

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



## **1 The Proposal**

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

## **2 Site and Surroundings**

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

## **3 Planning Considerations**

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

## **4 Appraisal**

### **Principle of Development**

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

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

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

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

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

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

## **Residential Amenity**

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

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

## **Community Infrastructure Levy**

- 4.13 The development is not CIL liable.

## **5 Planning Policy Summary**

### **5.1 National Planning Policy Framework**

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

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

**5.4** SPD1 Design & Townscape Guide 2009

**5.5** Community Infrastructure Levy Charging Schedule

## **6 Representation Summary**

### **6.1 Public Consultation**

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

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

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

## **7 Relevant Planning History**

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

## **8 Recommendation**

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

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

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

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

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

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

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

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

#### **Informative**

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