

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



## 1 The Proposal

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

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

## **2 Site and Surroundings**

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

## **3 Planning Considerations**

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

## **4 Appraisal**

### **Principle of Development**

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

- 4.1 This proposal is considered in the context of the National Planning Policy Framework 2012 and Core Strategy Policies KP2 and CP4. Also of relevance is Development Management DPD Policy DM1 which relates to design quality. These policies and guidance support extensions to properties in most cases but require that such alterations and extensions respect the existing character and appearance of the building. Subject to detailed considerations, the proposed extension to the dwelling is considered to be acceptable in principle.
- 4.2 Policy DM3 states that:

*“The conversion or redevelopment of single storey dwellings (bungalows) will generally be resisted. Exceptions will be considered where the proposal:*

  - (i) Does not create an unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and*
  - (ii) Will not result in a net loss of housing accommodation suitable for the needs of Southend’s older residents having regard to the Lifetime Homes Standards.”*
- 4.3 Since the adoption of the abovementioned policy, Lifetime Homes Standards have been replaced through the modification of Part M of the Building Regulations. The applicant has submitted a statement to demonstrate that the dwelling would comply with Part M(2) of the Building Regulations and therefore, subject to the imposition of an appropriate condition to ensure compliance, it is considered that the proposed development should be found to be in accordance with criteria 2 of the above policy extract.
- 4.4 The impact on the streetscene in respect of point (i) above is fully considered in the section below. However, the surrounding area features a mixture of bungalows and two storey dwellings and therefore a two storey dwelling would not be at odds with the general character of Woodside in principle.

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

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

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

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

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

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

## **Impact on Residential Amenity:**

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

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

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

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

### **Community Infrastructure Levy**

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

## **5 Conclusion**

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

## **6 Planning Policy Summary**

- 6.1 National Planning Policy Framework

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

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

Design and Townscape Guide SPD (adopted December 2009)

Community Infrastructure Levy Charging Schedule.

## **7 Representation Summary**

### **Public Consultation**

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

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

## **8 Relevant Planning History**

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

## **9 Recommendation**

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

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

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

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

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

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

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

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



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

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

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

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

#### **Informative**

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