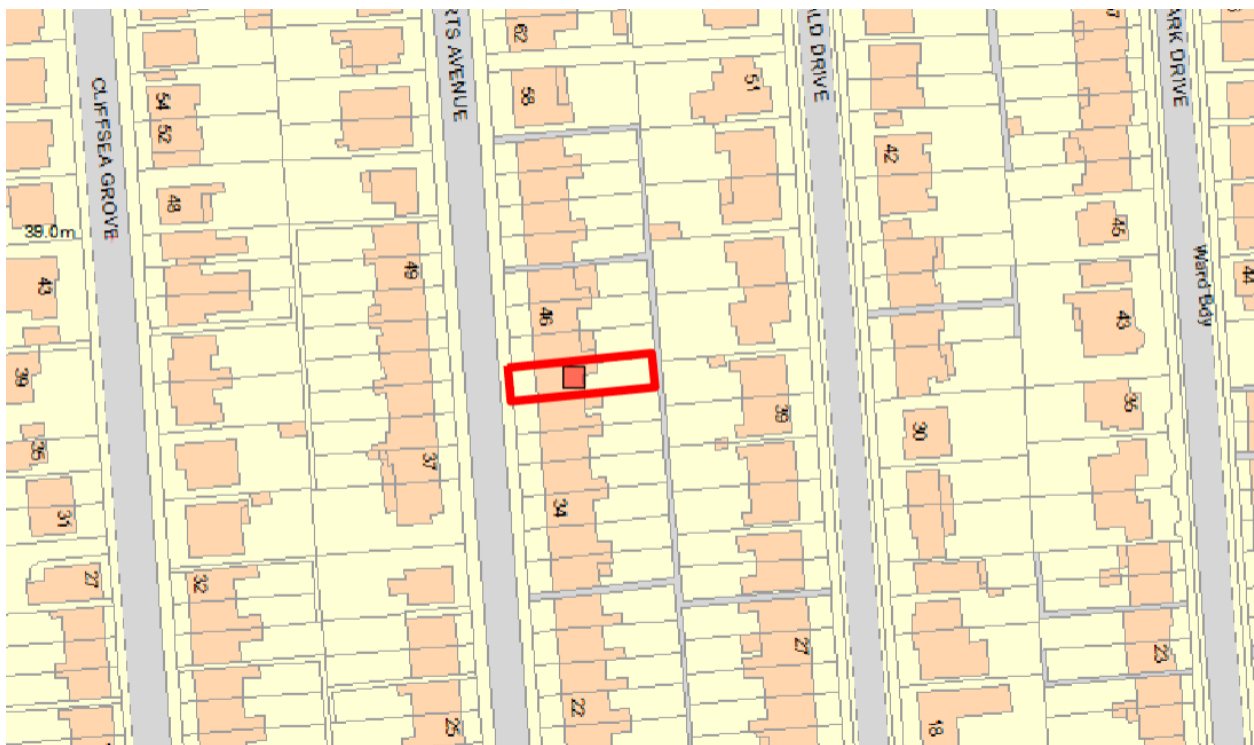


Reference:	17/00969/FUL	
Ward:	Leigh	
Proposal:	Erect dormer to rear and first floor rear extension	
Address:	42A Lord Roberts Avenue Leigh-On-Sea Essex SS9 1NE	
Applicant:	Mr J Beuvink	
Agent:		
Consultation Expiry:	25 July 2017	
Expiry Date:	1 August 2017	
Case Officer:	Robert Lilburn	
Plan Nos:	01,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



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 100m². 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 for further details about CIL.