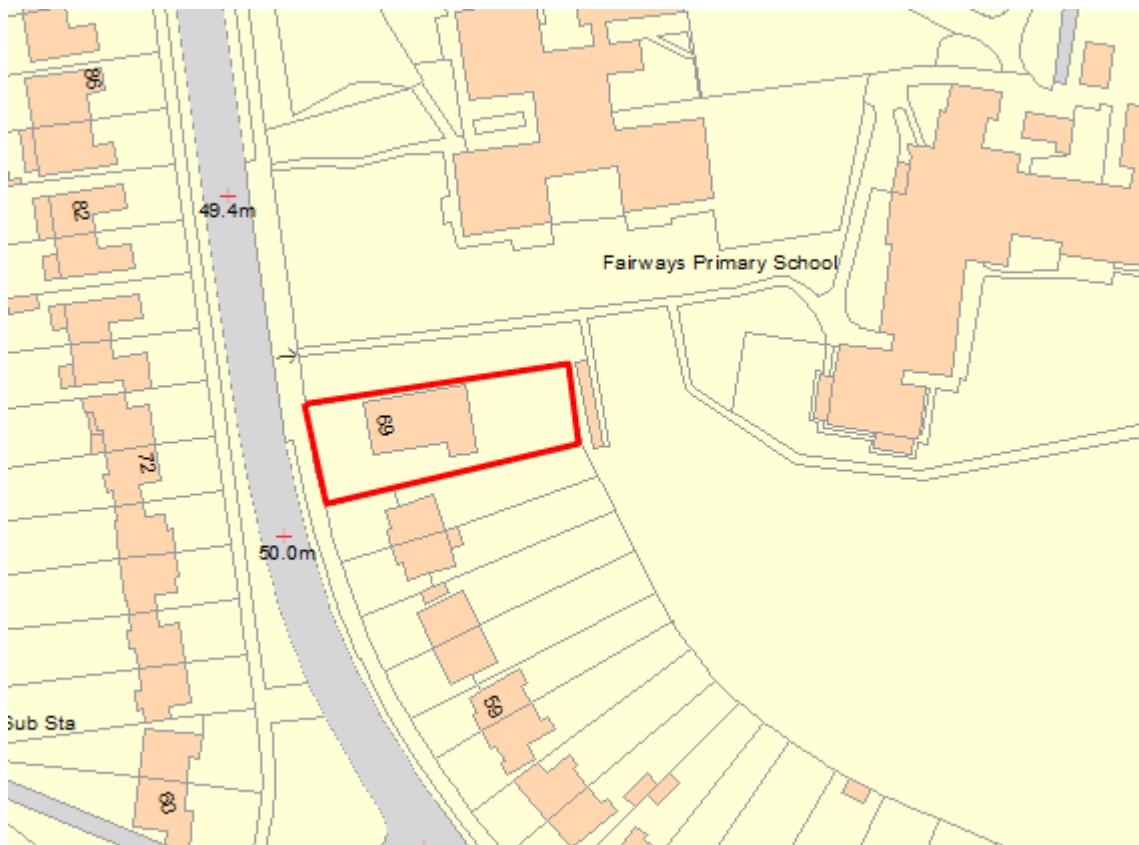


Reference:	17/00208/OUT	
Ward:	Belfairs	
Proposal:	Erect first floor extension to form two storey building, install dormer to side, alter elevations and convert building into four self contained flats (Outline)	
Address:	69 The Fairway, Leigh-On-Sea, Essex, SS9 4QW	
Applicant:	Regan Services Limited	
Agent:	Domino Sky Building Design Limited	
Consultation Expiry:	16/03/17	
Expiry Date:	13/04/17	
Case Officer:	Ian Harrison	
Plan Nos:	C-159-01	
Recommendation:	GRANT OUTLINE PLANNING PERMISSION	



1 The Proposal

- 1.1 The application seeks outline planning permission, with all matters reserved, for the extension and conversion of the existing building to form four self-contained flats. Notwithstanding the more detailed description that has been utilised by the Local Planning Authority, it is noted that as all matters are reserved, all that is able to be considered is the principle of the proposed development and the plans that have been submitted should be considered to be indicative.
- 1.2 The site currently contains a chalet-style two storey building that is used as a dwelling. The main part of the building measures 16.5 metres deep and 8.5 metres wide with a pitched roof built to a height of 6.5 metres. The building features single storey projections to the front, side and rear.
- 1.3 The application seeks permission to extend the building to create a total of three storeys of accommodation. The indicative plans show that the dwelling would be adapted to appear as a conventional two storey dwelling with rooms in the roof to create the third floor.
- 1.4 One of the proposed flats would have three bedrooms and the other three flats would have two bedrooms. The indicative plans show that the total floorspace of the building would be 336 square metres.
- 1.5 The land at the rear of the site would be used to provide an amenity area. A parking area for six cars is shown at the frontage of the site, with an access provided that would measure the full width of the site.

2 Site and Surroundings

- 2.1 The application site is located to the east of The Fairway to the south of the Fairways Primary School. The site measures 43 metres deep and 16 metres wide and contains a two storey building that is described above.
- 2.2 Other than the abovementioned school, the surrounding buildings are used for residential purposes and include dwellings of varied scale and architectural detailing, including two and three storey dwellings and bungalows. There does not appear to be any flats within the immediate vicinity of the site.

3 Planning Considerations

- 3.1 The key considerations are the principle of the development, design and impact on the character of the area, the amenities of existing and proposed residents and highway implications.

4 Appraisal

Principle of the Development

The National Planning Policy Framework, DPD1 (Core Strategy) policies KP2, CP1, CP2, CP4 and CP8; DPD2 (Development Management) policies DM1 and DM3.

- 4.1 Policy CP8 expects 80% of residential development to be provided on previously developed land. From this basis, it is considered that the principle of undertaking residential development at this site should be supported, subject to the following detailed considerations. This is especially the case given that one of the 12 core principles of sustainable development that are identified within the NPPF is to “promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas.”
- 4.2 Although the proposal relates to works of extension as well as the conversion of the existing building, it is considered relevant to note that policy DM3 states that *“The conversion of existing single dwellings into two or more dwellings will only be permitted where the proposed development:*

- (i) Does not adversely impact upon the living conditions and amenity of the intended occupants and neighbouring residents and uses; and*
- (ii) Will not harm the character and appearance of the existing building or wider area; and*
- (iii) Will not lead to a detrimental change of a street’s function; and*
- (iv) Meets the residential standards set out in DM8 and the vehicle parking standards set out in Policy DM15.”*

Policy DM3 also states that *“The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.”*

- 4.3 From this basis, subject to the detailed considerations that will be undertaken below or under the terms of reserved matters applications, it is considered that no objection should be raised to the principle of residential development and flats at this site.

Design and Impact on the Character of the Area:

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

- 4.4 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF as well as Policies DM1 and DM3 of the Development Management DPD and Policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide (SPD1) also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.5 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.

- 4.6 The NPPF states that *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*.
- 4.7 The application seeks outline permission with all matters reserved and as such the plans that have been submitted with regards to the scale, layout and appearance of the proposed development are indicative and should be considered under the terms of reserved matters applications. However, if it is overwhelming obvious that it would be entirely unfeasible or impossible to undertake a development in any form due to its visual impact, it is considered that it is most reasonable to establish this under the terms of an outline application.
- 4.8 The character of The Fairway is dominated by residential properties of varied scale and design. The dwelling that is indicatively shown on the submitted plans would be of a height and form that would not be materially at odds with the two storey dwellings to the south or west of the site. Therefore, it is considered that the broad principle of forming a two storey building with additional rooms in the roof, could be found acceptable under the terms of reserved matters application. The proposed development would not be so out-of-keeping with the character of the surrounding area that it would be reasonable to refuse an outline planning application where the matters of scale, layout and appearance are reserved. This should not be interpreted as support for the scale, layout or appearance of the development that is shown on the indicative plans, but as an acknowledgement that there is a chance that a development could be proposed in a visually acceptable manner.
- 4.9 Based on the indicatively submitted plans, it is considered that there would be a number of matters that will require further attention when an application for reserved matters is submitted. This will include the provision of replacement landscaping at the frontage of the site, the provision of suitable boundary enclosures and the detailing of the proposed building. It is also a concern that the resultant building would be of a bulky scale and appearance due to the depth of the dwelling and the proposal to substantially increase the height of the building. The dormer window is also an area of concern as this will potentially be unacceptable on visual grounds. However, whilst it is appropriate to flag these concerns to the applicant though the use of an informative, it is considered that the application for outline planning permission should not be refused on those grounds as these matters should be given full consideration under the terms of an application for Reserved Matters approval.

Traffic and Transport Issues

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

- 4.10 Policy DM15 states that each flat should be served by one parking space which would therefore require the total provision of at least four parking spaces at the site. This standard would be met by the proposed development which would be served by six parking spaces. In terms of parking space provision, the proposal shown on the submitted plans would accord with the abovementioned standards and as such no objection should be raised to the proposal on the grounds of parking provision.

- 4.11 Two existing access point exists at the frontage of the site and it is therefore considered that there is reasonable prospect that an application relating to the reserved matter of access will be acceptable. The indicative plans that have been submitted show that one dropped kerb would be provided for the full width of the site. This might not be desirable on highway safety grounds or visual grounds, but it is considered that there is scope to provide at least four parking spaces at the site, to accord with the parking requirements of the policy DM15, in a manner that could be found acceptable on highway safety grounds. As such it is considered that no objection should be raised to the outline application on those grounds.
- 4.12 Cycle parking at the site should be secured through the imposition of a condition.

Impact on Residential Amenity:

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

- 4.13 Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.” Noting that all matters are reserved, including the scale, layout and access, it is considered that the ability to consider the impact on neighbouring residents is limited and, as set out above, it should be noted that the submitted plans must be considered as indicative proposals.
- 4.14 The neighbouring property to the south is a two storey residential dwelling. That property is positioned 8 metres to the south of the main part of the existing building at the site and 3 metres from the shared boundary. The neighbouring property has two windows and a door in the side elevation which appear to serve non-habitable rooms or act as secondary windows. In this instance it is considered that the separation distance between properties and the orientation of the neighbouring dwelling means that there is reasonable potential to undertake the development that is indicatively shown without causing material harm to the amenities of neighbouring residents. As above, this should not be interpreted as a determination that the proposal shown is acceptable, but that there is a reasonable prospect that a development could be undertaken without causing material harm to residential amenity.
- 4.15 The neighbouring properties to the east and west are sufficient distance from the existing building to make it reasonably likely that a development at the site would not cause harm to the amenities of neighbouring properties in those directions. Moreover, as the property to the north of the site is used as a school, there are no residential properties which would have their amenities affected by development at this site.

Living Conditions for Future Occupiers

National Planning Policy Framework 2012, Technical Housing Standards 2015, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management) Policies DM and DM8 and SPD1

4.16 Paragraph 17 of the NPPF states that “*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:

- Minimum property size for a 1 bedroom (2 bed space) flat shall be 50 square metres.
- Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m ; and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

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

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

- 4.17 The submitted indicative plans would comply with the abovementioned standards except for flat 2 which would be too small to be used as a two bedroom three person flat as is indicated by the bedroom sizes. However, there would be options to re-configure this flat or reduce the number of bedrooms to enable the flat to meet with the Technical Housing Standards. This matter would be fully assessed under the terms of the reserved matter of 'layout' and therefore this application for outline planning permission should not be refused on that ground.
- 4.18 An area of amenity space exists at the rear of the site, measuring approximately 240 square metres, which would be able to serve the proposed flats. Although not detailed at this stage, it is considered that there is scope for adequate communal amenity space to be provided to serve the proposed flats.
- 4.19 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. If approved, an informative should be approved to highlight that it would be necessary to comply with these requirements.

Community Infrastructure Levy

- 4.20 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. As the application is in outline, the level of contribution cannot be clarified with certainty at this stage, however it would be appropriate to use an informative to highlight that the proposed development would be CIL liable.

5 Conclusion

- 5.1 There is no objection to the principle of the proposed development as it is considered that the intensification of the residential use of the site accords with the general content of policy CP8.
- 5.2 The matters of scale, layout, appearance, access and landscaping have been reserved and therefore the development that is shown on the submitted plans must be considered as an indicative proposal only. For the reasons set out above, it is considered that there is a reasonable prospect that a reserved matters application could accord with the content of the development plan and therefore no objection should be raised to the outline application on any of those grounds.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework.
- 6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), and CP8 (Dwelling Provision).

- 6.3 Supplementary Planning Document 1: Design & Townscape Guide (2009)
- 6.4 Development Management DPD policies DM1 (Design Quality) DM3 (The Efficient and Effective Use of Land) DM8 (Residential Standards) and DM15 (Sustainable Transport Management).
- 6.5 CIL Charging Schedule
- 6.6 Technical Housing Standards Transitional Policy Statement (October 2015)

7 Representation Summary

Highway Authority

- 7.1 No comments received.

Design and Regeneration

- 7.2 No comments received.

Public Consultation

- 7.3 6 neighbouring properties were notified of the application and a site notice was posted at the site. No letters of objection have been received.

8 Relevant Planning History

- 8.1 Application 05/00644/FUL approved a single storey rear extension and a garage at the site.
- 8.2 A bay window was approved under the terms of application 97/0326
- 8.3 A single storey rear extension was approved under the terms of application 99/01236/FUL.

9 Recommendation

- 9.1 **It is recommended that outline planning permission is GRANTED subject to the following conditions:**

01. Details of the appearance, layout, scale, detailed design, landscaping, access (hereinafter called the "Reserved Matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matter to be approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is

for outline planning permission only and the particulars submitted are insufficient for consideration of details mentioned.

02. Details of waste and cycle storage shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The waste and cycle storage shall be implemented in accordance with the approved details and shall be retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided to promote sustainable transport and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policies KP2, CP3 and CP4, Development Management DPD policies DM1 and DM15, and SPD1 (Design and Townscape Guide).

03. A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted concurrently with the Reserved Matters application and implemented in full in accordance with the approved details prior to the first occupation of the flats. 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, the Design and Townscape Guide (SPD1) and Development Management Document Policy DM2.

04. Details of the provision of not less than four parking spaces shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall be implemented in accordance with the approved details and retained in perpetuity thereafter.

Reason: To ensure that satisfactory off-street parking is provided in accordance with DPD1 (Core Strategy) 2007 policies KP2, CP3 and CP4, Development Management DPD policies DM1, DM3 and DM15, and SPD1 (Design and Townscape Guide).

05. 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 and agreed in writing by the Local Planning Authority prior to commencement of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development

Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

06. Details of the external materials to be used in the construction of the development hereby approved shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall only be implemented in accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.

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

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 outline 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. Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at www.southend.gov.uk/cil
2. Please note that the development would be expected to comply with Part M4(2) of the Building Regulations unless it can be demonstrated that it would be unfeasible or unviable to do so.
3. Please also note that the permission hereby granted should not be taken as any form of support for the layout, scale or appearance of the proposed development, the access to the site or the landscaping of the site.

Please note that the details of the proposals indicatively shown on the submitted plans are unlikely to be found acceptable in the following regards:

- The provision of a single, wide vehicle crossover is unlikely to be found acceptable on visual grounds or on highway safety grounds. It is recommended that the parking be split into two pairs of two parking spaces each served by an access.
- A verge, landscaping and replacement tree should be provided within the site between the two pairs of parking spaces that are recommended above.

- **Concerns are also likely to be raised with respect to the scale and massing of the resultant building, particularly due to its depth and three storey height. The design of the side dormer, which would be prominently visible from the frontage of the site is also likely to be an area of concern.**