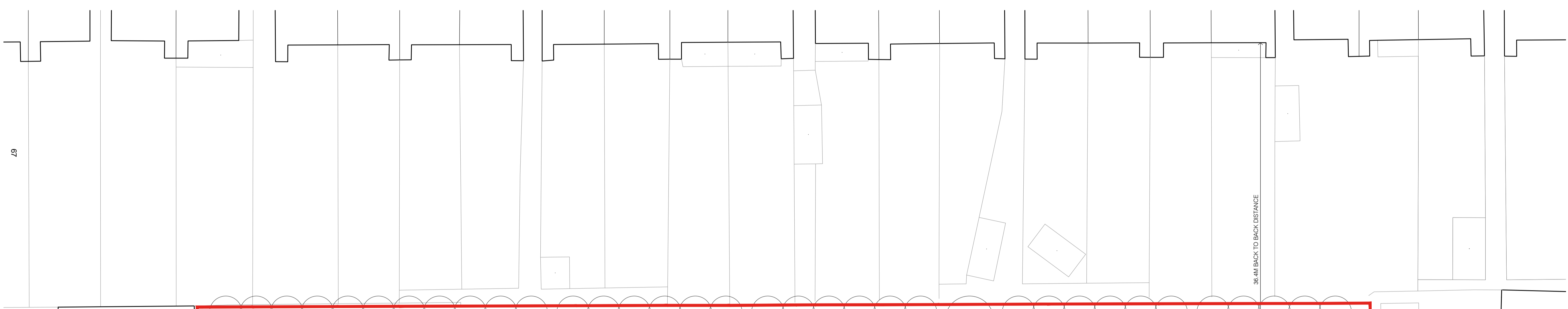
CONTRACTORS ARE TO CHECK ALL LEVELS AND DIMENSIONS BEFORE WORK COMMENCES ON SITE AND ANY DISCREPANCIES ARE TO BE REFERRED TO FRONT ARCHITECTURE. DO NOT SCALE. WORK TO FIGURED DIMENSIONS ONLY.



PROPOSED STREET SCENE TO SUTTON ROAD  
SCALE 1:200 @A1



EXISTING STREET SCENE TO SUTTON ROAD  
SCALE 1:200 @A1



29

**BLOCK A: ACCOMMODATION SCHEDULE**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
A.1	2	4	2.6	1	1	70	753.5
A.2	2	4	0	1	1	71	764.2
A.3	2	4	5.5	1	1	77	825.8
A.4	2	4	2.9	1	1	70	753.5
A.5	2	4	2.6	1	1	70	753.5
A.6	2	4	2.6	1	1	71	764.2
A.7	2	4	5.5	1	1	77	825.8
A.8	2	4	2.9	1	1	70	753.5

**BLOCK TOTALS**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
8	16	32	24.6	8	8	576	6200.0

**COMMUNAL AREAS**  
Communal lobbies and stair cores - 83m<sup>2</sup>  
Communal roof garden - 200m<sup>2</sup>  
Communal refuse store, service cupboards - 21m<sup>2</sup>

**COMMERCIAL AREAS**  
Commercial area - 202m<sup>2</sup>  
Commercial refuse store - 9m<sup>2</sup>

**BLOCK B: ACCOMMODATION SCHEDULE**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
B.1	2	4	5.5	1	1	71	764.2
B.2	2	3	0	1	1	61	656.6
B.3	2	4	5.5	1	1	71	764.2
B.4	2	4	1.6	1	1	70	753.5
B.5	2	3	0	1	1	61	656.6
B.6	2	3	0	1	1	61	656.6
B.7	2	4	6.5	1	1	71	764.2
B.8	2	4	0	1	1	70	753.5
B.9	1	2	6.5	1	1	50	538.2
B.10	2	4	6.5	1	1	71	764.2
B.11	2	3	0	1	1	61	656.6
B.12	2	3	0	1	1	61	656.6
B.13	2	3	0	1	1	61	656.6
B.14	2	4	6.5	1	1	71	764.2
B.15	2	4	0	1	1	70	753.5
B.16	1	2	6.5	1	1	50	538.2
B.17	2	4	6.5	1	1	71	764.2
B.18	2	3	0	1	1	61	656.6

**BLOCK TOTALS**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
18	34	61	51.6	18	18	1164	12529.2

**COMMUNAL AREAS**  
Communal lobbies and stair cores - 100m<sup>2</sup>  
Communal roof garden - 258m<sup>2</sup>  
Communal refuse store, cycle store, service cupboards - 41m<sup>2</sup>

**BLOCK C: ACCOMMODATION SCHEDULE**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
C.1	2	4	1.6	1	1	70	753.5
C.2	2	4	5.5	1	1	71	764.2
C.3	2	3	0	1	1	61	656.6
C.4	2	4	5.5	1	1	71	764.2
C.5	2	3	0	1	1	61	656.6
C.6	2	4	6.5	1	1	71	764.2
C.7	1	2	6.5	1	1	50	538.2
C.8	2	4	0	1	1	70	753.5
C.9	2	4	6.5	1	1	71	764.2
C.10	2	3	0	1	1	61	656.6
C.11	2	3	0	1	1	61	656.6
C.12	2	3	0	1	1	61	656.6
C.13	2	4	6.5	1	1	71	764.2
C.14	1	2	6.5	1	1	50	538.2
C.15	2	4	0	1	1	70	753.5
C.16	2	4	6.5	1	1	71	764.2
C.17	2	3	0	1	1	61	656.6
C.18	2	3	0	1	1	61	656.6

**BLOCK TOTALS**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
18	34	61	51.6	18	18	1164	12529.2

**COMMUNAL AREAS**  
Communal lobbies and stair cores - 100m<sup>2</sup>  
Communal roof garden - 258m<sup>2</sup>  
Communal refuse store, cycle store, service cupboards - 61m<sup>2</sup>

**ACCOMMODATION SCHEDULE TOTALS**

**ACCOMMODATION MIX**  
44no Total no of apartments consisting of:

4no	1 bedroom / 2 person apartments	[9%]
14no	2 bedroom / 3 person apartments	[32%]
26no	2 bedroom / 4 person apartments	[59%]

252m<sup>2</sup> Commercial A1 use

**AMENITY**  
718m<sup>2</sup> Communal roof garden shared amenity  
128m<sup>2</sup> Private amenity

**PARKING**  
44no Residential parking [1-1]  
2no Lay-by parking  
10no Commercial parking  
4no Lay-by parking

**CYCLE PARKING**  
44no Residential parking [1-1]  
8no On-site visitors parking

**DENSITY**  
3295m<sup>2</sup> Site area [0.33ha]  
148 Dwellings per hectare

PS	28/08/2017	ACCOMMODATION MIX AMENDED	RF
REV	DATE	AMENDMENT	DRAWN

**MIXED-USE REDEVELOPMENT**  
411-419 SUTTON ROAD,  
SOUTHEND-ON-SEA,  
ESSEX. SS2 5PH

DRAWING TITLE:  
PROPOSED SITE PLAN AND STREET SCENE

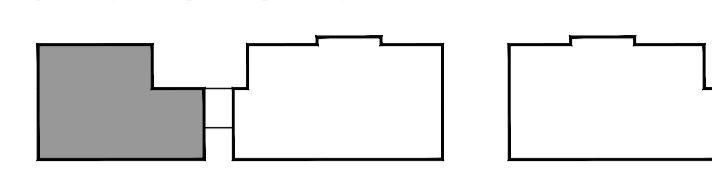
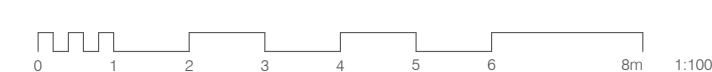
CLIENT:  
DOVE JEFFERY HOMES

DRAWN:	PROJECT NO:	DRAWING NO:
DC.	16.563	
CHECKED:	SCALE:	
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DATE:	REVISION:	
11.JUNE.2016		

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**BLOCK A: ACCOMMODATION SCHEDULE**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
A.1	2	4	2.6	1	1	70	753.5
A.2	2	4	0	1	1	71	764.2
A.3	2	4	5.5	1	1	77	828.8
A.4	2	4	2.9	1	1	70	753.5
A.5	2	4	2.6	1	1	70	753.5
A.6	2	4	2.6	1	1	71	764.2
A.7	2	4	5.5	1	1	77	828.8
A.8	2	4	2.9	1	1	70	753.5

**BLOCK TOTALS**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
8	16	32	24.6	8	8	576	6200.0

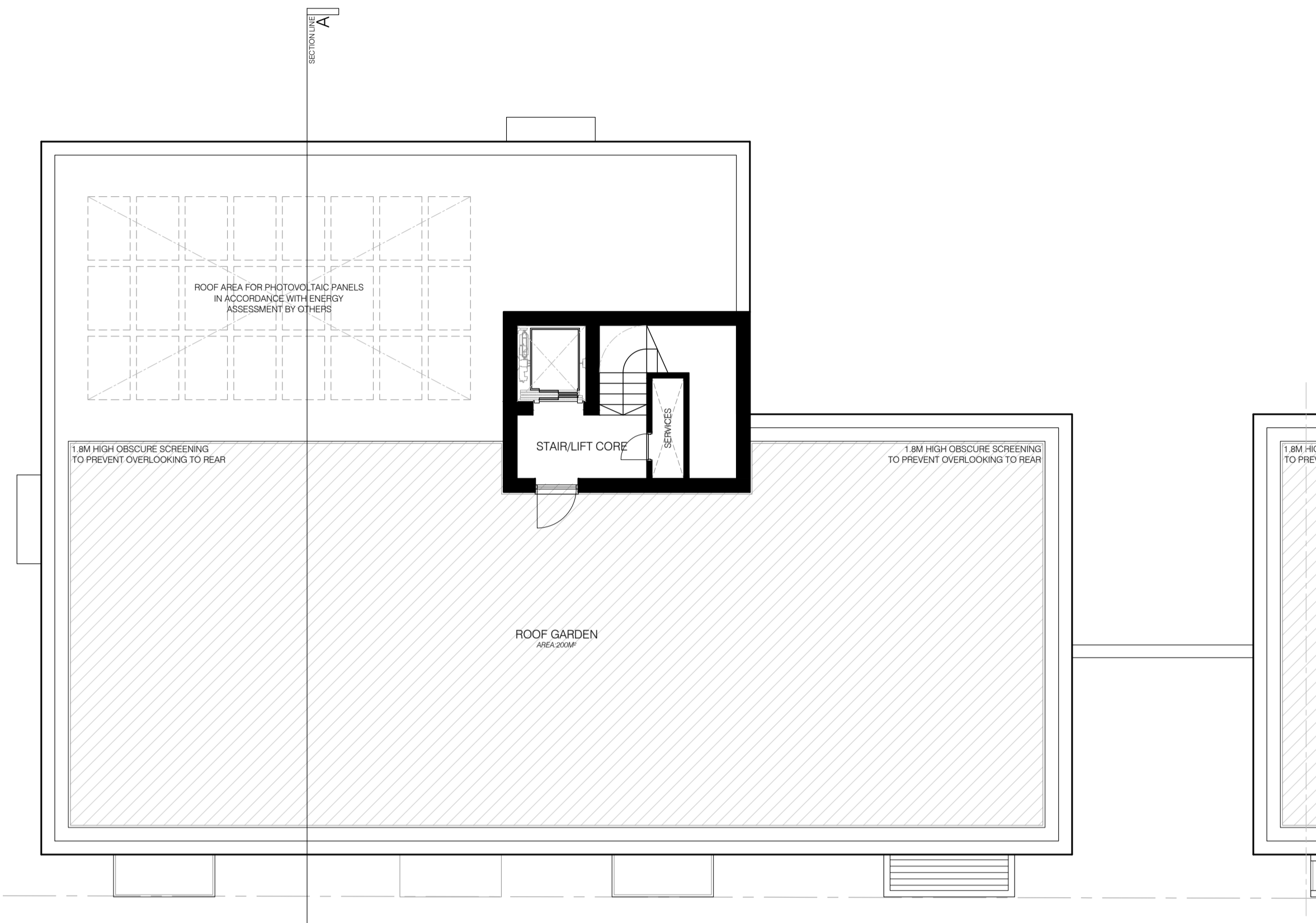
**COMMUNAL AREAS**  
 Communal lobbies and stair cores - 83m<sup>2</sup>  
 Communal roof garden - 200m<sup>2</sup>  
 Communal refuse store, cycle store, service cupboards - 21m<sup>2</sup>

**COMMERCIAL AREAS**  
 Commercial area - 252m<sup>2</sup>  
 Commercial refuse store - 9m<sup>2</sup>

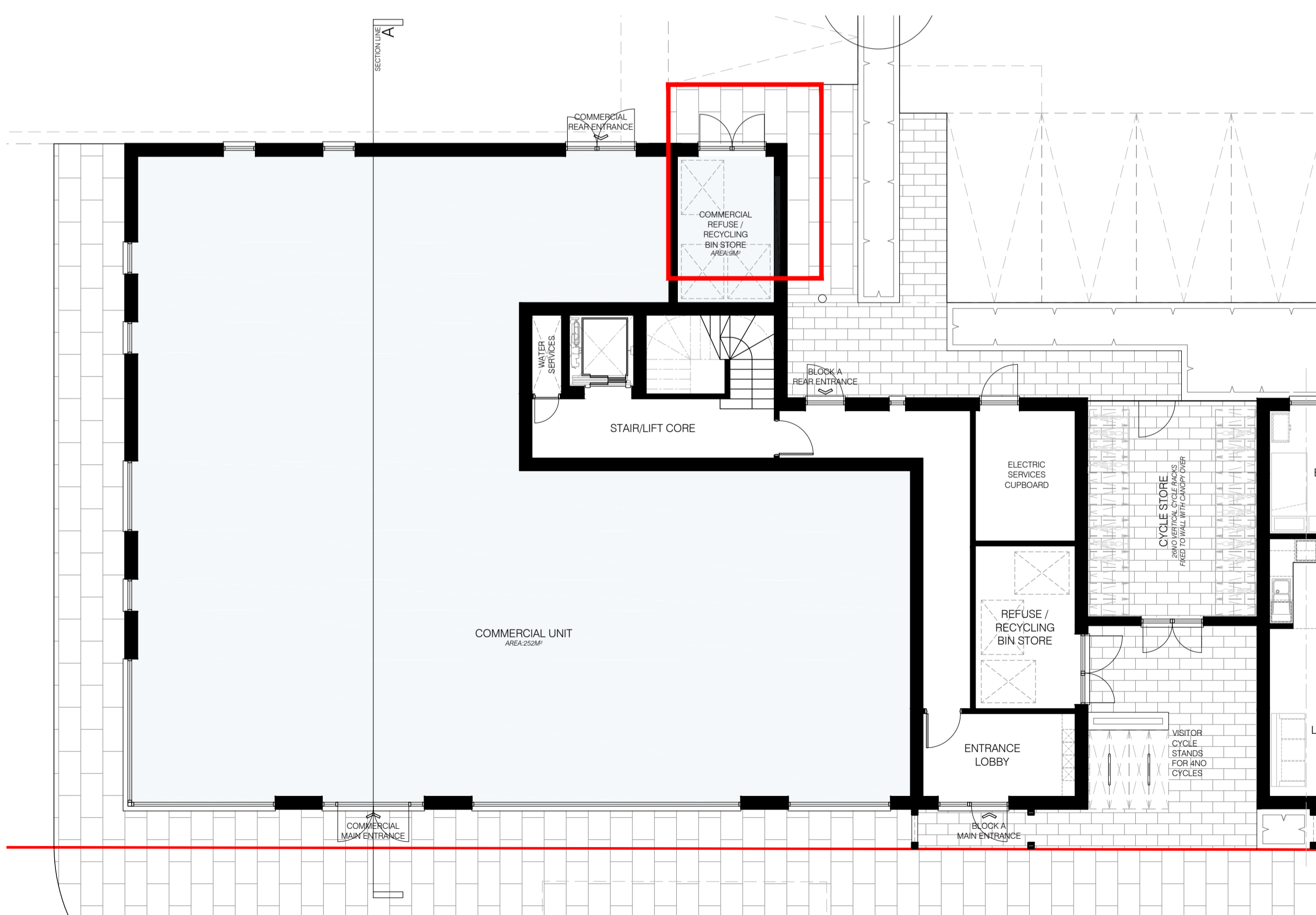
**NOTE:** The Gross Internal Area is defined as the total floor space measured between the internal faces of perimeter walls. This includes partitions, structural elements, cupboards and ducts.



PROPOSED FIRST FLOOR PLAN (UNITS A.1-A.4)  
 SCALE 1:100 @A1



PROPOSED THIRD FLOOR PLAN  
 SCALE 1:100 @A1



PROPOSED GROUND FLOOR PLAN  
 SCALE 1:100 @A1



PROPOSED SECOND FLOOR PLAN (UNITS A.5-A.8)  
 SCALE 1:100 @A1

**P4 REVISION DESCRIPTION**

UNIT MIX CHANGED TO OMIT 3 BED TYPES.  
 COMMERCIAL BIN STORE ACCESS MOVED.

REV.	DATE	AMENDMENT	DRAWN
P4	18/04/2017	NON-MATERIAL AMENDMENT	PF
P3	23/11/2016	ACCOMMODATION MIX AMENDED THREE BEDROOM APARTMENTS ADDED	MKL
P2	01/07/2016	PLANNING ISSUE	MKL
P1	11/06/2016	PRELIMINARY ISSUE	DC

**MIXED-USE REDEVELOPMENT**  
 411-419 SUTTON ROAD,  
 SOUTHEAST-ON-SEA,  
 ESSEX. SS2 5PH

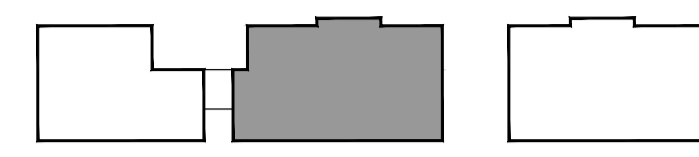
DRAWING TITLE:  
**BLOCK A  
 PROPOSED FLOOR PLANS**

CLIENT:  
 DOVE JEFFERY HOMES

DRAWN:	PROJECT NO.	DRAWING NO.
DC.	16.563	201
CHECKED:	SCALE:	DATE:
	1:100 @A1	11.JUNE.2016
DATE:	REVISION:	PAGE:
11.JUNE.2016		P4

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**BLOCK B: ACCOMMODATION SCHEDULE**

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
B.1	2	4	0.5	1	1	71	764.2
B.2	2	3	0	1	1	61	656.6
B.3	2	4	0.5	1	1	71	764.2
B.4	2	4	1.6	1	1	70	753.5
B.5	2	3	0	1	1	61	656.6
B.6	2	3	0	1	1	61	656.6
B.7	2	4	0.5	1	1	71	764.2
B.8	2	4	0	1	1	70	753.5
B.9	1	2	0.5	1	1	50	538.2
B.10	2	4	0.5	1	1	71	764.2
B.11	2	3	0	1	1	61	656.6
B.12	2	3	0	1	1	61	656.6
B.13	2	3	0	1	1	61	656.6
B.14	2	4	0.5	1	1	71	764.2
B.15	2	4	0	1	1	70	753.5
B.16	1	2	0.5	1	1	50	538.2
B.17	2	4	0.5	1	1	71	764.2
B.18	2	3	0	1	1	61	656.6

**BLOCK TOTALS**

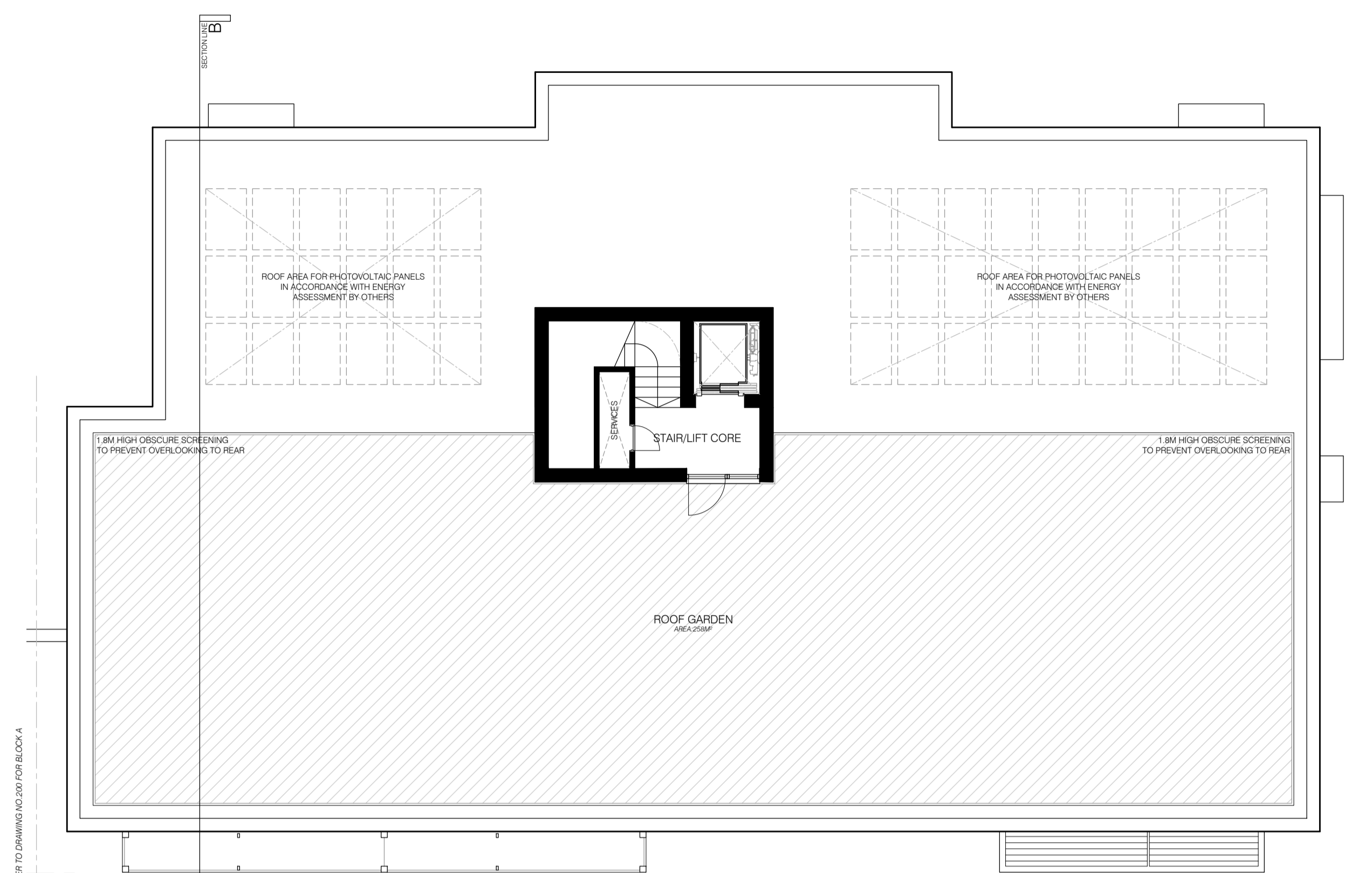
No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA
						METRIC IMPERIAL
18	34	61	51.6	18	18	1164 1259.2

**COMMUNAL AREAS**  
 Communal lobbies and stair cores - 100m²  
 Communal roof garden - 258m²  
 Communal refuse store, cycle store, service cupboards - 41m²

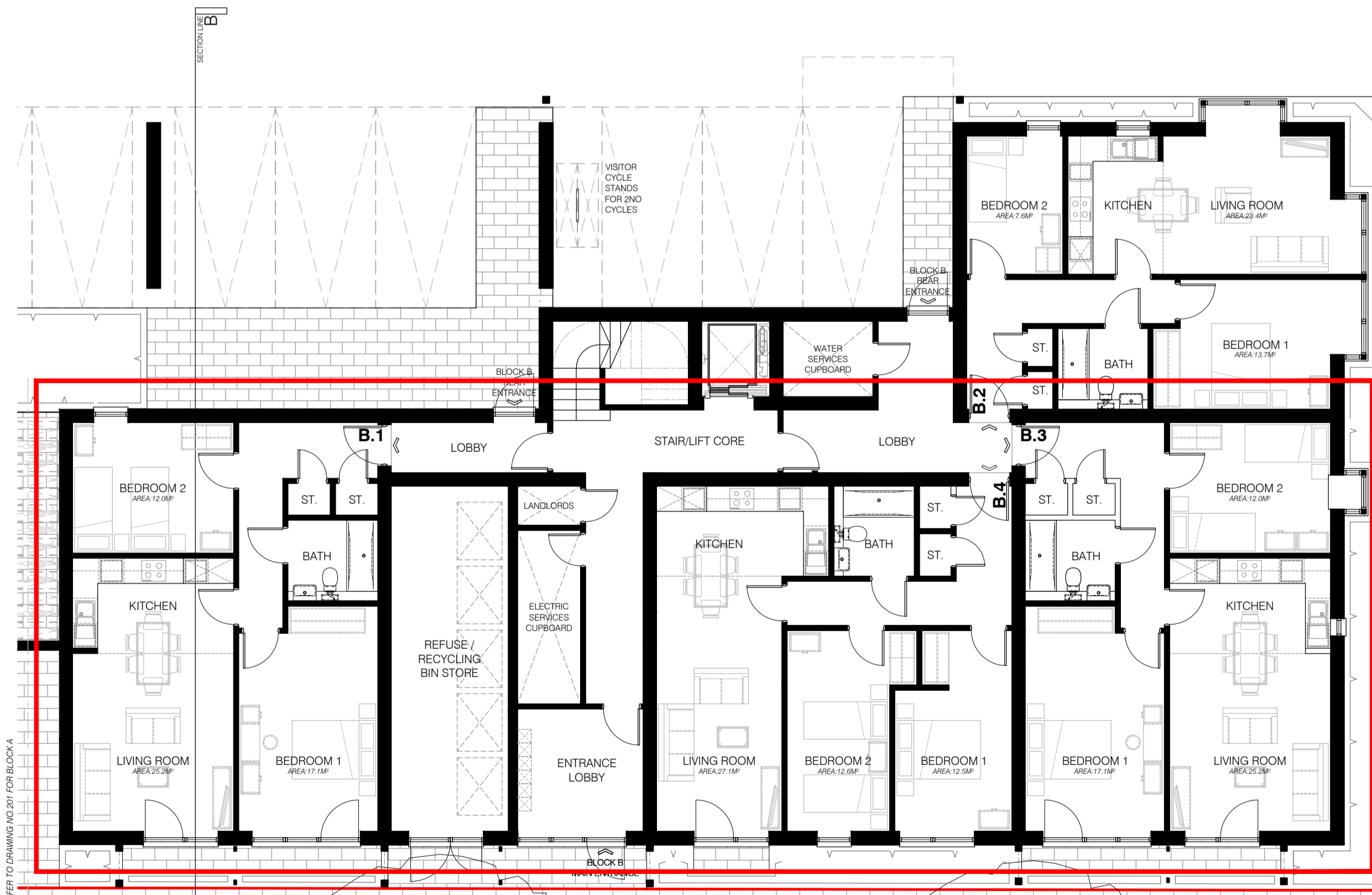
**NOTE:** The Gross Internal Area is defined as the total floor space measured between the internal faces of perimeter walls. This includes partitions, structural elements, cupboards and ducts.



PROPOSED FIRST FLOOR PLAN [UNITS B.5-B.11]  
 SCALE 1:100 @A1



PROPOSED THIRD FLOOR PLAN  
 SCALE 1:100 @A1



PROPOSED GROUND FLOOR PLAN [UNITS B.1 - B.4]  
 SCALE 1:100 @A1



PROPOSED SECOND FLOOR PLAN [UNITS B.12-B.18]  
 SCALE 1:100 @A1

**P4 REVISION DESCRIPTION**  
 UNIT MIX CHANGED TO OMIT 3 BED TYPES.

REV.	DATE	AMENDMENT	DRAWN
P4	18/04/2017	NON-MATERIAL AMENDMENT	PF
P3	23/11/2016	ACCOMMODATION MIX AMENDED THREE BEDROOM APARTMENTS ADDED	MKL
P2	01/07/2016	PLANNING ISSUE	MKL
P1	11/06/2016	PRELIMINARY ISSUE	DC

**MIXED-USE REDEVELOPMENT**

411-419 SUTTON ROAD,  
 SOUTHEND-ON-SEA,  
 ESSEX. SS2 5PH

**BLOCK B  
 PROPOSED FLOOR PLANS**

CLIENT:  
 DOVE JEFFERY HOMES

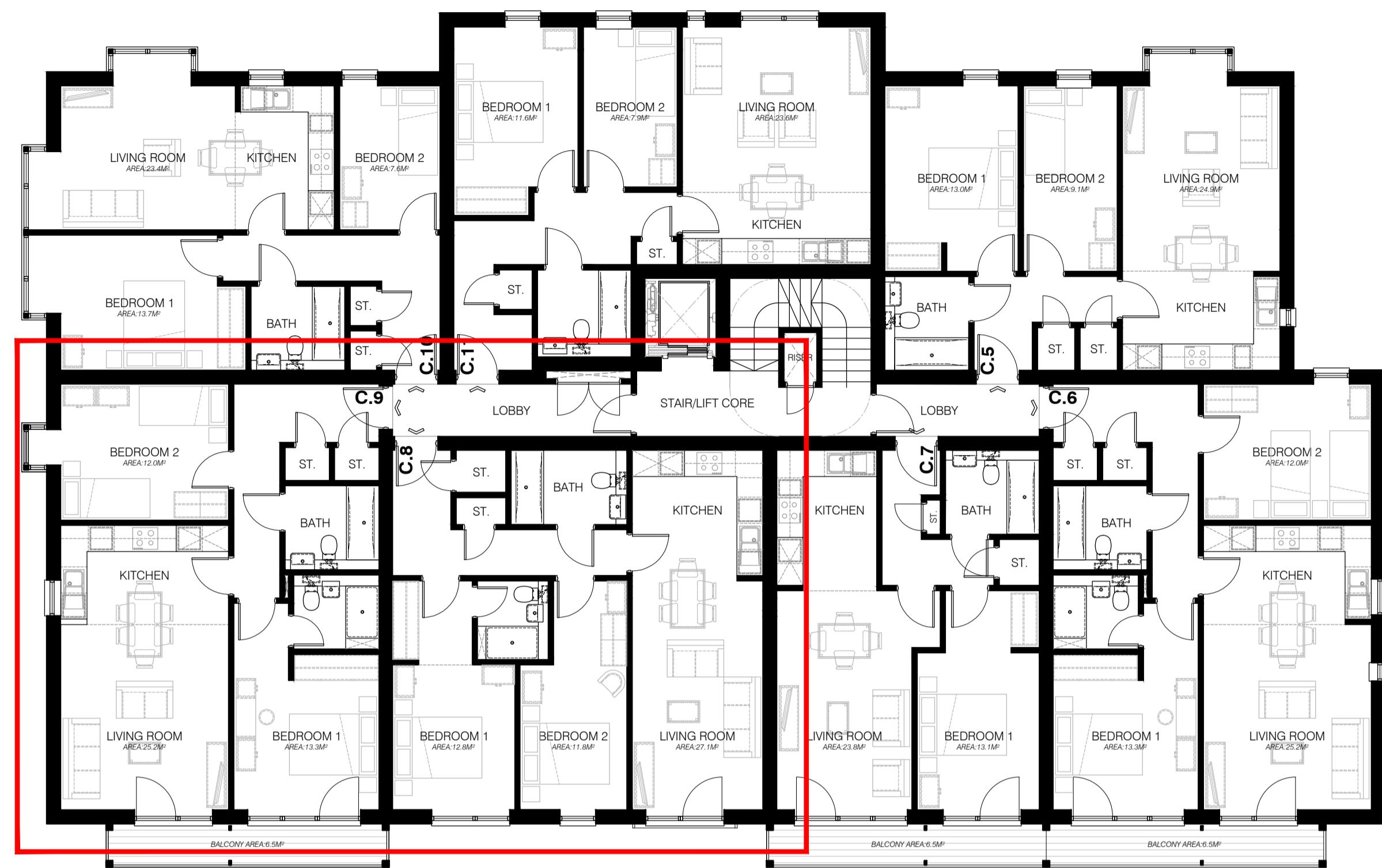
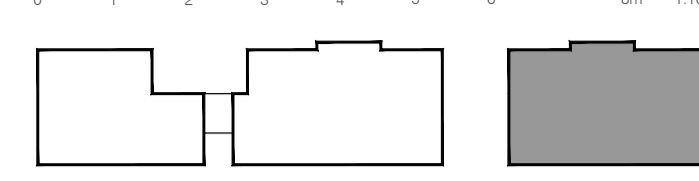
DRAWN	PROJECT NO.	DRAWING NO.
DC	16.563	
CHECKED	SCALE	
	1:100 @A1	

**202**

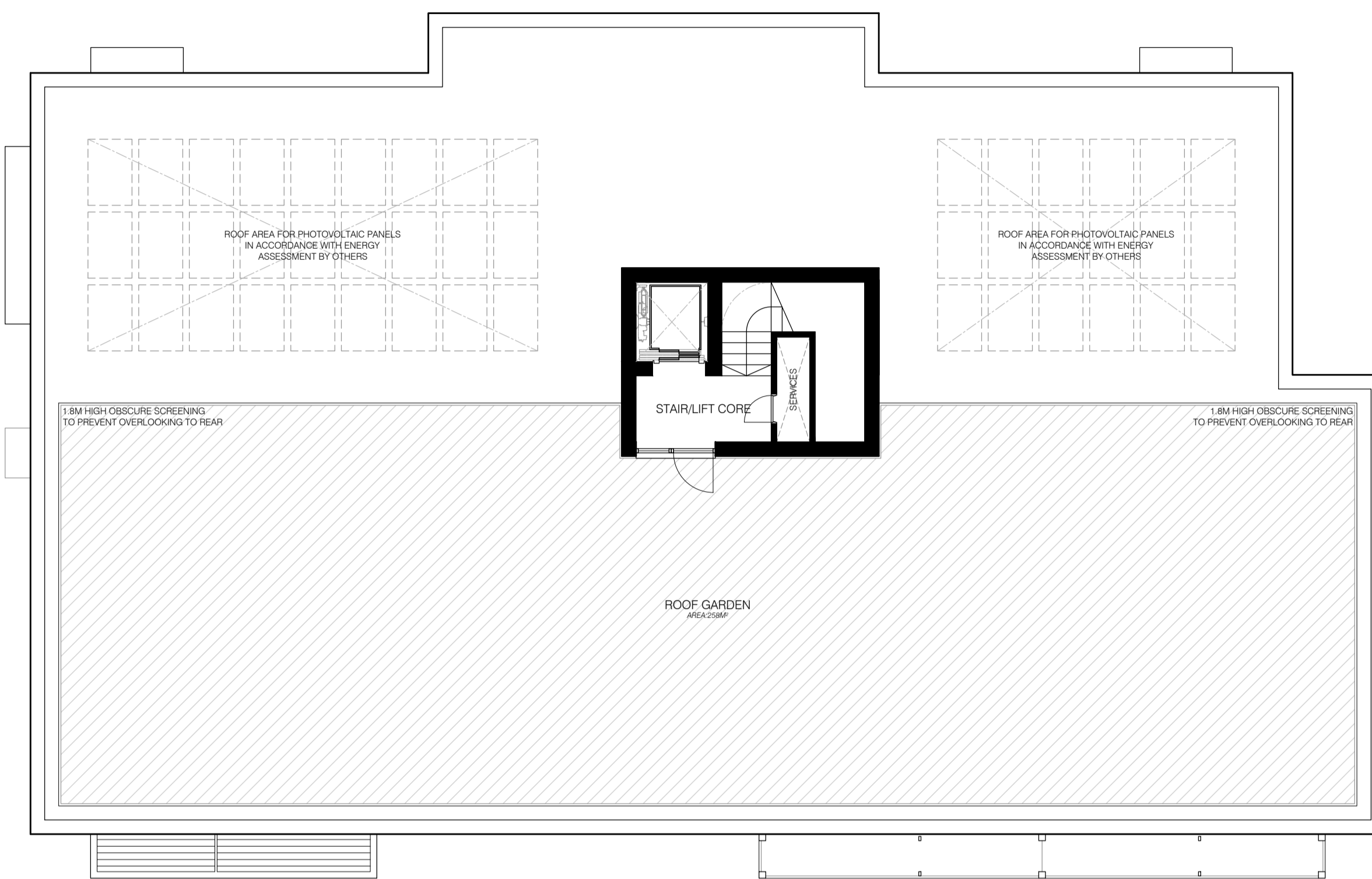
DATE: 11.JUNE.2016 REVISION: P3

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PROPOSED FIRST FLOOR PLAN [UNITS C.5-C.11]  
SCALE 1:100 @A1



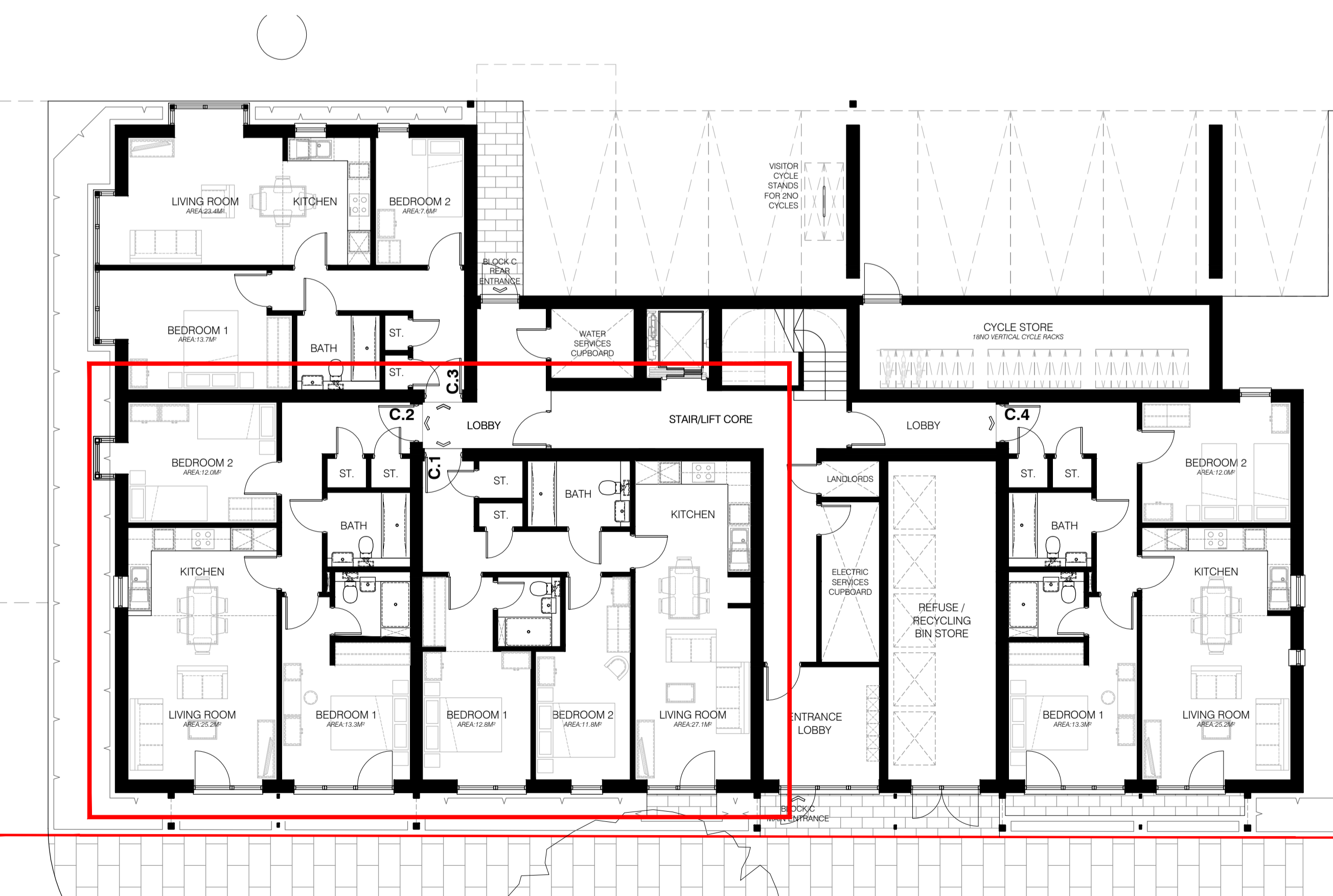
PROPOSED THIRD FLOOR PLAN  
SCALE 1:100 @A1

No.	BEDROOMS	PERSONS	PRIVATE AMENITY	CAR PARKING	CYCLE PARKING	GROSS INTERNAL AREA	
						METRIC	IMPERIAL
C.1	2	4	1.6	1	1	70	753.5
C.2	2	4	5.5	1	1	71	764.2
C.3	2	3	0	1	1	61	656.6
C.4	2	4	5.5	1	1	71	764.2
C.5	2	3	0	1	1	61	656.6
C.6	2	4	6.5	1	1	71	764.2
C.7	1	2	6.5	1	1	50	538.2
C.8	2	4	0	1	1	70	753.5
C.9	2	4	6.5	1	1	71	764.2
C.10	2	3	0	1	1	61	656.6
C.11	2	3	0	1	1	61	656.6
C.12	2	3	0	1	1	61	656.6
C.13	2	4	6.5	1	1	71	764.2
C.14	1	2	6.5	1	1	50	538.2
C.15	2	4	0	1	1	70	753.5
C.16	2	4	6.5	1	1	71	764.2
C.17	2	3	0	1	1	61	656.6
C.18	2	3	0	1	1	61	656.6
<b>BLOCK TOTALS</b>							
	18	34	61	51.6	18	18	1164 12529.2

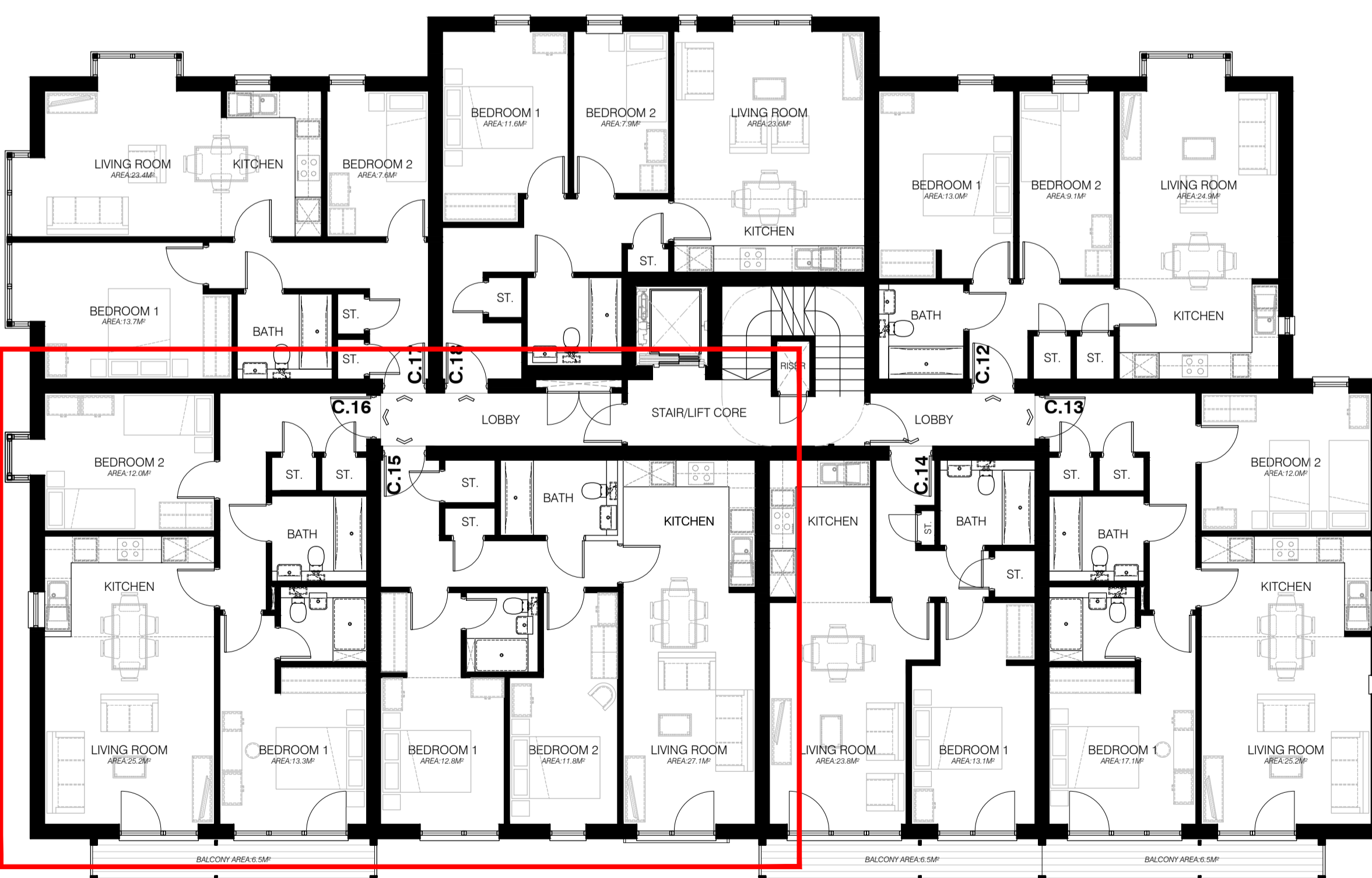
**COMMUNAL AREAS**  
Communal lobbies and stair cores - 100m<sup>2</sup>  
Communal roof garden - 225m<sup>2</sup>  
Communal refuse store, cycle store, service cupboards - 61m<sup>2</sup>

**NOTE:** The Gross Internal Area is defined as the total floor space measured between the internal faces of perimeter walls. This includes partitions, structural elements, cupboards and ducts.

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PROPOSED GROUND FLOOR PLAN [UNITS C.1-C.4]  
SCALE 1:100 @A1



PROPOSED SECOND FLOOR PLAN [UNITS C.12-C.18]  
SCALE 1:100 @A1

**P4 REVISION DESCRIPTION**  
UNIT MIX CHANGED TO OMIT 3 BED TYPES  
FENESTRATION AMENDED TO REFLECT INTERNAL CHANGES.

REV.	DATE	AMENDMENT	BY
R4	18/04/2017	NON-MATERIAL AMENDMENT	PF
R3	23/11/2016	ACCOMMODATION MIX AMENDED THREE BEDROOM APARTMENTS ADDED	MKL
R2	01/07/2016	PLANNING ISSUE	MKL
R1	11/06/2016	PRELIMINARY ISSUE	DC
REV.	DATE	AMENDMENT	DRAWN

**MIXED-USE REDEVELOPMENT**  
411-419 SUTTON ROAD,  
SOUTHEND-ON-SEA,  
ESSEX. SS2 5PH

**BLOCK C**  
PROPOSED FLOOR PLANS

CLIENT:  
DOVE JEFFERY HOMES

DRAWN	PROJECT NO.	DRAWING NO.
DC	16.563	203
CHECKED	SCALE	REVISION
	1:100 @A1	

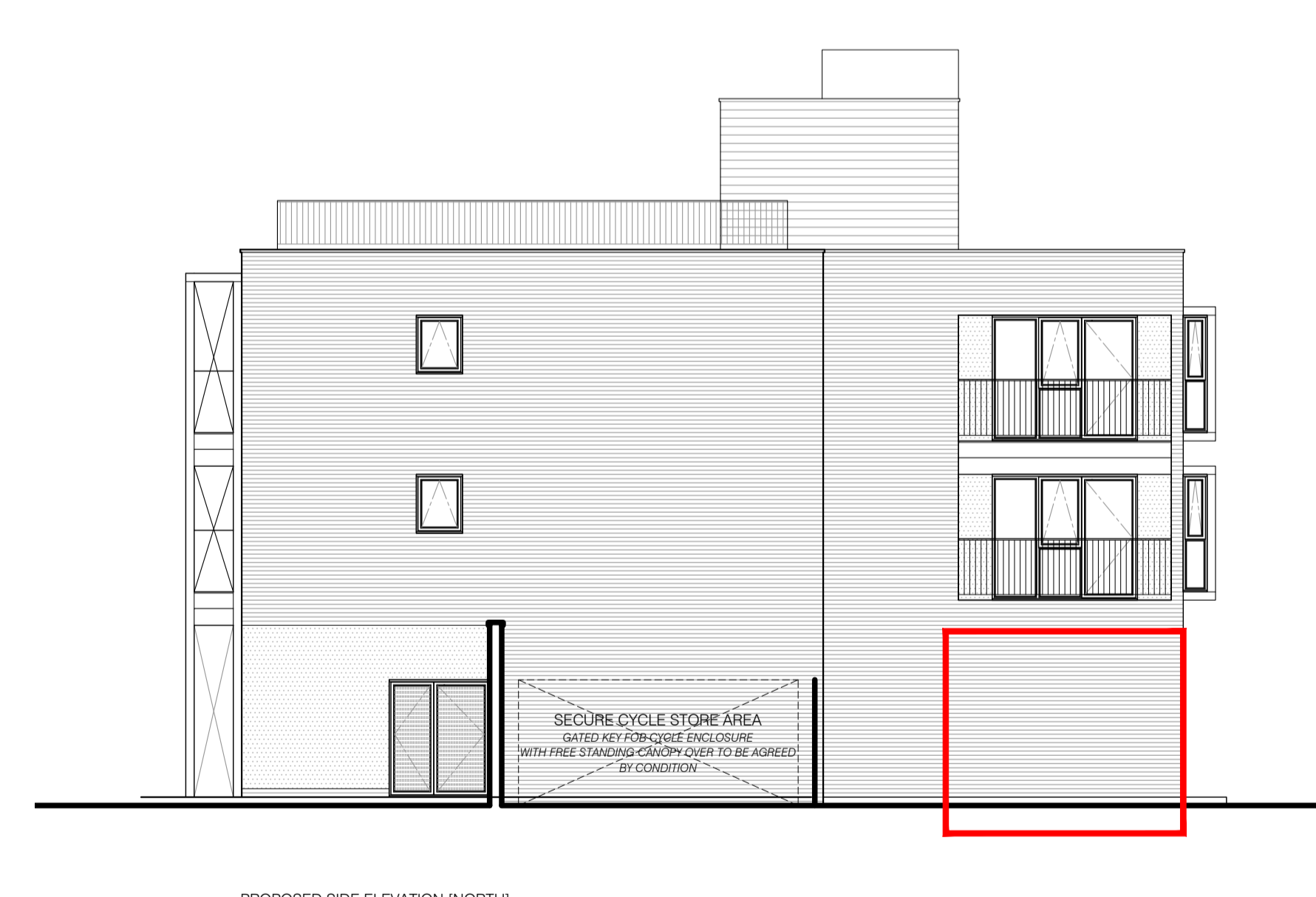
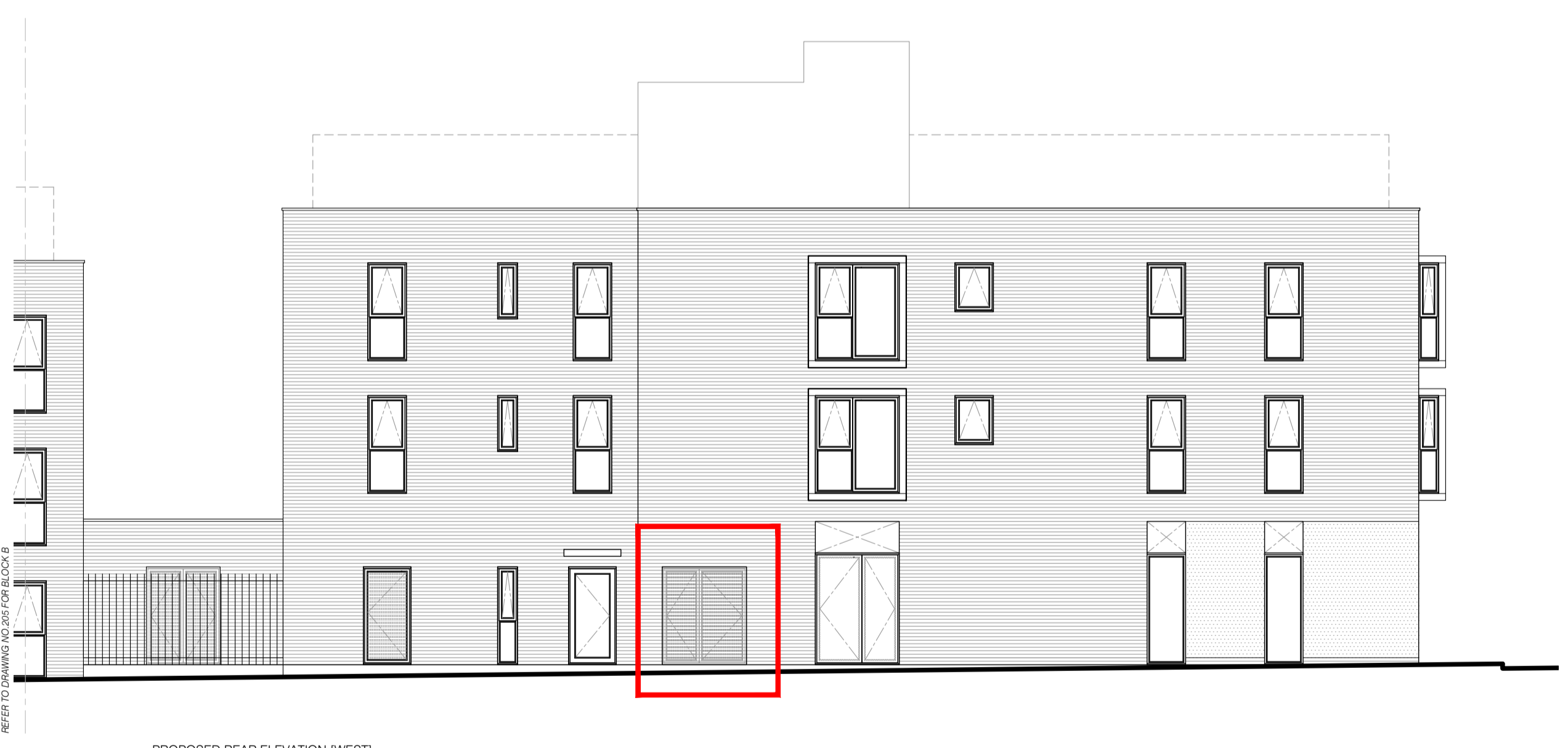
DATE: 11.JUNE.2016

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- EXTERNAL MATERIALS KEY**
- ① GROUND FLOOR GLAZED SHOP FRONTAGE
  - ② INSET SHOP SIGNAGE BOARD FOR RETAIL UNIT
  - ③ GREY UPVC WINDOWS AND DOORS
  - ④ BALCONIES, GREY POWDER COATED ALUMINIUM FINISH RAL TBC
  - ⑤ GREY POWDER COATED ALUMINIUM RAILING TO MATCH BALCONY RAL
  - ⑥ FACING BRICKWORK, MATERIAL SAMPLE TO BE AGREED BY CONDITION
  - ⑦ POWDER COATED ALUMINIUM PARAPET CAPPING
  - ⑧ ROOFTOP AMENITY SPACE WITH INSET RAILING, FINISH TO MATCH BALCONY
  - ⑨ TIMBER CLAD ACCESS TO COMMUNAL TERRACE, NOT VISIBLE FROM STREET
  - ⑩ ENTRANCE TO COMMERCIAL PROPERTY/RETAIL UNIT
  - ⑪ RENDERED PANEL TO GROUND FLOOR COMMERCIAL UNIT
  - ⑫ RESIDENTIAL ENTRANCE POINT WITH BLOCK SIGNAGE
  - ⑬ SUB-STATION TO CREATE CONTINUOUS BREAK BETWEEN PRIVATE AND PUBLIC
  - ⑭ POWDER COATED ALUMINIUM SUB-STATION DOORS TO MATCH SHOP-FRONT RAL
  - ⑮ LIGHT GREY POWDER COATED BALCONY FRAME
  - ⑯ PROPOSED GLASS BALUSTRADE
  - ⑰ BRISE SOLIEL OVER SECOND FLOOR BALCONY
  - ⑱ 1800MM OBSCURED GLAZED SCREEN TO REAR OF AMENITY DECK
  - ⑲ SET BACK ACCESS TO AMENITY TERRACE WITH LIFT OVERRUN
  - ⑳ POWDER COATED RAILINGS TO MATCH RAL OF BALCONIES BELOW
  - ㉑ BAY WINDOW WITH POWDER COATED FRAME, LIGHT GREY RAL TBC



**P4 REVISION DESCRIPTION**

FENESTRATION AMENDED TO REFLECT INTERNAL LAYOUT CHANGES
COMMERCIAL BIN STORE ACCESS MOVED

R4	18/04/2017	NON-MATERIAL AMENDMENT	PF
R3	01/07/2016	SUB-STATION AND WINDOWS REVISD	MLL
R2	01/07/2016	PLANNING ISSUE	MLL
P1	11/06/2016	PRELIMINARY ISSUE	DC
REV.	DATE	AMENDMENT	DRAWN

**MIXED-USE REDEVELOPMENT**  
 411-419 SUTTON ROAD,  
 SOUTHEND-ON-SEA,  
 ESSEX. SS2 5PH

DRAWING TITLE:  
**BLOCK A**  
 PROPOSED ELEVATIONS

CLIENT:  
 DOVE JEFFERY HOMES

DRAWN:	PROJECT NO:	DRAWING NO:
DC.	16.563	
CHECKED:	SCALE:	
	1:100 @A1	
DATE:	REVISION:	
11.JUNE.2016		P3

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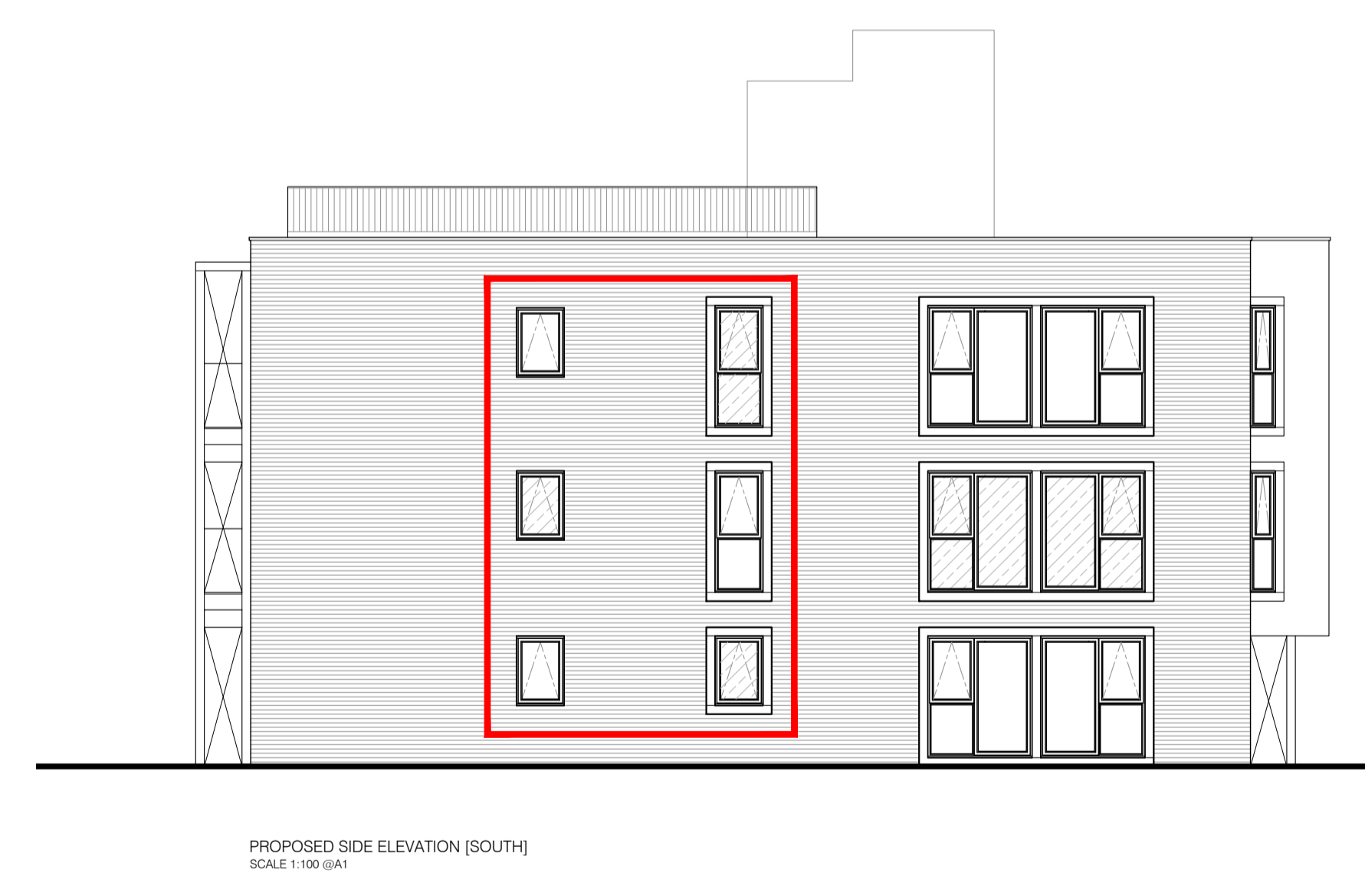
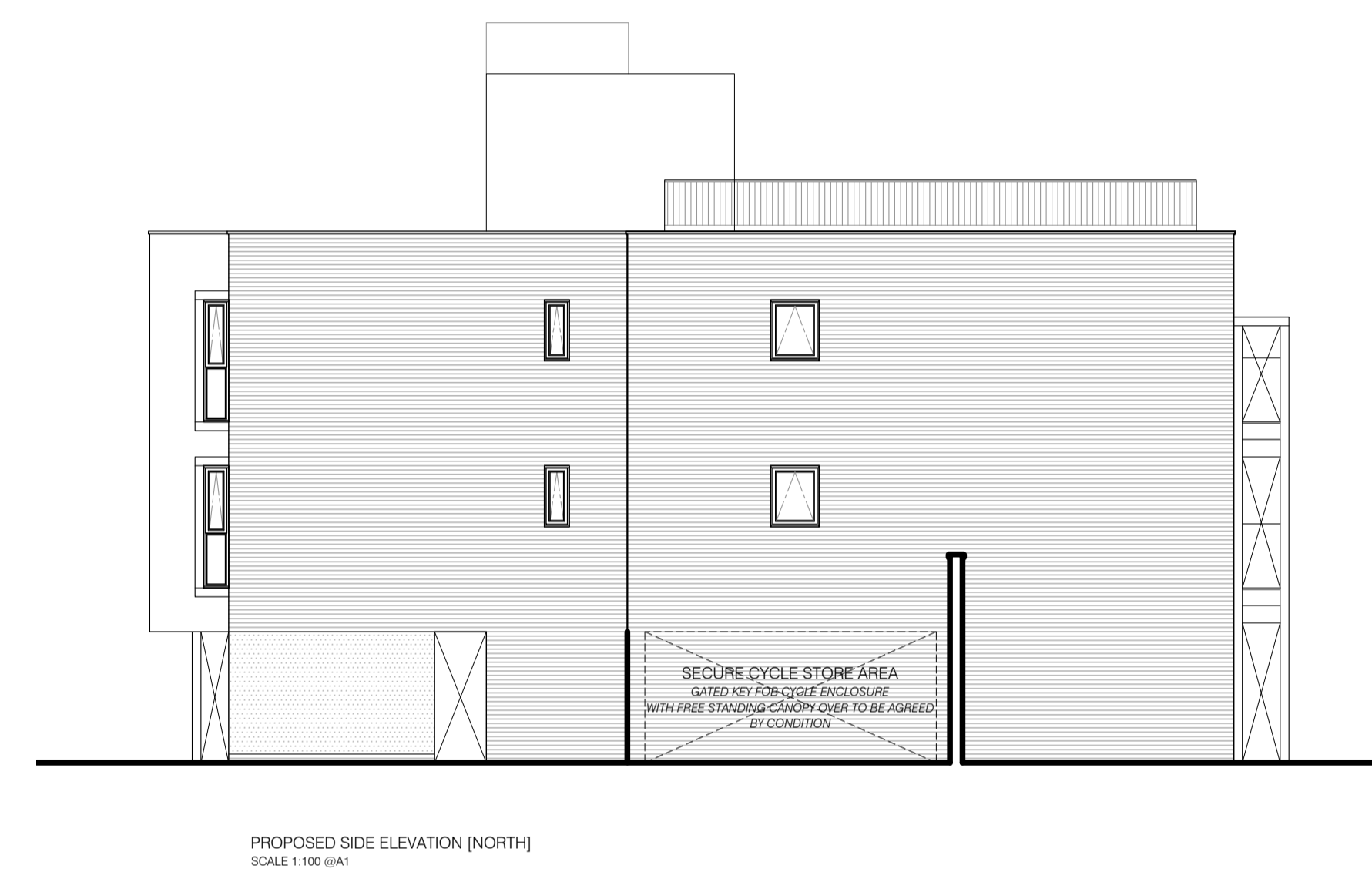
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DO NOT SCALE. WORK TO FIGURED DIMENSIONS ONLY.

**EXTERNAL MATERIALS KEY**

- ① FACING BRICKWORK. MATERIAL SAMPLE TO BE AGREED BY CONDITION
- ② LIGHT GREY POWDER COATED BALCONY FRAME
- ③ PROPOSED GLASS BALUSTRADE
- ④ GREY UPVC WINDOWS AND DOORS
- ⑤ POWDER COATED ALUMINIUM PARAPET CAPPING
- ⑥ ROOFTOP AMENITY SPACE WITH INSET RAILING. FINISH TO MATCH BALCONY
- ⑦ RENDERED PANEL FINISH TO BE CONFIRMED BY CONDITION
- ⑧ SET BACK ACCESS TO AMENITY TERRACE WITH LIFT OVERRUN
- ⑨ POWDER COATED ALUMINIUM BINS STORE DOORS TO MATCH WINDOW RAL
- ⑩ RESIDENTIAL ENTRANCE POINT WITH BLOCK SIGNAGE



**P4 REVISION DESCRIPTION**

FENESTRATION AMENDED TO REFLECT INTERNAL LAYOUT CHANGES

P4	18/04/2017	NON-MATERIAL AMENDMENT	PF
P3	01/07/2016	SUB-STATION AND WINDOWS REVISD	MKL
P2	01/07/2016	PLANNING ISSUE	MKL
P1	11/06/2016	PRELIMINARY ISSUE	DC
REV.	DATE	AMENDMENT	DRAWN

PROJECT: MIXED-USE REDEVELOPMENT  
411-419 SUTTON ROAD,  
SOUTHEND-ON-SEA,  
ESSEX. SS2 5PH

DRAWING TITLE:  
BLOCK B  
PROPOSED ELEVATIONS

CLIENT:  
DOVE JEFFERY HOMES

DRAWN:	PROJECT NO:	DRAWING NO:
DC.	16.563	205
CHECKED:	SCALE:	
	1:100 @A1	
DATE:	REVISION:	
11.JUNE.2016		P3

**FRONT.** 18 SOUTH STREET, ROCHFORD, ESSEX, SS4 1BO  
TEL: +44 (0)1702 831 418 | EMAIL: HELLO@FRONTARCHITECTURE.CO.UK

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DO NOT SCALE. WORK TO FIGURED DIMENSIONS ONLY.

**EXTERNAL MATERIALS KEY**

- ① FACING BRICKWORK. MATERIAL SAMPLE TO BE AGREED BY CONDITION
- ② LIGHT GREY POWDER COATED BALCONY FRAME
- ③ PROPOSED GLASS BALUSTRADE
- ④ GREY UPVC WINDOWS AND DOORS
- ⑤ POWDER COATED ALUMINIUM PARAPET CAPPING
- ⑥ ROOFTOP AMENITY SPACE WITH INSET RAILING. FINISH TO MATCH BALCONY
- ⑦ RENDERED PANEL FINISH TO BE CONFIRMED BY CONDITION
- ⑧ SET BACK ACCESS TO AMENITY TERRACE WITH LIFT OVERRUN
- ⑨ POWDER COATED ALUMINIUM BINS STORE DOORS TO MATCH WINDOW RAL
- ⑩ RESIDENTIAL ENTRANCE POINT WITH BLOCK SIGNAGE

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PROPOSED FRONT ELEVATION (EAST)  
SCALE 1:100 @A1



PROPOSED SIDE ELEVATION (NORTH)  
SCALE 1:100 @A1



PROPOSED REAR ELEVATION (WEST)  
SCALE 1:100 @A1



PROPOSED SIDE ELEVATION (SOUTH)  
SCALE 1:100 @A1

**P4 REVISION DESCRIPTION**

FENESTRATION AMENDED TO REFLECT INTERNAL LAYOUT CHANGES
---

P4	18/04/2017	NON-MATERIAL AMENDMENT	PF
P3	01/07/2016	WINDOWS REVISED	MLL
P2	01/07/2016	PLANNING ISSUE	MLL
P1	11/06/2016	PRELIMINARY ISSUE	DC
REV.	DATE	AMENDMENT	DRAWN

PROJECT  
**MIXED-USE REDEVELOPMENT**  
411-419 SUTTON ROAD,  
SOUTHEND-ON-SEA,  
ESSEX. SS2 5PH

DRAWING TITLE  
**BLOCK C**  
PROPOSED ELEVATIONS

CLIENT  
DOVE JEFFERY HOMES

DRAWN	PROJECT NO	DRAWING NO
DC	16.563	<b>206</b>
CHECKED	SCALE	
	1:100 @A1	
DATE	REVISION	
11.JUNE.2016		P4

**FRONT.** 18 SOUTH STREET, ROCHFORD, ESSEX, SS4 1BO  
TEL: +44 (0)1702 831 418 | EMAIL: HELLO@FRONTARCHITECTURE.CO.UK

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# STATEMENT OF AMENDMENT

*411-419 Sutton Road, Southend-on-Sea,*

SITE:	411-419 Sutton Road
PROJECT No:	16.563
DOCUMENT No:	602 [V1.1]
APPLICATION:	16/1503/FULM
DATE OF ISSUE:	30/08/2017

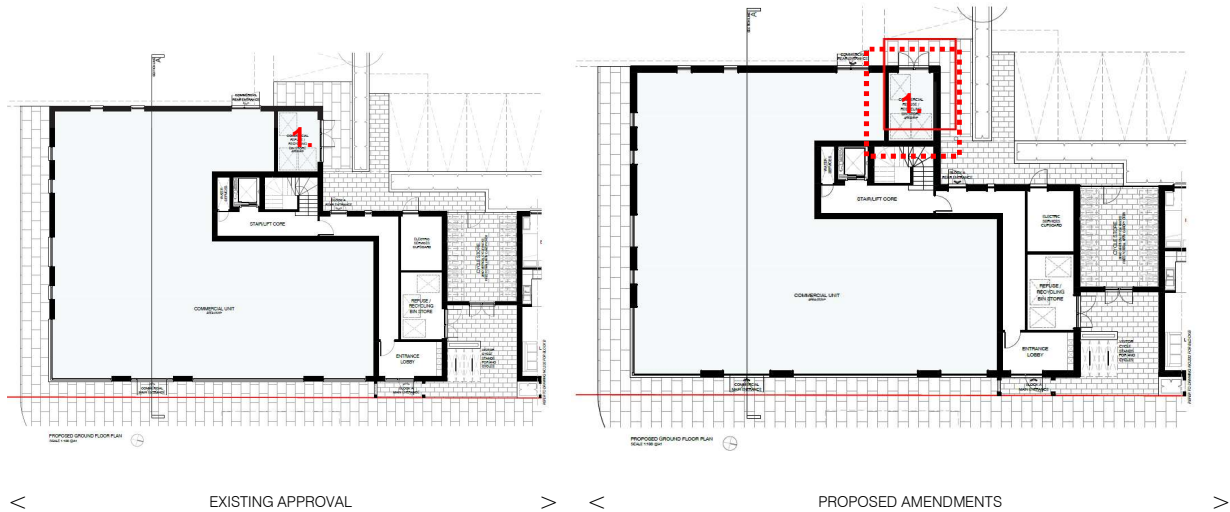
**FRONT.**

FRONT architecture ltd, 8 South Street, Rochford, Essex. SS4 1BQ, UK. Phone: + 44 [0]1702 831 415 | Email: [hello@front-architecture.co.uk](mailto:hello@front-architecture.co.uk)

## 1.0 INTRODUCTION

- 1.1 FRONT. Architecture have been appointed to carry out a 'Non-Material' amendment application for the site at 411-419 Sutton Road. The proposed changes are required to support the viability of affordable housing across the scheme, and reduce the potential the potential for harm and anti-social behaviour through pinpointed design changes to assist building management.
- 1.2 This document should be read in conjunction with the submitted architectural drawings.
- 1.3 An executive summary of the changes reads as follows:
  - 1) Retail refuse store door moved to rear elevation
  - 2) Unit mix changed to suit registered provider's requirements
  - 3) En-suites to affordable units in Block A and B omitted
  - 4) Minor elevation amendments to suit revised flat layouts.

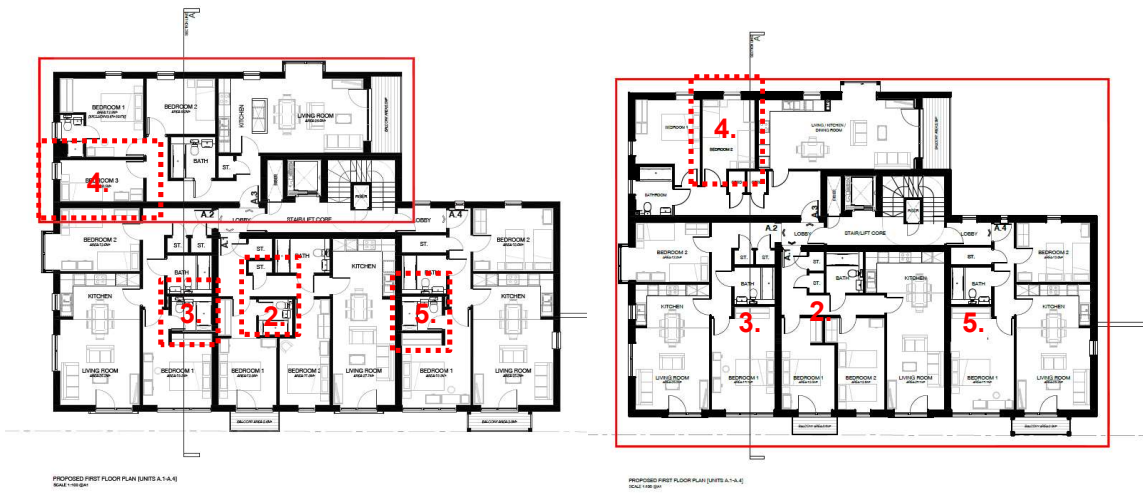
## 2.0 SCHEDULE OF AMENDMENTS | UNITS A.1 – A.8



### GROUND FLOOR AMENDMENTS

1. INTERNAL | EXTERNAL ALTERATION: Commercial Bin Store Access Moved.  
Bin store access door has been moved from the North to the West side of the building.

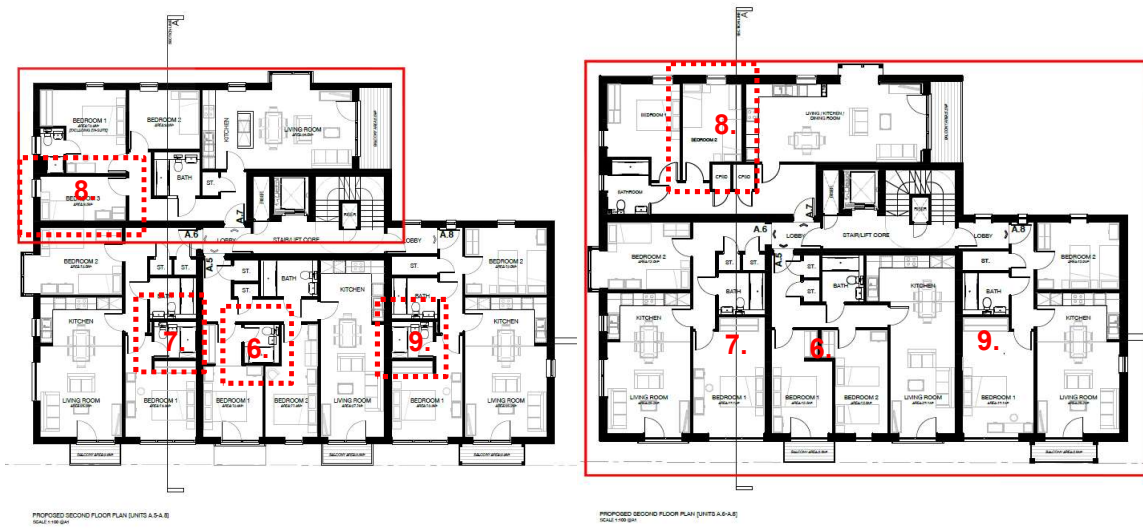




<
EXISTING APPROVAL
>
<
PROPOSED AMENDMENTS
>

**FIRST FLOOR AMENDMENTS**

- 2. INTERNAL ALTERATION: Flat A.1 En-suite Removal.  
Flat remains as a 2 bedroom, 4 person flat but with en-suite omitted .
- 3. INTERNAL ALTERATION: Flat A.2 En-suite Removal.
- 4. INTERNAL ALTERATION: Flat A.3 Removal of Third Bedroom.  
Flat to change from 3 bedroom 4 person to 2 bedroom 4 person.
- 5. INTERNAL ALTERATION: Flat A.4 Removal of En-suite.

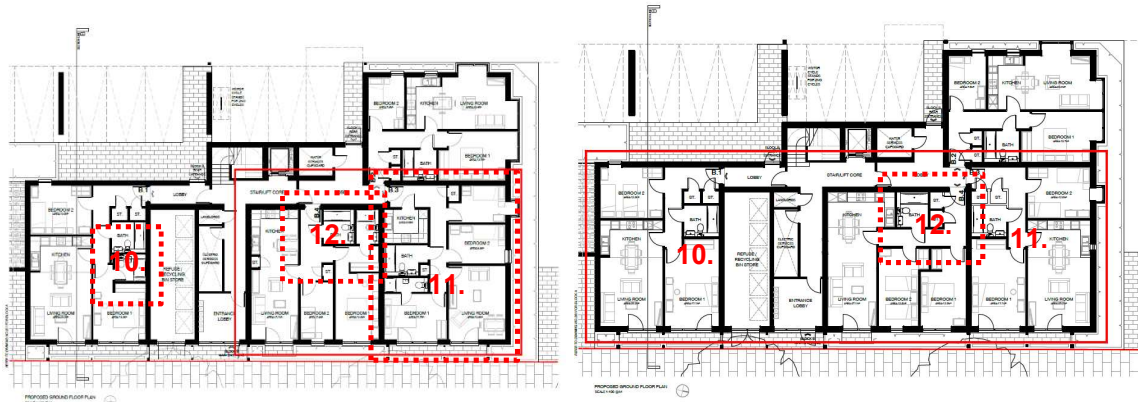


<
EXISTING APPROVAL
>
<
PROPOSED AMENDMENTS
>

**SECOND FLOOR AMENDMENTS**

- 6. INTERNAL ALTERATION: Flat A.5 En-suite Removal.  
Flat remains as a 2 bedroom, 4 person flat but with en-suite omitted.
- 7. INTERNAL ALTERATION: Flat A.6 En-suite Removal.
- 8. INTERNAL ALTERATION: Flat A.7 Removal of Third Bedroom.  
Flat to change from 3 bedroom 4 person to 2 bedroom 4 person.
- 9. INTERNAL ALTERATION: Flat A.8 Removal of En-suite.

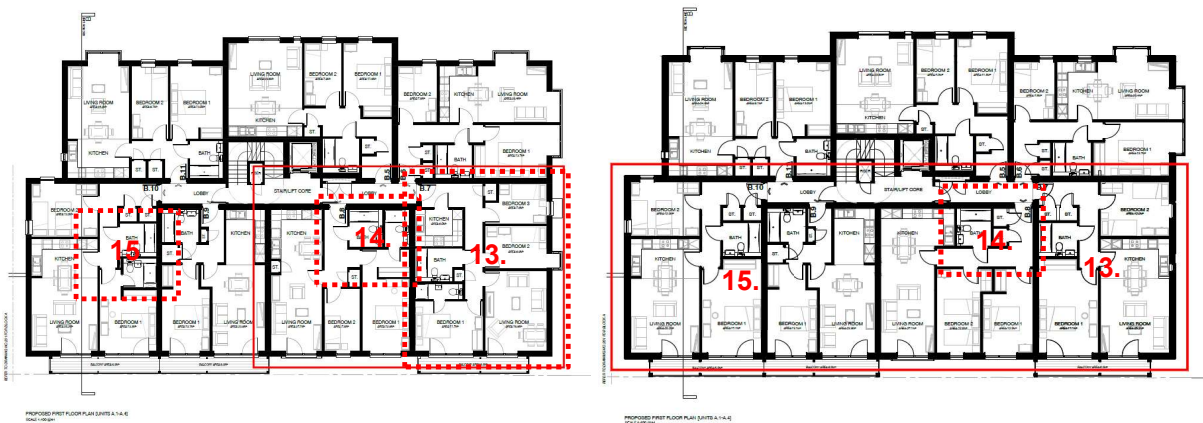
### 3.0 SCHEDULE OF AMENDMENTS | UNIT B.1 – B.18



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#### GROUND FLOOR AMENDMENTS

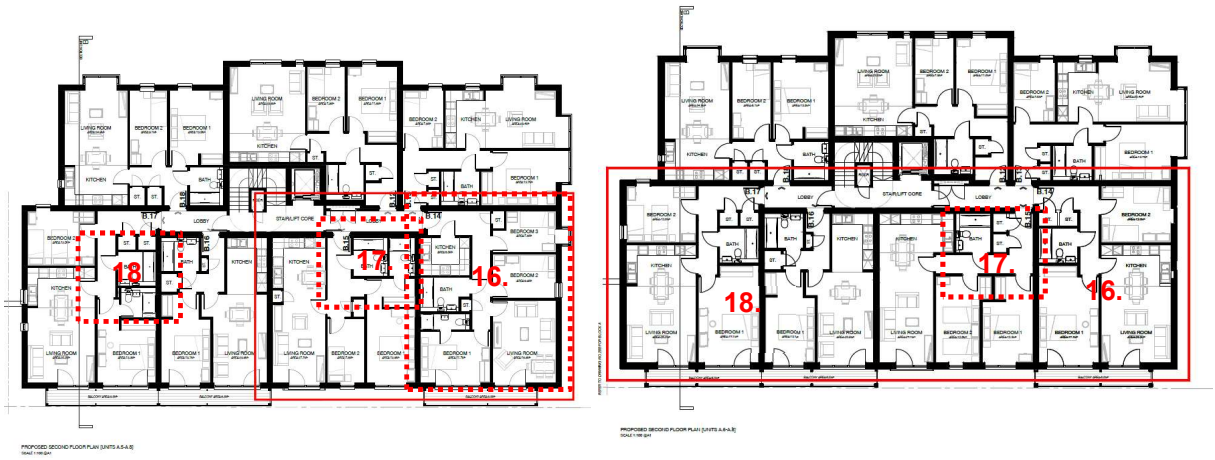
- 10. INTERNAL ALTERATION: Flat B.1 Removal of En-suite.
- 11. INTERNAL ALTERATION: Flat B.3 Rearrangement of Floorspace. Flat to change from 3 bedroom 4 person to 2 bedroom 4 person. En-suite omitted.
- 12. INTERNAL ALTERATION: Flat B.4 Removal of En-suite.



< EXISTING APPROVAL > < PROPOSED AMENDMENTS >

#### FIRST FLOOR AMENDMENTS

- 13. INTERNAL ALTERATION: Flat B.7 Rearrangement of Floorspace. Flat to change from 3 bedroom 4 person to 2 bedroom 4 person. En-suite omitted.
- 14. INTERNAL ALTERATION: Flat B.8 Removal of En-suite.
- 15. INTERNAL ALTERATION: Flat B.10 Removal of En-suite.



<

EXISTING APPROVAL

>

<

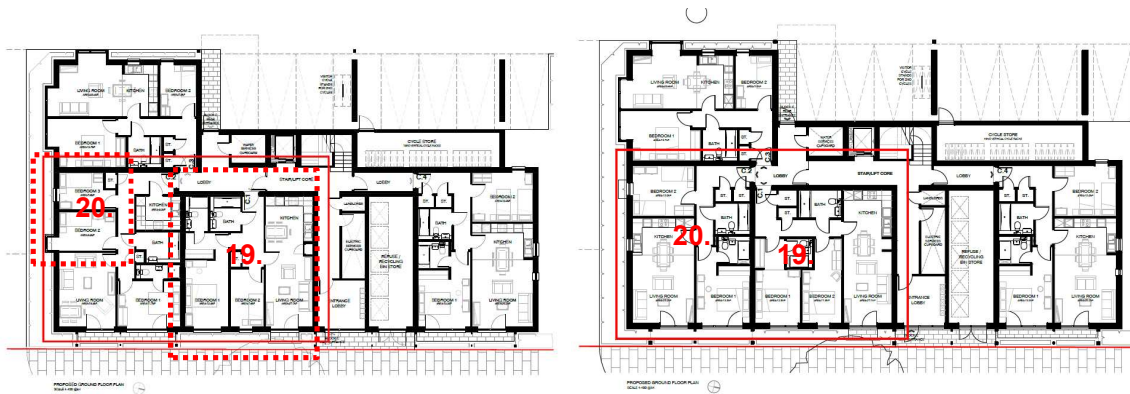
PROPOSED AMENDMENTS

>

### SECOND FLOOR AMENDMENTS

16. INTERNAL ALTERATION: Flat B.14 Rearrangement of Floorspace.  
Flat to change from 3 bedroom 4 person to 2 bedroom 4 person. En-suite omitted.
17. INTERNAL ALTERATION: Flat B.15 Removal of En-suite.
18. INTERNAL ALTERATION: Flat B.17 Removal of En-suite.

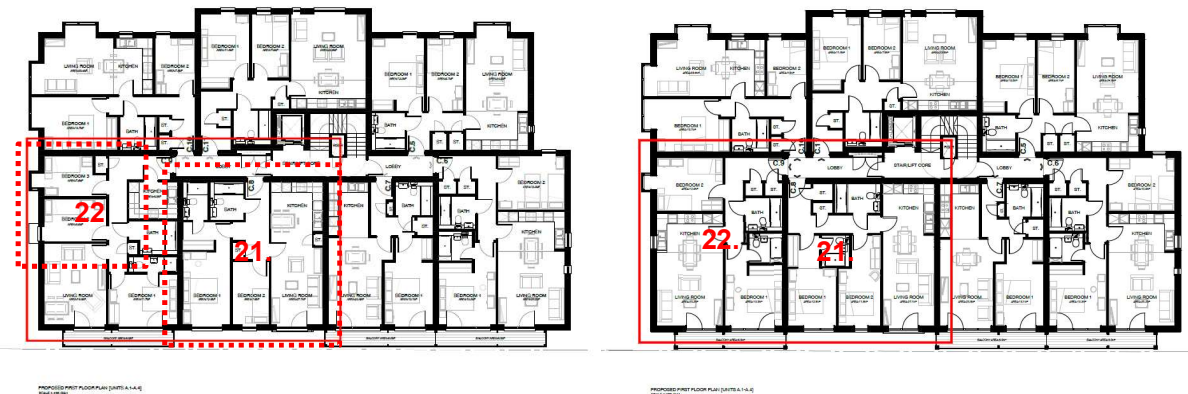
## 4.0 SCHEDULE OF AMENDMENTS | UNIT C.1 – C.18



< EXISTING APPROVAL > < PROPOSED AMENDMENTS >

### GROUND FLOOR AMENDMENTS

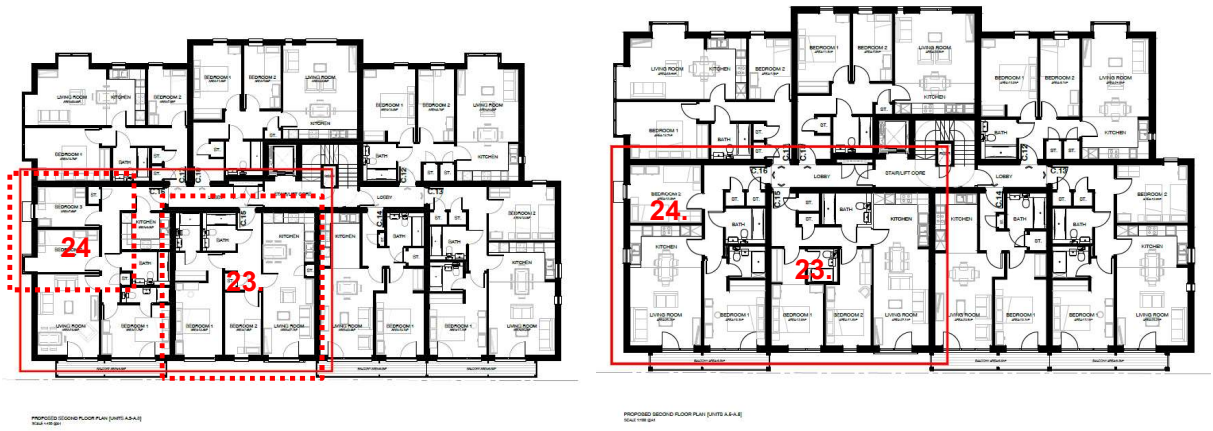
19. INTERNAL ALTERATION: Flat C.1 Layout Rearranged (no planning impact).
20. INTERNAL ALTERATION: Flat C.2 Removal of Third Bedroom.  
Flat to change from 3 bedroom 4 person to 2 bedroom 4 person.



< EXISTING APPROVAL > < PROPOSED AMENDMENTS >

### FIRST FLOOR AMENDMENTS

21. INTERNAL ALTERATION: Flat C.8 Layout Rearranged (no planning impact).
22. INTERNAL ALTERATION: Flat C.9 Removal of Third Bedroom.  
Flat to change from 3 bedroom 4 person to 2 bedroom 4 person.



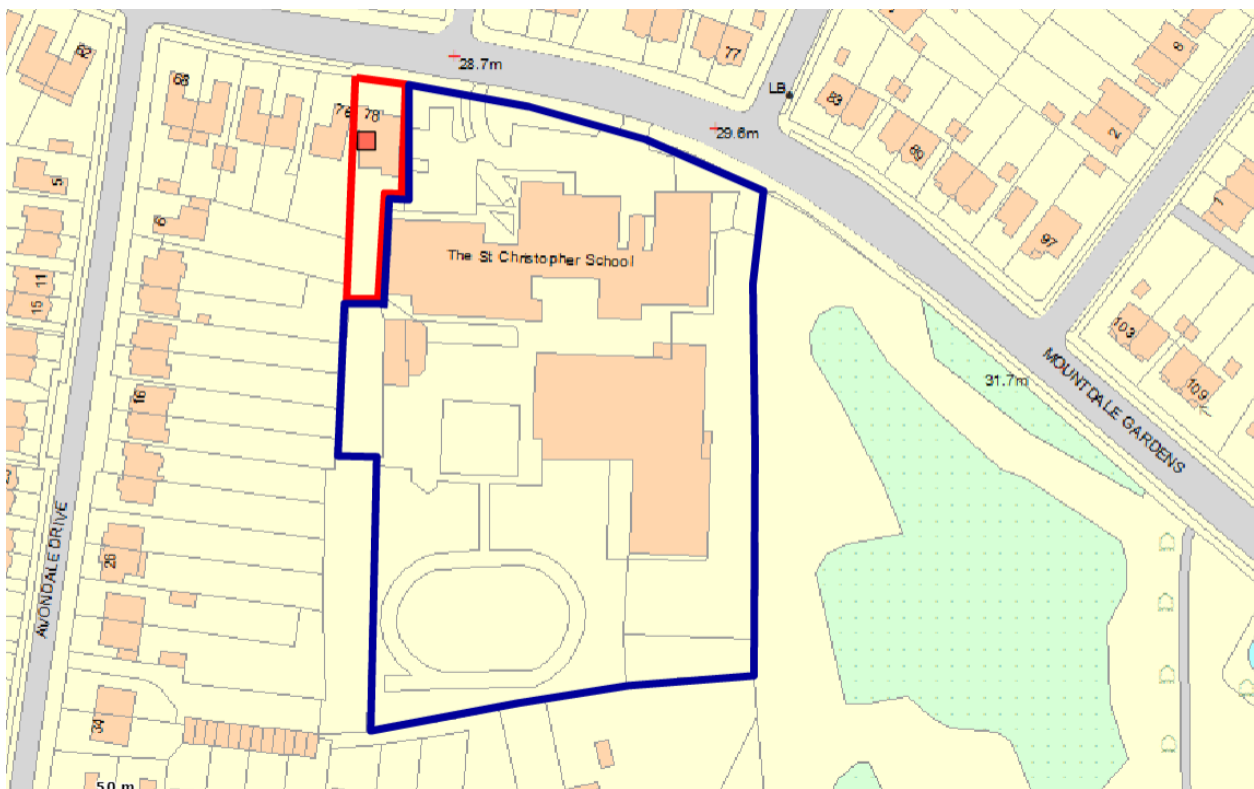
<                      EXISTING APPROVAL                      > <                      PROPOSED AMENDMENTS                      >

**SECOND FLOOR AMENDMENTS**

- 23. INTERNAL ALTERATION: Flat C.15 Layout Rearranged (no planning impact).
  
- 24. INTERNAL ALTERATION: Flat C.16 Removal of Third Bedroom.  
Flat to change from 3 bedroom 4 person to 2 bedroom 4 person.

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<b>Reference:</b>	17/01090/FUL	<h1>7</h1>
<b>Ward:</b>	Blenheim Park	
<b>Proposal:</b>	Change of use from dwellinghouse (Class C3) to Non-residential education centre (Class D1).	
<b>Address:</b>	78 Mountdale Gardens, Leigh-On-Sea, Essex, SS9 4Aw	
<b>Applicant:</b>	The St. Christopher School Academy	
<b>Agent:</b>	The Livemore Partnership – Mr Tony Watts	
<b>Consultation Expiry:</b>	15 <sup>th</sup> August 2017	
<b>Expiry Date:</b>	17 <sup>th</sup> August 2017	
<b>Case Officer:</b>	Julie Ramsey	
<b>Plan Nos:</b>	16032-01(-), 16032-02(-), 16032-03(-), 16032-04(-),	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION subject to conditions</b>	





## **1 The Proposal**

- 1.1 This application seeks planning permission for the change of use from a dwellinghouse (Class C3) to a non-residential education centre (Class D1).
- 1.2 The applicants are The St. Christopher School Academy, which occupy the adjoining school premises. The applicants state that the property would be connected to enhance the provision within the school for the development of pupil life, social and business skills and economic development. The ground floor accommodation would provide an additional area for practical skills based lessons. This would include the provision of larger cooking facilities and food preparation areas. The First Floor would provide administrative support. There are no external alterations proposed. The principle of 'work' related learning in a different environment would be the basis of the facility. Pupils would leave the school premises and have lessons in 'work' tasks, such as preparing, making and packaging food items. There would be a suite of computers available to design labels, marketing posters, complete surveys and gain ideas.
- 1.3 The applicants state that the provision of this facility is considered to be fundamental in allowing the pupils to work in a different environment and gain a greater understanding of the value of money and the world of work, that many of the pupils find it difficult to access.
- 1.4 The existing garden area would be used to develop and grow herbs and vegetables for use in the work experience. The provision of the facility would not increase either pupil or staff numbers and opening hours would reflect those of the main school
- 1.5 Letters of support have been submitted by the applicants from David Amess M.P for Southend West and Brin Martin, Director of Learning.

## **2 Site and Surroundings**

- 2.1 The application site is located on the south side of Mountdale Gardens, west of the junction with Avondale Avenue. The site comprises of a large detached two-storey house with an integral garage and hardstanding for parking to the front, adjacent to the St Christopher's School.
- 2.2 The surrounding area comprises of a mix of residential houses and bungalows properties, with a nursing home opposite to the west and the school to the east.

## **3 Planning Considerations**

- 3.1 The key considerations are the principle of the development, including the loss of the existing dwelling, design and impact on the character of the area, impact on residential amenity and highway implications.



## 4 Appraisal

### Principle of the Development

**The National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2, CP4, CP6 and CP8; Development Management Document (2015) Policies DM1, DM3 and DM15 and the Design and Townscape Guide (2009).**

- 4.1 Core Strategy Policy CP8 resists development proposals which involve the loss of existing dwellings, supporting the need to safeguard an adequate stock of single family dwelling houses, and to protect the character of residential areas.
- 4.2 Policy CP6 of the Core Strategy (CS) relates to the provision of community infrastructure and indicates that new development should demonstrate that it will not jeopardise the Borough's ability to improve the education attainment, health and wellbeing of local residents by, among others, supporting improvements to existing, and the provision of new, facilities to support the needs of education, skills and lifelong learning strategies.
- 4.3 The Local Planning Authority is sensitive to the needs of the school and recognises that this development would be to the benefit of students with varying disabilities and would seek to support this provision within the Borough. This however, has to be balanced against the subsequent loss of a residential property in the Borough.
- 4.4 The proposal is for an education use and would provide a much needed facility within the Borough and enable appropriate life skills training to be provided in close proximity to the existing special School. It is considered that the use of the building for this purpose would be supported by the education policies and the appearance of the facility would remain residential, which would protect the character of area.
- 4.5 The planning statement accompanying the application states that the dwelling has been on the open market for 18 months although no evidence has been submitted to support this. However, weight should be given to the suitability of the property to be incorporated into the school site, given its location on the boundary and relative ease of access to the site.
- 4.6 It is considered, on balance, that the provision of a specialist domestic environment for the learning of life skills for pupils with disabilities would be acceptable and would be considered to be special circumstances to quantify the loss of a residential dwellinghouse. However it is nonetheless considered that if St Christopher's School no longer require the property for their use, then it would be appropriate that the property returns to residential use and a suitable condition would therefore be attached to ensure that this would happen in the event that St Christopher's no longer need the facility.

## **Design and Impact on the Character of the Area:**

**The National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).**

- 4.7 The key element within all relevant policies is that good design should be a fundamental requirement of new development in order 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 (2009) also states that “the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”
- 4.8 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.”
- 4.9 According to Policy KP2 of the Core Strategy new development should “respect the character and scale of the existing neighbourhood where appropriate”. Policy CP4 of the Core Strategy 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”.
- 4.10 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”.
- 4.11 The proposed change of use would have a no impact on the design of the dwelling as the external appearance would remain unchanged. The facility is to be accessed from the school on the eastern boundary to which there is an existing door. The location of the dwelling on the boundary of the school would allow the acceptable integration of the dwelling into the school site without detracting from the residential appearance. External signage and other external alterations should be limited and a condition to control these aspects of any further development would be considered reasonable. It is therefore considered that the development would not have any undue impact on the character and appearance of the area.

## **Traffic and Transport Issues**

**The National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP3 and Development Management Document (2015) Policy DM15.**

- 4.12 The proposed facility has parking to the front for 2 vehicles, however the staffing and pupil numbers are to remain the same and access would be from the main school site.

It is therefore considered that parking within the site would not be a requirement as staff would park within the school site and pupils would be dropped off and picked up as normal from the main school site. Therefore the parking provision is considered to be adequate for the use of the facility and would accommodate the needs of visitors and deliveries specifically to the site.

### **Impact on Residential Amenity:**

#### **National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policy DM1.**

- 4.13 Policy DM1 of the Development Management Document 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.”
- 4.14 The use of the site for the use as education centre would result in an increased number of people present within the detached house at any one time but this would be limited to school operating hours in term-time only. There is no overnight accommodation proposed. These elements would be subject to a condition to this effect. While the day time use would be greater than most domestic properties, it is considered that this would be between normal school/business hours and within school term time and considering the close proximity of the main school building there would not be any material increase in noise and disturbance to neighbouring occupiers.

## **5 Conclusion**

- 5.1 On balance the proposed development is considered to be acceptable in principle and have an acceptable impact on visual amenity in the streetscene. It is not considered that the proposal would result in material harm to residential amenity and there are no highways/parking issues arising.

## **6 Planning Policy Summary**

- 6.1 The National Planning Policy Framework (2012)
- 6.2 Core Strategy Policies KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), CP3 (Transport and Accessibility), CP6 (Community Infrastructure) and CP8 (Dwelling Provision).
- 6.3 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management).
- 6.4 Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

## **7 Representation Summary**

### **7.1 Consultation responses**

No responses received

#### **Public Consultation**

7.2 Seven neighbours were consulted and no letters of representation were received.

## **8 Relevant Planning History**

8.1 **1999** - Convert existing garage into habitable room and erect part single/part two storey side extension including integral garage and balcony at rear and widen vehicular access to Mountdale Gardens – APPROVED – ref 99/0438

## **9 Recommendation**

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

**01 The development hereby permitted shall begin not later than 3 (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: 16032-01(-), 16032-02(-), 16032-03(-), 16032-04(-),**

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

**03 The use hereby permitted shall be carried on only by St Christopher School Academy Trust for the purpose of education. When the premises cease to be occupied for educational purposes, the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed. The premises would then return to a residential (Class C3 use).**

**Reason: Permission has been granted taking into consideration the special circumstances of this case. The local planning authority needs to control future use of the premises if the education use of the premises ceases to ensure compliance with, DPD1 (Core Strategy) 2007 policy K2, CP4, CP8; Borough Local Plan 1994 policies U7 and H4 and SPD1 (Design and Townscape Guide).**

**04 The Class D1 use allowed by this permission can only be carried out as an ancillary use to The St Christopher School Academy and for no other purpose unless agreed in writing by the Local Planning Authority.**

**Reason: Planning permission for unrestricted use within Class D1 cannot be granted in this case because of the special circumstances of the application and it would therefore fail to comply with the National Planning Policy Framework (2012), Core Strategy 2007 policy CP8.**

**05 The premises shall not be used outside the following hours: -**

**8am to 4pm Monday - Friday and at no time on Saturdays, Sundays or Bank Holidays or within the Essex County Council school holiday dates.**

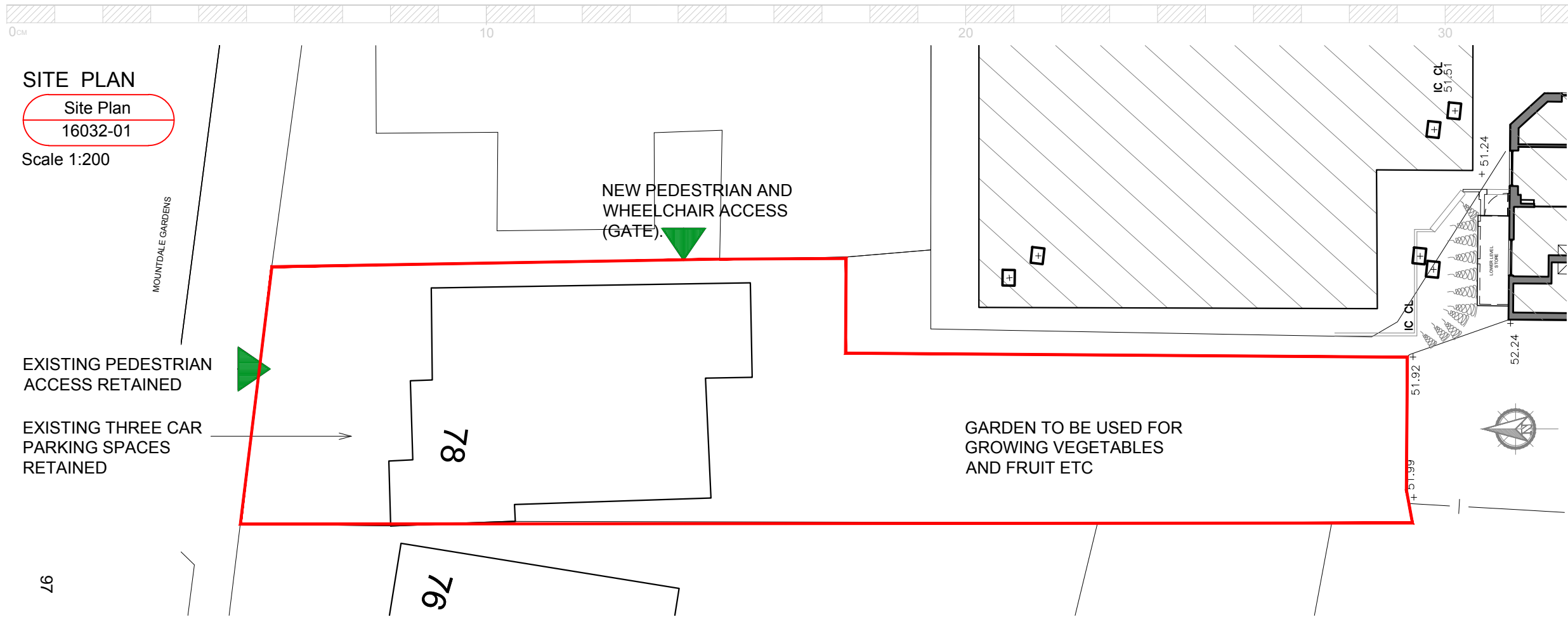
**Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2012), Core Strategy 2007 policy KP2 and CP4.**

#### **Informative**

**You are advised that as the change of use 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](http://www.southend.gov.uk/cil) for further details about CIL.**

**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.**

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**SITE PLAN**

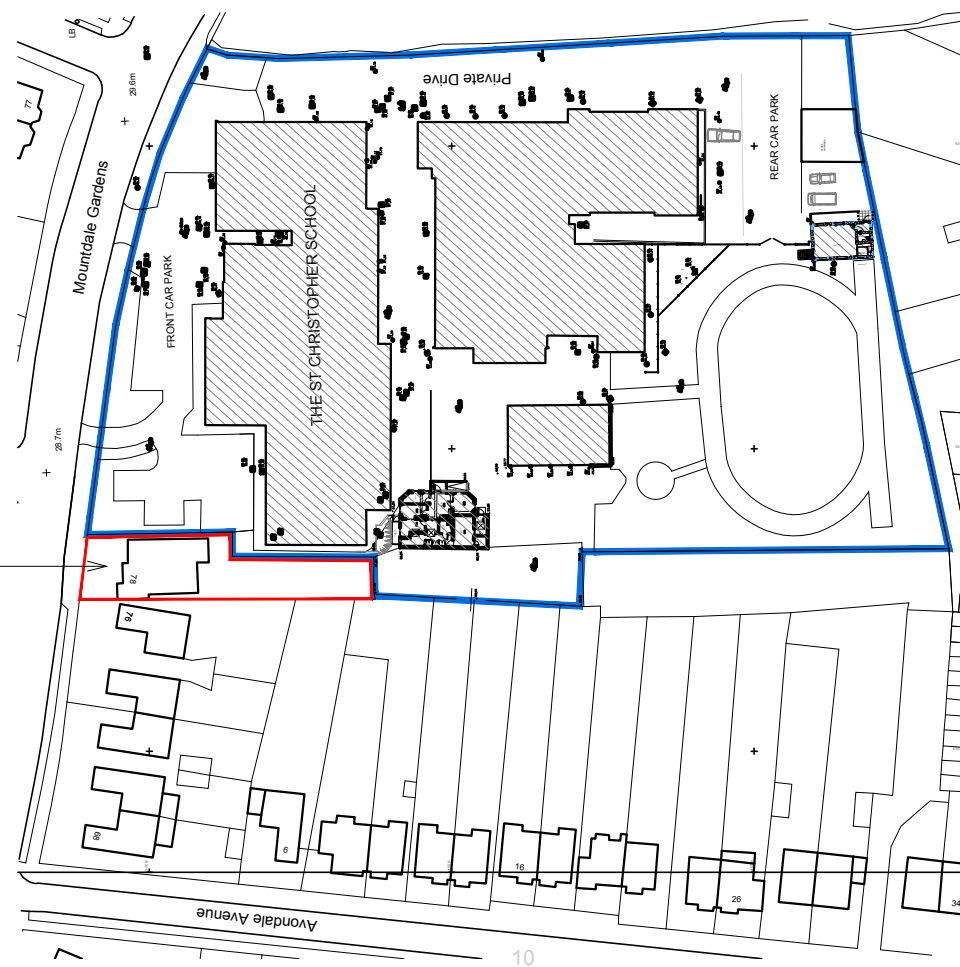
Site Plan  
16032-01

Scale 1:200

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The Site 78 Mountdale Gardens.

**SITE / LOCATION PLAN**

Site Location Plan  
16032-01

Scale 1:1250

Rev.	Amendment	Date
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**Livemore**

Client	THE ST. CHRISTOPHER SCHOOL
Project	78 MOUNTDALE GARDENS LEIGH-ON-SEA ESSEX
Title	FULL PLANNING APPLICATION SITE & LOCATION PLAN

Drawn by: A K W Date: 18-05-2017

Checked by: D.O

Scale @ A3: 1:1250 /100 Drg. No.: 16032-01(-)

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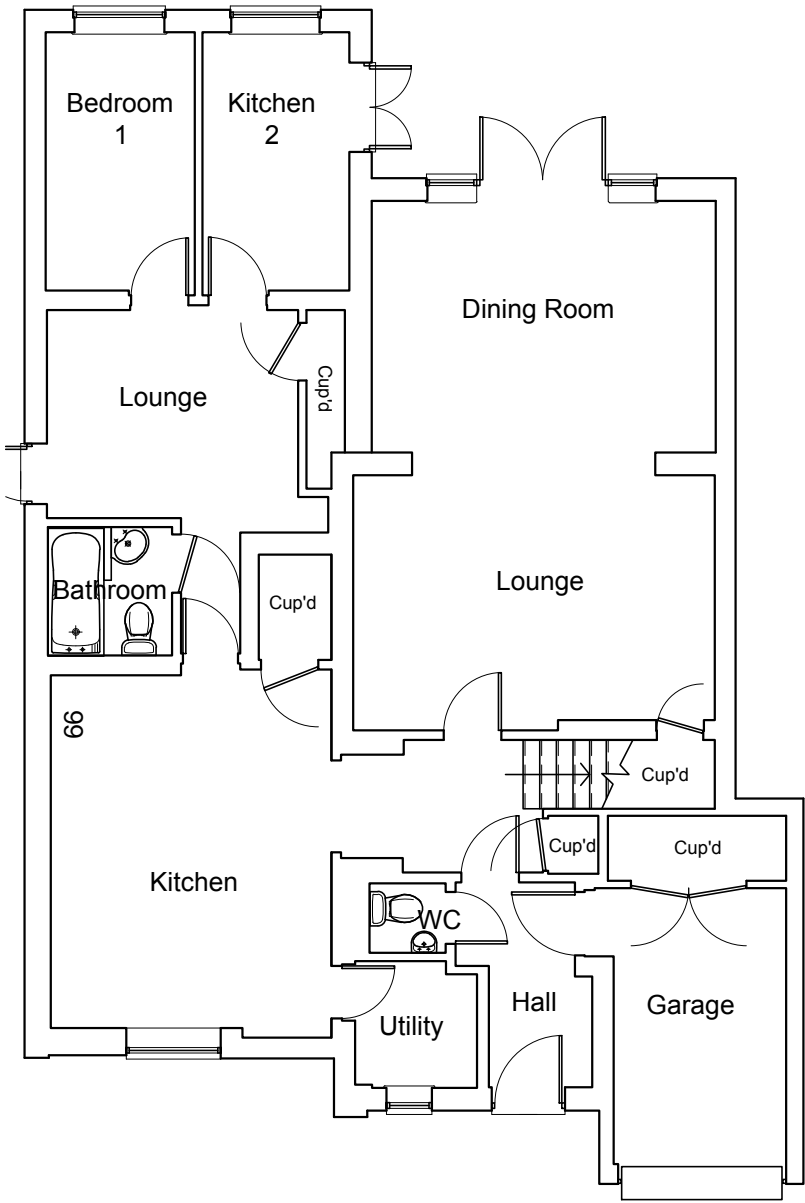




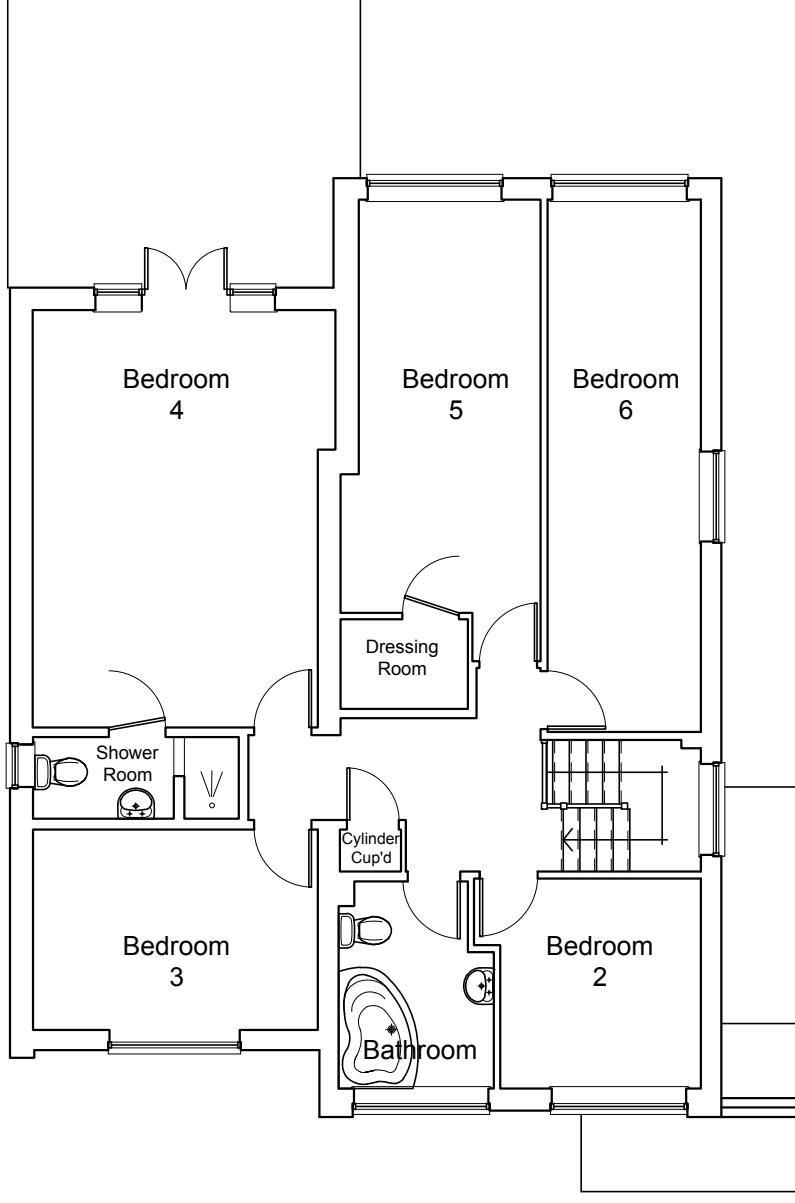
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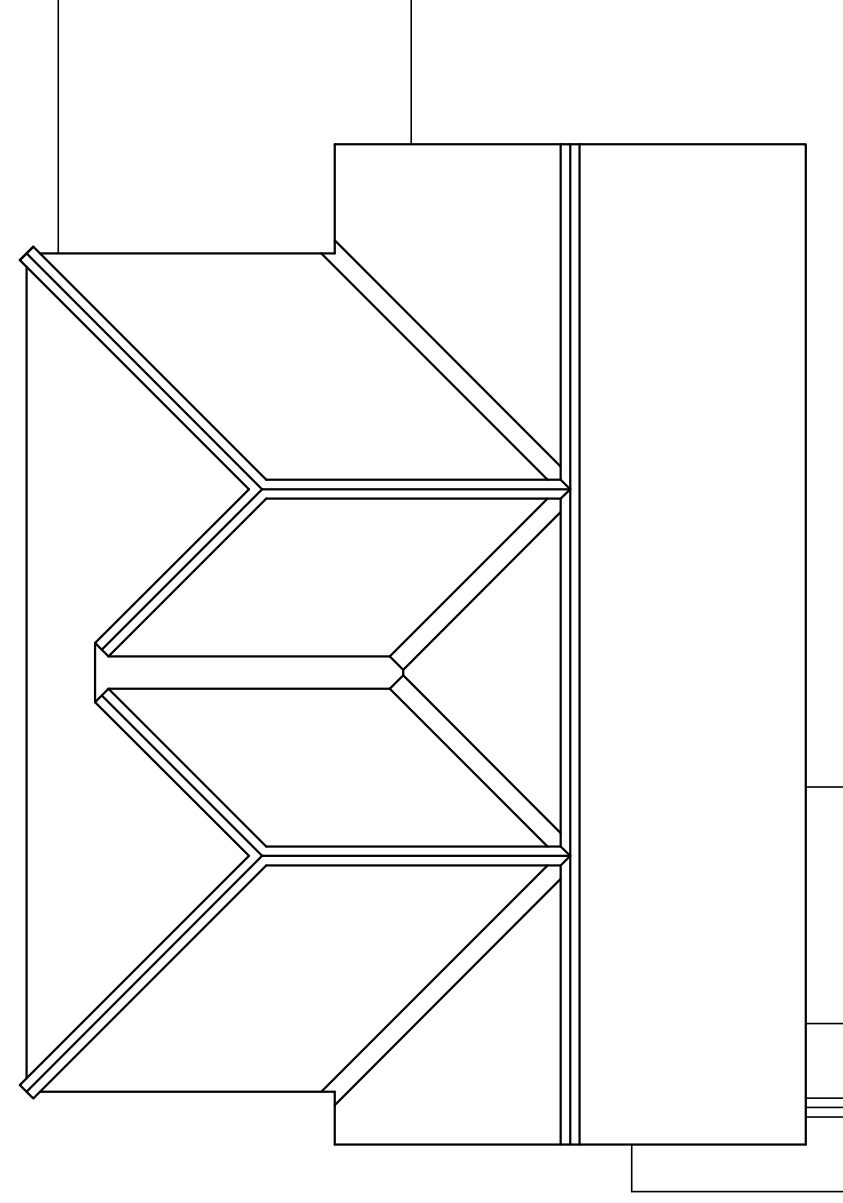
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**Ground Floor Plan**  
Scale 1:100



**First Floor Plan**  
Scale 1:100



**Roof Plan**  
Scale 1:100

Rev.	Amendment	Date
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Client THE ST. CHRISTOPHER SCHOOL  
 Project 78 MOUNTDALE GARDENS  
 LEIGH-ON-SEA  
 ESSEX

Title FULL PLANNING APPLICATION  
 EXISTING  
 GROUND , FIRST & ROOF PLAN

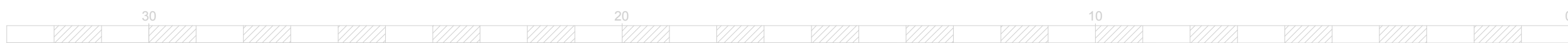
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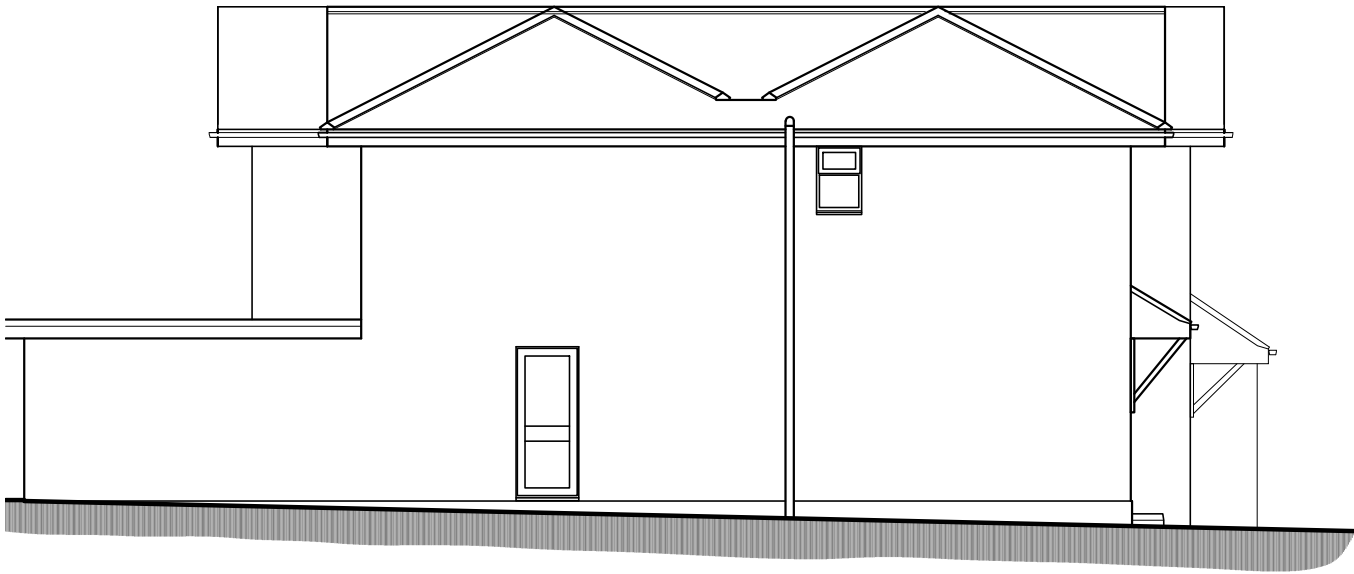
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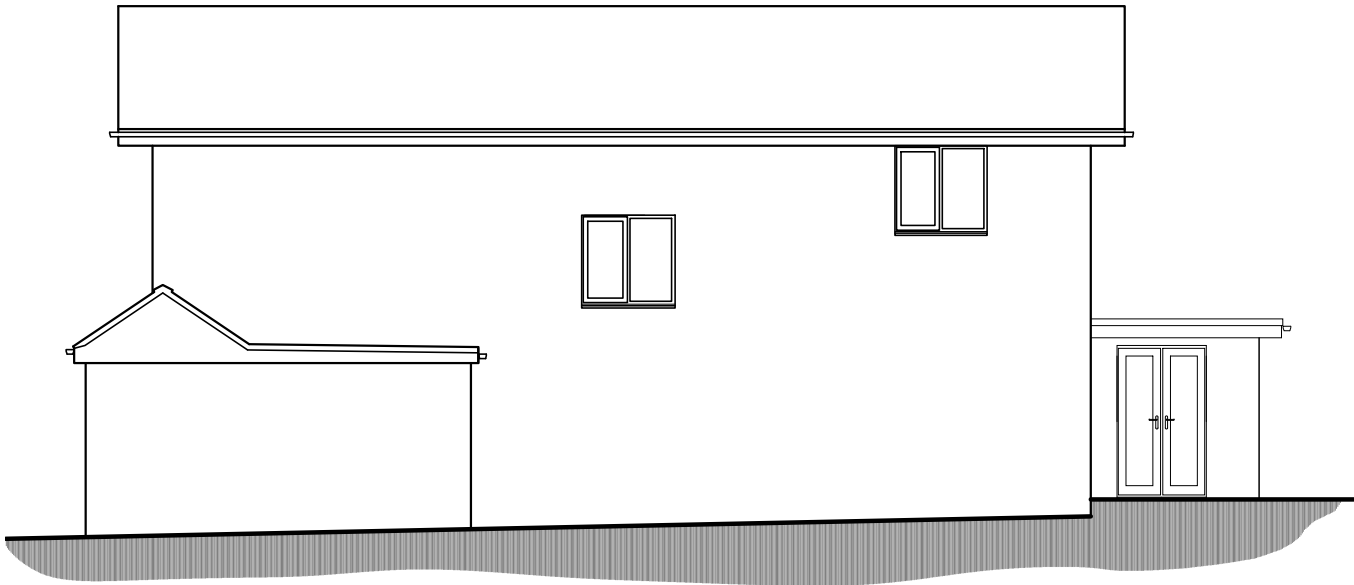
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**North / Front Elevation**  
Scale 1:100

101

Rev.	Amendment	Date
A	South / rear elevation revised.	31-08-17



**West / Side Elevation**  
Scale 1:100



**South / Rear Elevation**  
Scale 1:100



**Client** THE ST. CHRISTOPHER SCHOOL

**Project** 78 MOUNTDALE GARDENS  
LEIGH-ON-SEA  
ESSEX

**Title** FULL PLANNING APPLICATION  
EXISTING ELEVATIONS &  
PROPOSED ELEVATION

Drawn by: JH Date: 15-06-2017

Checked by: D.O

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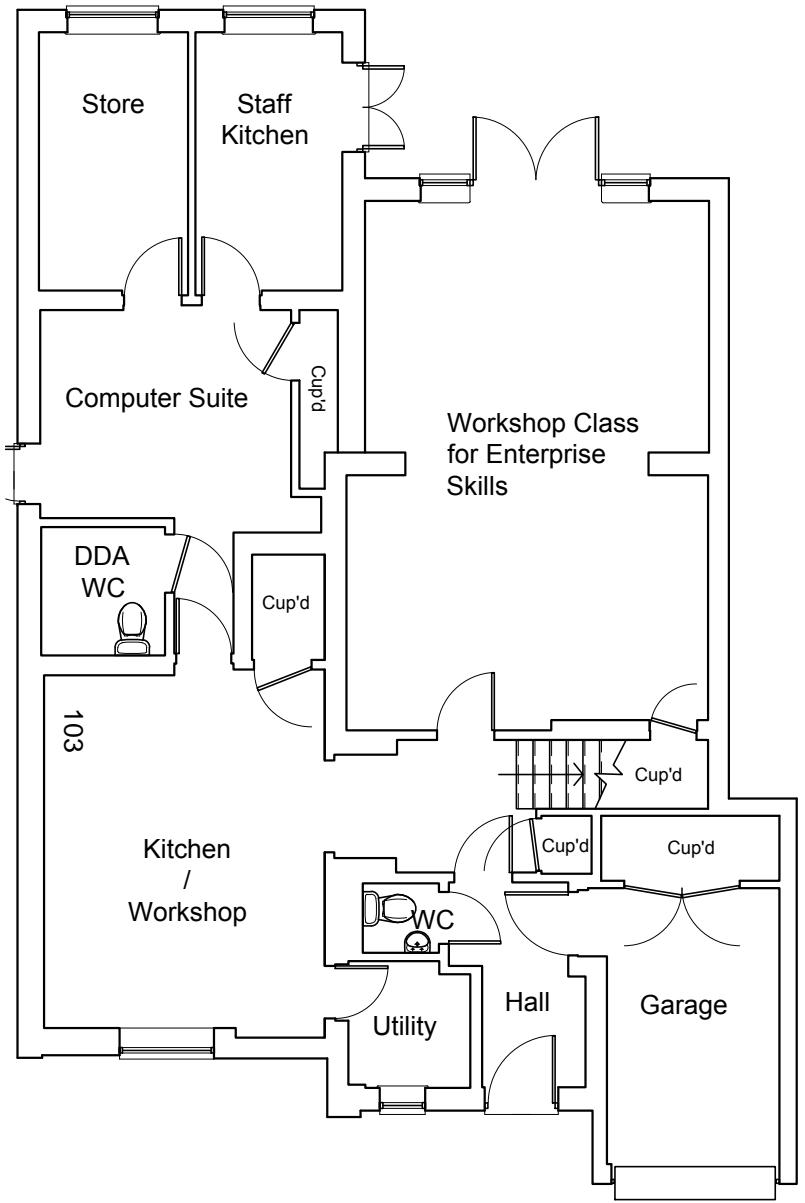
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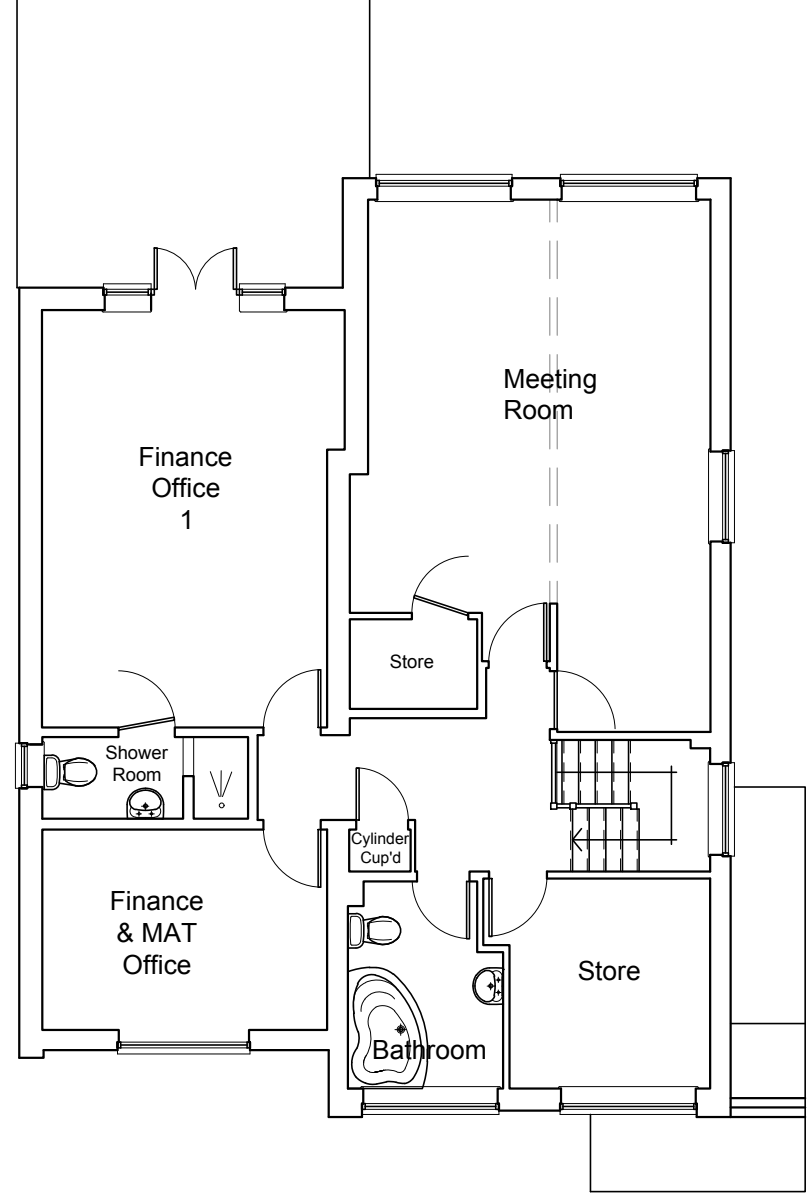
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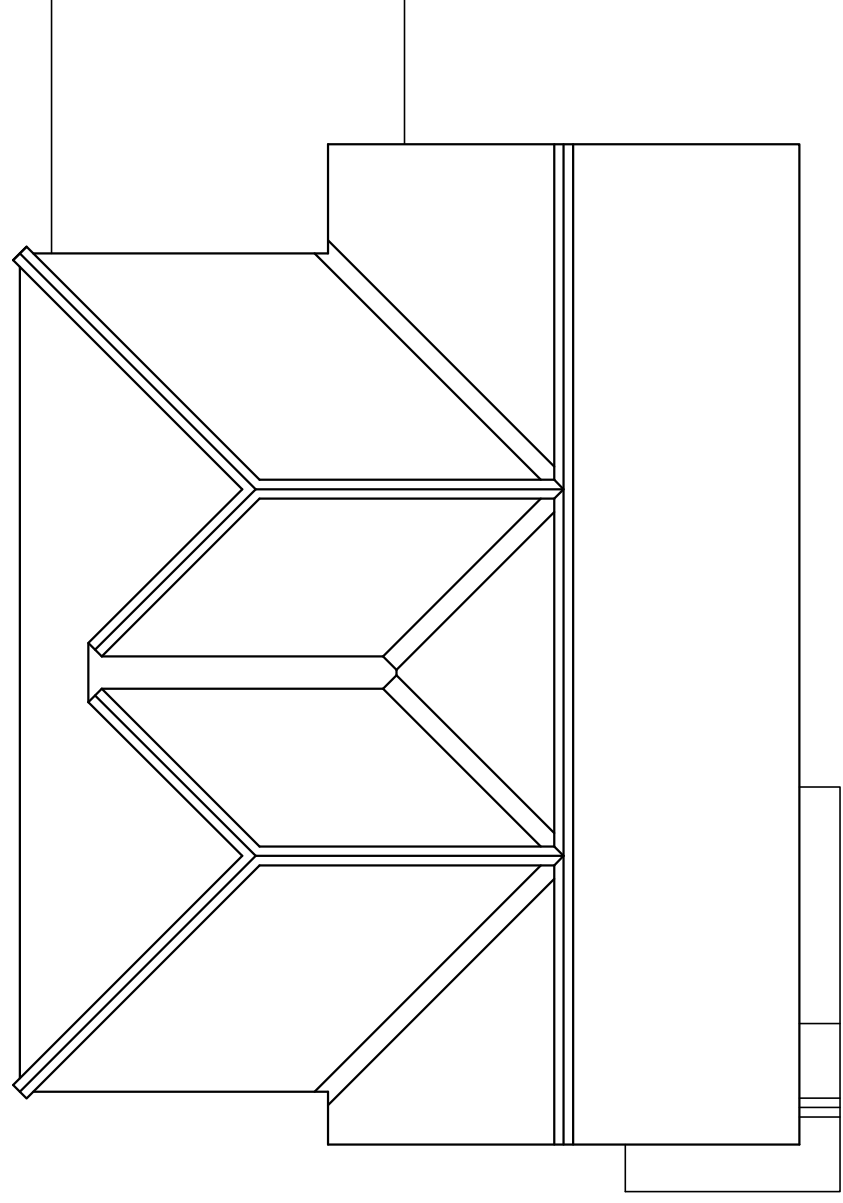
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**Ground Floor Plan**  
Scale 1:100



**First Floor Plan**  
Scale 1:100



**Roof Plan**  
Scale 1:100

Rev.	Amendment	Date
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Client THE ST. CHRISTOPHER SCHOOL  
 Project 78 MOUNTDALE GARDENS  
 LEIGH-ON-SEA  
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Title FULL PLANNING APPLICATION  
 PROPOSED  
 GROUND , FIRST & ROOF PLAN

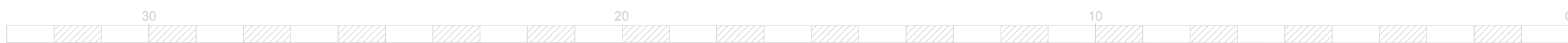
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<b>Reference:</b>	17/01041/FUL	<b>8</b>
<b>Ward:</b>	West Leigh	
<b>Proposal:</b>	Demolish existing bungalow, erect detached bungalow with roof extension to front and sides, boundary wall to side to form covered courtyard, form layout parking to front and install new vehicular access on to Percy Road (Amended Proposal)	
<b>Address:</b>	34 Percy Road, Leigh-On-Sea, Essex, SS9 2LA	
<b>Applicant:</b>	Mrs H Collins	
<b>Agent:</b>	Knight Gratrix Architects	
<b>Consultation Expiry:</b>	03.08.2017	
<b>Expiry Date:</b>	10.08.2017	
<b>Case Officer:</b>	Janine Rowley	
<b>Plan Nos:</b>	020 Revision B; 021 Revision C; 022 Revision A	
<b>Recommendation:</b>	<b>REFUSE PLANNING PERMISSION</b>	



## 1 The Proposal

- 1.1 Planning permission is sought to demolish the existing single storey bungalow and erect a detached bungalow with roof extensions to front and sides, a basement, a boundary wall to the side to form covered courtyard, form layout parking to front and install a new vehicular access on to Percy Road.
- 1.2 The proposed chalet bungalow is 13.1m wide x 12.4m deep x 4.1m to 7.8m high. The overall design is contemporary with an angled roof form, wrap around dormer windows to the front and rear. Two off street parking spaces are provided and a rear amenity space of 85sqm. The internal floorspace of the dwelling is 300sqm.
- 1.3 The accommodation will include a games and shower room to the basement. To the ground floor a study, living room, dining room, kitchen and utility room. To the first floor four double bedrooms, one ensuite bathroom and one family bathroom.
- 1.4 This application has been submitted following the refusal of application 16/00467/FUL, which sought planning permission to erect a pair of semi-detached dwellinghouses. The application was refused for the following reasons:
  1. *“The proposed development by reason of its scale, bulk, mass, detailed design and materials would appear incongruous and out of keeping within the streetscene to the detriment of the appearance and character and appearance of the area contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Core Strategy; Policy DM1 of the Development Management Document DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1)”.*
  2. *“The proposed development due to its height and position in relation to neighbouring properties nos. 39 and 41 Westleigh Avenue would result in an overbearing dominant form contrary to the National Planning Policy Framework, Policy CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide”.*
- 1.5 The appeal following the above application was subsequently dismissed (reference: 3153696) and will be discussed in further within the Appraisal section of this report. The main conclusions of the appeal decision by the Inspector were that:
  - The appeal buildings would appear unduly bulky and prominent within the streetscene and would as a result harm the character and appearance of the area.
  - The appeal buildings would not likely to present an overbearing form of development to existing properties in Westleigh Avenue.
- 1.6 The main change from the previously refused application and subsequent appeal decision is the proposal seeks to demolish the existing bungalow and replace it with a chalet bungalow rather than two dwellinghouses. The height of the previously refused application (16/00467/FUL) was 6.6m to 7.8m and this proposal is 7.8m. The overall width of this amended proposal is 13.1m in comparison to the pair of semi-detached dwellings previously refused (16/00467/FUL) 8m in width (16.2m width in total).



## 2 Site and Surroundings

- 2.1 The existing property is a single storey bungalow located on the eastern side of Percy Road. The streetscene is mixed, consisting of bungalows, chalets and two storey semi-detached houses of various designs. To the north of the site is a relatively modern chalet type dwellinghouse. The south of the site adjoins the rear gardens of properties in Westcliff Drive. Opposite the site are a number of larger, semi-detached houses. It is noted that there are a few other single bungalows in the street interspersed in between the two storey properties.

## 3 Planning Considerations

- 3.1 The main considerations in relation to this application are the principle of the development, design and impact on character of the area, traffic and transportation issues and impact on residential amenity and sustainable construction, CIL and whether the proposal has overcome the previous reasons for refusal of application 16/00467/FUL, and the objections raised by the Inspector at appeal.

## 4 Appraisal

### Principle of Development

#### **National Planning Policy Framework, Core Strategy (2007) Policies KP1, KP2, CP4 and CP8, Development Management Document (2015) policies DM1, DM3**

- 4.1 This proposal is considered in the context of the Borough Council policies relating to new development and design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy DPD1 Policies KP2, CP4 and CP8. The core planning principles of the National Planning Policy Framework the need 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”*

- 4.2 Policy DM3 (4) of the Development Management Document quotes 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 The existing site is occupied by a small bungalow located on the east side of Percy Road. The streetscene is characterised by predominantly two storey properties and chalet bungalows. It is not considered a chalet bungalow would appear at odds with the established character of the area in principle.

- 4.4 The applicant has submitted on drawing 021 Revision C demonstrating that the proposal will provide appropriate for the needs of older residents. The submitted information shows the proposal would meet the M4 (2) standard, which replaced the Lifetime Homes Standard. The proposal therefore satisfies Policy DM3 4 (ii) of the Development Management Document.

### **Design and Impact on the Street Scene**

#### **National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3, and the Design and Townscape Guide**

- 4.5 The National Planning Policy Framework requires new development to reinforce local distinctiveness. Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and complement the local character.
- 4.6 The existing property is a two bedroom single storey bungalow measuring 9.2m wide x 7.9m-10.4m deep x 6.4m high, with a pitched roof. A single storey garage is located to the southern boundary of the site and the existing property has an amenity area of 161sqm.
- 4.7 The proposed development is 13.1m wide x 12.4m deep x 4.1m to 7.8m high. The design of the dwelling is a chalet style.
- 4.8 Whilst it is accepted there are some variations in height in the street, and the dwelling will appear higher than the property to the north of the site and is compounded by both its width, at approximately 13m, and large asymmetrical shaped roof and it is considered that this will result in a dwelling which is harmfully greater in scale and bulk such that the overall scale of the development is considered to be excessive.
- 4.9 During pre-application discussions with the applicant the reduction from two dwellings to one was supported given the limited depth of the site but the scale of the roof was raised as an issue and it was advised that, given the width of the plot, the applicant should consider stepping or breaking the roof form to help to break up the bulk of the proposal in the streetscene. Whilst the extended roof over the basement void has now been omitted the roof remains a single form over a wide footprint and there is a concern that this may result in a bulky profile in relation to the streetscene. In addition it is noted that there are a number of awkward details within the revised roof form including where the slope meets the vertical face on the northeast and northwest corners, the splayed and inverted arrangement at the southern end which appears over complex and rather awkward and the deep overhang to the southwest corner where the building line has been set back to accommodate the parking which will result in a dark void in the frontage. It is also noted that there is a conflict in the proportions of the fenestration proportions which sees a very horizontal emphasis at first floor and a very vertical emphasis at ground floor. It is considered that this results in a rather disjointed proposal.

Therefore whilst the asymmetrical roof form and the horizontal dormer windows provide an interesting concept in isolation, as proposed they accentuate the width and scale of the development and fail to provide a well resolved design or relate satisfactorily to the streetscene. It should be noted that an appropriately scaled and well resolved innovative modern design would be supported in this location; however, it is considered that this has not yet been achieved.

- 4.10 In light of the above, the proposed development by reason of its scale, roof form, appearance and use of materials provides a harmful addition to the streetscene resulting in an incongruous form of development, out of keeping with the character and appearance of the surrounding area contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy and policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide. The proposal has therefore not addressed reason 01 of application 16/00467/FUL or overcome the objections raised by the Inspector as part of the subsequent appeal decision.

### **Living Conditions for Future Occupiers**

#### **National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1, DM3, DM8, The National Technical Housing Standards (2015) and Design and Townscape Guide (2009)**

- 4.11 The internal size of the proposed dwellinghouse is 300sqm and complies with current policy, which requires a minimum of 130sqm for 4 bedrooms (8 people). All rooms benefit from sufficient outlook and daylight, which is welcomed.
- 4.12 Part M4(2) of the Building Regulations adopted by the National Technical Housing Standards 2015 requires the need to provide accessible and adaptable dwellings. Drawing 021 Revision C has been provided demonstrating the proposal will meet this standard.
- 4.13 One of the core planning principles of the NPPF is that the planning system should *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.
- 4.14 Policy DM8 of the Development Management Document states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers.
- 4.15 Whilst the Council’s Design and Townscape Guide states:
- “Outdoor space significantly enhances the quality of life for residents and an attractive useable garden area is an essential element of any new residential development”*.
- 4.16 The existing 2 bedroom bungalow has an amenity area to the east and south equating to 161sqm. The proposed 4 bedroom dwelling will have access to 86sqm of amenity space, on balance is considered useable and sufficient for future occupiers.

## Traffic and Transportation

**National Planning Policy Framework; Core Strategy (2007) policies KP2, CP4, CP3; policy DM15 of the Development Management Document (2015) and the Design and Townscape Guide (2009).**

- 4.17 The proposed development will provide two spaces for the dwelling complying with policy DM15 of the Development Management Document and no objections have been raised by the Councils Highway Officer. The proposal is found to be acceptable on parking and highway grounds.

## Impact on residential amenity

**National Planning Policy Framework; Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and the Design and Townscape Guide (2009).**

- 4.18 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.
- 4.19 The proposed dwelling will be set 3.9m away from the southern boundary and a further 18m-21m from the rear elevations of numbers 43 and 47 Westcliff Drive, which is sufficient to mitigate against any harm in terms of being overbearing or loss of light. While windows are to mitigate any potential harm in terms of overlooking and loss of privacy.
- 4.20 The overall height of the development is 4.4m to 7.8m and will be set 4.9m to 5.1m away from the rear boundaries of 39 and 41 Westleigh Avenue at ground floor and total of 7.7m at first floor. The previously refused application (16/00467/FUL) was set 5.7m at ground floor and 7m at first floor. There is a further 15m-17m to the rear of nos. 39 and 41 Westleigh Avenue respectively. It is not considered the proposed development will be overbearing or detrimental to the amenities of existing occupiers surrounding the site nor will the proposal result in loss of light, overlooking or loss of privacy taking into account the overall separation distance to the rear of properties in Westleigh Avenue. The effect on the living conditions of occupiers of adjoining dwellings in respect of outlook was not objected to by the Planning Inspectorate under reference 3153696 whereby the Inspector stated in paragraphs 8 and 9:

*8. The appeal buildings would back on to nos. 39 and 41 Westleigh Avenue. As a pair of two storey buildings replacing a single bungalow they would inevitably be more prominent in views from the rear of these premises. However, they would not project any further to the rear of the site than the existing bungalow, while the gardens of nos. 39 and 41 are relatively long and the appeal buildings would be set at a distance from the rear of these houses which would be sufficient to retain a reasonable visual separation.*

9. As a result, therefore, the appeal buildings would not be likely to present an overbearing form of development to these properties, and would not therefore have a harmful effect on the living conditions of occupiers of these properties. They would not therefore conflict with Policy DM1 of the DM, which seeks development which protects the amenity of immediate neighbours with respect to outlook, nor with Policy CP4 of the CS which seeks development which maintains and enhances the amenities of residential areas.

- 4.21 In relation to the dwellings to the west of the site directly opposite the proposals site, there is a 21m separation distance between the development and nos. 35, 37 and 39 Percy Road. It is not considered the proposed development would result in a perceived overlooking.

### **Sustainable Construction**

#### **National Planning Policy Framework; Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2 and the Design and Townscape Guide (2009)**

- 4.22 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”.*

- 4.23 The provision of renewable energy resources should be considered at the earliest opportunity to ensure an intrinsic design in this instance no details have been submitted for consideration. However, if this application is deemed acceptable this can be dealt with by condition.
- 4.24 Policy KP2 of the Core Strategy requires the need for all new development to incorporate SUDs to enable surface water attenuation for the site. No details have been submitted at this time however, if the application is deemed acceptable a suitable condition can be imposed.
- 4.25 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 can be dealt with by condition if the application is deemed acceptable.

#### **Community Infrastructure Levy (CIL) Charging Schedule.**

- 4.26 This application is CIL liable. If the application had been recommended for approval, a CIL charge would have been payable. If an appeal is lodged and allowed the development will be CIL liable. Any revised application may also be CIL liable.

## **Conclusion**

- 4.27 Having taken all material planning considerations into account, it is found the proposed development by reason of its scale, design and in particular height, roof form, appearance and materials would appear out of keeping with and detrimental to the character and appearance of the site, streetscene and wider area. The proposal is considered unacceptable and contrary to development plan policy in each of these regards. The proposal does not provide any benefits which would outweigh these conflicts with development plan policy.

## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework
- 5.2 Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Mix)
- 5.3 Development Management Document Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (The Efficient and effective use of land), DM15 (Sustainable Transport Management)
- 5.4 SPD1 Design & Townscape Guide 2009
- 5.5 Waste Management Guide
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule

## **6 Representation Summary**

### **Traffic and Transportation**

- 6.1 No objection as the proposal complies with policy DM15 of the Development Management Document.

### **Environmental Health**

- 6.2 No objections in principle subject to the recommended conditions as follows:
1. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority a remediation strategy detailing how this unsuspected contamination shall be dealt with. All agreed remediation works must be implemented in their entirety prior to further construction works commencing unless otherwise agreed in writing by the LPA.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and

other offsite receptors in accordance with National Planning Policy Framework, sections 120 and 121.

2. Due to the proximity of the site to other residential buildings, the hours of work will need to be restricted. The hours of work are therefore restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday. No demolition or construction shall be carried out on Sundays or Bank Holidays.
3. Due to the proximity of the site to other residential buildings, full details of mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the works must be submitted in writing for approval by the local planning authority prior to demolition or construction commencing, taking into consideration control measures detailed in *Best Practice Guidance “The control of dust and emissions from construction and demolition”*: [http://www.london.gov.uk/thelondonplan/guides/bpg/bpg\\_04.jsp](http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp)

### **Leigh Town Council**

6.4 Objection, to the following material planning considerations:

- Visual impact of the development – it is out of keeping with the street scene
- Proposed development is over bearing
- The design of the development is bulky
- Loss of privacy to surrounding properties.

### **Public Consultation**

6.4 A site notice displayed on the 13<sup>th</sup> July 2017 and 14 neighbours notified of the proposal. 7 letters of objection have been received stating:

- Too large
- Overdevelopment of the site
- Roof of the proposed design will appear higher than number 32
- Planned bungalow occupies the full width of the site
- Design and materials out of character with the streetscene
- Overlooking
- Loss of privacy
- Plans are not inkeeping and have limited amenities and unlikely to be affordable to young families who should be catered for so close to a primary school
- Increased parking
- Excavation of bungalow could cause subsidence
- Need for traditional bungalows to be retained
- Too close to the boundaries

These concerns are noted and they have been taken into account in the assessment of the application.

6.5 Councillor Evans and Councillor Lamb have requested this application be dealt with by Development Control Committee.

## **7 Relevant Planning History**

7.1 Demolish existing dwelling and erect two semi-detached dwellinghouses, amenity space to rear, layout parking to front and install new vehicular access on to Percy Road (Amended Proposal)- Refused (16/00467/FUL)

7.2 Demolish existing dwelling and erect two semi-detached dwellings, layout parking to front and amenity space to the rear (Amended Proposal) - Refused (15/01024/FUL).

7.3 Demolish existing dwelling and erect two semi-detached dwellings, layout parking to front and amenity space to the rear- Refused (15/00086/FUL).

## **8 Recommendation**

**8.1 Members are recommended to REFUSE PLANNING PERMISSION for the following reason:**

- 1 The proposed development would, by reason of its scale, size bulk, mass, detailed design and use of materials appear incongruous and out of keeping within the streetscene to the detriment of the character, appearance of the site and area more widely. 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 advice contained within the Southend-on-Sea Design and Townscape Guide (2009).**

### **Informative**

- 1 Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.**
- 2 It should be noted there are a number of mistakes on the submitted plans and any resubmission should ensure the first floor plan shows northern windows, roof plan needs to clearly detail the width of the dormer roof at the northern end and the parking arrangement differs between ground floor and block plan including crossovers.**



**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.**

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## Appeal Decision

Site visit made on 23 November, 2016

by **S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10<sup>TH</sup> January, 2017

---

**Appeal Ref: APP/D1590/W/16/3153696**

**34 Percy Road, Leigh-on-Sea, Southend-on-Sea, SS9 2LA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mrs H Collins against the decision of Southend-on-Sea Borough Council.
  - The application Ref 16/00467/FUL, dated 24 March, 2016, was refused by notice dated 9 June, 2016.
  - The development proposed is demolition of existing property and construction of 2 no. semi-detached family dwellings with car parking to the front and private garden space to the rear.
- 

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect on the character and appearance of the area and the effect on the living conditions of occupiers of adjoining dwellings in respect of outlook.

### Reasons

*The effect on the character and appearance of the area*

3. Number 34 Percy Road is a traditionally designed bungalow with a matching single garage in the garden area to its side. It sits in a wider residential area of mixed character dating largely from the early and mid-twentieth century, but which includes some more modern dwellings. Overall the area is predominantly of two storey houses with some bungalows. Dwellings are typically set behind front gardens, many of which retain their planting and low front boundaries, and which, with grassed verges and street trees contribute to a pleasantly greened effect. The appeal proposal is for the replacement of the existing building with a pair of houses fronted by car parking and with modest gardens to the rear.
4. The garden area of the appeal building is relatively short in comparison to the majority of others in the vicinity, but the wider than is typical, allowing the site to retain a relatively open character. While the pair of proposed houses would not each have a particularly large footprint in comparison to other dwellings in the vicinity, as a pair they would take up a large proportion of the plot, which, in combination with their two storey height would create a built element which would therefore appear bulky in its immediate setting. This, would also, in

combination with the hard surfacing to the front, therefore create an incongruously urbanising effect in an otherwise relatively open area.

5. While the height of the lower gables would be roughly level with the roofline of the adjoining building to the north, the large gables would project above that height, and in combination with the fact that they are paired, and with their nodding projection forward at roof level, would therefore form an unduly intrusive element in the street scene.
6. Care has evidently been taken in the design of the proposal, and I do not consider the details of this innovate modern design would be out of place in an area of considerable variety such as that surrounding the appeal site. I note the reference to the steeply pitched gables to the north on Percy Road, but these are on buildings of a much smaller scale and which, with simpler detailing, therefore play a much less conspicuous role in the street scene than would the appeal buildings, which would have noticeably greater scale and bulk.
7. The appeal buildings would for these reasons therefore appear unduly bulky and prominent within the street scene and would as a result harm the character and appearance of the area. They would therefore conflict with Policy DM1 of the Development Management Document 2015 (the DMD) which seeks development which respects the character of the site and its local context. They would also conflict with Policy KP2 of the Core Strategy Development Plan Document One 2007 (the CS) which expects new development to maintain and enhance the character of residential areas and with Policy CP4 of the CS, which seeks development which respects the character and scale of existing neighbourhoods.

*The effect on the living conditions of occupiers of adjoining dwellings in respect of outlook*

8. The appeal buildings would back on to nos. 39 and 41 Westleigh Avenue. As a pair of two storey buildings replacing a single bungalow they would inevitably be more prominent in views from the rear of these premises. However, they would not project any further to the rear of the site than the existing bungalow, while the gardens of nos. 39 and 41 are relatively long and the appeal buildings would be set at a distance from the rear of these houses which would be sufficient to retain a reasonable visual separation.
9. As a result, therefore, the appeal buildings would not be likely to present an overbearing form of development to these properties, and would not therefore have a harmful effect on the living conditions of occupiers of these properties. They would not therefore conflict with Policy DM1 of the DM, which seeks development which protects the amenity of immediate neighbours with respect to outlook, nor with Policy CP4 of the CS which seeks development which maintains and enhances the amenities of residential areas.

### **Conclusion**

10. For the reasons given above, and taking into account matters raised, I conclude that the appeal should be dismissed.

*S J Buckingham*

INSPECTOR

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Revision	Revised scheme following	Date
A	Amending	16.03.17
B	Minor amendments	01.08.17



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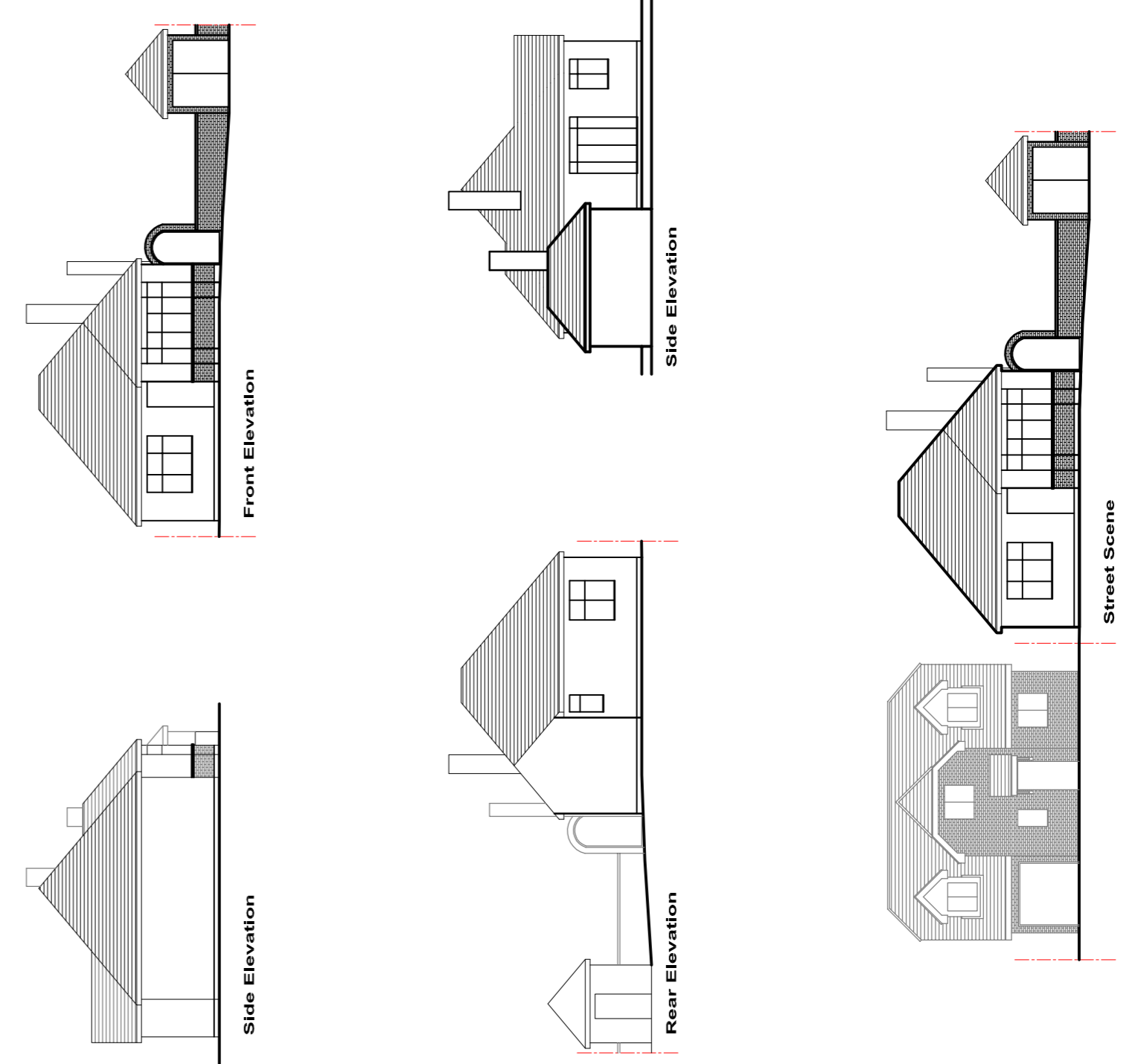
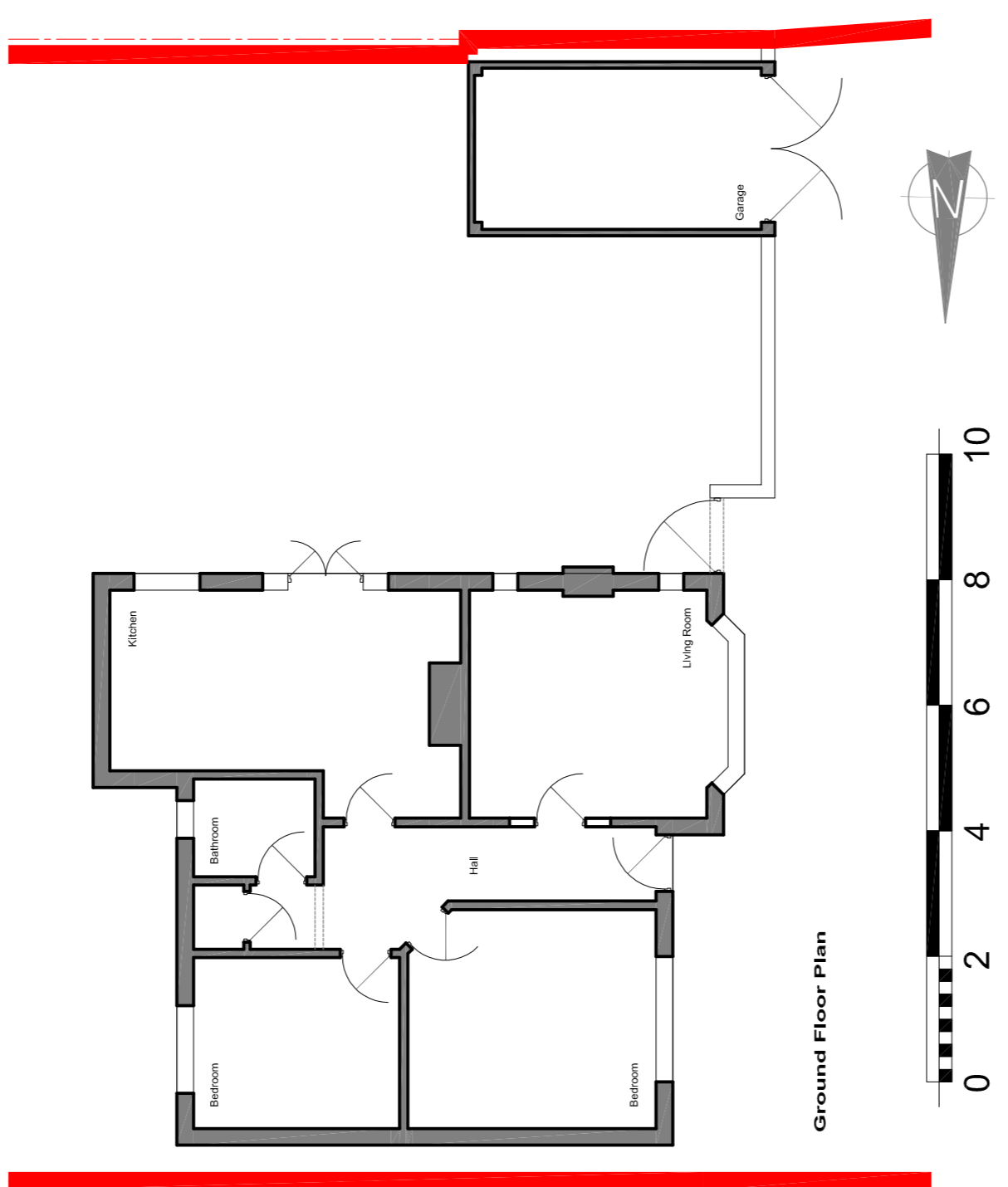
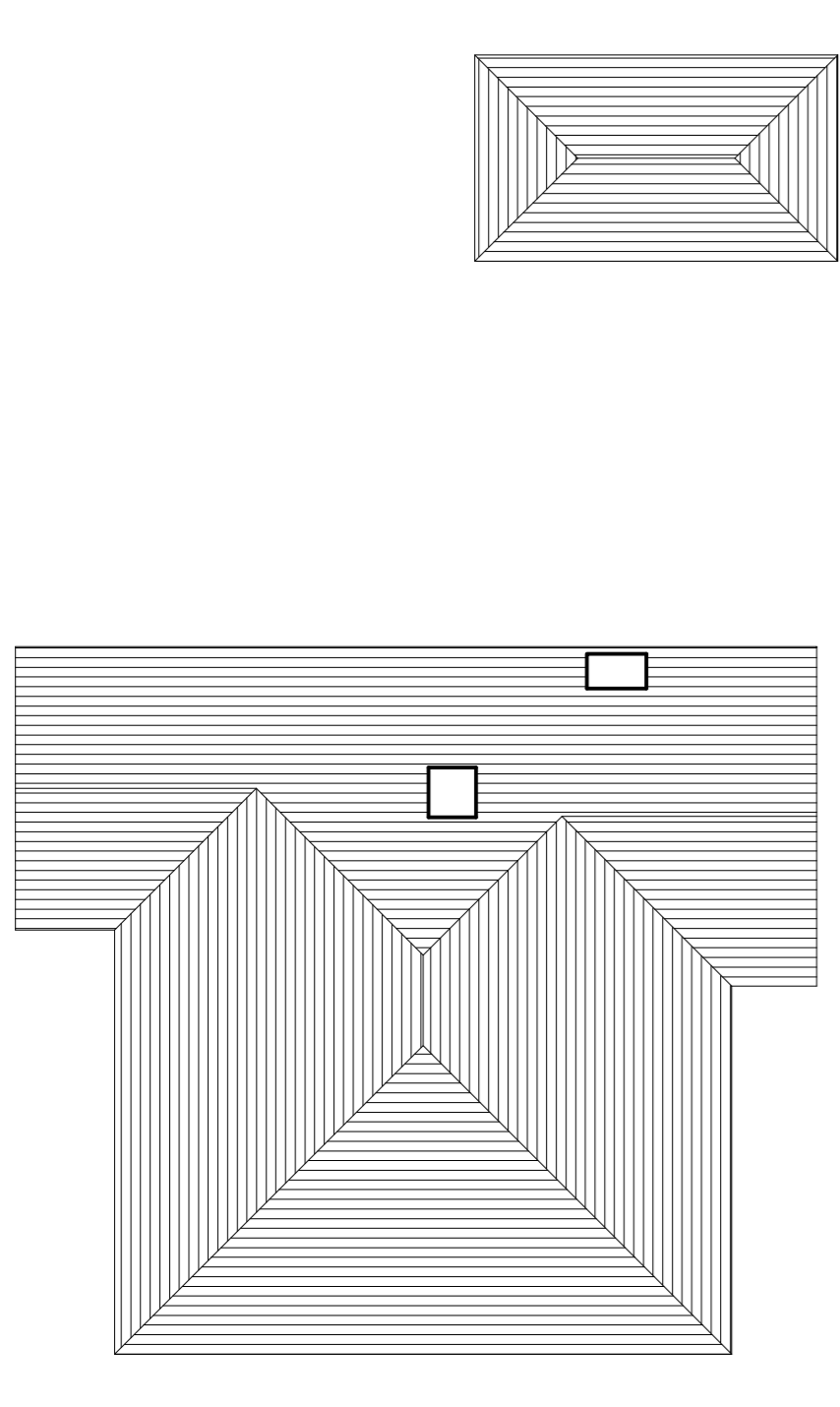
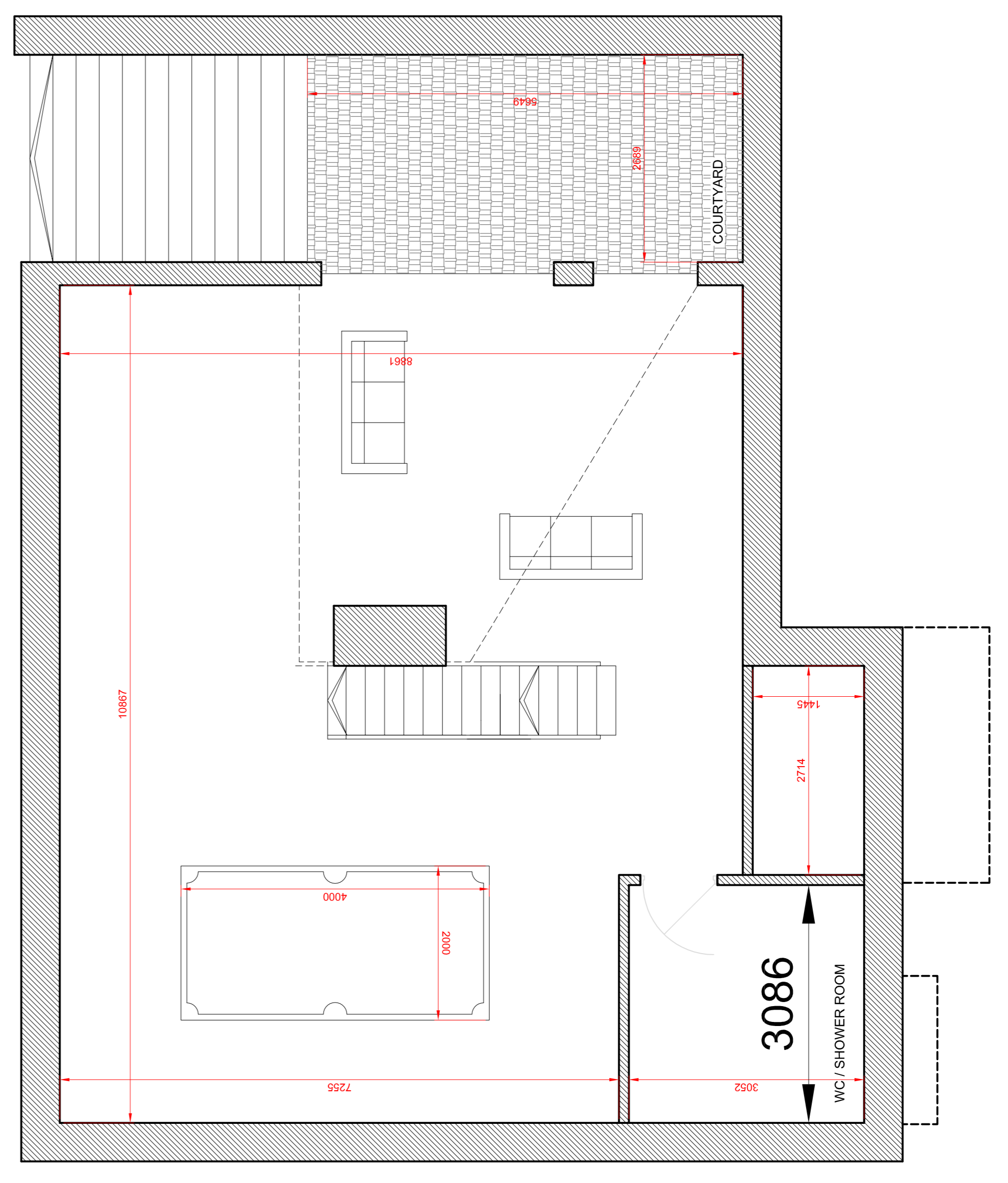
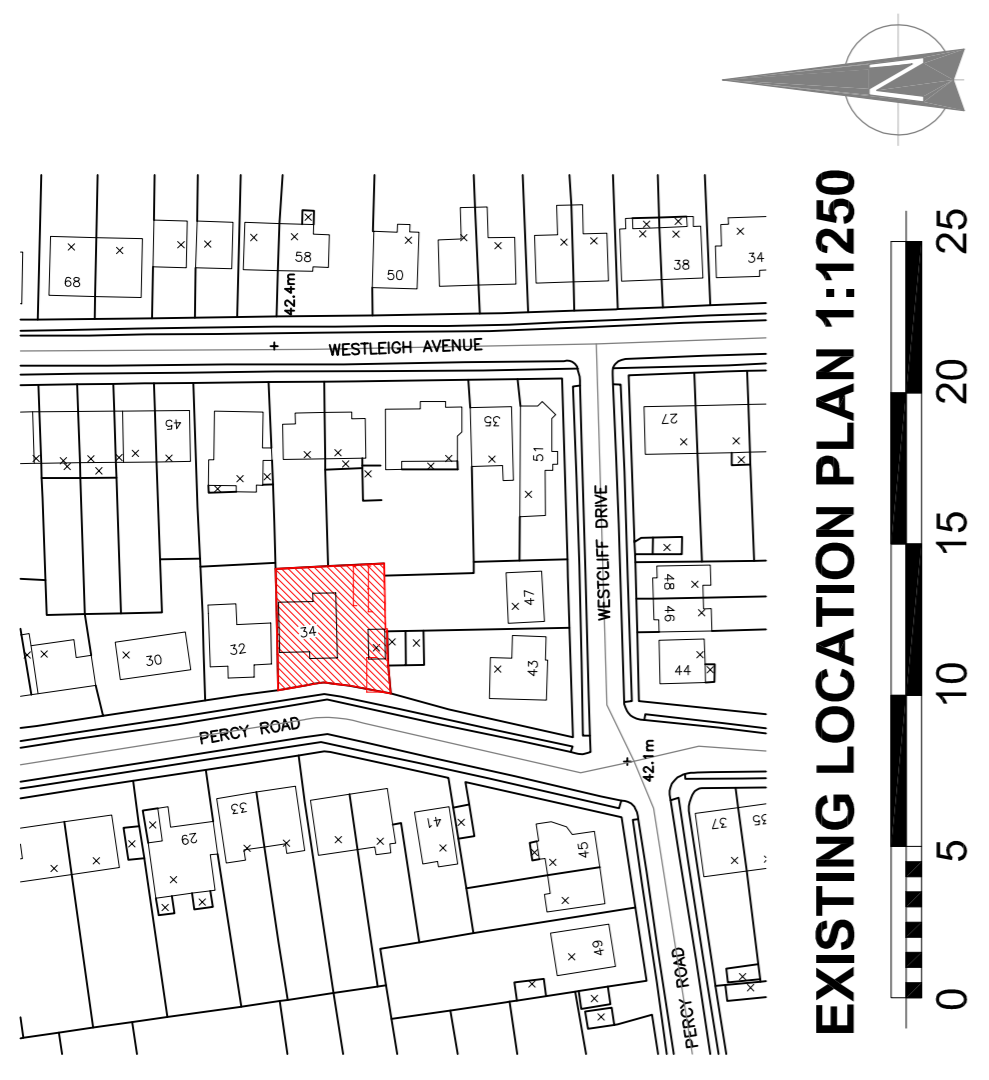
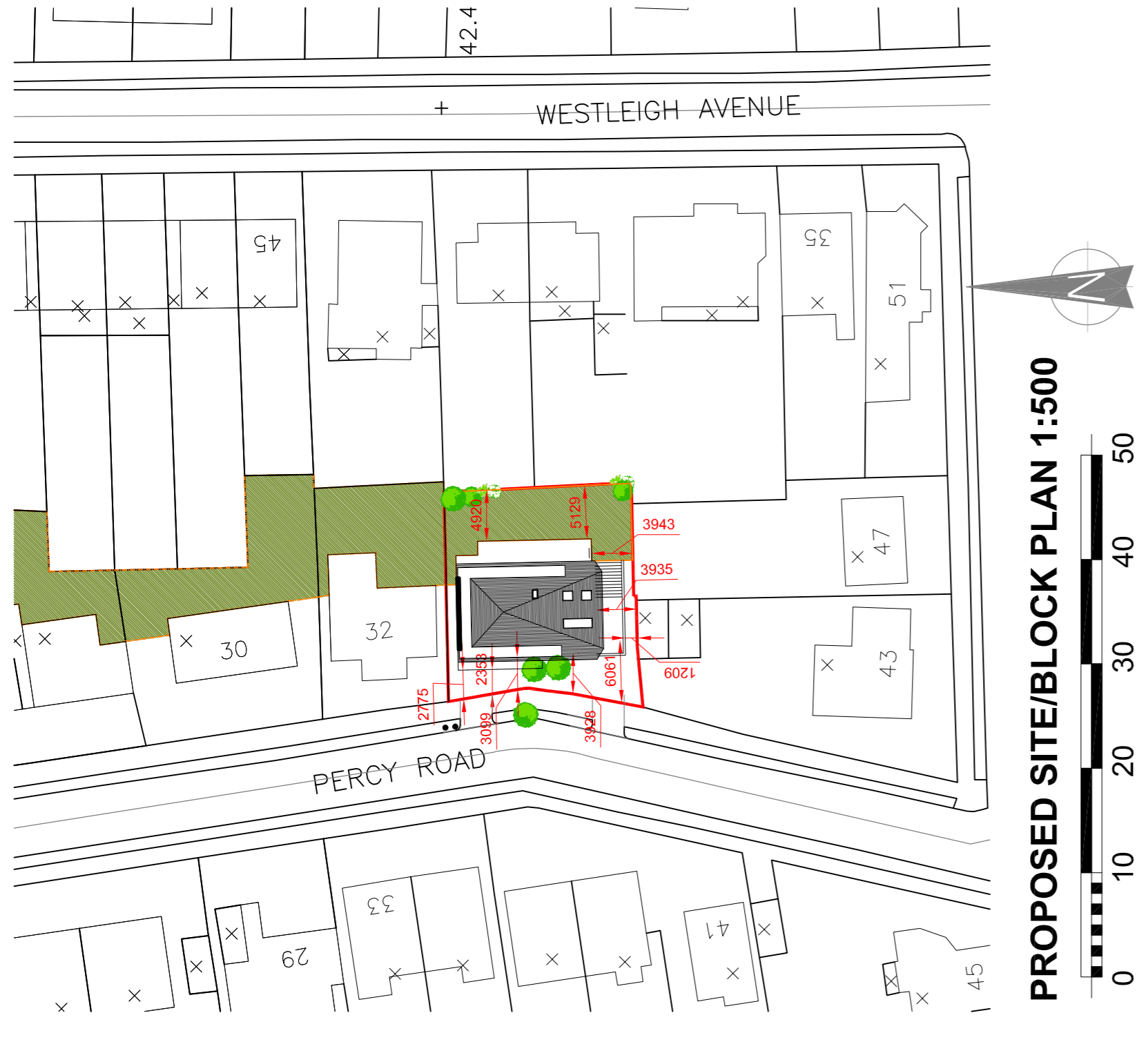
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**Client**  
Mrs H Collins

**Project**  
34 Percy Road

**Description**  
Proposed Alterations

Stage	Drawn	Checked	Date
Planning	tk/pde	tk/pde	Oct 15
Job number	903	020	B



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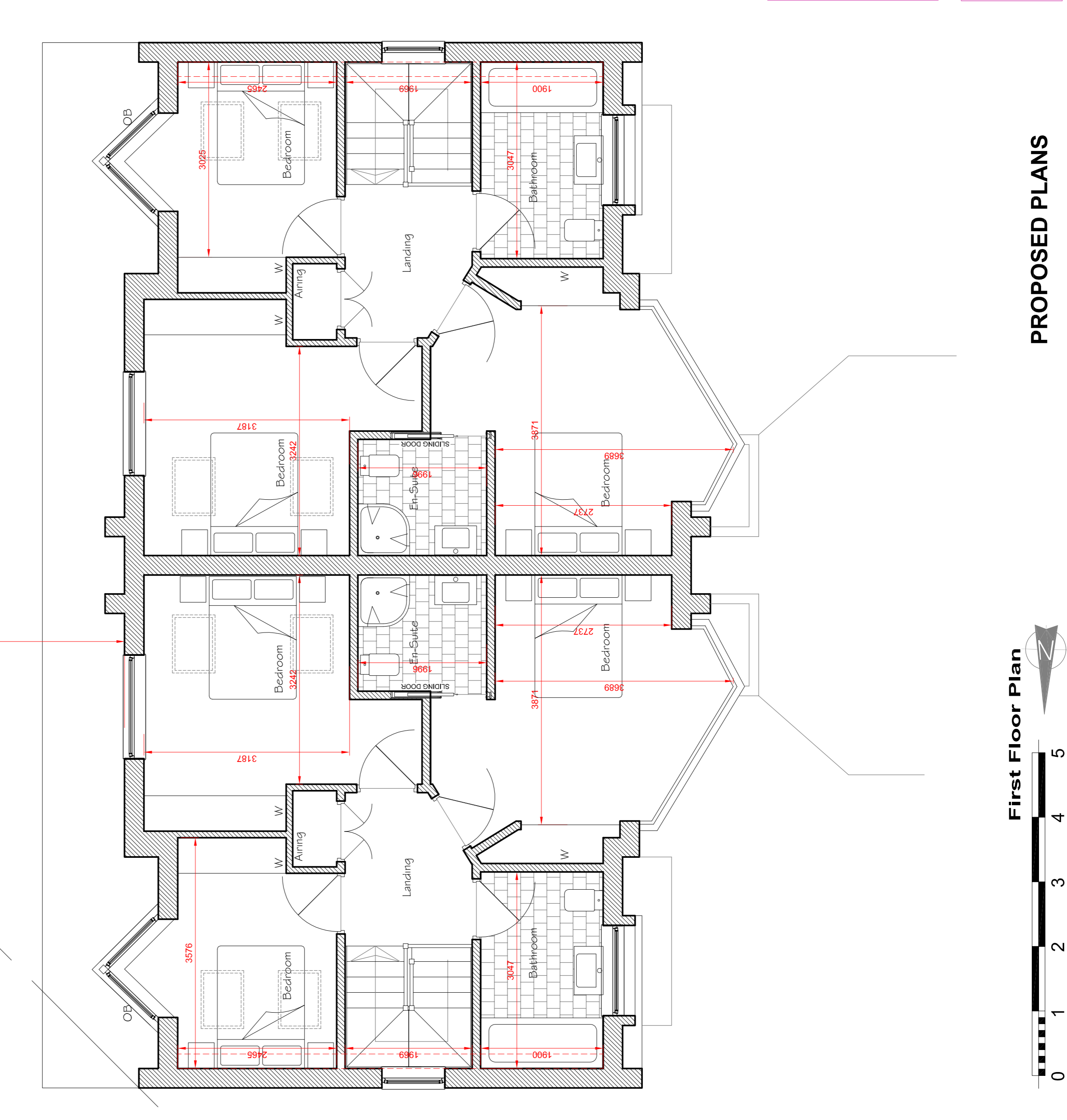
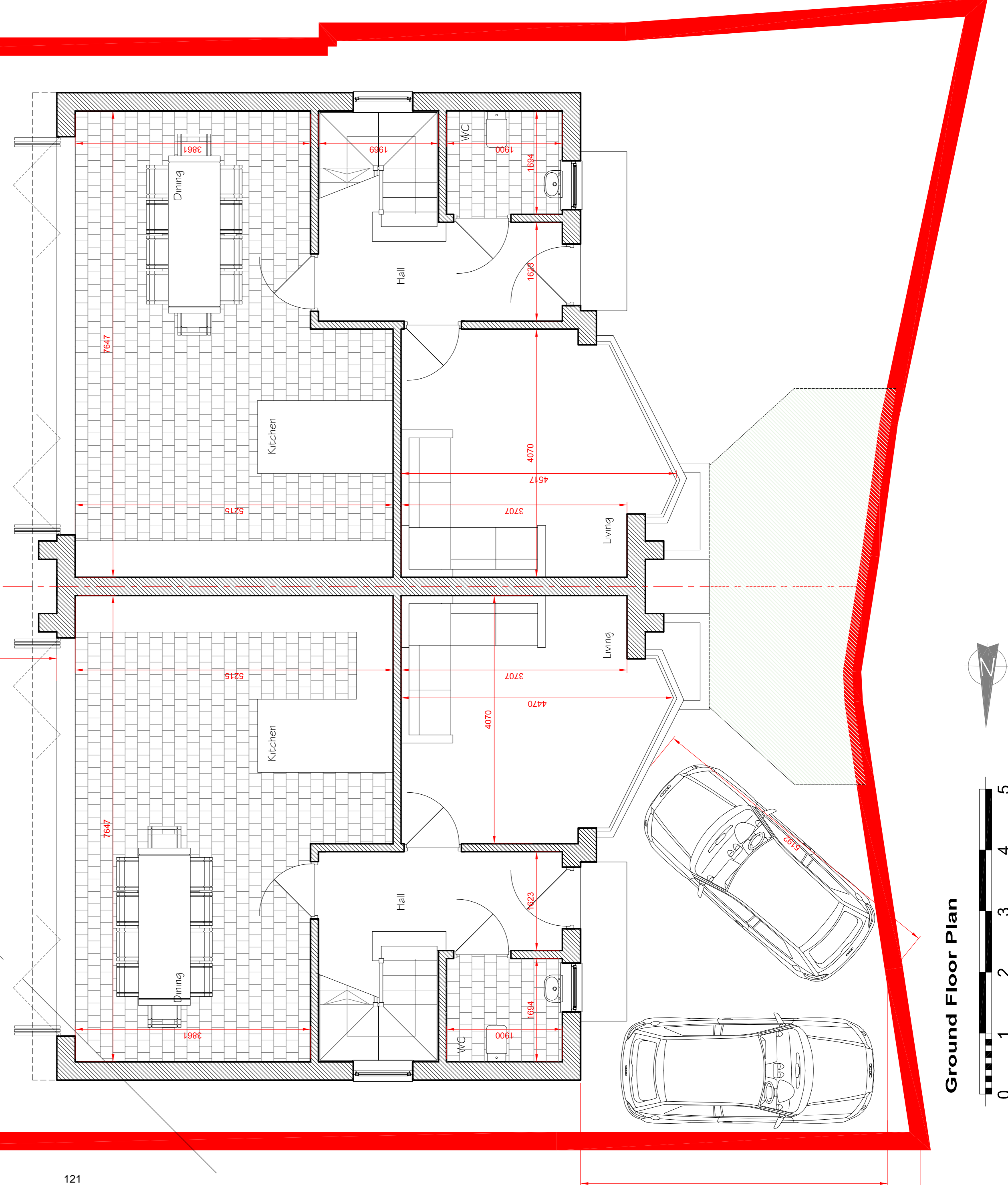
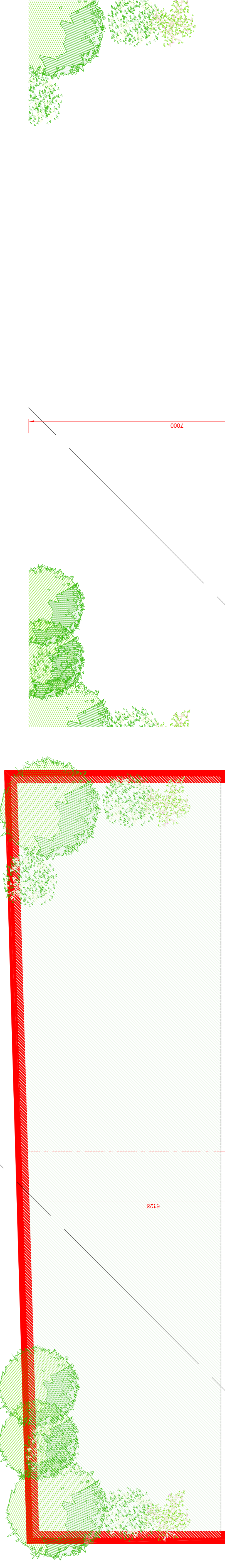
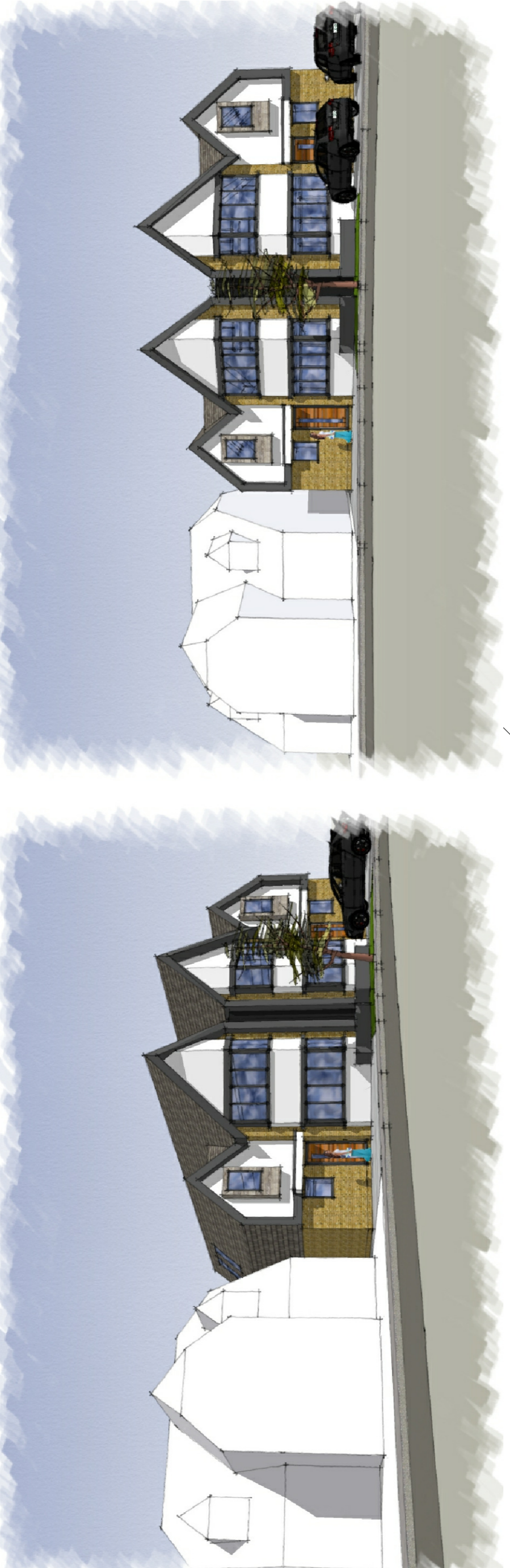
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A	16.03.15
B	Revised scheme amendments 08.06.15
C	Revised scheme amendments 05.02.16
D	Revised scheme amendments 01.03.16



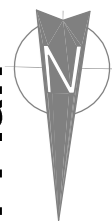
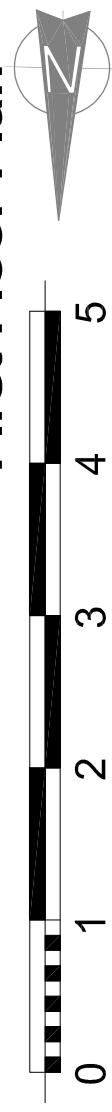
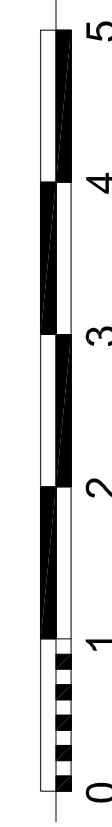
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Client: Mrs H Collins  
Project: 34 Percy Road  
Description: Proposed 2no. New dwellings

Sheet	Scale	Drawn	Check
Planning	1:50	pde	Jan 15
Job number	903	011	D

Ground Floor Plan

First Floor Plan



PROPOSED PLANS



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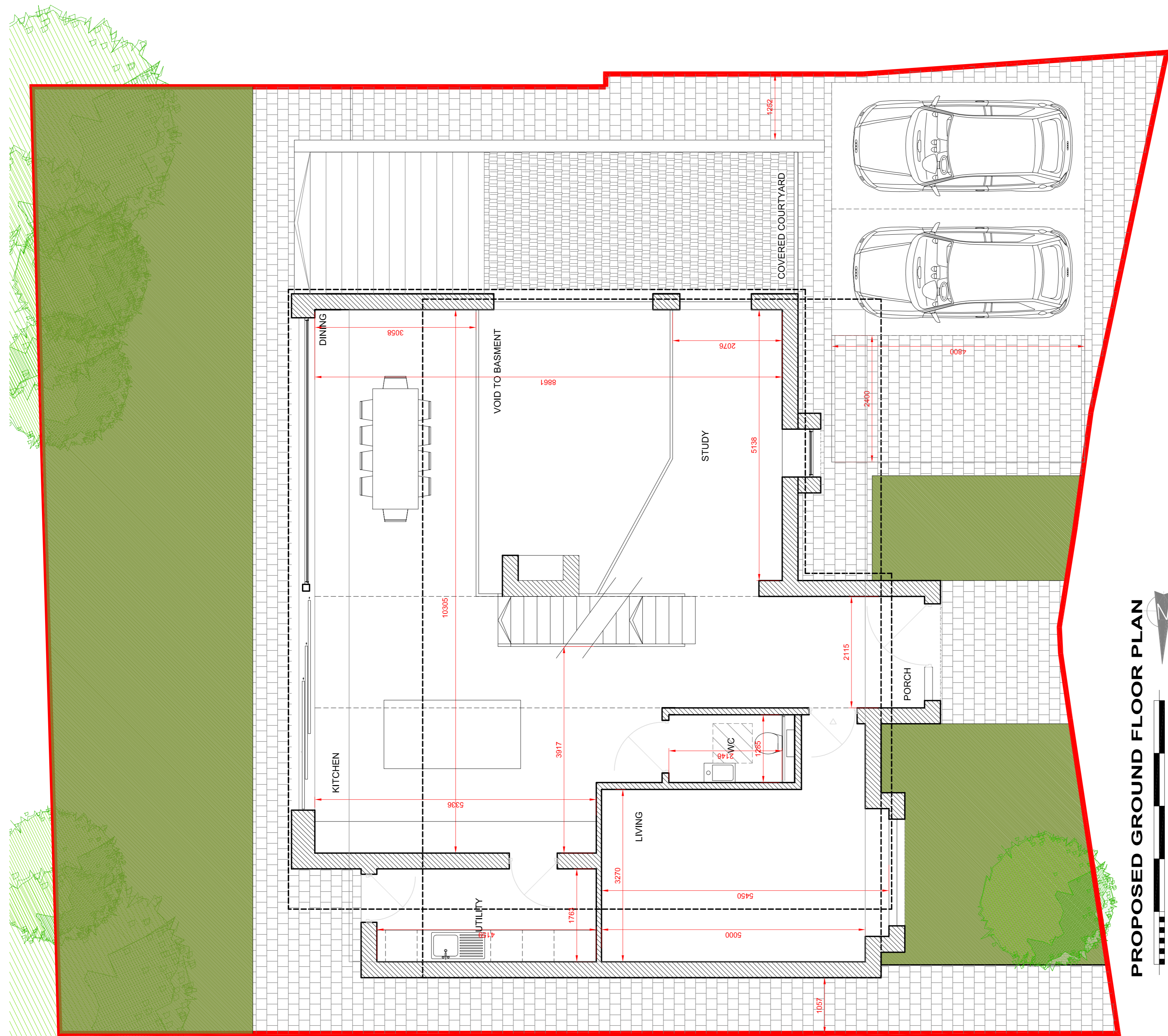
Revisions	By	Date
A	Amendments following client mtg	19.01.16
B	Revised following planning mtg	16.03.17
C	Minor amendments	01.06.17



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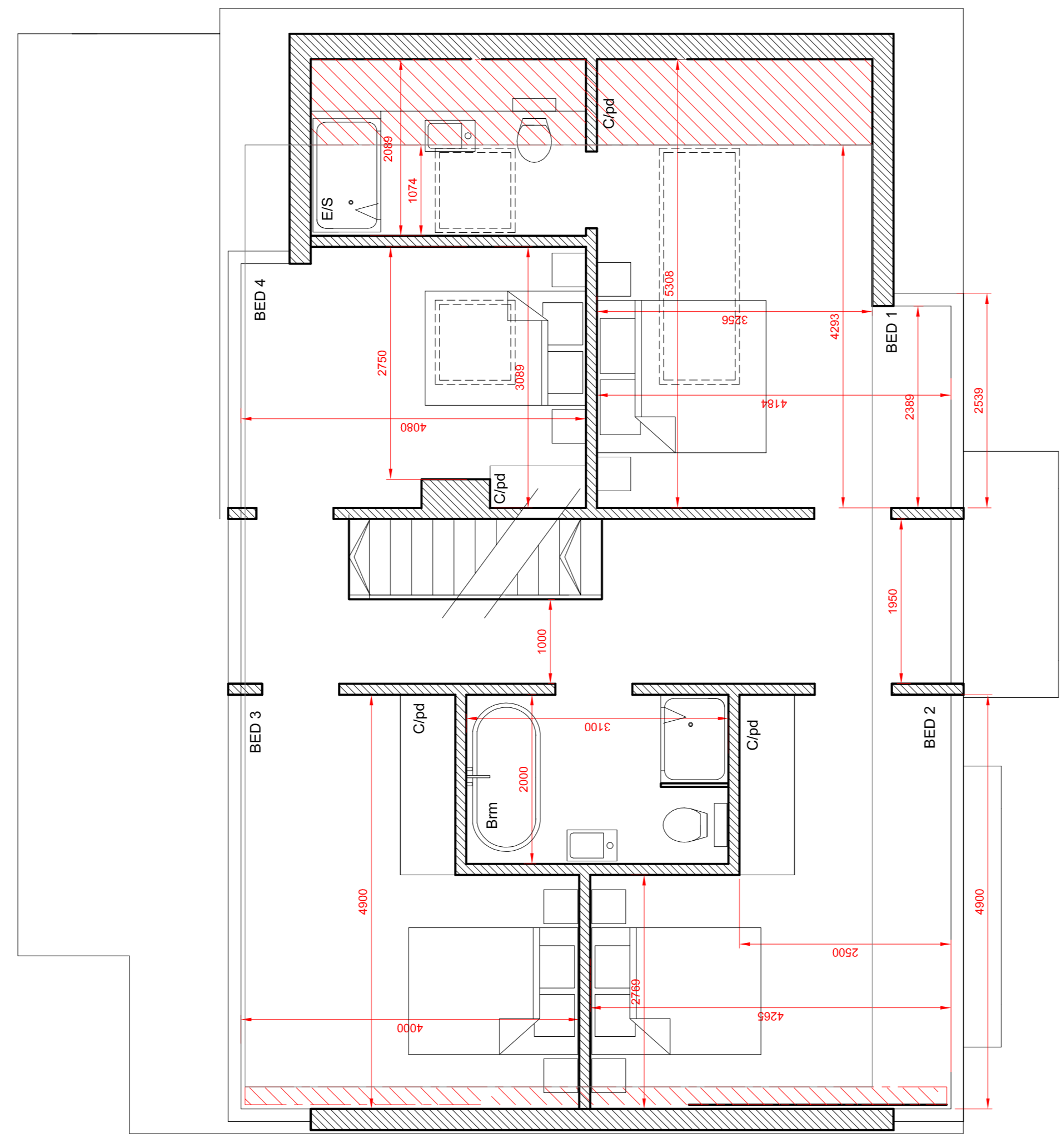
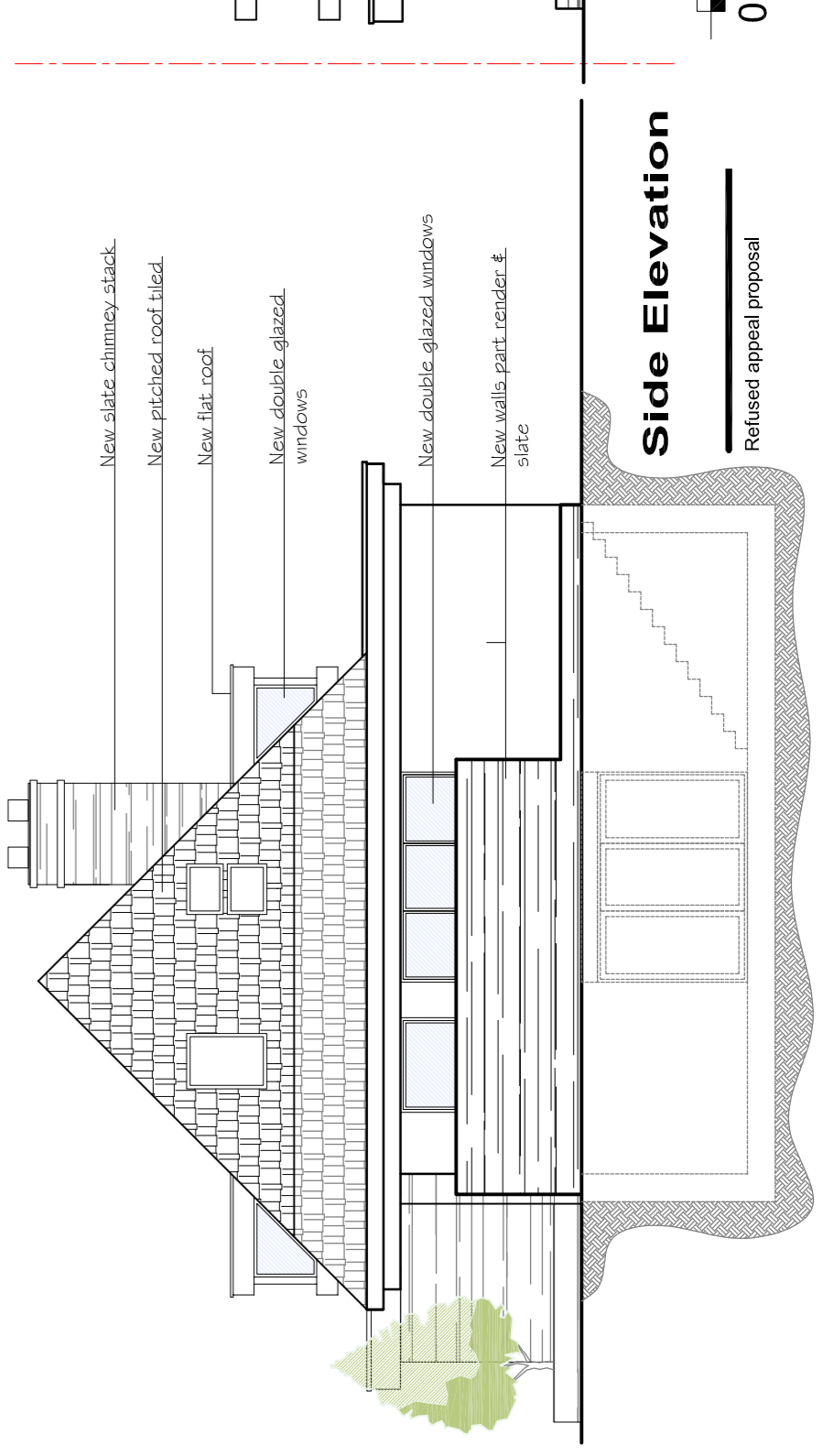
**Mrs H Collins**  
 Project  
**34 Percy Road**  
 Description  
**Proposed Alterations**

Stage	Drawn	Check
Planning	1:100/50	ik/pole
Job number	903	021
Drawing no.		C



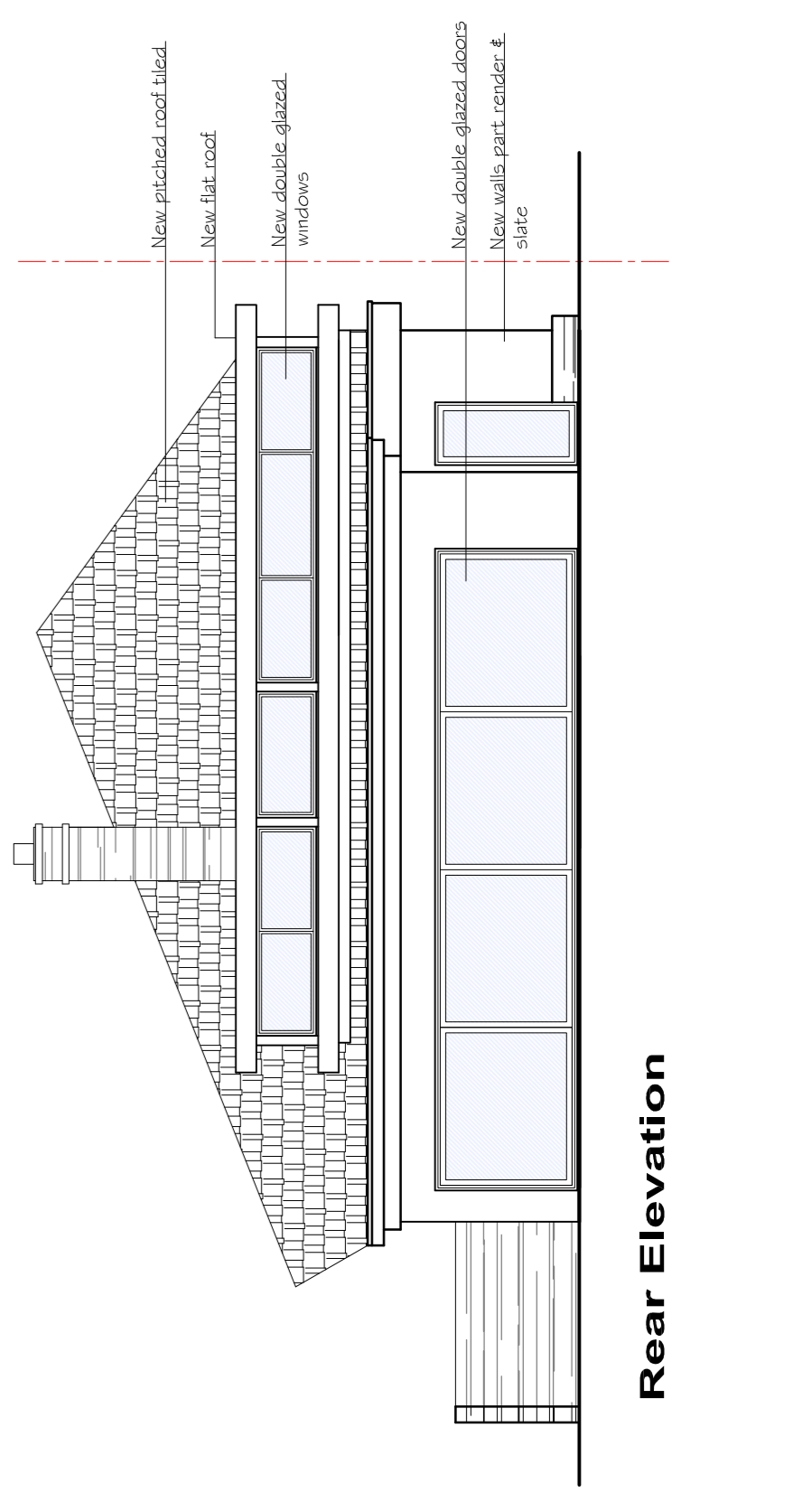
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**PROPOSED FIRST FLOOR PLAN**

Scale: 0 1 2 3 4 5



**Side Elevation**

Scale: 0 2 4 6 8 10



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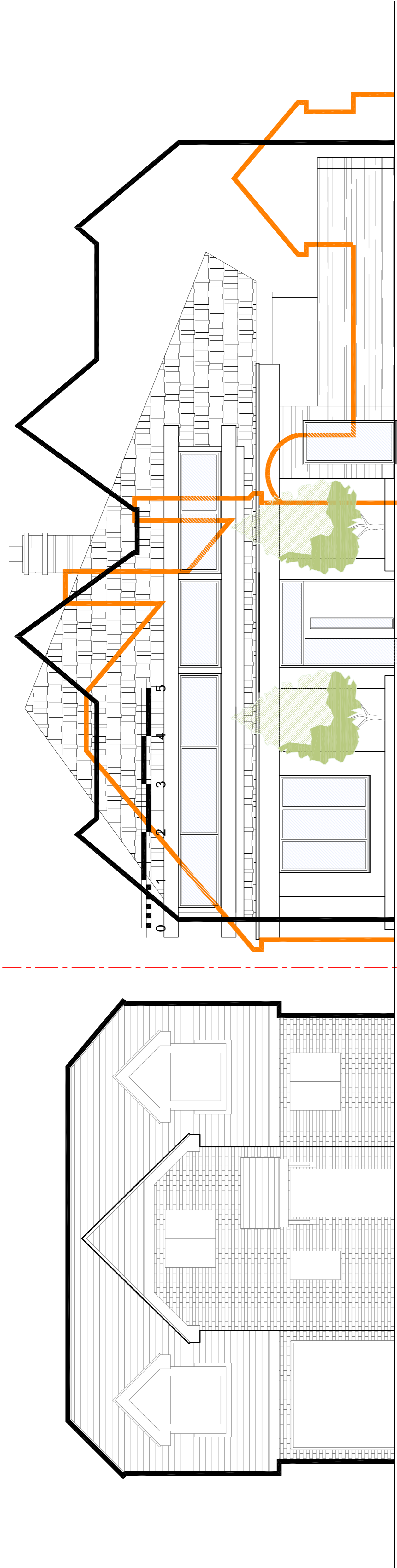
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Revisions: A Minor amendments  
Date: 01.06.17



## Street Scene

- Refused appeal proposal
- Existing massing



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Client

Mrs H Collins

Project

34 Percy Road

Description

Proposed Alterations

Status

Planning

Scale

1:100/50

Job number

903

Drawn

ik/jde

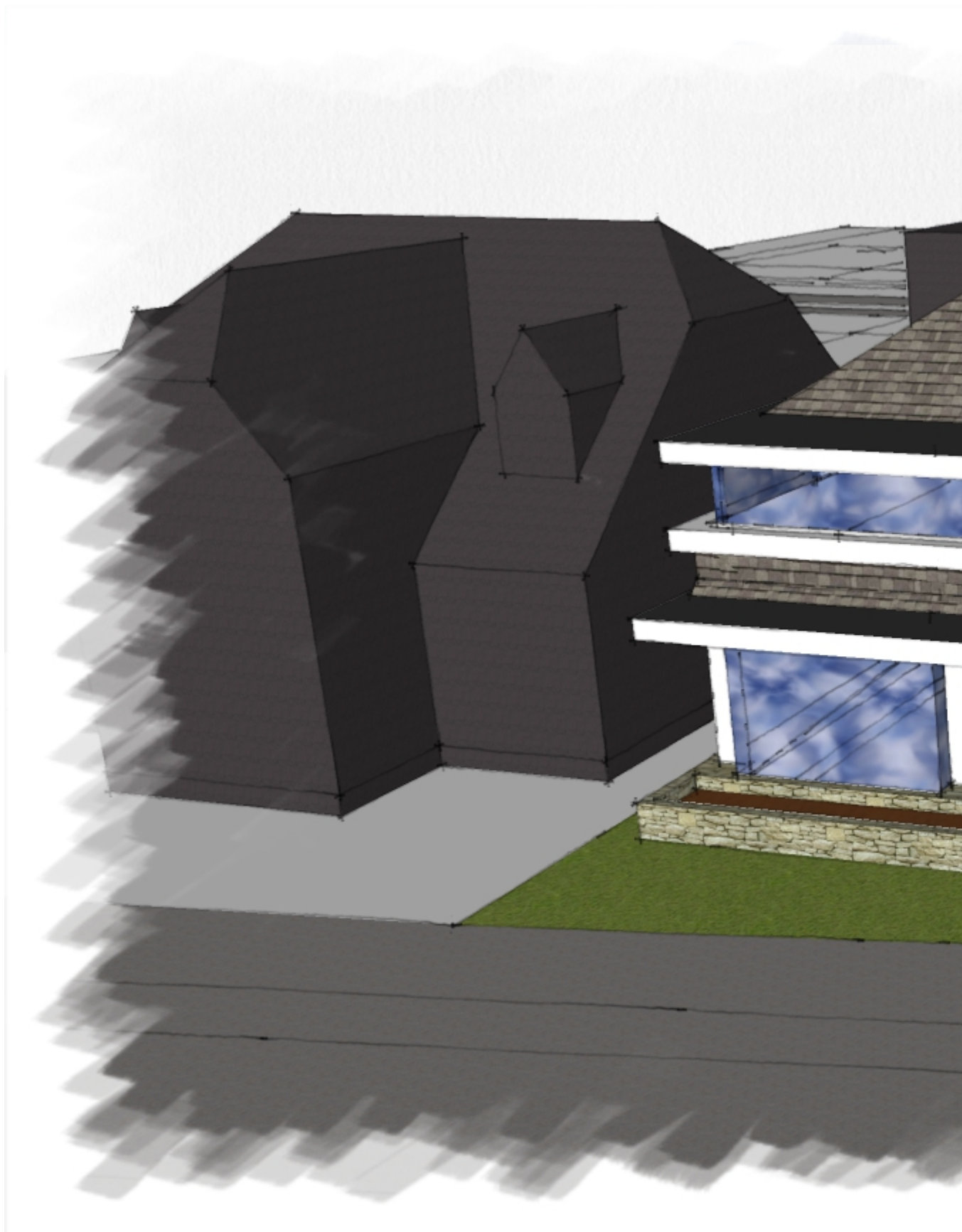
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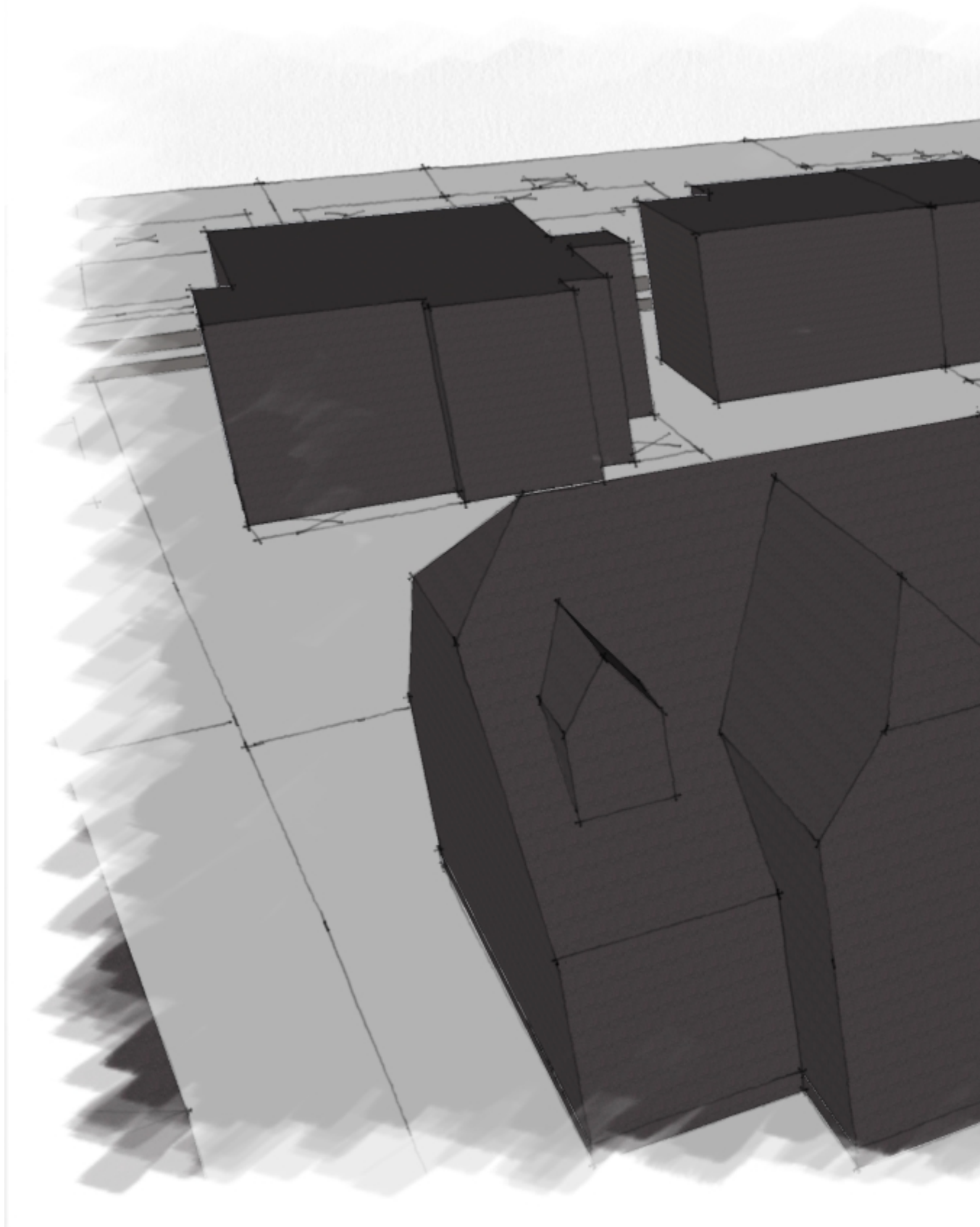
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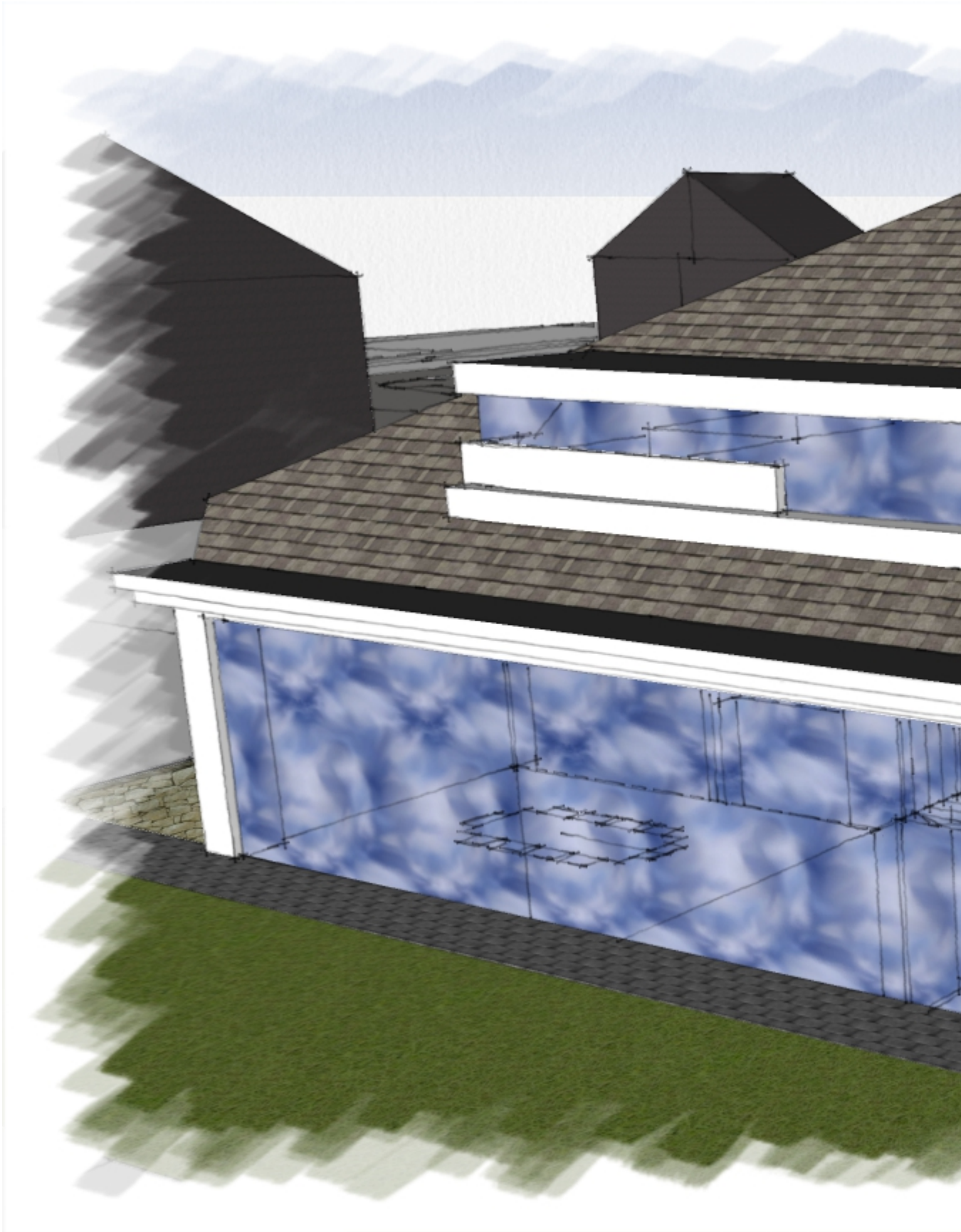


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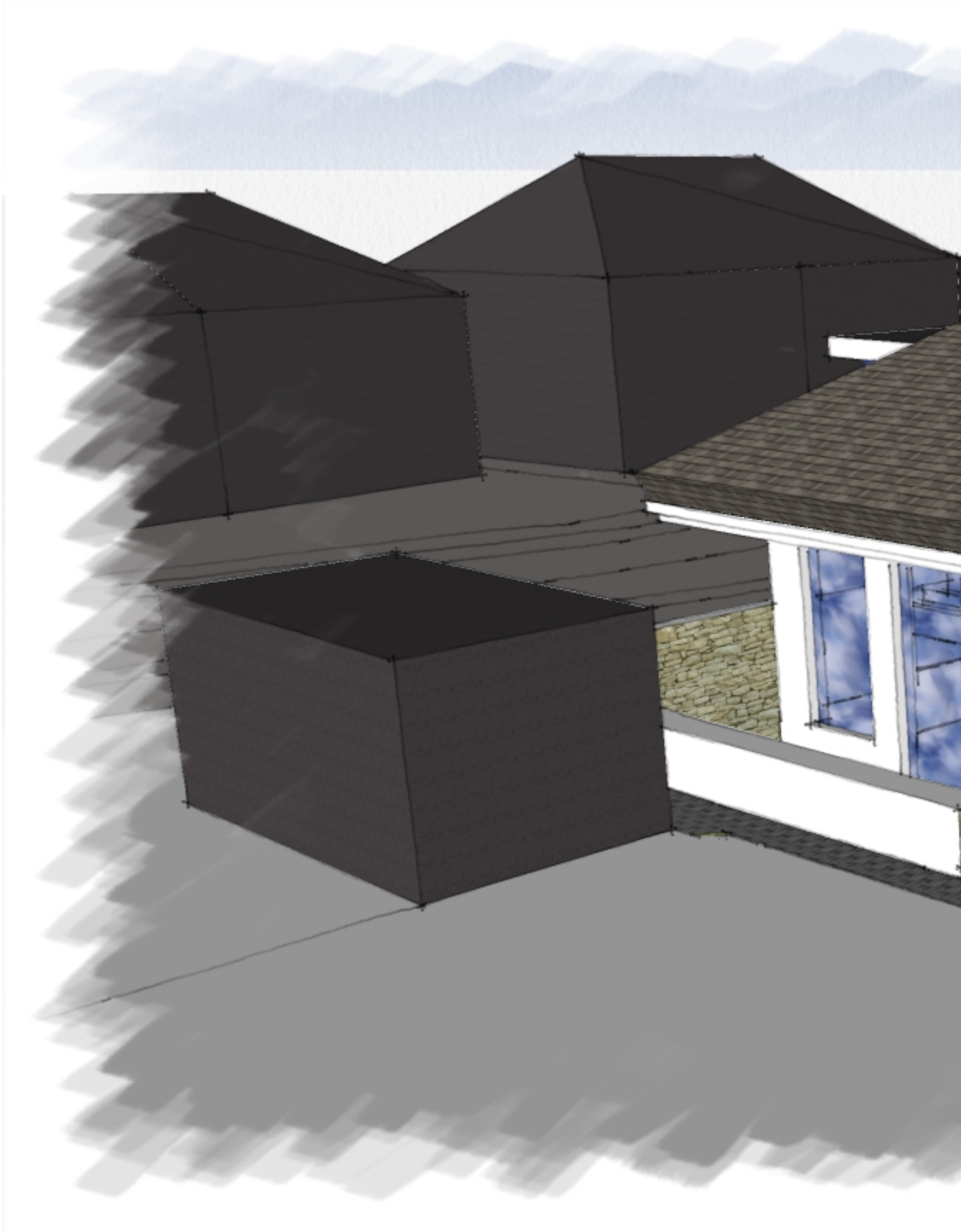


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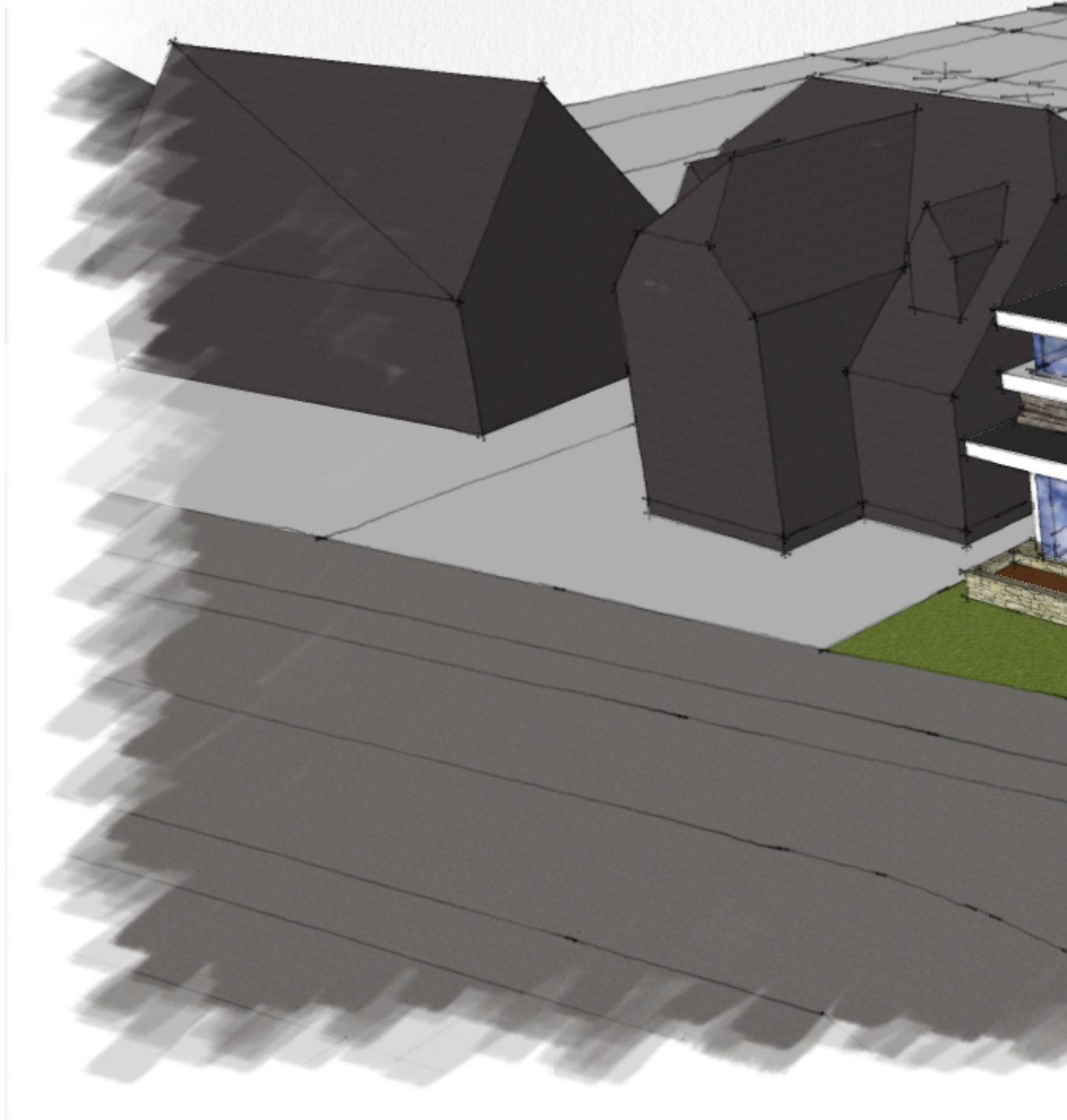




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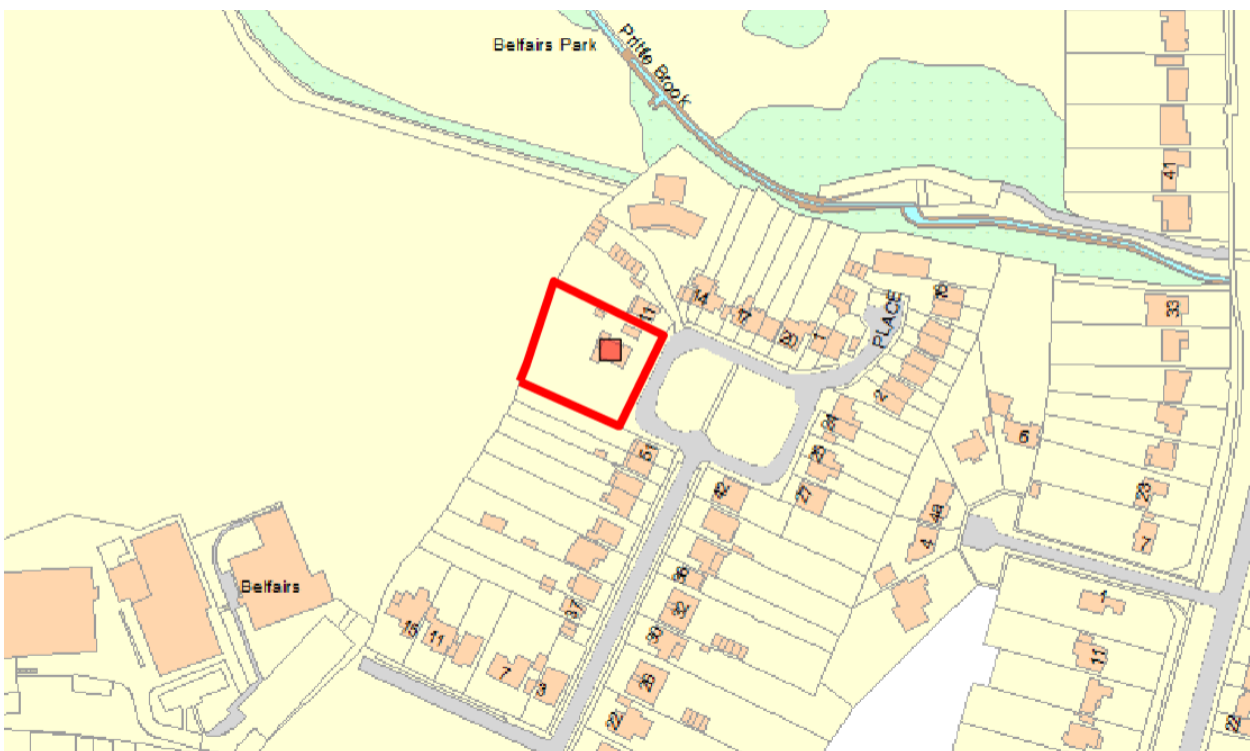
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<b>Reference:</b>	17/01361/TPO	<h1>9</h1>
<b>Ward:</b>	West Leigh	
<b>Proposal:</b>	Fell one Oak tree, crown lift, prune and removal of deadwood to various oak trees (works covered by a tree preservation order)	
<b>Address:</b>	Haydon House, 10 Underwood Square, Leigh-on-Sea, Essex, SS9 3PB	
<b>Applicant:</b>	Mr Newton	
<b>Agent:</b>	DF Clark Bionomique Limited	
<b>Consultation Expiry:</b>	01.09.2017	
<b>Expiry Date:</b>	20.09.2017	
<b>Case Officer:</b>	Janine Rowley	
<b>Plan Nos:</b>	Tree survey plan DFCP 3950 TSP	
<b>Recommendation:</b>	<b>GRANT CONSENT TO WORKS</b>	





## **1 The Proposal**

1.1 Permission is sought for the following works to a number of trees to the rear garden of Haydon House in accordance with the tree survey plan submitted by D F Clark Bionomique Limited (reference: DFCEP 3950 TSP):

- Lift 6m, reduce overextended laterals by 3m, removal of deadwood to one common Oak tree (T9)
- Fell a field Maple tree (T10)
- Fell a common Oak tree (T11)
- Crown lift to 6m, reduce sides by 3m, and removal of deadwood to a common Oak tree (T12)
- Fell a Leyland Cypress (T13)
- Crown lift to 6m, remove 2 lowest limbs over garden and sever ivy to common Oak tree (T14)
- Crown reduce by 2m over garden to common Oak tree (T15)
- Crown reduce sides by 3m and sever climber growth to common Oak tree (T16)

## **2 Site and Surroundings**

2.1 The trees are located to the rear garden of Haydon House 10 Underwood Square abutting the boundary with Belfairs School to the west. The streetscene is characterised by two storey properties including semi-detached and detached. There are a number of mature trees within the streetscene.

## **3 Planning Considerations**

3.1 This is an application for work to trees subject to a TPO (ref (4) 1972). The main planning consideration is whether the works are considered to maintain amenity value and health of the trees and whether the works are considered general maintenance. Also of consideration is whether the works to the trees are necessary to prevent damage to a property which is otherwise unavoidable.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework; Core Strategy (2007) policies KP1, KP2 and CP4; Development Management Document policies DM1 and DM3 and the Design and Townscape Guide (2009)**

4.1 This proposal is considered in the context of National Planning Policy Framework, Core Strategy and the Development Management Document. Essentially these policies seek to protect and preserve trees where they contribute to the amenity of the area. No objection is raised in principle to works to trees subject to the detailed considerations discussed in further detail below.

## Amenity and Impact on the area

**National Planning Policy Framework, Core Strategy (2007) policies KP1, KP2 and CP4, Development Management Document (2015) policies DM1 and DM3, Design and Townscape Guide (2009).**

4.2 Policy DM1 of the Development Management Document seeks to preserve trees and planted areas which contribute to the townscape of an area. Applications will be required to respect existing trees.

4.3 Paragraph 90 of the Planning Guidance relating to Tree Preservation Orders states:

*“When considering an application the authority is advised to:*

- assess the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area;*
- consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;*
- consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions;*
- consider whether any requirements apply in regard to protected species;*
- consider other material considerations, including development plan policies where relevant; and*
- ensure that appropriate expertise informs its decision”.*

4.4 The proposal is to carry out several works as detailed in paragraph 1.1 above in accordance with the Tree survey plan reference DFCEP 3950 TSP. The applicant states that the works are necessary to improve the overall form and risk of failure of five Oak trees (T9, T12, T14, T15, T16), suppress poor form of the Leyland Cypress by felling, fell the existing field Maple tree (T10) due to the stem and basal cavity in poor condition and fell one common Oak due to poor form as a result of overall suppression and exposed basal area (T11) and fell a Leyland Cypress (T13) due to suppressed poor form.

4.5 The Councils Arboriculturalist has carried out a site inspection and concludes the following:

- T-9 Oak: This is a large spreading specimen with 2 limbs extending over the site out of the main outline of the crown. The recommendation is therefore to reduce two main limbs over garden at approximately 7m and 7.5m from ground level by approximately 3m to suitable growing points and a crown lift to 6m.
- T-11 Oak: this is a small suppressed tree of approximately 6m with decay at the base, it does not appear from the Councils mapping systems that this tree is subject of Tree Preservation Order and therefore no consent is required to fell this tree.
- T-12 Oak: Recommendation: reduce crown on east side by 3 m, crown lift to 6 m.
- T-14 oak: The tree is now showing signs of epicormic growth on lower limbs now the under storey has been removed. The 2 lowest limbs over the garden are extended. To crown lift to 6 metres would remove 2 limbs over the school

of approximately 180 and 150 mm diameter which seems unnecessary as this tree does not have great vitality.

Recommendation: reduce lowest limb over garden by approximately. 3 m to appropriate point and reduce 2 lowest in line with former.

- T-15 : oak: dense ivy cover on stem with low established epicormic growth. Recommendation: crown reduce by 2 m over garden to a height of 8-9 m and balance into upper crown. Remove epicormic growth.
- T-16: oak: this is an old tree of note and is probably an old lapsed pollard: Recommendation: crown lift by removing lowest sub lateral over garden on south, south east side . Shape back crown over garden by 1.5 -2 m up to a height of approx. 7-8 m.
- Severing of ivy and removal of dead wood is exempt from need for application. With reference to trees 12 and 16 the application states to reduce sides by 3 metres. It is suitable to reduce the sides of these 2 trees all round as it would create gaps in the cohesive canopy of the line of trees.
- No comments in relation to the felling of the Leyland Cypress and field Maple tree (T10) as they do not form part of the tree preservation order.

- 4.6 Following the site visit carried out by the Councils Arboricultural Officer, the applicant has confirmed in relation to trees T12 and T16 that they no longer seek to reduce the sides by 3m due to the overall impact. The trees in question are a prominent and highly valuable group that make a significant contribution to the area.

### **Other Matters**

#### *Ancient Field Boundary*

- 4.7 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.

#### *Biodiversity and Nature Conservation*

- 4.8 A previous planning application 17/00234/FUL determined the site does contain a number of holes to the north-western corner of the site that are not occupied by Badgers and if a redevelopment of the site occurred a suitable condition can be imposed. However, this cannot be considered under this application which solely relates to the amenity of the trees.

### **Conclusion**

- 4.9 In light of the above, it is considered the proposed works are necessary due to the condition of the trees and will not affect the overall amenity of the area. The works are acceptable and no objection is raised subject to appropriate conditions. All works should be carried out by someone suitably qualified and able to carry out this type of work and standard of pruning to be carried out according to BS3998: 2010 Tree Work.

## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework
- 5.2 Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance)
- 5.3 Development Management Document : Policy DM1 (Design Quality), DM3 (The efficient and effective use of land)
- 5.4 Design & Townscape Guide 2009
- 5.5 Planning Practice Guidance- Tree Preservation Orders and trees in conservation areas

## **6 Representation Summary**

### **Design and Regeneration**

- 6.1 No comments.

### **Parks/Trees**

- 6.2 T-9 oak: This is a large spreading specimen with 2 limbs extending over the site out of the main outline of the crown.

Recommendation: reduce 2 main limbs over garden at approximately 7 and 7.5 metres from ground level by approx. 3 m to suitable growing points. Crown lift to 6m.

T-11 oak: this is a small suppressed tree of approx. 6 m with decay at the base, it does not appear from the Councils Atlas mapping system this tree does not form part of the tree preservation order.

T-12 oak: Recommendation: reduce crown on east side by 3 m, crown lift to 6 m.

T-14 oak: this tree is now showing signs of epicormic growth on lower limbs now under storey has been removed. The 2 lowest limbs over garden are extended. To crown lift to 6 metres would remove 2 limbs over the school of approximately 180 and 150 mm diameter which seems unnecessary as this tree does not have great vitality. Recommendation: reduce lowest limb over garden by approx. 3 m to appropriate point and reduce 2 lowest in line with former.

T-15 : oak: dense ivy cover on stem with low established epicormic growth. Recommendation: crown reduce by 2 m over garden to a height of 8-9 m and balance into upper crown. Remove epicormic growth.

T-16: oak: this is an old tree of note and is probably an old lapsed pollard: Recommendation: crown lift by removing lowest sub lateral over garden on south, south east side . Shape back crown over garden by 1.5 -2 m up to a height of approx. 7-8 m.

Severing of ivy and removal of dead wood is exempt from need for application. With reference to trees 12 and 16 the application states to reduce sides by 3 metres. It is not suitable to reduce the sides of these 2 trees all round as it would create gaps in the cohesive canopy of the line of trees.

No comments in relation to the felling of the Leyland Cypress and field Maple tree (T10) as they do not form part of the tree preservation order.

### **Leigh on Sea Town Council**

- 6.3 The Committee resolved to object as there was confusion with members regarding the tree numbering in relation to the Oak being felled. The email submitted with the application states the application numbering refers only to the tree survey plan and not the TPO tree. Additionally there is no proposal for planting a replacement tree or a reason for not wanting to plant.

The tree survey plan refers to a full arboricultural report for details but no full report is submitted with the application.

### **Public Consultation**

- 6.4 One site notice displayed 11.08.2017 and seven letters of representation have been received stating:

- Not clear from the drawing which trees are involved.
- No mention of replacement trees.
- No comment on well-established badger sett or other wildlife impacts.
- Works should be carried out by a suitable expert.
- Failure to preserve street scene of trees and help preserve environment
- No objection to Oak trees being pruned and tidied up provided the work is carried out by professionals and to a high standard.
- The old trees are part of the beautiful environment which should not be destroyed.
- The demolition and clearance work undertaken at the site has been very poor and unprofessional as the developer has not been true to the method statement of the demolition work.
- No method statement for badger setts.
- Historic maps of the area shown ancient field boundaries.
- The removal of trees and reduction of crowns should be rejected.
- Works maybe a precursor to a new application.

A proforma letter with five signatures objecting to the proposal on the following basis:

- The report provided by Robert Ellis intimates that this tree destruction is for the benefit of the tree themselves and would mean all of the adjacent Oaks that run along the rear boundaries of Lime Avenue and Belfairs woods are in the same condition.
- This application is enabling works in preparation for overdevelopment plans.
- The drawing does not clearly show the tree affected.
- The Council schedule does not match the applicants.
- No mention of the Badger sett on site.
- No method statement and protection methods.
- Insufficient supporting information has been provided.

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 permission in the circumstances of this case. A more detailed response to these points is provided in the relevant section of the above report.

- 6.5 Councillor Phillips and Councillor Evans have requested this application be dealt with by Development Control Committee.

## **7 Relevant Planning History**

- 7.1 Demolish existing dwelling house and erect 4no two storey dwelling houses, form vehicular accesses on to Underwood Square- Refused (17/00234/FUL)
- 7.2 Demolish existing dwellinghouse (Application for Prior Approval for Demolition)- Prior approval is required and granted (17/00396/DEM)
- 7.3 Crown reduction by 4-5m to five Oak Trees (Works covered by a Tree Preservation Order)- Refused (16/01866/TPO) for the following reason:

*“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**

**Members are recommended to GRANT CONSENT TO WORKS:**

- 1 The works covered by this permission shall begin no later than two years from the date of this consent.**

**Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in the interests of Policy DM1 of the Development Management Document DPD2.**

- 2 The works shall be carried out in accordance with BS 3998 (2010) by a suitably qualified person.**

**Reason: In the interests of visual amenity and to protect the tree, pursuant to Policy DM1 of the Development Management Document DPD2.**

- 3 The pruning works to the Oak tree T-9 must only include reduction of 2 main limbs over garden at approximately 7m and 7.5m from ground level by approximately 3m to suitable growing points and crown lift to 6m.**

**Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document.**

- 4 The pruning works to the Oak tree T-12 must only include reduce crown on**

east side by 3m, crown lift to 6m. The reduction of west by 3m is not permitted by this consent.

**Reason:** In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document.

- 5 The pruning works to Oak tree T14 must only include reduction of lowest limb over garden by approximately 3m and reduce 2 lowest in line with former.

**Reason:** In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document.

- 6 The pruning works to Oak tree T15 must only include reduction of crown by 2m over garden to a height of 8m-9m and balance into upper crown. Remove epicormic growth.

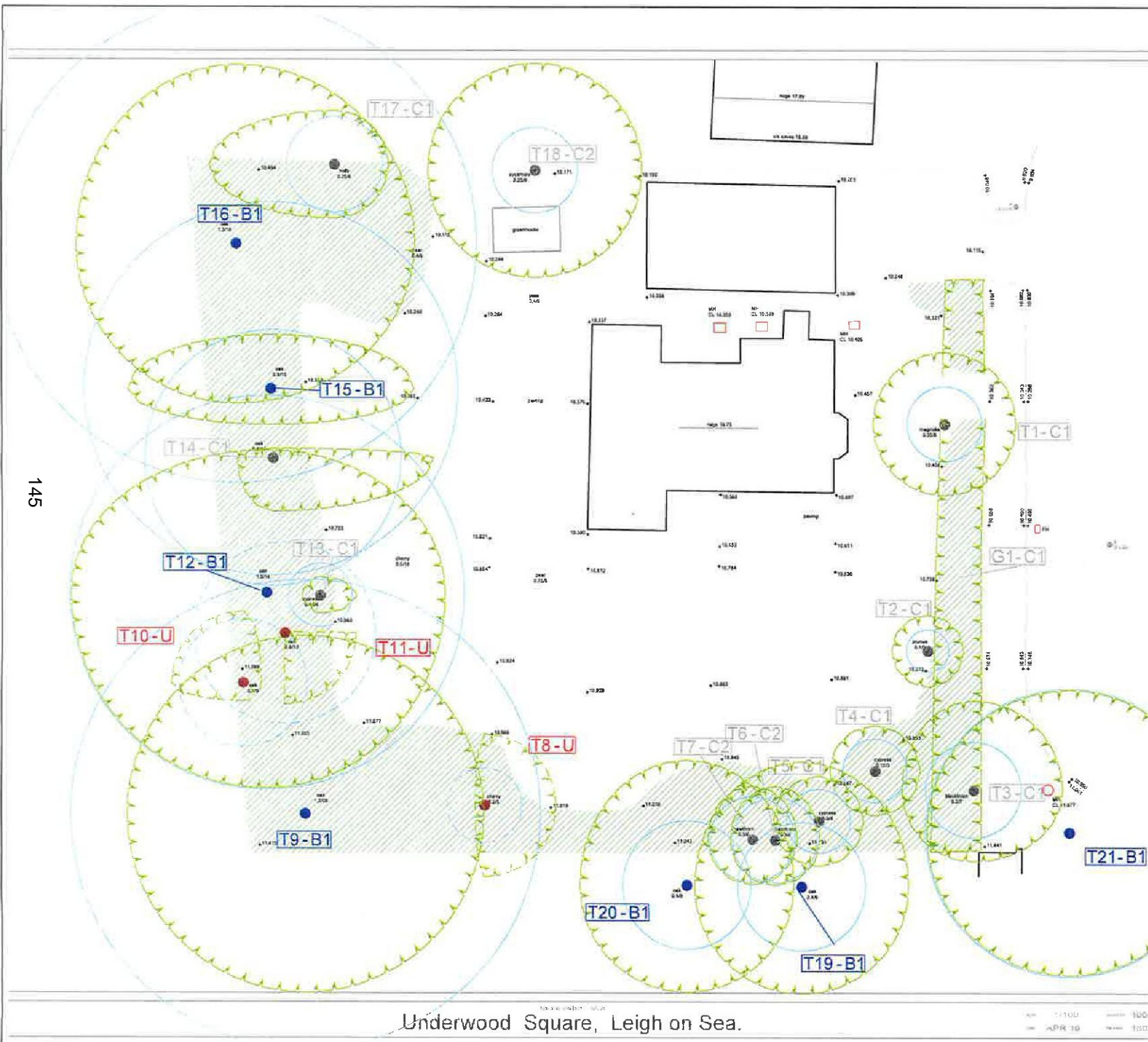
**Reason:** In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document.

- 7 The pruning works to Oak tree T16 must only include a crown lift by removing lowest sub lateral over garden on south, south east side . Shape back crown over garden by 1.5m -2 m up to a height of approx. 7m-8 m. The reduction of sides by 3m is not permitted by this consent.

**Reason:** In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document.

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.





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Underwood Square, Leigh on Sea.

Please refer to full arboricultural report for details

- T1-A Category A - high quality and value
- T1-B Category B - moderate quality and value
- T1-C Category C - low quality and value
- T1-U Category U - unsuitable for retention

RPA - root protection area as defined by Table 2 BS 5837:2012

- Crown spread
- Group of trees

Notes

1. Contractors must check all dimensions on site
2. Any discrepancies must be reported to the Consultant before proceeding
3. It is the responsibility of the contractor to ensure necessary consents for tree works are in place
4. This drawing is copyright © DF Clark Ltd

The original of this drawing was produced in colour - a monochrome copy should not be relied upon.

**DF Clark**  
**Bionomique Ltd**

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Mr Graham Newton

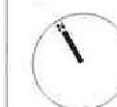
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Hayward House, Leigh on Sea

DFCP 3050 TSP

Tree Survey Plan

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Scale 1:200  
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Sheet 1 of 1

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Haydon House 16-08-17



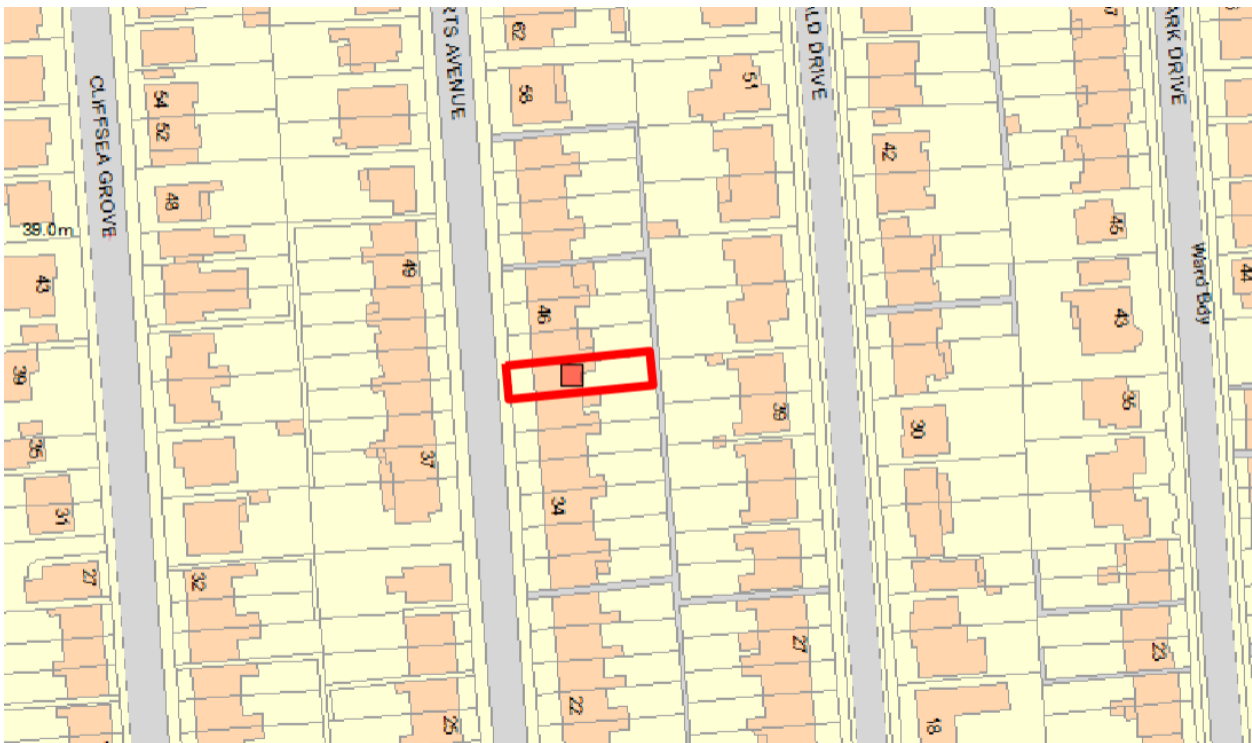
T-11 cavity at base, tree does not appear to be subject of TPO



View along line of trees showing protective barrier not in place and debris in RPAS

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<b>Reference:</b>	17/00969/FUL	<h1>10</h1>
<b>Ward:</b>	Leigh	
<b>Proposal:</b>	Erect dormer to rear and first floor rear extension	
<b>Address:</b>	42A Lord Roberts Avenue Leigh-On-Sea Essex SS9 1NE	
<b>Applicant:</b>	Mr J Beuvink	
<b>Agent:</b>		
<b>Consultation Expiry:</b>	25 July 2017	
<b>Expiry Date:</b>	1 August 2017	
<b>Case Officer:</b>	Robert Lilburn	
<b>Plan Nos:</b>	01, PL01 and PL02	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	





## **1 The Proposal**

- 1.1 The proposed development seeks planning approval for the erection of a 1.1m deep rear extension at first floor, and a box dormer at roof level. The dormer would measure 4.8m wide by 2.4m high, and it would be recessed from the eaves by 0.4m, and set down from the ridge by 0.6m.
- 1.2 The alterations would allow for the introduction of an additional bedroom taking the first floor flat from a one-bed flat to a two-bed flat.
- 1.3 The roofspace accommodation that would be extended by the dormer is proposed to be used for a relocated lounge and kitchen.
- 1.4 The first floor extension would allow for additional space within an existing bathroom, and incorporate obscure-glazed windows.
- 1.5 Materials to be used for the external elevations: the walls of the first floor extension and the cheeks to the dormer would be finished in render. The front face of the dormer would be predominantly glazed with a Juliet balcony.

## **2 Site and Surroundings**

- 2.1 The site is located on the east side of Lord Roberts Avenue. It is a mid-terrace, appearing to be formerly a single dwelling and now divided into two flats.
- 2.2 The street is characterised by close-knit terrace houses like the application site, and semi-detached houses, all with their own rear and small front gardens.
- 2.3 There are box dormer windows in evidence elsewhere in the near vicinity, at the rear of a small minority of the buildings. Two were noted from the site, observable from the rear of the application site.

## **3 Planning Considerations**

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

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and guidance contained within the Design and Townscape Guide (2009)**

- 4.1 The efficient and effective use of land is supported in principle, where it responds positively to local context and does not lead to over-intensification, maintaining amenities and representing sustainable development. Other material planning considerations are discussed below. Subject to these, there is no objection in principle to extending the residential unit.

### **Design and Impact on the Character of the Area**

#### **National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and guidance contained within the Design and 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 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. For example adding another storey to a bungalow will not be considered appropriate where the street comprises predominately of single storey dwellings or where there is a regular pattern of bungalows and other style of properties which is part of the local character.”* In addition paragraph 366 of SPD1 states that *“Proposals for additional roof accommodation within existing properties must respect the style, scale and form of the existing roof design and the character of the wider townscape.”* Paragraph 366 of SPD1 also 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.”*
- 4.8 This proposal would not result in the increase of the height of the existing dwelling but would see alteration of the roof to form a dormer and enable the insertion of a rooflight.
- 4.9 A number of the properties within the vicinity of the site feature dormers to the rear and rooflights to the front and it is therefore considered that the proposal is not-out-of-keeping with the character of the surrounding area. It is noted that permission is only required as the property is a flat and not a dwellinghouse as various other dormers have been installed in the area under the terms of permitted development rights.
- 4.10 Although the proposed dormer would be a large box style dormer, it would be subordinate to the roof and masked from the public domain. It is therefore considered that the dormer would comply with the content of the abovementioned design guidance and not cause material harm to the character and appearance of the site or the surrounding area. The proposed rooflight is considered to be visually acceptable as it represents a minor alteration to the existing roof that is not out-of-keeping with other properties within the surrounding area.
- 4.11 The proposed first floor extension would be of such a modest scale that it is considered to have a negligible effect on the qualities of the building and wider area. It is considered that the proposal would not cause significant harm to the character and quality of the built environment and the proposals are therefore satisfactorily consistent with the aims of the above-noted policies. It is also noted that there are examples of properties with first floor rear projections in the surrounding area.

### **Traffic and Transport Issues**

**National Planning Policy Framework, Policies KP2 and CP3 of the Core Strategy (2007), Policy DM15 of the Development Management Document (2015) and guidance contained within the Design and Townscape Guide (2009)**

- 4.12 Policy DM15 of the Development Management DPD requires all development to meet the minimum off-street parking standards. The proposed extension would allow for an additional, second bedroom to the flat. This would not require an increase in parking provision further to the Vehicle Parking Standards set out under Policy DM15. The proposal is found to be acceptable and compliant with development plan policies on parking and highway matters.

### **Impact on Residential Amenity**

#### **National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and guidance contained within the Design and Townscape Guide (2009)**

- 4.13 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.”*
- 4.14 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.
- 4.15 The proposed dormer window would face the rear of properties within Dundonald Drive and enable views towards the rear gardens of the adjacent properties of 41 and 43 Dundonald Drive. However, due to the height of the dormer and the separation distances between properties of approximately 28 metres, it is considered that the level of overlooking possible from the proposed dormer would not be materially different to that which would be caused by the existing first floor windows within the dwelling at the application site and the comparable dormers of the surrounding area. It is noted that the proposal incorporates floor to ceiling glazed doors and Juliet balcony. However it is considered that such an arrangement would also not be materially different with respect to the degree of overlooking that may result from a dormer.
- 4.16 It is considered that the proposed dormer would not cause a materially harmful or unacceptable loss of privacy within the neighbouring properties. Neither property to either side of the application site would be harmfully affected by the proposal due to the position of the dormer away from the rear windows of those properties. Similarly, the proposed rooflight would not enable overlooking to the west to an extent that is materially different to the existing first floor windows and the other rooflights in the surrounding area.
- 4.17 The proposed first floor extension would be of such a modest scale that it is considered to have a negligible effect on the amenities of neighbouring occupiers. There appears to be a small outrigger at no.44 and this would reduce any visual impact of the first floor extension to that property. The windows would be high-level and would not lead to additional views to the rear or side. The development would not be overbearing or cause an unacceptable sense of enclosure at neighbouring properties.

- 4.18 The intensification of the use of the site could result in more people being present in the flat and this might cause some limited additional noise disturbance in general. However, sound transmission is a matter for building regulations and environmental health legislation and in this instance it is considered that the potential for any increased disturbance is unlikely to cause sufficient harm to the amenities of nearby occupiers to an extent that would justify the refusal of the application on those grounds. It is also noted that the proposed layout might reasonably be expected to reduce noise impacts on the ground floor flat at the site relative to the existing situation.

## **Community Infrastructure Levy**

### **CIL Charging Schedule 2015**

- 4.19 The new floor space created by the proposal would be less than 100m<sup>2</sup>. Therefore, the proposed development is not CIL liable.

## **5 Conclusion**

- 5.1 Having regard to all material considerations assessed above, it is considered that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework (NPPF). Furthermore, the proposed development would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site 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
- 6.2 Development Plan Document 1: KP2 (Development Principles) CP3 and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management DPD 2015: DM1 (Design Quality) DM3 (The 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**

Highways – No objection

Leigh Town Council – No objection

## **Public Consultation**

- 7.1 Ten neighbours were notified and three objections have been received from neighbouring occupiers. The concerns raised can be summarised as follow:.

Harm to character and appearance of the site and the wider area;  
Overshadowing;  
Proposal in conflict with development plan policy and guidance;  
Loss of visual amenity and light;  
Highway safety;  
Loss of privacy to Dundonald Drive gardens and houses;  
Issues around waste storage bags;  
Issues around pruning of trees.

- 7.2 The concerns raised are acknowledged and they been taken into account in the assessment of this application.

## **8 Relevant Planning History**

- 8.1 No relevant planning history has been identified relating to the site.

## **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: PL01 and PL02.**

**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, Core Strategy 2007 policy KP2 and CP4, Development Management Document policies DM1 and DM3, and Design and Townscape Guide.**

- 04 The roof of the development 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 (NPPF), Core Strategy 2007 policy CP4, Development Management Document policy DM1, and Design and Townscape Guide.**

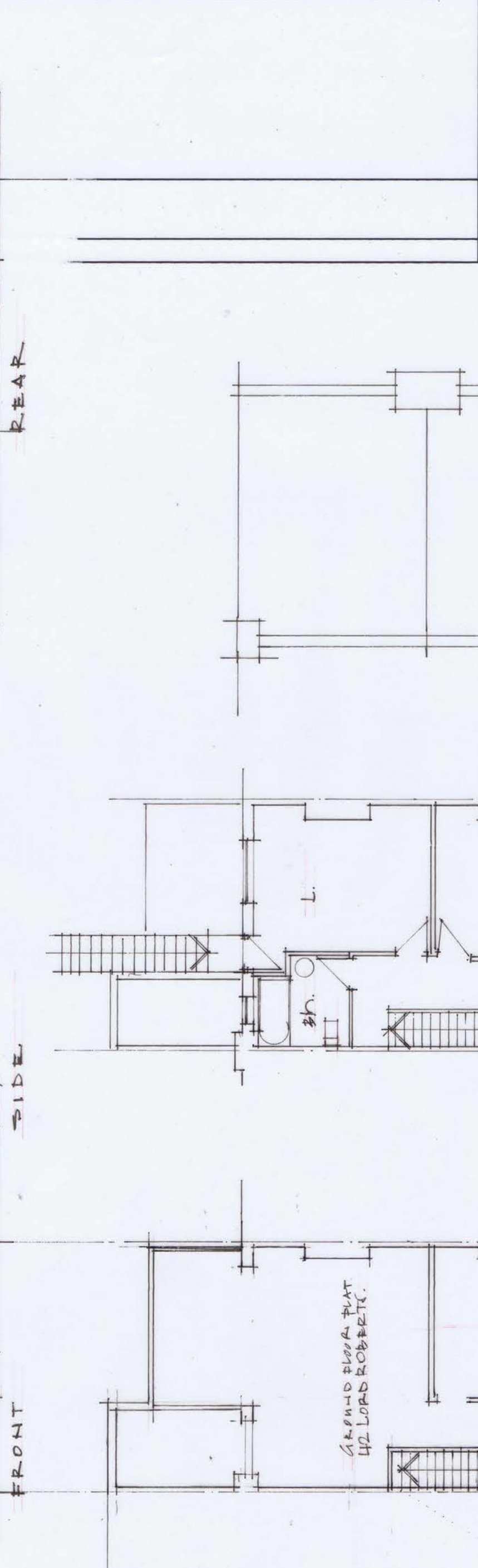
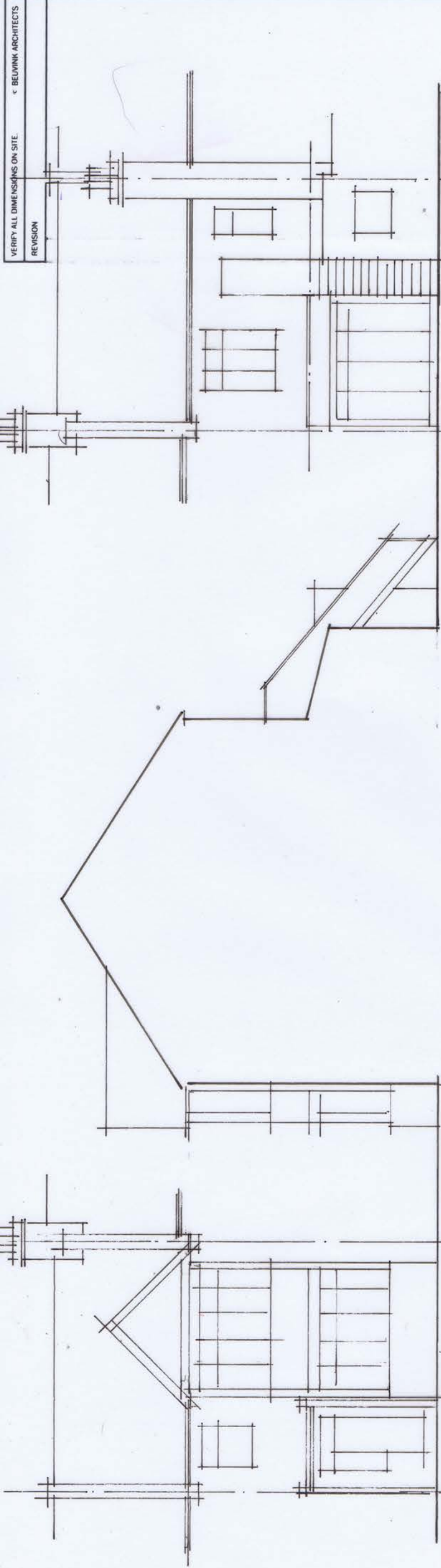
- 05 The proposed first floor clerestory window in the north elevation shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority.**

**Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policy CP4, Development Management Document policy DM1 and 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**

**You are advised that as the development 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](http://www.southend.gov.uk/cil) for further details about CIL.**



**Beuvink**  
ARCHITECTS

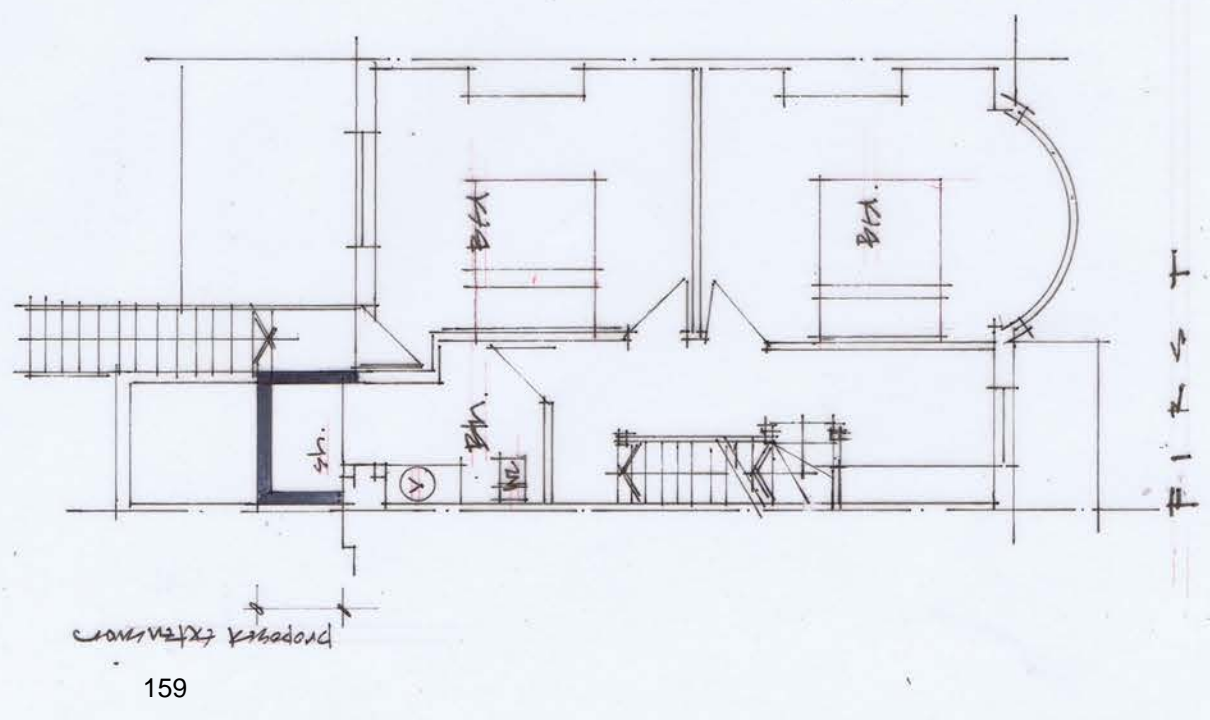
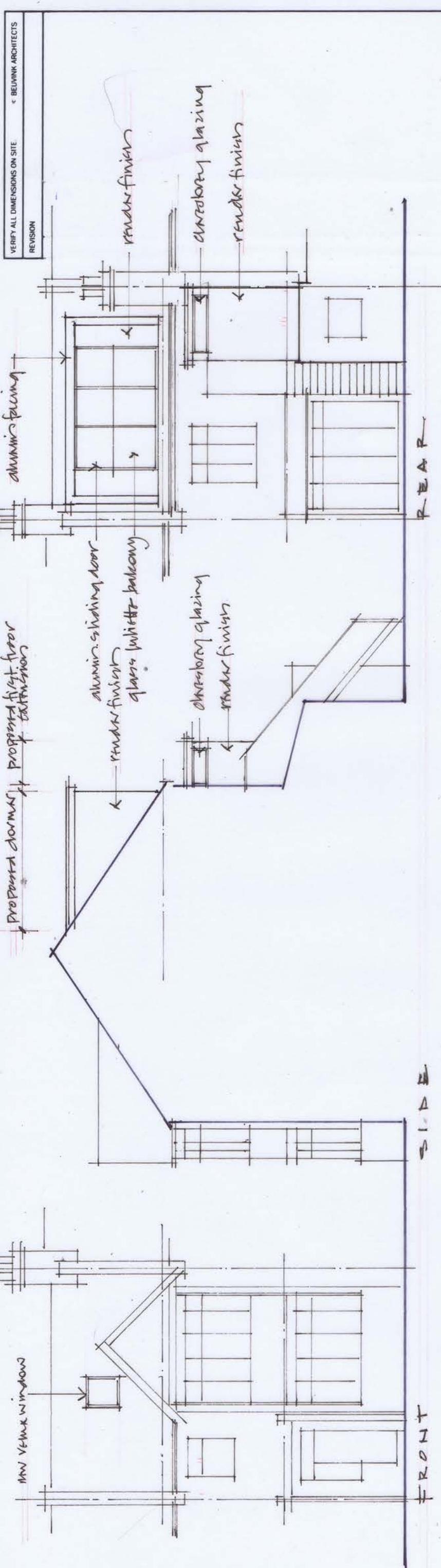
01702 480 944  
john@beuvinkarchitects.com  
55 BAILEY ROAD LEIGH ON SEA ESSEX SS9 3PJ

LOFT CONVERSION  
42 LORD ROBERTS AVE.  
LEIGH ON SEA  
EXISTING FLOOR PLANS  
EXISTING ELEVATIONS

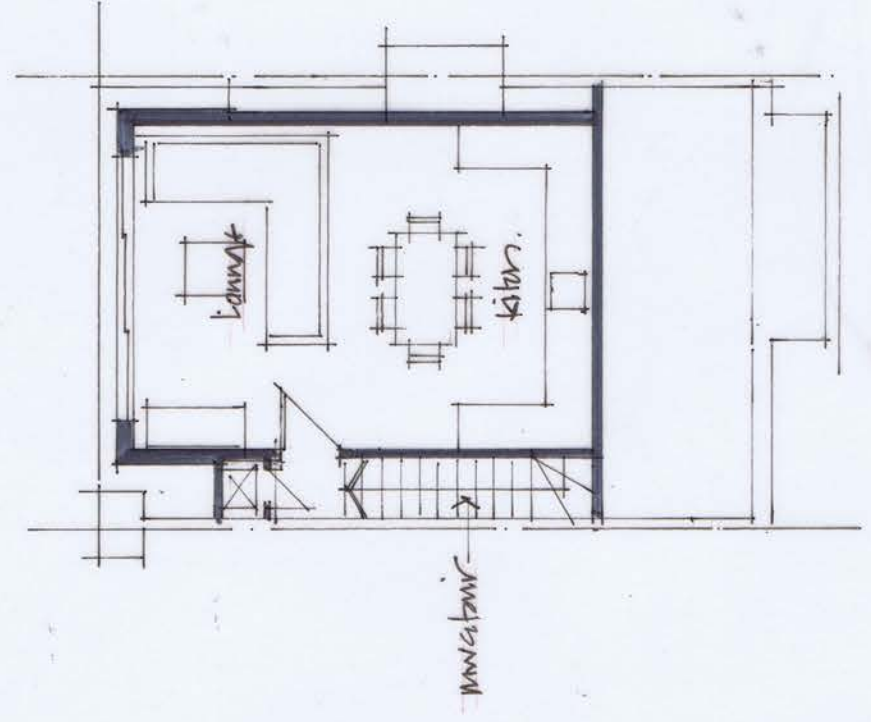
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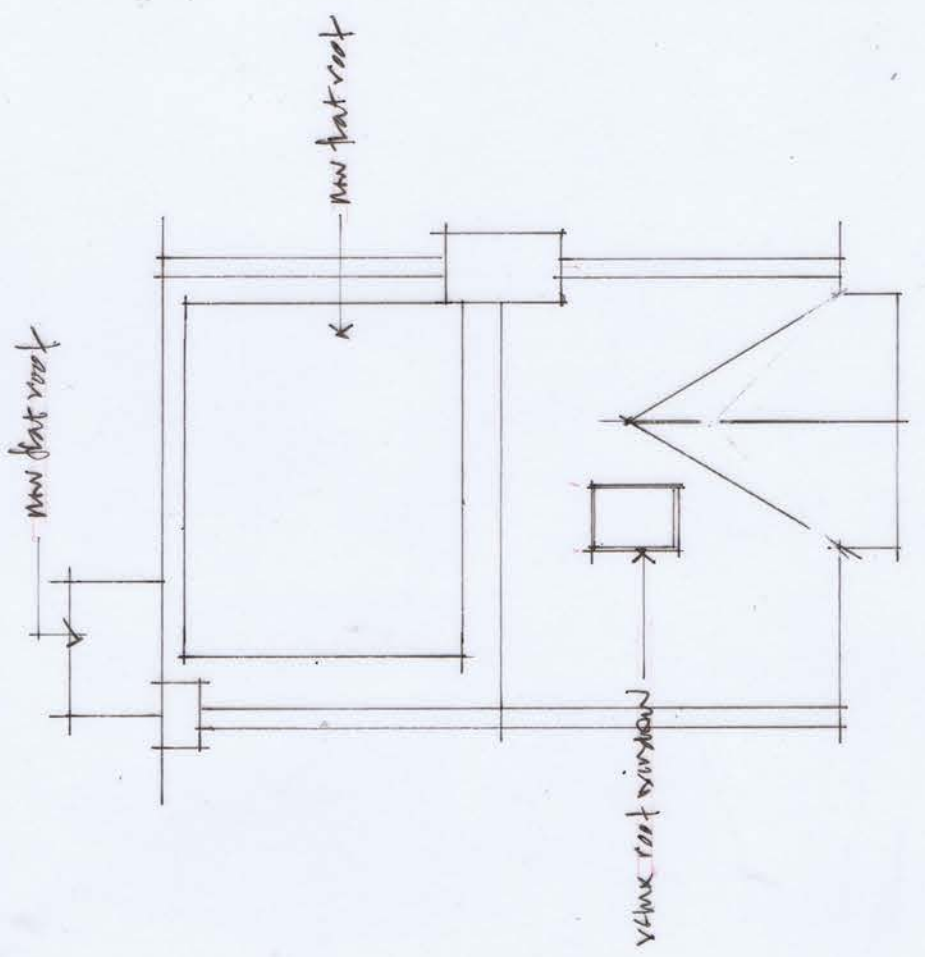




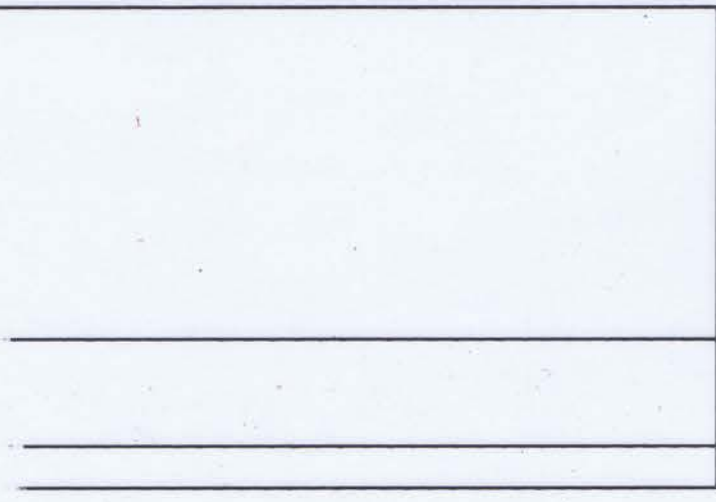
FIRST



SECOND



ROOF



**Beuvink**  
ARCHITECTS

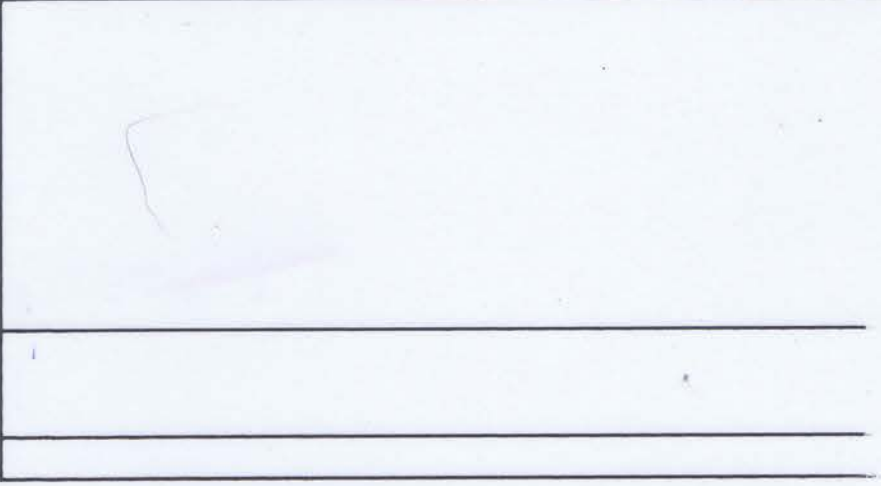
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john@beuvinkarchitects.com  
55 BAILEY ROAD LEIGH ON SEA ESSEX SS9 3PJ

LOFT CONVERSION  
112A LORD ROBERTS AVE  
LEIGH ON SEA

PROPOSED PLANS		DATE	JMC '17	JOB NO.	17-111
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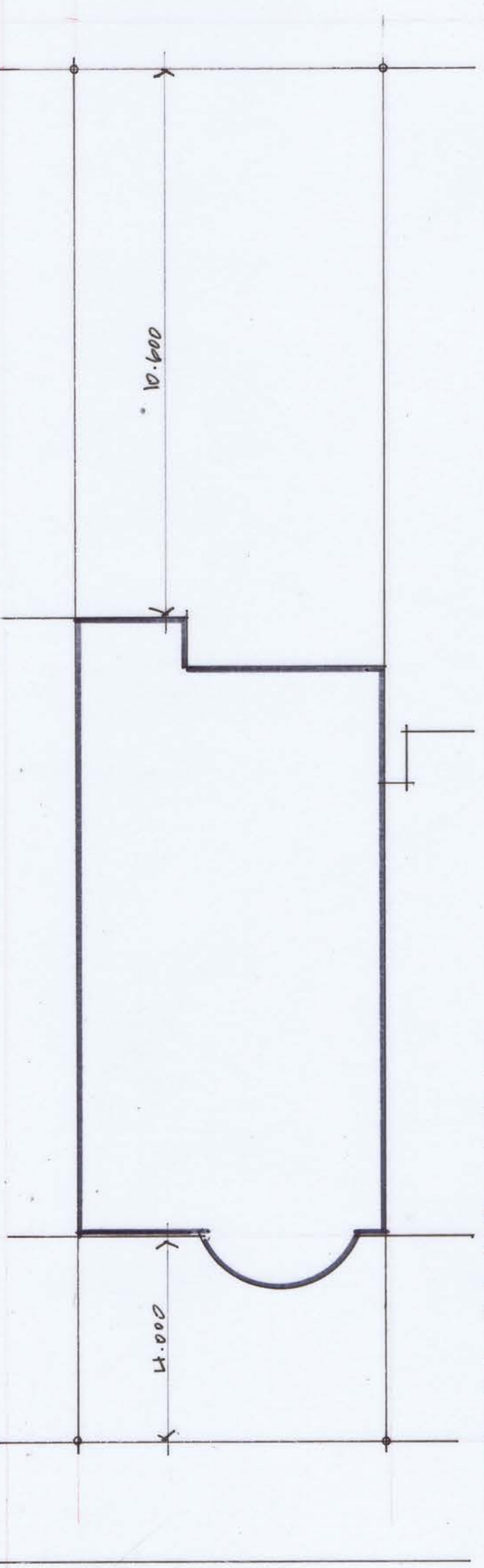




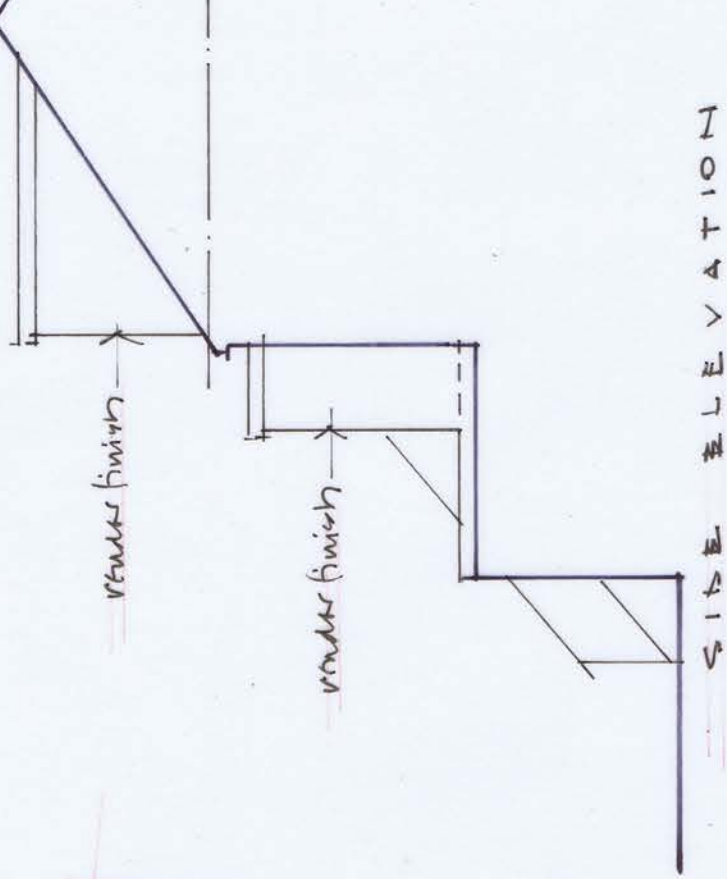
**Beuvink**  
ARCHITECTS

01702 480 944  
john@beuvinkarchitects.com  
55 BAILEY ROAD LEIGH ON SEA ESSEX SS9 3PJ

LOFT CONVERSION 42A LORD ROBERTS AVE LEIGH ON SEA	
SITE PLAN LOCATION PLAN SIDE ELEVATION	
DATE: 17/17	JOB No: 17-111
SCALE: 1:100 @ A3	DRW. No: PL 01
	REV



proposed first floor extension  
render finish  
render finish



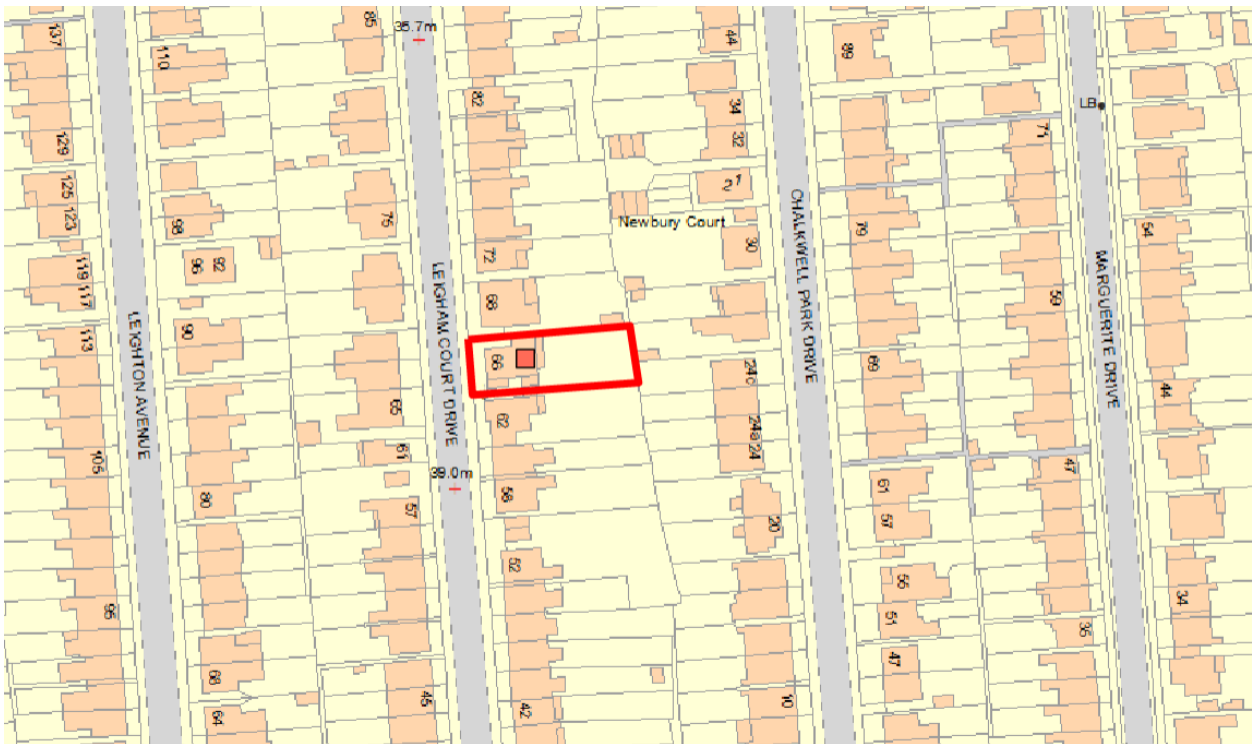
SITE PLAN  
SCALE 1:100



LOCATION PLAN  
SCALE 1:1250

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<b>Reference:</b>	17/01008/FULH	<h1>11</h1>
<b>Ward:</b>	Leigh	
<b>Proposal:</b>	Erect single storey side extension, alter side roof to form pitched roof with dormer to front and alter elevations	
<b>Address:</b>	66 Leigham Court Drive Leigh-On-Sea Essex SS9 1PU	
<b>Applicant:</b>	Mr and Mrs Ian Brown (Council employee)	
<b>Agent:</b>	Trudy's Architectural Consultants	
<b>Consultation Expiry:</b>	12 <sup>th</sup> July 2017	
<b>Expiry Date:</b>	27 <sup>th</sup> July 2017	
<b>Case Officer:</b>	Julie Ramsey	
<b>Plan Nos:</b>	Location Plan, 60/17/A, 60/17/B, 60/17/C	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 The Proposal**

- 1.1 Planning permission is sought to erect a single storey side extension, to form a pitched roof over side flat roof with front dormer and demolish rear conservatory and side outbuildings. The materials proposed are rendered external walls, cladding to dormer and white uPVC windows and grey slate tiles which would match existing.
- 1.2 The proposed side extension would measure 2.4m wide, 4m deep with an eaves height of 3.4m. The pitched roof over the existing side flat roof would increase the height of the side projection by some 1.3m and slopes down to join the eaves of the new side extension. The pitched roof dormer measures 2m wide, 5.5m deep and 3.5m high to the top of the pitched roof.
- 1.3 The proposal would provide a shower room and hall extension at ground floor and an additional bedroom at first floor.

## **2 Site and Surroundings**

- 2.1 The application site is located on the eastern side of Leigham Court Drive, Leigh-on-Sea, north of the junction with Pall Mall. The property is distinctive within the streetscene and comprises of an unusual detached chalet with a side dormer to the southern flank elevation and various side features including two storey flat roofed element with a first floor bay window overhanging the boundary and a mono-pitched roof porch. The dwelling is located towards the northern boundary with an attached garage an outbuilding on the southern side which are proposed to be demolished as is the existing rear conservatory.
- 2.2 The surrounding area is residential in character, comprising predominantly two-storey detached dwellings of various designs, but with many common characteristics such as pitched roof front gables, Tudor cladding and bay windows. Although their design and size varies, they all maintain strong character, in terms of their detailed design. The adjoining neighbour at No 68 is the only bungalow in the immediate streetscene.

## **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 (2012); Core Strategy (2007) Policies KP2 and CP4; Development Management Document 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 (2012); Core Strategy (2007) Policies KP2 and CP4; Development Management Document Policies DM1 and DM3; 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 351 of The Design and Townscape Guide (SPD1) advises 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.”*
- 4.7 The existing property consists of a collection of disproportionate and poorly design additions to the northern side elevation. The proposal would remove the majority of these features including the rear lean to and provide a more uniform side extension with the formation of a pitched roof over the old and new side elements and forming a front dormer. The pitched roof is at ridge height and is of a simple gable design. The side dormer and mono-pitched roofed porch element is also removed. The proposal has endeavoured to reflect the character of the existing dwelling by retaining the side bay window and incorporating the same Tudor cladding pattern that appears on the front of the dwelling. The proposal is finished with new double doors to the side extension in a traditional design. The ridge of the new pitched roof is set back some 9m from the front wall of the property and although it adds bulk to the dwelling, it is considered that it would appear subservient to the main dwelling and integrate well with the existing dwelling. The dormer is position within the roof plane with adequate roof plane both above and below.



- 4.8 Therefore its overall design, including the proposed fenestration and roof form, would improve significantly the appearance of the dwelling within the streetscene and therefore, on balance, it is considered that the proposed development would not appear dominant or incongruous to the existing dwelling and it would not materially harm the character of the area.

### **Traffic and Transport Issues**

#### **NPPF (2012); Core Strategy (2007) Policies CP3; Development Management Document (2015) Policy DM15**

- 4.9 Policy DM15 of the Development Management Document (2015) requires that all development should meet the minimum off-street parking standards. The proposal includes the removal of the existing garage and outbuilding to the side to facilitate the provision of two parking spaces along the southern boundary, therefore no objection is raised in relation to car parking space provision.

### **Impact on Residential Amenity:**

#### **NPPF (2012); Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policy DM1; Design & Townscape Guide (2009)**

- 4.10 The Design and Townscape Guide (2009) 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 Document (2015) 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 With regard to the impact on the neighbouring property to the north (No. 68 Leigham Court Drive), the development would be sited on the northern boundary; however this is an existing arrangement with the bay window of No.66 overhanging the boundary with No.68. The neighbouring property is set to an angle with the application site and has side windows to the ground floor, however these serve a utility room, W.C. office and front reception room, with the main living accommodation of the property towards its northern boundary. The rear lean to at No.66 is to be removed reducing the depth of the property and the slope of the pitched roof reduces the bulk of the addition to the roof on this boundary. Therefore, it is not considered that the proposed development would result in an overbearing or lead to any overshadowing on the occupants of No.68. The proposal would result in no overlooking or loss of privacy, given that there are no additional windows proposed on the northern boundary at either ground or first floor.

- 4.12 The impact on the neighbours to the south, front and rear would be limited based on the separation distance, which is considered sufficient to mitigate any impact on the amenity of the nearby neighbours, by way of overshadowing, domination or overlooking. The neighbour opposite at No. 69 Leigham Court Drive has raised a concern regarding the front dormer window would look directly into the property at first floor, however given the distance between the properties across the highway of some 20m this is not considered to have sufficient impact to warrant a refusal of the application.

## **Community Infrastructure Levy (CIL)**

### **CIL Charging Schedule 2015**

- 4.13 The proposed extension to the existing property equates to less than 100sqm of new floor space the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.  
The new floor space created by the proposal would be less than 100m<sup>2</sup>. 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 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 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management Document (2015): DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 6.4 Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

## **7 Representation Summary**

### **Consultation responses**

7.1 Leigh Town Council - no objection

### **Public Consultation**

7.2 10 neighbours were consulted and one letter of objection has been received.

Matters raised

- Will look into property at first floor

The relevant material planning considerations have been considered as part of the appraisal at Section 4 of the report.

## **8 Relevant Planning History**

8.1 None

## **9 Recommendation**

**GRANT PERMISSION** subject to the following conditions:

**01 The development hereby permitted shall begin not later than three years from the date of this decision. (C01A)**

**Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)**

**02 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 60/17/A, 60/17/B, 60/17/C**

**Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan. (R01D)**

**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. (C23D)**

**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, Development Management DPD policies DM1 and DM3, and SPD1 (Design and Townscape Guide).**

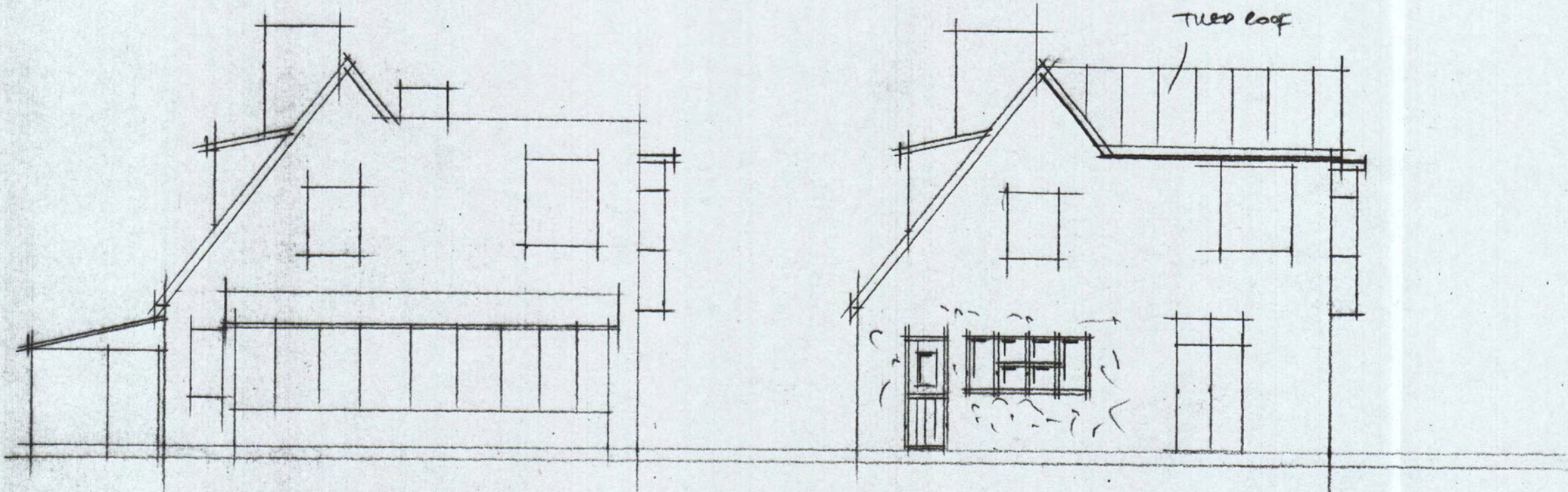
**The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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**

- 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](http://www.southend.gov.uk/cil) for further details about CIL.**

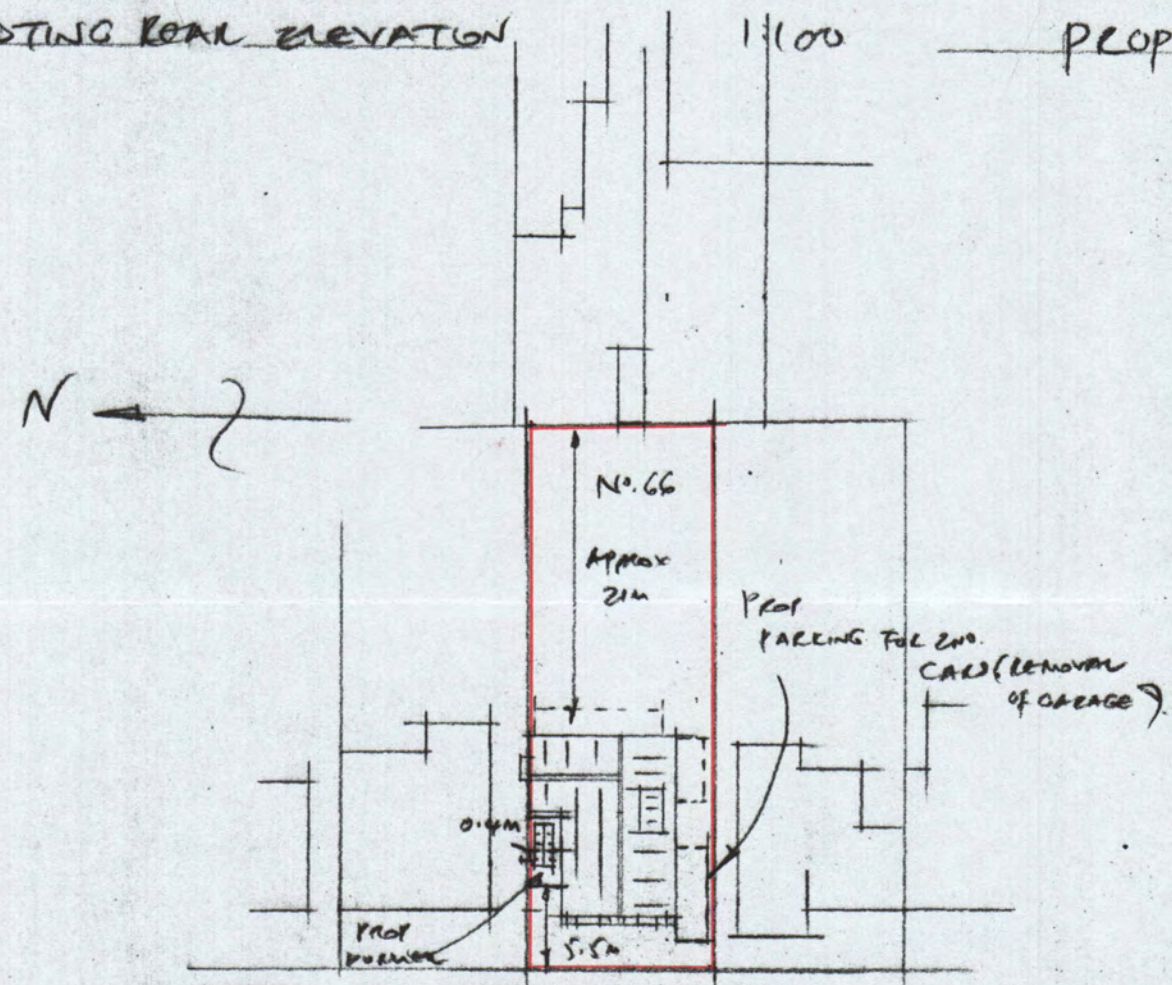
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EXISTING REAR ELEVATION

PROPOSED REAR ELEVATION



LEIGHAM COURT DRIVE

BLOCK PLAN 1:500

PROPOSED SIDE EXTENSION AND INTERNAL ALTERATIONS: -

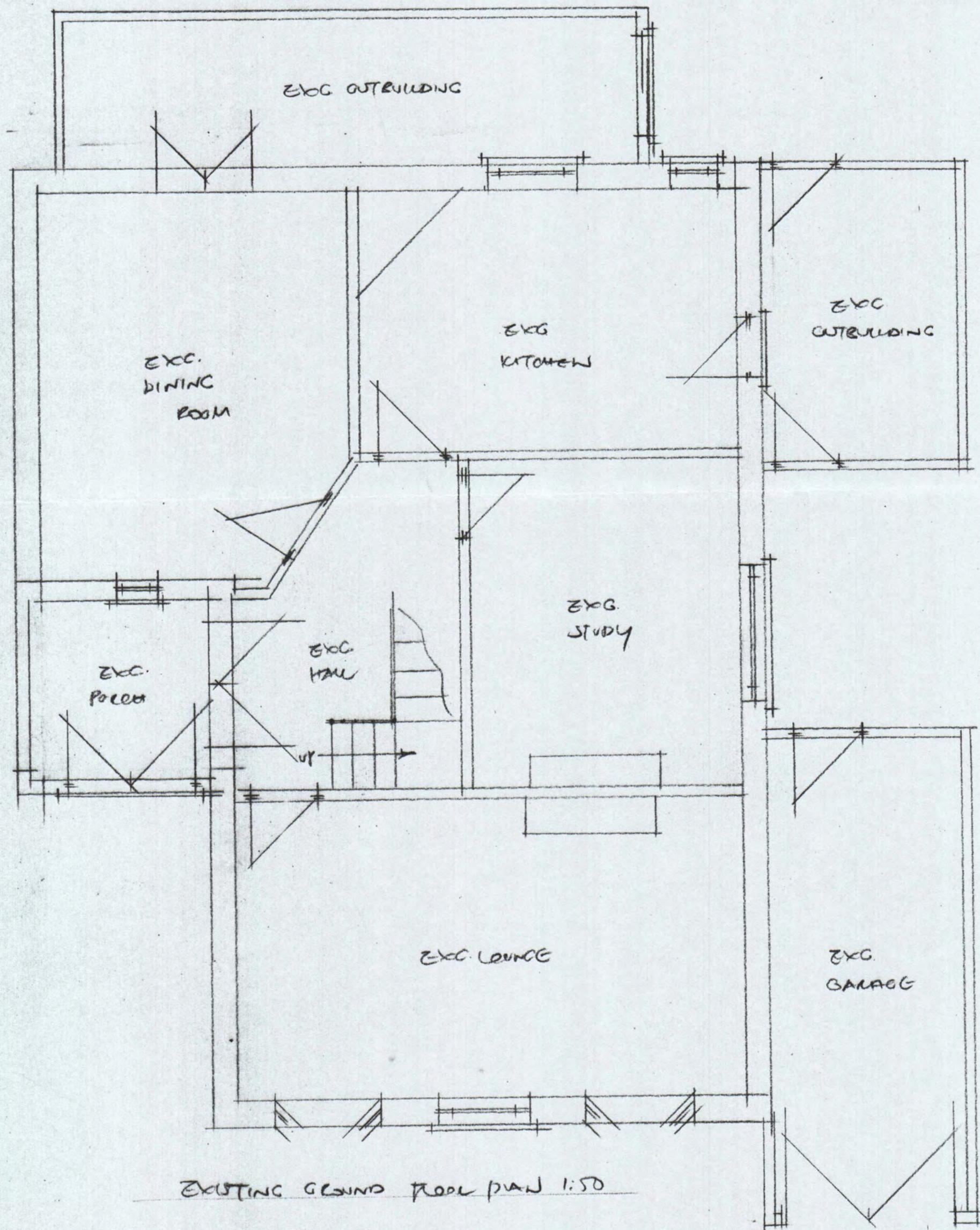
No 66, LEIGHAM COURT DRIVE, LEIGH-ON-SEA for Mr. & Mrs. BRAUN

DRAWING No 6017/C

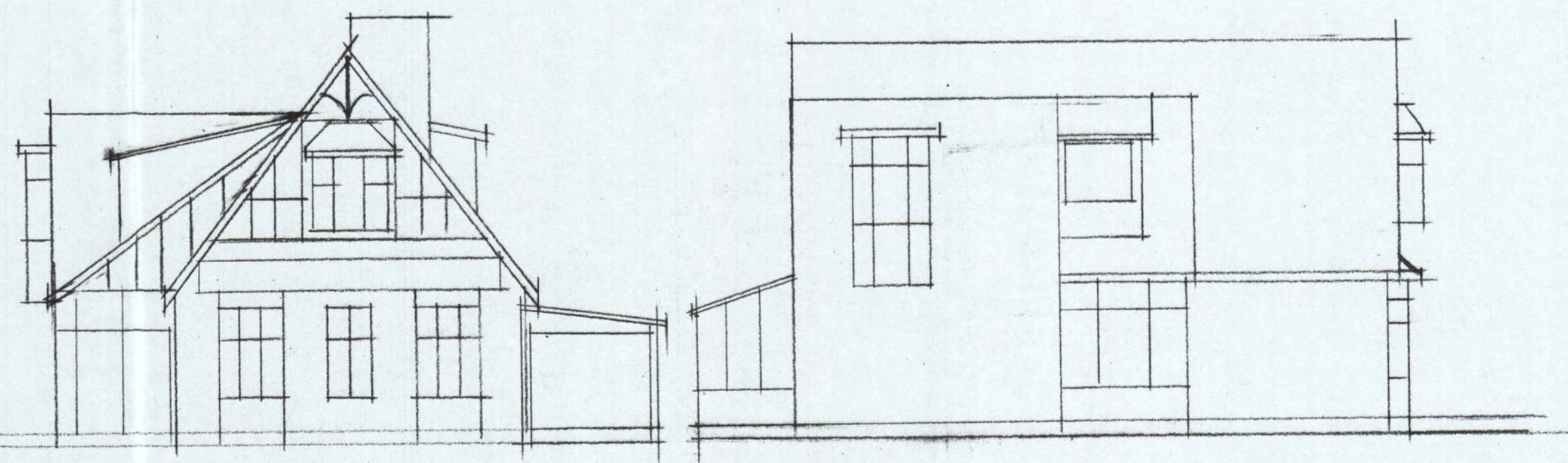


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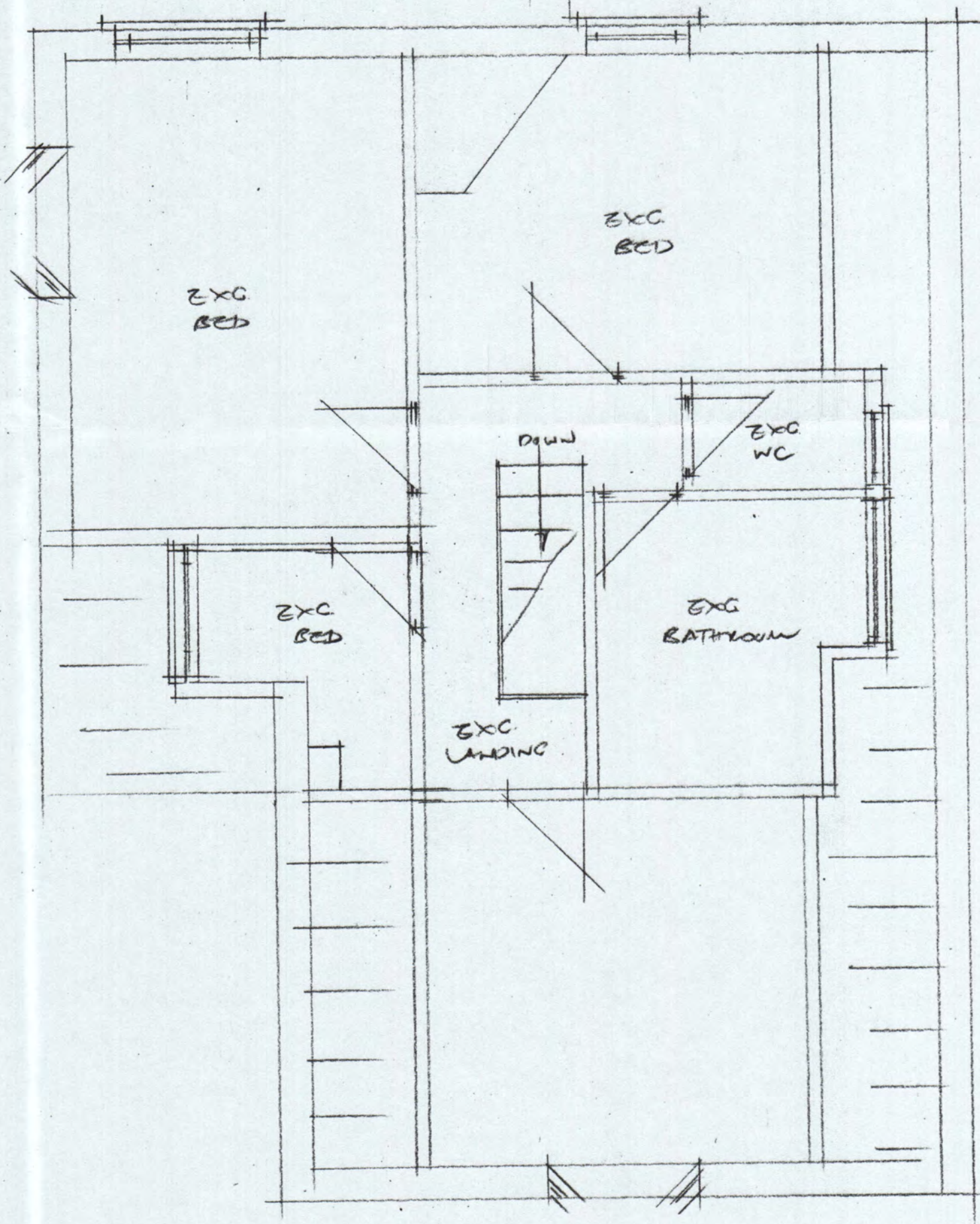
EXISTING GROUND FLOOR PLAN 1:50



FRONT

SIDE

EXISTING ELEVATIONS 1:100



EXISTING FIRST FLOOR PLAN 1:50

EXISTING PLANS:-

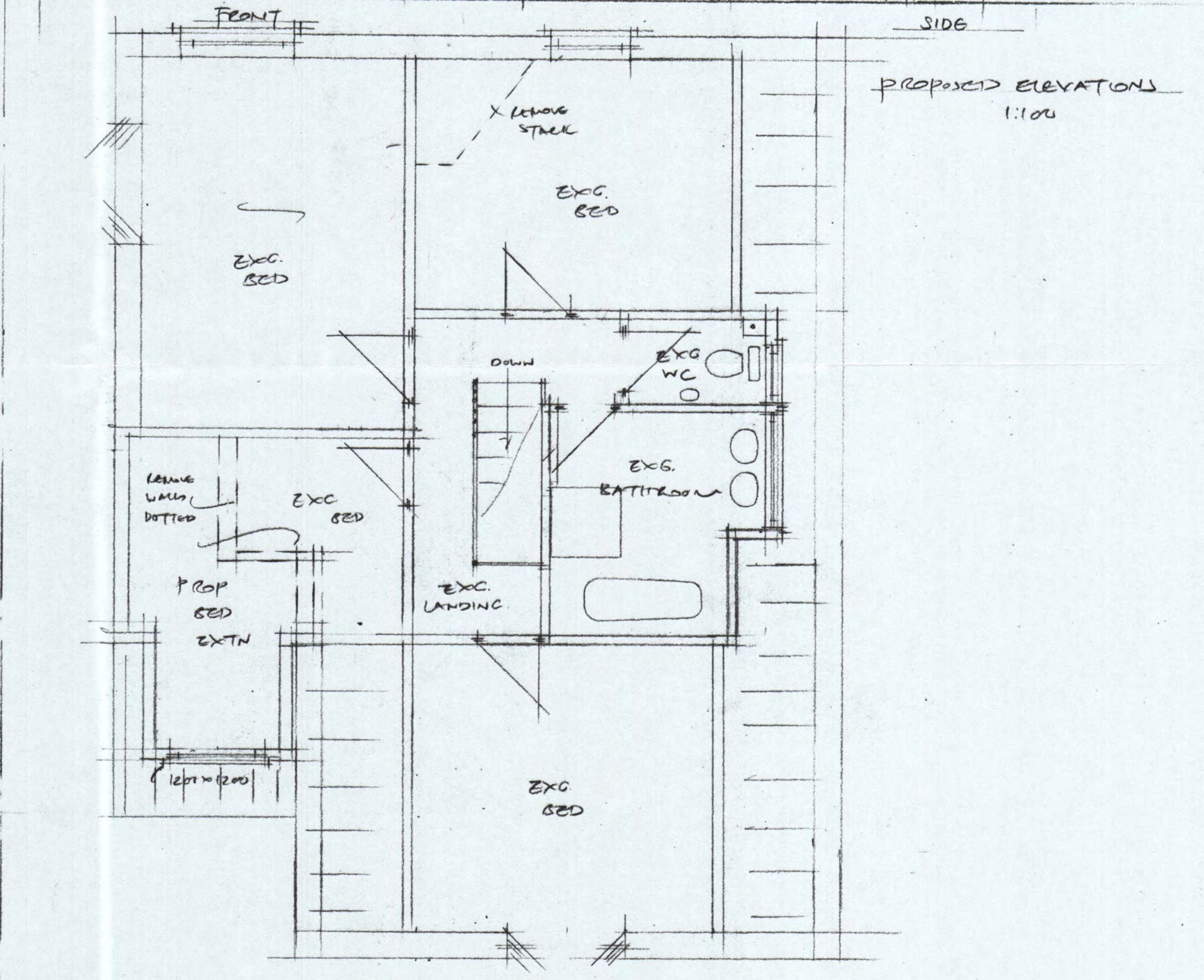
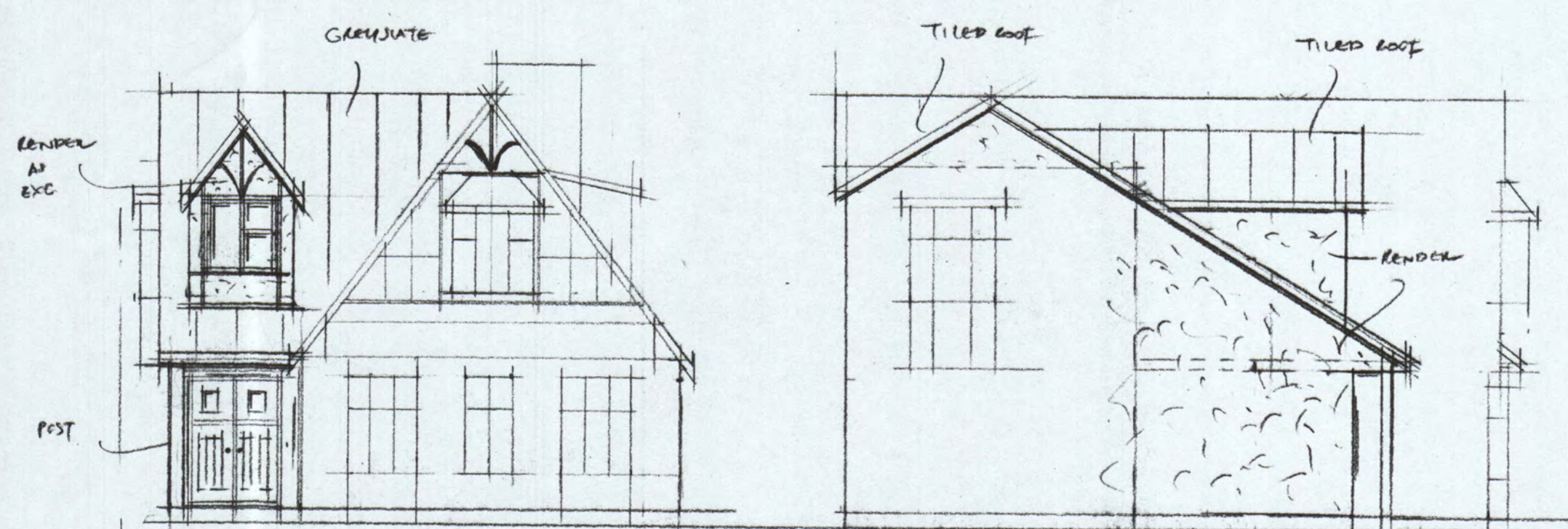
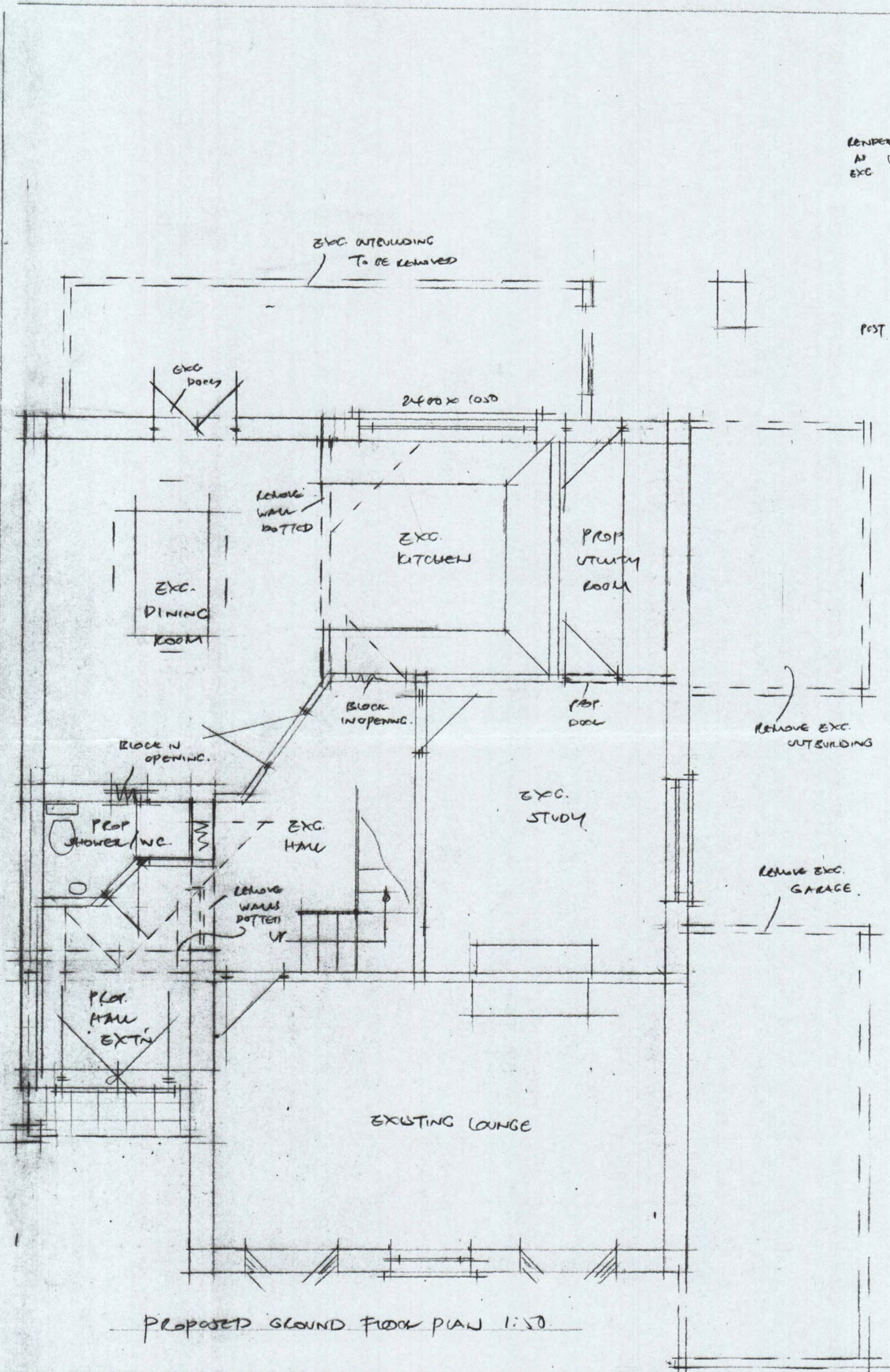
N° 66, LEIGHTAM COURT DRIVE, LEIGH-ON-SEA

DRAWING N° 60171B



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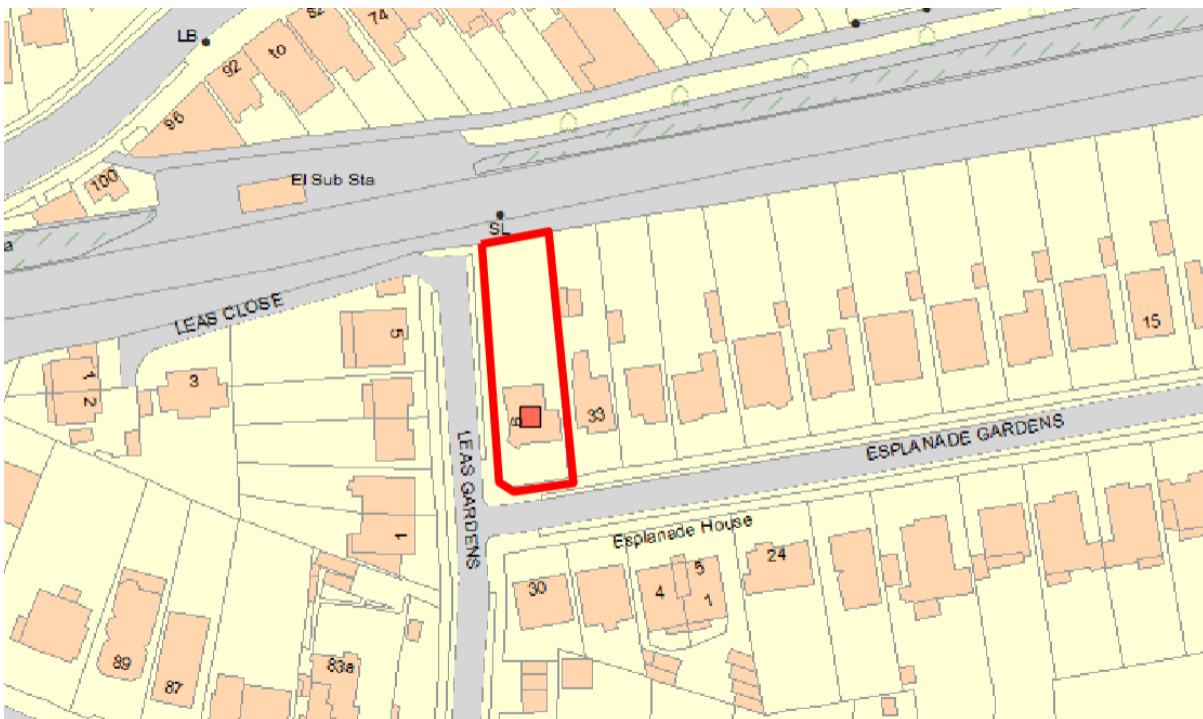
PROPOSED SIDE EXTENSION AND INTERNAL ALTERATIONS:-  
 N: 66, LEIGHAM COURT DRIVE, LEIGH-ON-SEA FOR MR. M. BROWN.

DRAWING NO. 60171A



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<b>Reference:</b>	17/01019/FULH	<h1>12</h1>
<b>Ward:</b>	Chalkwell	
<b>Proposal:</b>	Raise ridge height and alterations to roof to form habitable accommodation, install dormers, Juliette balcony with terrace area and alter elevations	
<b>Address:</b>	6 Leas Gardens, Westcliff-on-Sea, Essex, SS0 8JL	
<b>Applicant:</b>	Mr S Habermel	
<b>Agent:</b>	SKArchitects	
<b>Consultation Expiry:</b>	31.07.2017	
<b>Expiry Date:</b>	14.09.2017	
<b>Case Officer:</b>	Kara Elliott	
<b>Plan Nos:</b>	353P01, 353P02	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION subject to conditions</b>	



## **1 The Proposal**

- 1.1 Permission is sought to raise the height of the dwelling and alter the existing roof to form second storey habitable accommodation, install 4 no. dormers, a Juliette balcony and second storey terrace area. Two chimneys will be removed to accommodate the proposed development.
- 1.2 The overall height of the dwelling will be increased by 0.5 metres, reaching a ridge height of 9.5 metres. The main hipped roof element of the dwelling will be half-hipped at the rear (north) of the dwelling, accommodating the second storey accommodation and providing a gable-end featuring a Juliet balcony. Two pitched roof dormers would feature on the west side elevation facing Leas Gardens. A pitched roof would be provided to the south-west facing front/side elevation at second floor, enclosing a balcony/terrace area. A pitched roof dormer in the roof to the front (south) facing elevation would contain a set of doors to access this balcony/terrace area. A single pitched roof dormer and two rooflights are proposed to the east side elevation. The plans also show minor alterations to the fenestration.
- 1.3 The development will be finished in pebble-dash to the walls with clay a tiled roof and black painted timber windows, all to match existing. The rooflights are proposed to be 'Velux' windows of a grey colour.
- 1.4 The proposed alterations would provide a fifth bedroom including en-suite and terrace area within the second floor of the dwelling.
- 1.5 The application falls to be considered by the Development Control Committee as the applicant is a member of the Council.

## **2 Site and Surroundings**

- 2.1 The application site currently contains a large two-storey dwelling situated at the north of the junction between Leas Gardens and Esplanade Gardens. The application site measures approximately 650m<sup>2</sup> and is approximately 80 metres north of Chalkwell Esplanade. The London, Tilbury and Southend Railway line runs immediately north of the application site.
- 2.2 The surrounding area is predominately made up of large, detached dwellings which in most instances are subject to alterations and extensions; including roof alterations and rooms in the roof.
- 2.3 The site is not the subject of any site specific policy designations and is not located within a Conservation Area.

## **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; Core Strategy (2007) Policies KP2, CP3 and CP4; Development Management Document (2015) Policies DM1, DM3 and DM15.**

- 4.1 The principle of extending the dwelling to provide facilities in association with residential accommodation is considered acceptable. Other material planning considerations are discussed below.

### Design and Impact on the Character of the Area

**NPPF; Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1 and DM3; 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 (National Planning Policy Framework), in 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 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. For example adding another storey to a bungalow will not be considered appropriate where the street comprises predominately of single storey dwellings or where there is a regular pattern of bungalows and other style of properties which is part of the local character.”* Paragraph 366 of SPD1 states that *“Proposals for additional roof accommodation within existing properties must respect the style, scale and form of the existing roof design and the character of the wider townscape.”*
- 4.6 It is noted that the character of the wider area is mixed, containing two storey dwellings, chalet style dwellings, single storey bungalows and a block of three storey flats. With the exception of the flats, a common feature of the two storey dwellings is that they feature subordinate front projections, with the main roofs of the dwelling raking away from the highway. Due to the corner location of the dwelling, it adopts a prominent position within the streetscene.

- 4.7 It is considered that its prominent position allows for a degree of flexibility in design, scale and bulk. This flexibility is supported by to the lack of directly neighbouring properties, with just one immediate neighbouring property to the east; 33 Esplanade Gardens. Currently, 33 Esplanade Gardens measures 9.15m in height. As a result of the proposed development, the dwelling would be 0.35 metres higher than this neighbouring dwelling. It is noted that three storey accommodation is an established feature of the surrounding area, with the exception of the nearby flats, this accommodation is provided in such a way that it is subservient to the floors below and not overly dominant of the character of the dwellings. The proposed increase in height of 0.5 metres is not considered to result in demonstrable harm to the character and appearance of the dwelling or the wider area. Similarly, planning permission was granted in 2015 at 33 Esplanade Gardens for a number of alterations and additions, including an increase in the overall height of the dwelling, to nearly 10.4 metres.
- 4.8 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 size of any new dormer windows, particularly on the front and side elevations, should be smaller to those on lower floors and the materials should be sympathetic to the existing property. A number of pitched roof dormers are proposed to the roof of the dwelling. These are a common feature within the area and would not appear out of keeping in this setting. Furthermore, the dormers are of a subservient size, would not dominate the roofscape and do not result in a negative appearance cumulatively as they are set proportionally apart and reflect the existing pattern of fenestration.
- 4.9 The gable-end rear element of the proposed development with Juliet balcony feature would provide interest to the rear elevation. This part of the dwelling would not be visible from the public vista and therefore has no impact upon the character and appearance of the area.
- 4.10 Balconies, particularly on front elevations are a traditional feature of seaside towns such as Southend. Similarly, roof terraces can be a good way of adding visual interest and layering to a building whilst also providing additional private outdoor space. The proposed terrace area to the second storey would be enclosed from the public vista; with the exception of a second storey balcony, enclosed by a pitched roof, to the front/side south/west elevation. This is a clear characteristic of the surrounding area and would not appear out of keeping.
- 4.11 The resulting dwelling, whilst of an increase size, height, scale and bulk, would not appear overly dominant and would not result in demonstrable harm to the character and appearance of the dwelling or the wider area, in accordance with relevant location and national policies and guidance.

### **Impact on Residential Amenity**

#### **NPPF; Development Management Document (2015) Policies DM1 and DM3; Core Strategy (2007) Policies KP2 and CP4; Design & Townscape Guide (2009)**

- 4.12 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.”*

- 4.13 The adjacent dwelling to the west, 33 Esplanade Gardens, is located 3 metres from the closest side elevation of the dwelling. As a result of the proposed development, the building would not extend closer to the boundaries of the application site in any direction. The increase in height and the addition of the dormers and rooflights are considered acceptable on amenity grounds. Due to the separation distance of the main roof element to the neighbouring dwelling, of 5.3 metres, it is not considered that the proposed development would result in undue negative impact upon the amenities of the neighbouring occupiers through dominance. Furthermore, a small dormer and two Velux windows are proposed to the east elevation. The dormer window would serve a staircase and no views would be available to the rooflights and therefore there would be no loss of privacy through perceived or actual overlooking. Similarly, the proposed additions to the roof to the north, south and west elevations are located at considerable distances to neighbouring dwellings (20 metres to the dwellings on the west side of Leas Gardens) and therefore no objection is raised in relation to loss of amenity through loss of light, dominance or overlooking. This analysis includes the terraced area to the front of the dwelling.

### **Highways and Transport Issues**

#### **NPPF; Development Management (2015) Policy DM15; Core Strategy (2007) Policy CP3; Design & Townscape Guide (2009)**

- 4.14 Policy DM15 of the Development Management DPD states that new development will only be permitted if it makes provision for off-street parking in accordance with the adopted vehicle parking standards. For a dwelling of 2+ bedrooms, a minimum of 2 off-street parking spaces should be available.
- 4.15 The proposed development would result in a fifth bedroom. The proposal would not result in the loss of existing parking spaces. Two off-street parking spaces would continue to be available within the curtilage of the property and therefore no objection is raised on highway or parking grounds.

### **Community Infrastructure Levy**

#### **CIL Charging Schedule 2015**

- 4.16 The proposed development equates to less than 100sqm of new floorspace. As such, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and no charge is payable.

## **5 Conclusion**

- 5.1 Having regard to all material considerations assessed above, it is considered that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework. Furthermore, the proposed development would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site 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)
- 6.2 Core Strategy (2007) Policies KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management Document (2015): DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 6.4 Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

## **7 Representation Summary**

### **Network Rail**

- 7.1 No response received
- 7.2 Eight neighbours have been notified of the application. No letters of representation have been received.

## **8 Relevant Planning History**

- 8.1 00/00879/FUL - Erect double garage with loft area in rear garden – APPROVED 24.10.2000;
- 8.2 02/00152/FUL - Erect detached double garage/incidental building at rear – APPROVED 15.03.2002.

## **9 Recommendation**

**Members are recommended to:**

**GRANT PERMISSION, subject to the following conditions:**

- 01 The development hereby permitted shall begin no 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: 353P01, 353P02**

**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 (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).**

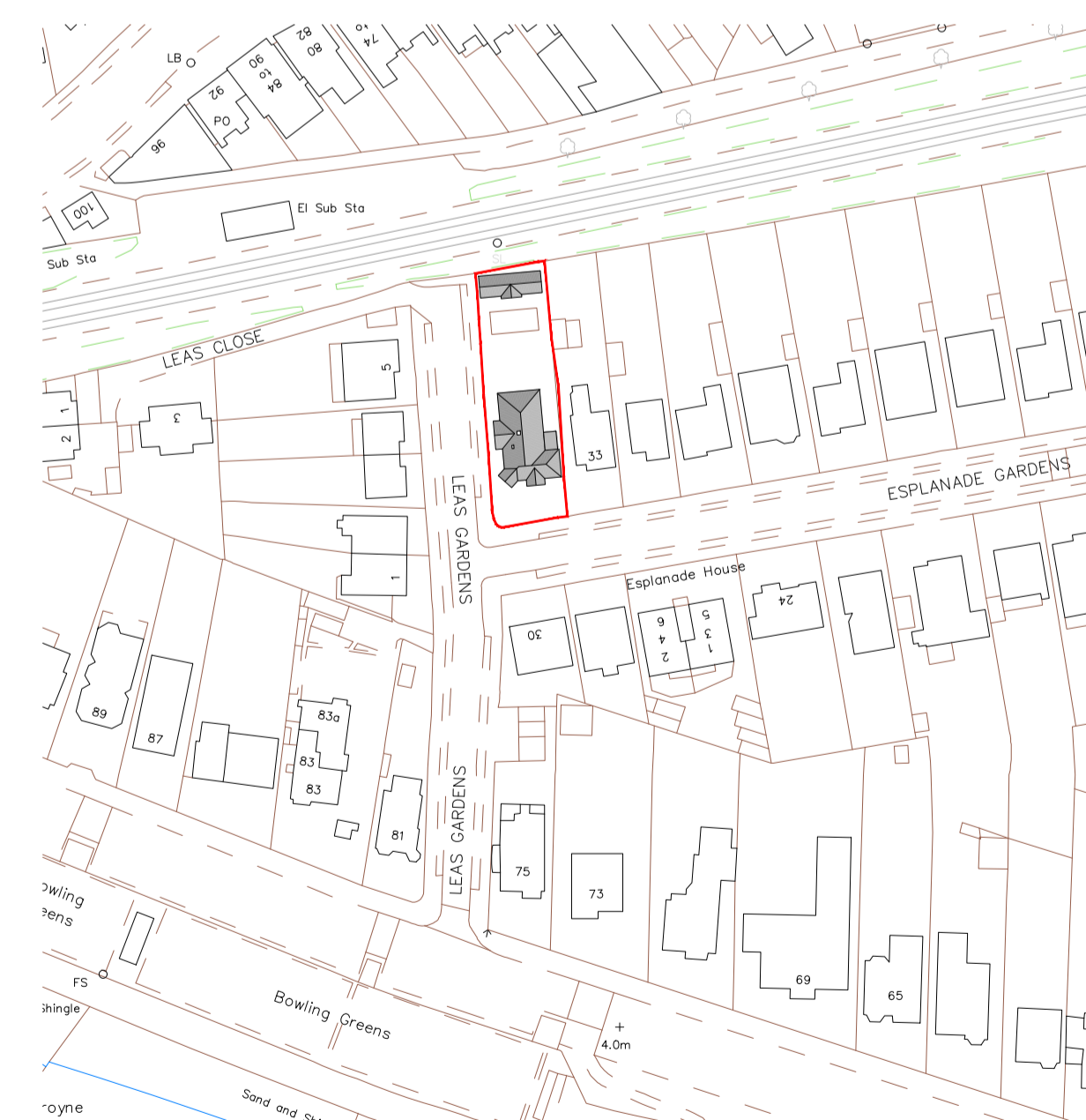
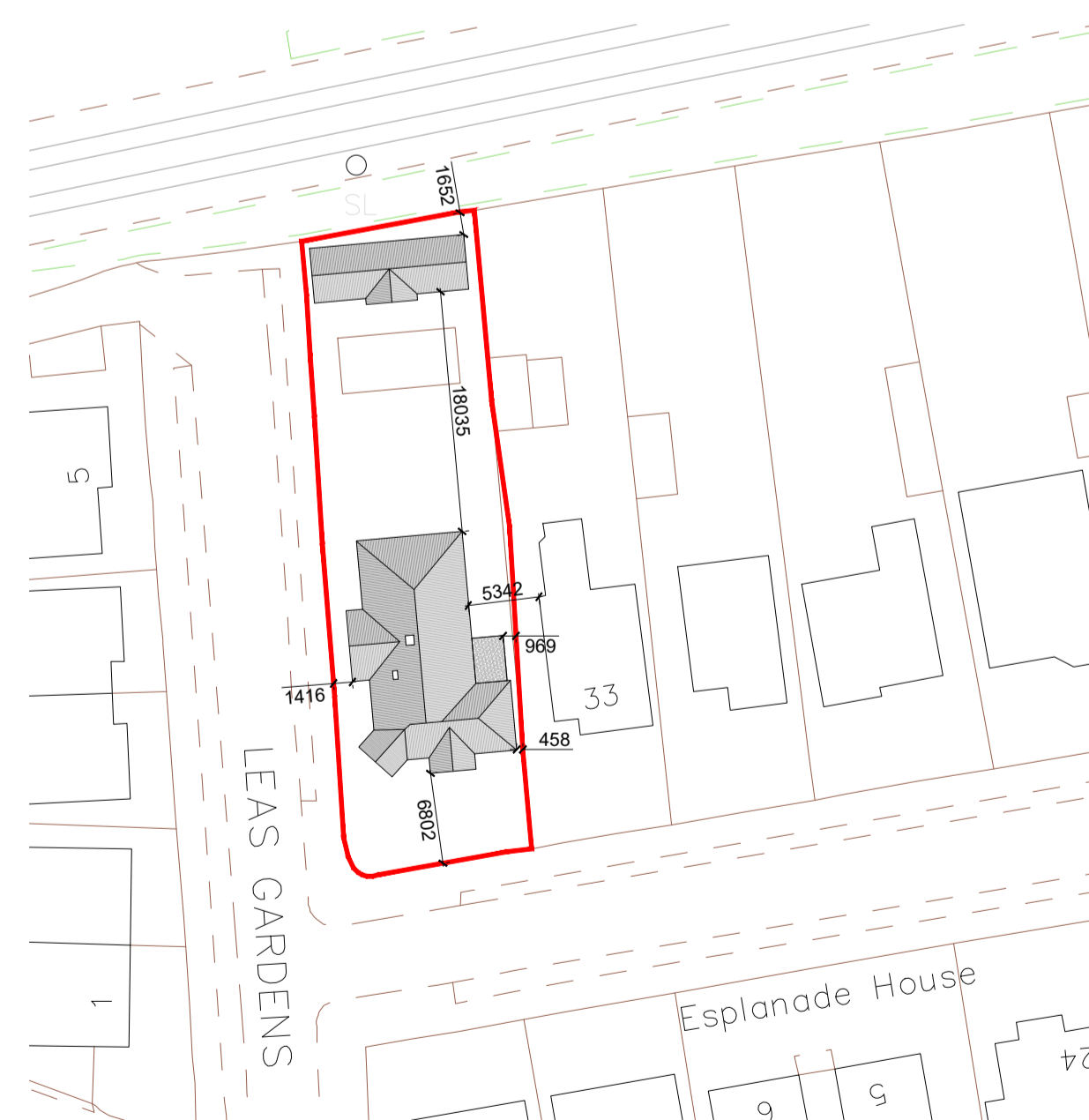
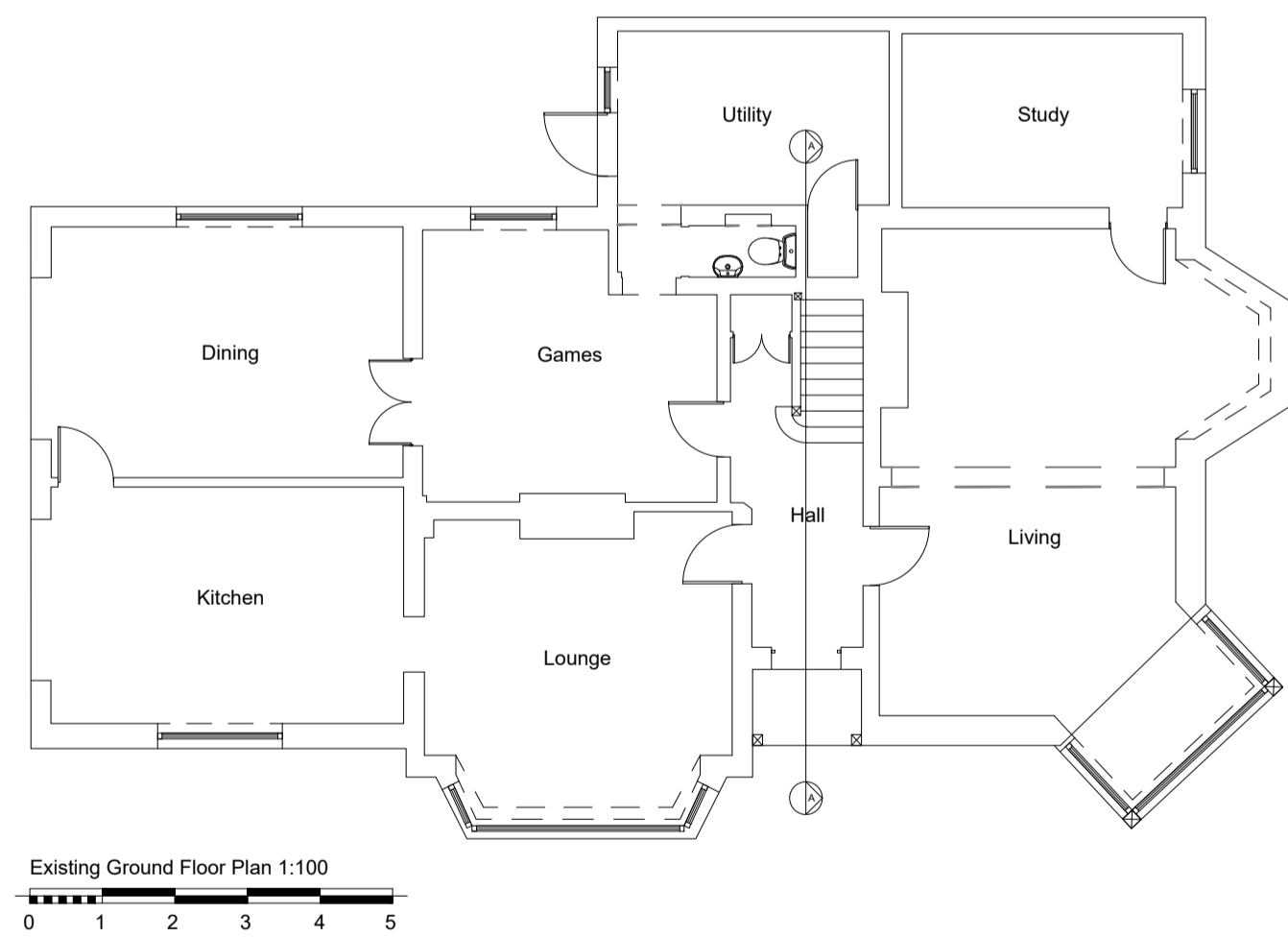
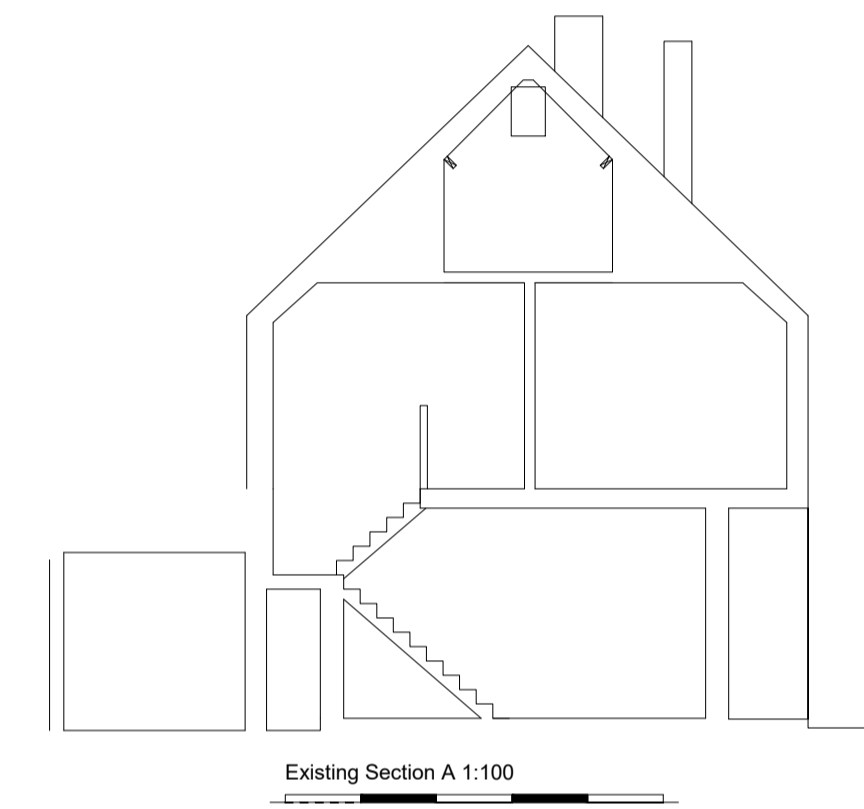
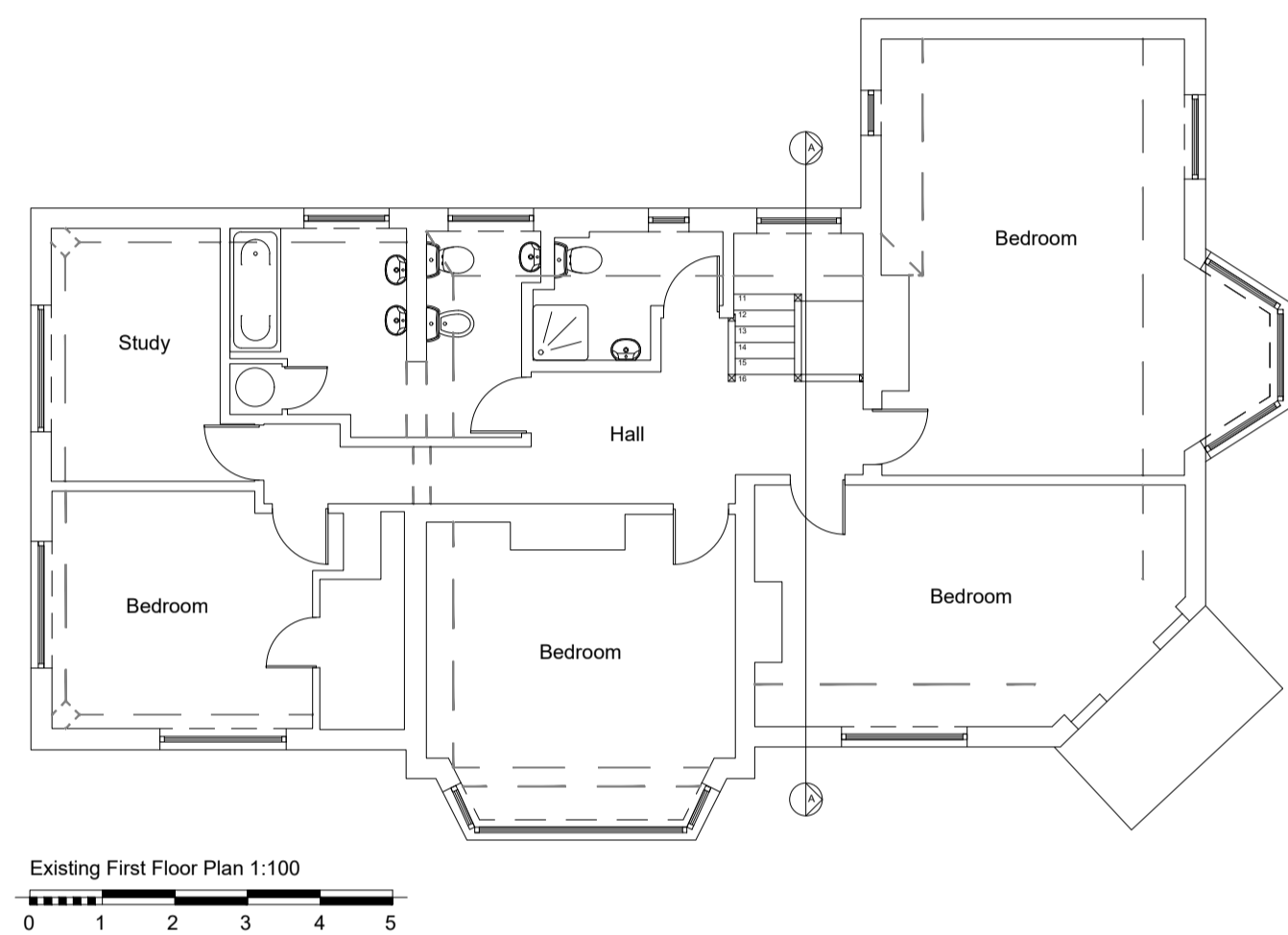
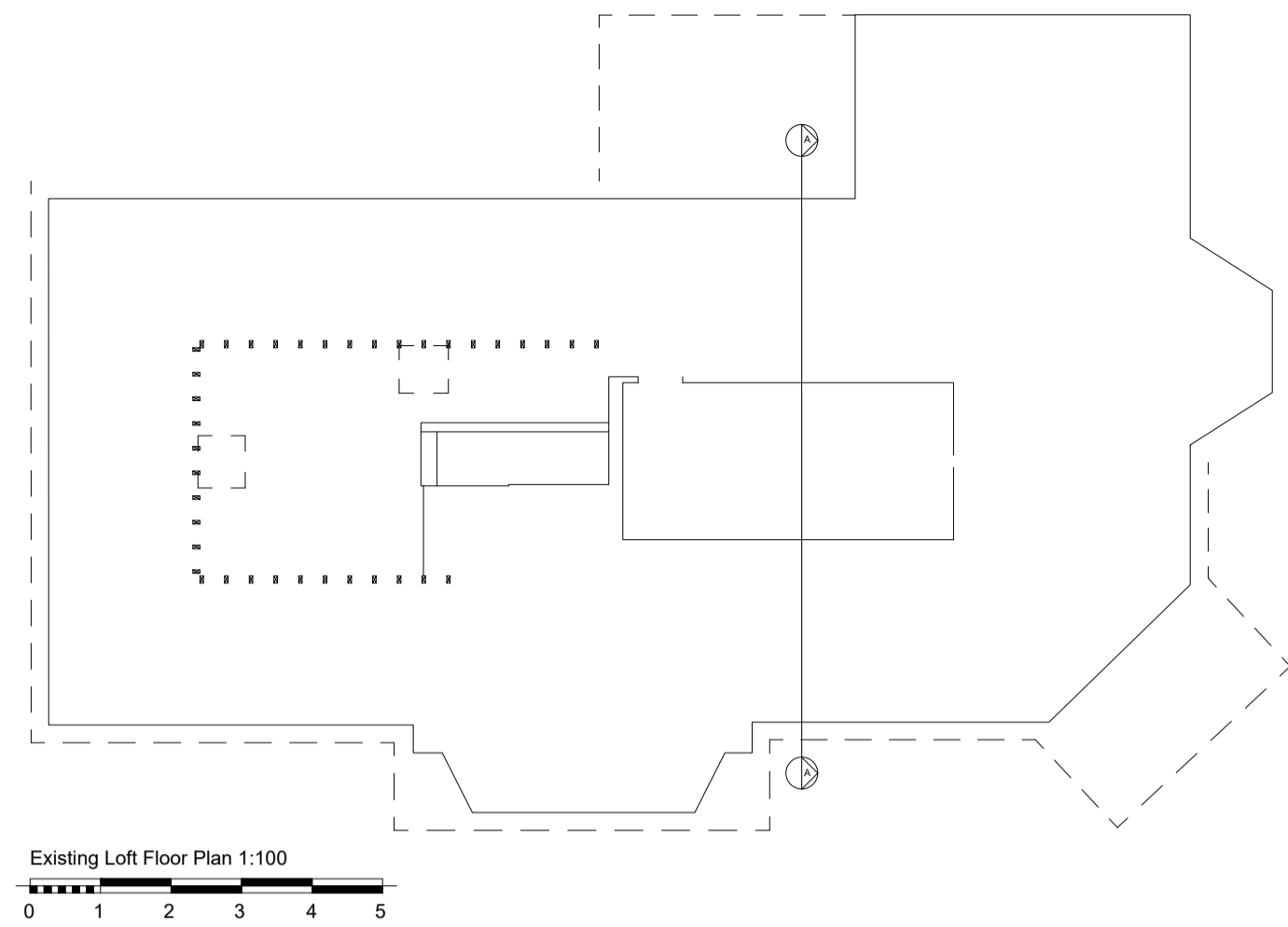
#### **Informative**

- 1. You are advised that as the proposed development 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](http://www.southend.gov.uk/cil) for further details about CIL.**

**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.**



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Existing Block Plan - 1:500

North

Existing Location Plan - 1:1250

North

**STATUS: AWAITING APPROVAL**

PROJECT STAGE: S1 - Preliminary	DRAWN BY: WRS	CHECKED BY:
CLIENT: Mr. S Habermel	PROJECT NO: 353	PAGE NO: 353P01
PROJECT: Esplanade Gardens	DRAWING: Existing	REVISION:

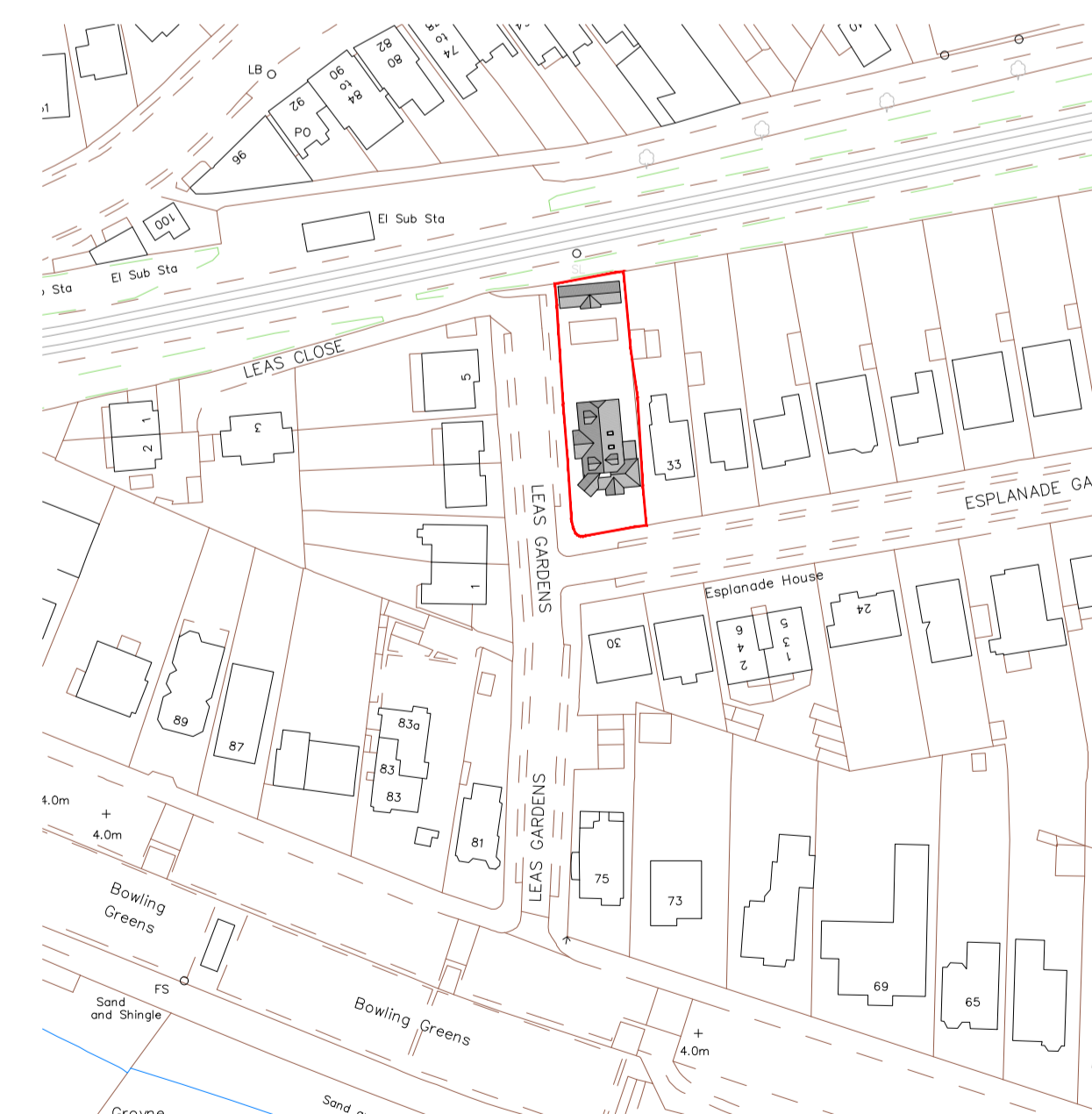
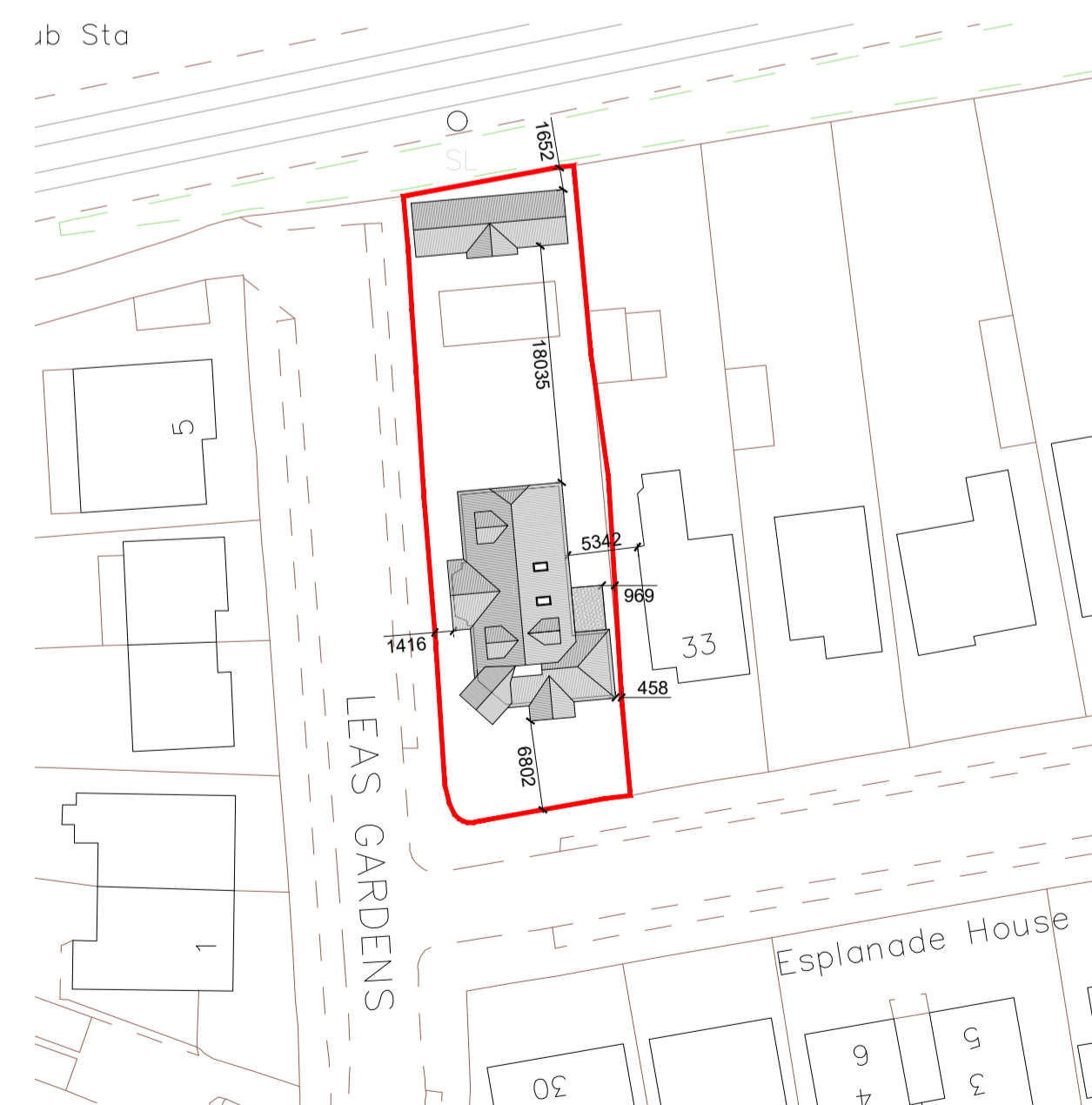
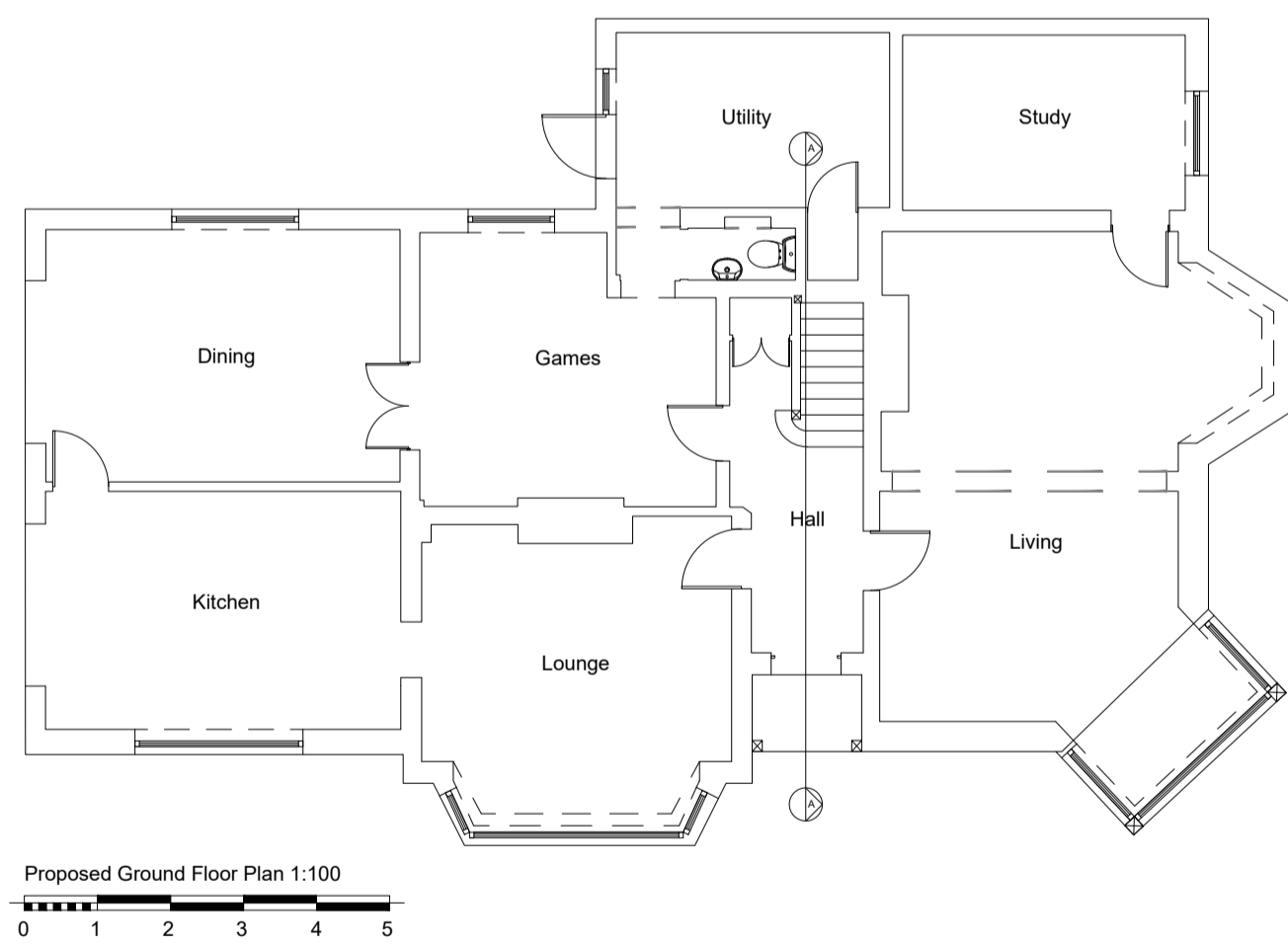
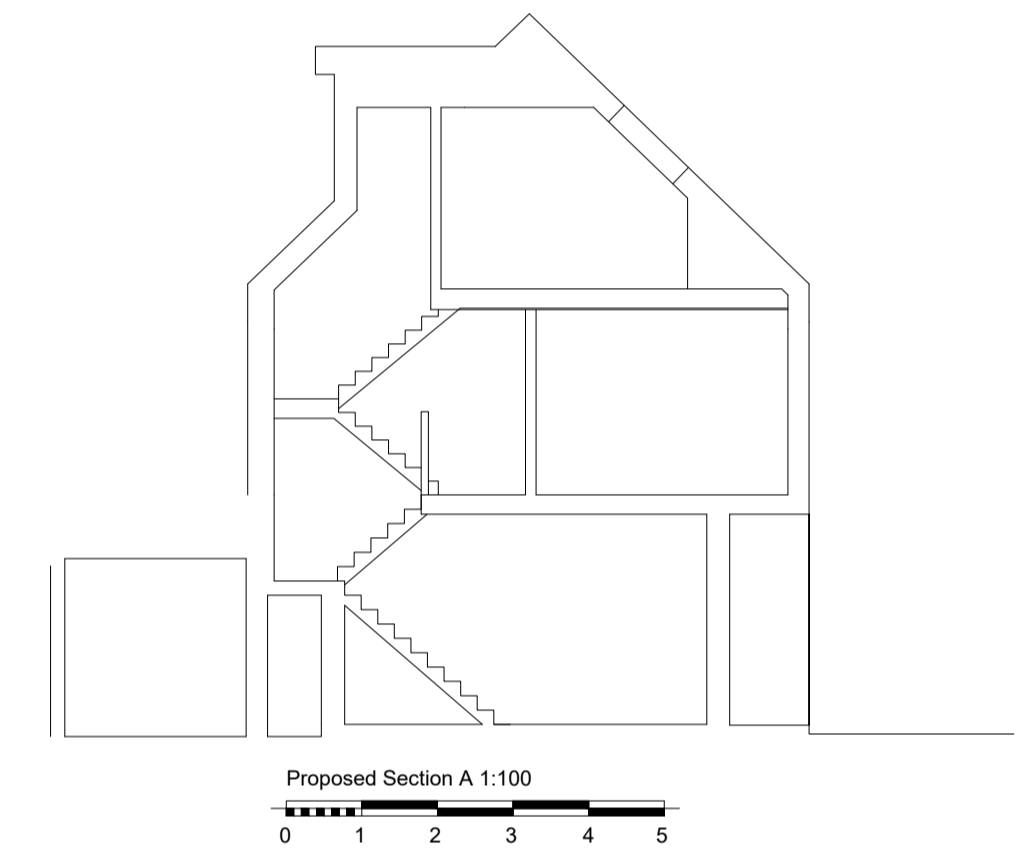
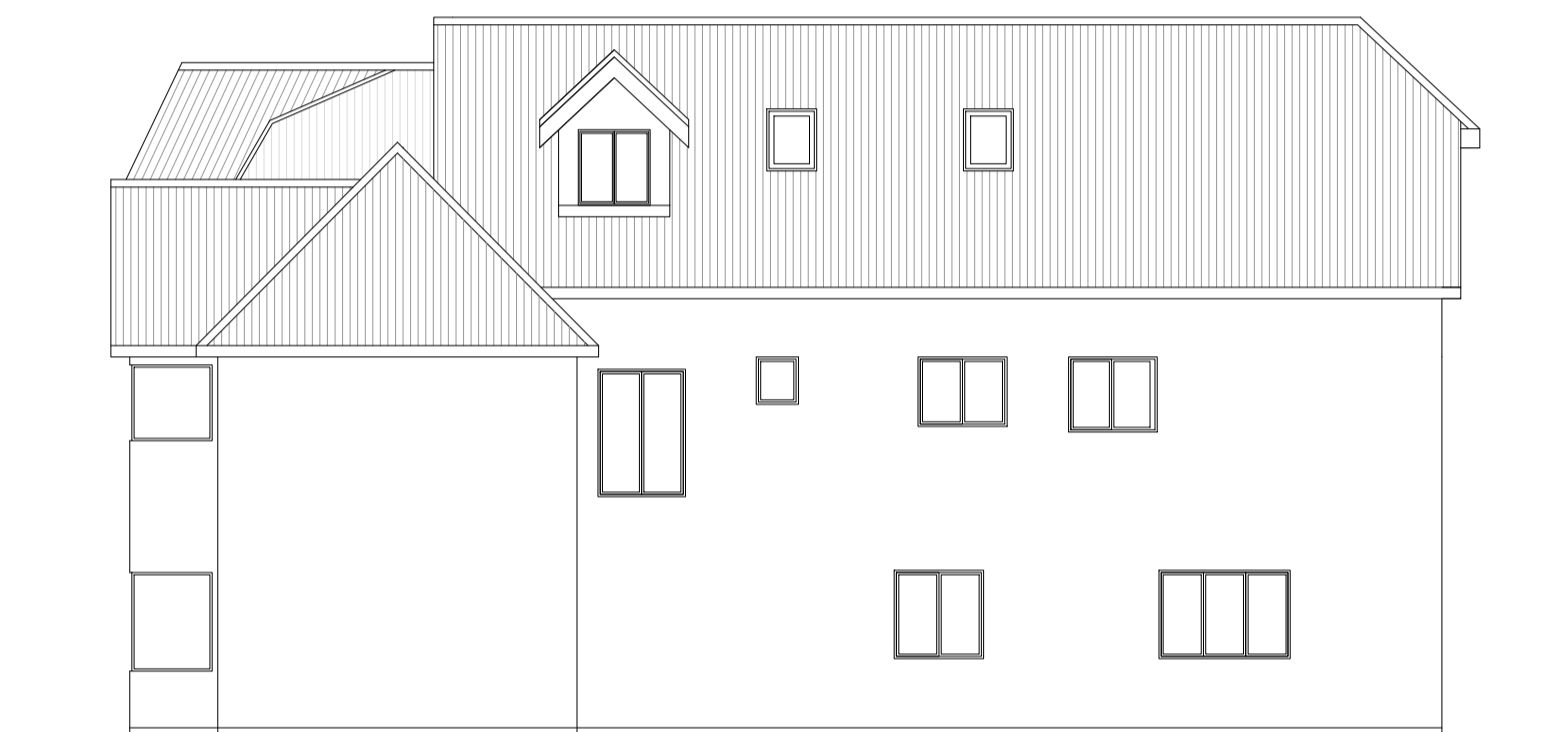
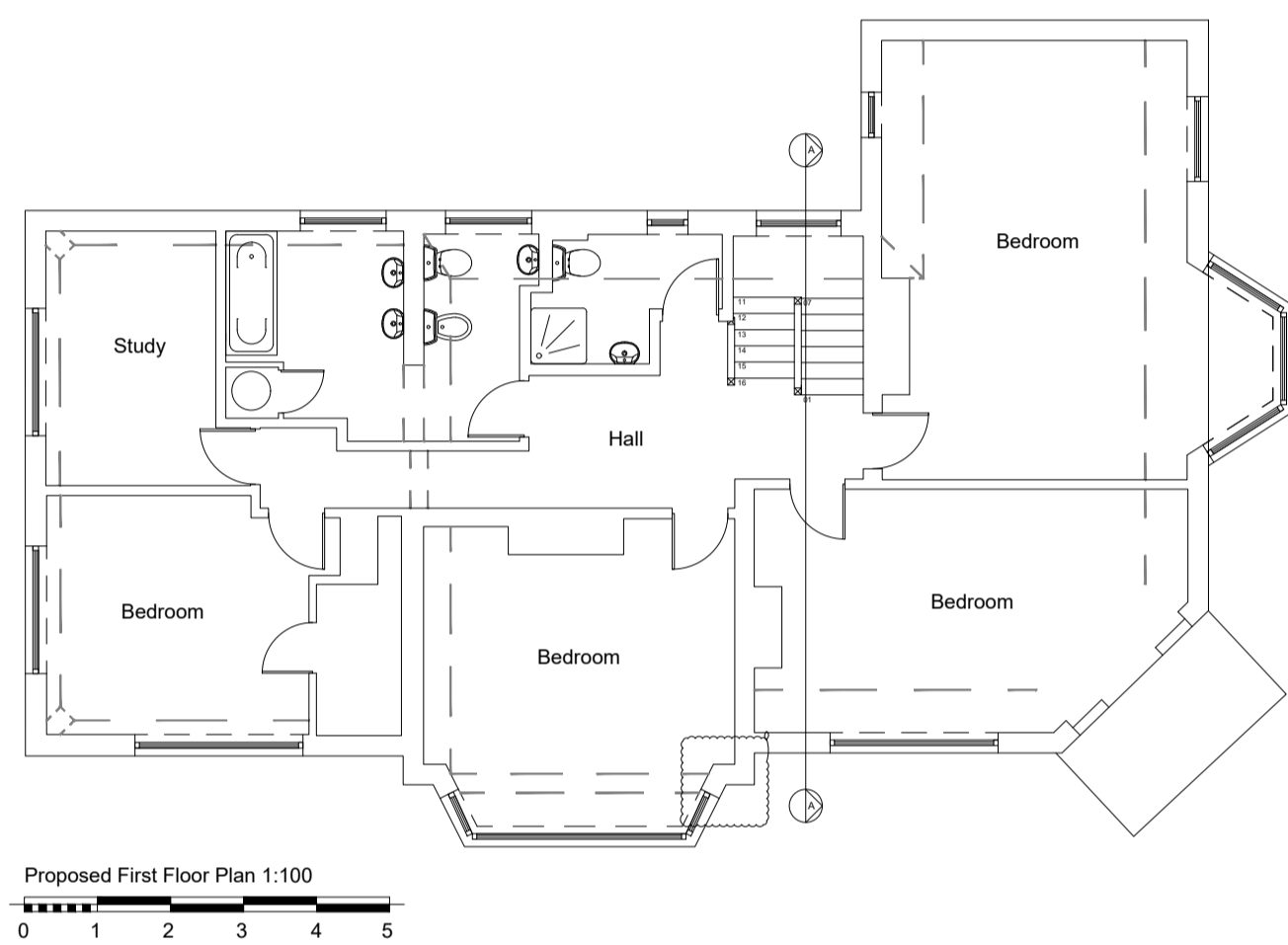
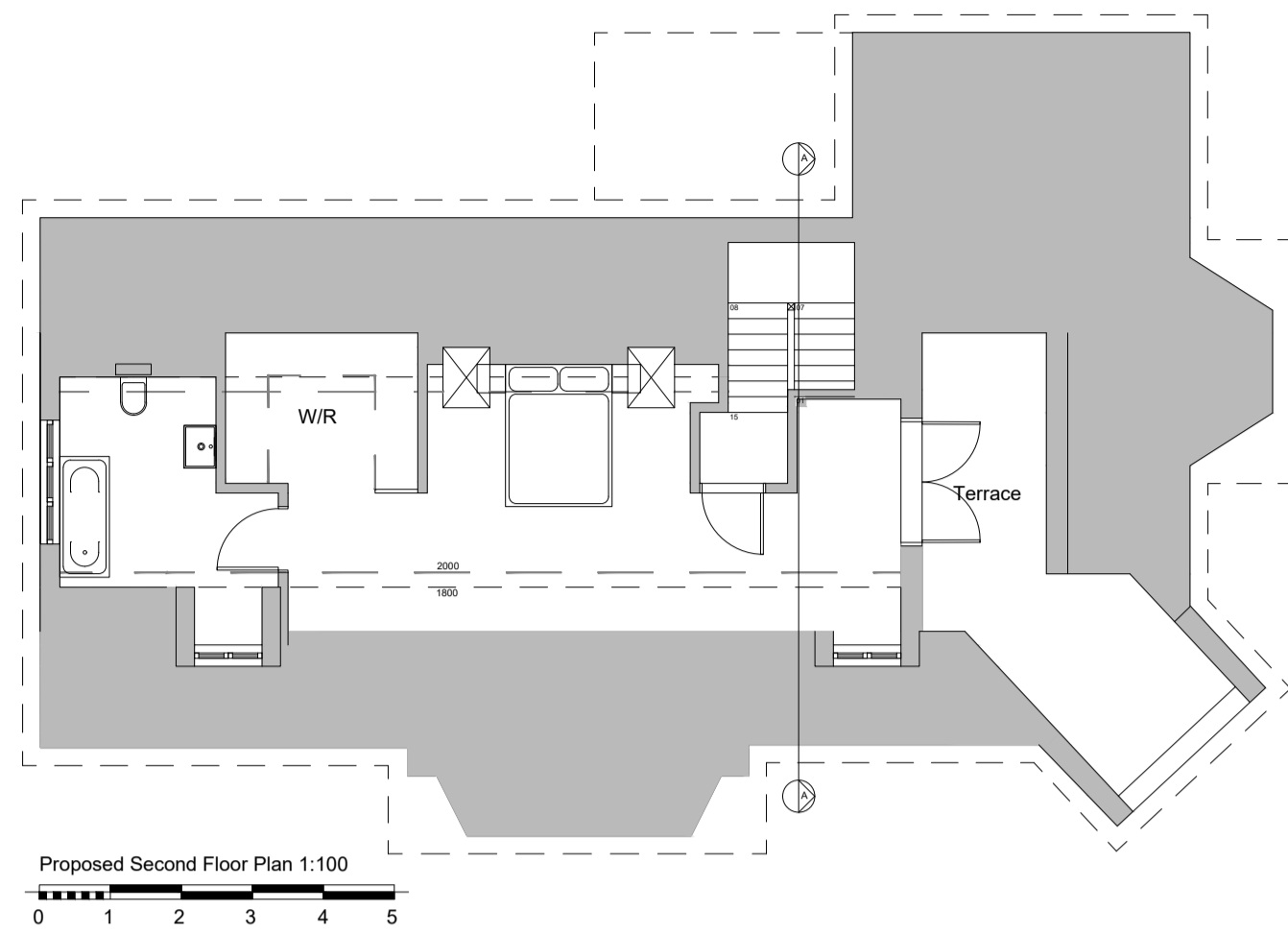
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1:100, 1:500, 1:1250 on A1

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**STATUS: AWAITING APPROVAL**

PROJECT STAGE: S1 - Preliminary	DRAWN BY: WRS	CHKD BY:
CLIENT: Mr. S Habermel	PROJECT: Leas Gardens	Postcode: SS0 9SZ
PROJECT NO: 353	PAGE NO: 353P02	REVISION:
DRAWING: Proposed	SCALE: 1:100, 1:500, 1:1250 on A1	

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