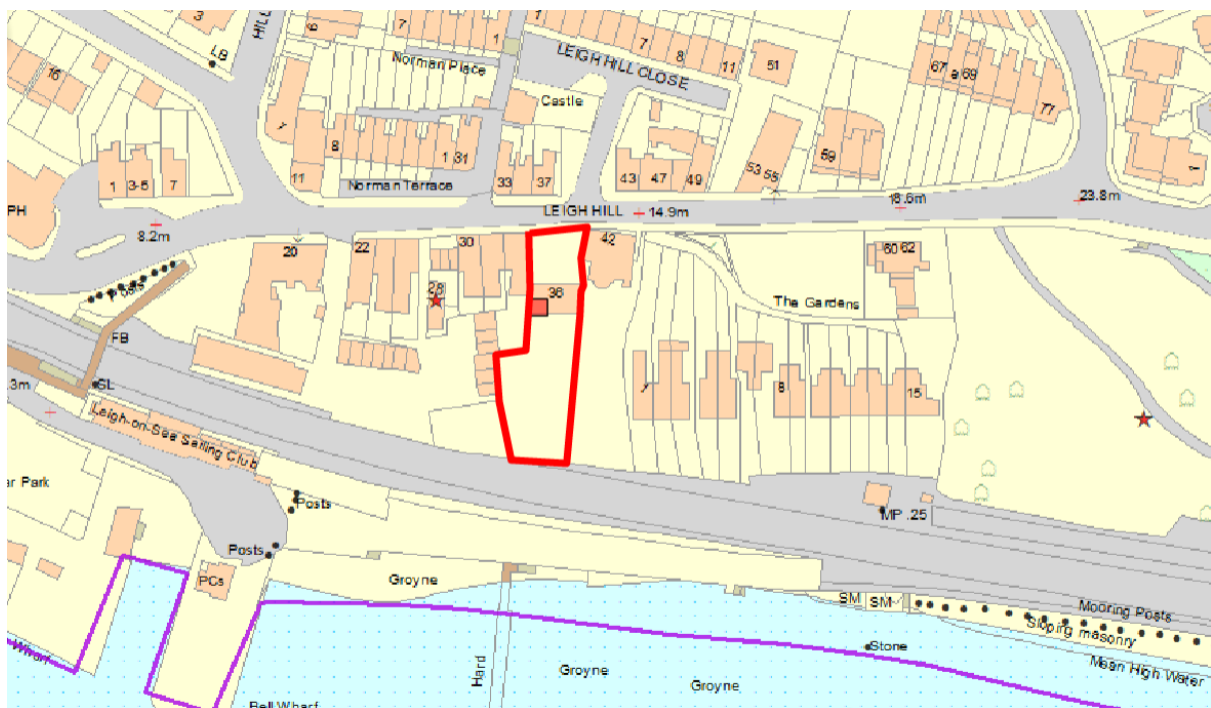


Reference:	17/02092/FULH	
Ward:	Leigh	
Proposal:	Raise roof height to form habitable accommodation in the roof, install dormer with balcony to rear and alter elevations	
Address:	36 Leigh Hill, Leigh-On-Sea, Essex, SS9 2DN	
Applicant:	Mr and Mrs Osborne	
Agent:	T C Matthew Chartered Architects	
Consultation Expiry:	11 th January 2018	
Expiry Date:	12 th February 2018	
Case Officer:	Abbie Greenwood	
Plan Nos:	17028_X_010, 17028_P_010, 17028_SBP_010	
Recommendation:	REFUSE PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to raise the ridge height of the dwelling by 1m from 8.3m-8.9m, increase the pitch of the roof from 37 degrees to 50 degrees forming a flat top and erect a triangular shaped dormer to the rear measuring 4.8m wide x 2.9m high x 1.7m deep. The proposed dormer has an inset balcony which is 0.7m deep. The proposal also includes the insertion of a single rooflight to the front.
- 1.2 The proposed roof alterations and additions will use plain clay tiles to match existing and the windows will be white frames with clear glazing to match the existing.
- 1.3 It is noted that this proposal is the same design as that submitted for pre application advice in May 2017 (reference 17/00525/PREAPF).

2 Site and Surroundings

- 2.1 The site is located within the Leigh Conservation Area on the lower section of Leigh Hill. The property is a two storey detached house with a hipped roof, which is set back from the existing building line with a parking area to the front. Adjacent to the east is 42 Leigh Hill a Grade II listed building. To the west is a terrace of former commercial properties which have recently been converted to houses. These conversions include dormers to the rear roofslopes (14/00974/FUL).
- 2.2 The buildings in this area are mixed designs but this variety adds to the streetscene and showcases its development over the centuries. The buildings step down the slope following the line of the cliff and this is an important part of the character of the street. The rear of the properties on the south side of Leigh Hill overlook the estuary and are prominent from the Cinder Path public footpath. The recessed building line of the application property means that it is more prominent from the Cinder Path than its immediate neighbours. The site is also very visible from Leigh Hill Close to the north which rises up with clear views of the roof. The property can also be seen from higher up Leigh Hill to the east where it projects in front of the neighbouring property.
- 2.3 The site falls within Development Management Policy DM6 (The Seafront) Character Zone 3.
- 2.4 This application was called to Committee by Cllr Wexham.

3 Planning Considerations

- 3.1 The main considerations are in relation to this application are the principle of development, design and impact on the character of the Leigh Conservation Area including the setting of the adjacent listed building and impact on residential amenity. The planning history is also a material consideration. It is not considered that there are any transportation or highways issues arising from this proposal.

4 Appraisal

Principle of Development

National Planning Policy Framework (2012); Core Strategy (2007) policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM5, DM6 and DM15 and the Southend Design and Townscape Guide (2009)

- 4.1 This proposal is considered in the context of the above policies relating to design, heritage and protection of amenity. 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, the wider conservation area and the amenities of neighbours. The principle of extensions to the dwelling is therefore acceptable subject to the detailed considerations below.

Design and impact on the character of the conservation area and adjacent listed building

National Planning Policy Framework (2012); Core Strategy (2007) policies KP2 and CP4; Development Management Document (2015) policies DM1, DM3, DM5 and DM6 and the Southend Design and Townscape Guide (2009).

- 4.2 National Planning Policy Framework (NPPF) states *“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”*.
- 4.3 Policy KP2 of the Core Strategy advocates the need for all new development to respect the character and scale of the existing neighbourhood where appropriate and secure urban improvements through quality design. Policy CP4 of the Core Strategy states that development proposals will be expected to contribute to the creation of a high quality, sustainable, urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.
- 4.4 Policy DM1 of the Development Management Document advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 4.5 Policy DM5 requires all development to assess the impact of the proposal on the character and appearance of the Conservation Area. Local authorities also have a statutory duty under the Planning (Listed Building and Conservation Area) Act 1990 to ensure that new development and alterations to existing buildings preserve and enhance the character of its conservation areas.

4.6 Policy DM6 states 'All development within the Seafront Area must accord with the development principles set out in Policy Table 1.' Policy Table 1 defines the key aspects of the seafront character zones. In relation to development on Leigh Hill the policy table states 'Development will be considered acceptable where it adds to the overall quality of Undercliff Gardens, Grand Parade, Cliff Parade, The Gardens, Leigh Hill and The Ridgeway, and where it retains the characteristics and form of the area. Development that materially changes the existing character, appearance and form of the area will be resisted.'

4.7 Paragraph 366 of the Design and Townscape Guide states:

"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. 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. (Note: one central dormer may also be an appropriate alternative.) 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. 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 The site has extensive history in relation to proposals to create roof accommodation. A number of proposals which have significantly increased the height or scale of the roof or resulted in over scaled dormers have been refused. The most recent application, however, which sought to raise the ridge of the existing hipped roof from 8.3m to 8.9m and erect a modest rear dormer with integral balcony to the rear roof slope (reference 15/01417/FULH) was approved on 11th November 2015 and remains extant. The current proposal seeks to provide a larger amount of accommodation within the roof space than the previously approved proposal.

4.9 The current application is seeking to raise the ridge by the same amount as the previously approved scheme but is also significantly sharpening the pitch of the roof from 37 degrees to 50 degrees, creating a mansard type shape with a flat top. Whilst a modest increase in height may be accepted in principle, as demonstrated by the previous approval, it is considered that the increase in height together with the proposal to change the pitch of the roof would have a fundamental and detrimental impact on its shape making it appear very bulky and of a scale and form which would have a poor relationship with the existing building. This is exacerbated by the scale of the dormer proposed. It is also considered that the proposed development would be detrimental to the character of the wider conservation area, including the setting of the adjacent listed building, which is characterised by well-proportioned traditionally shaped hipped or gabled roofs. This property is in a very exposed position and the proposed development would be apparent from many viewpoints, including the Cinder Path, wider views from Leigh Hill to the east and from Leigh Hill Close to the north.

The shape of the roof (sharp pitch and flat top) and resultant bulk is therefore considered to be unacceptable and contrary to the policies noted above.

- 4.10 Notwithstanding the concern with the roof shape and overall form and bulk of the development there is no objection in principle to a smaller triangular dormer with inset balcony to the rear.
- 4.11 It should be noted that this conclusion is consistent with the advice given at pre application stage.

Traffic and Transportation

National Planning Policy Framework (2012); Core Strategy (2007) policies KP2, CP3 and CP4; Development Management Document (2015) policy DM15, and the Design and Townscape Guide (2009).

- 4.12 As noted above It is not considered that the proposed roof accommodation will have any parking implications.

Impact on residential amenity

National Planning Policy Framework (2012); Core Strategy (2007) policies KP2 and CP4; Development Management Document (2015) policies DM1 and DM3 and the Southend Design and Townscape Guide (2009).

- 4.13 It is noted that dwelling is set back from the highway and is sited to the rear of the neighbours immediately to the east and west, resulting in the majority of the dwelling being located beyond the rear elevation of both neighbouring properties. The land also falls away steeply from Leigh Hill towards the estuary. As a result the existing dwelling is particularly prominent when viewed from the rear of the adjacent dwellings and within their respective gardens.
- 4.14 With regard to overlooking it is considered that the outlook from the proposed dormer and inset balcony would not be materially different in terms of overlooking than the outlook from the existing first floor rear windows and balcony.
- 4.15 With respect to the increase in scale of the roof, it is noted that the hip to gable conversion (reference 15/00412/FULH), which had also included raising the ridge by 1.1m, was considered to result in an overbearing impact and unneighbourly relationship with the properties to the east and west. In this case it was the combination of the location of the building to the south of the neighbouring properties and the larger roof scale which was considered to have a detrimental impact. It is also noted that an increase of 0.6m in height above the existing hipped roof proposed in the most recent application (reference 15/01417/FULH) was considered to have an acceptable impact on the neighbours.
- 4.16 The current scheme also proposes to raise the ridge by 0.6m but also includes a significant increase in the roof angle which would make the roof a more bulky form. However, the impact on the neighbours is less and on balance, given that the form of the roof is not so wide, it is considered that the proposal would not have a materially worse impact on the neighbours in terms of outlook than the previously approved scheme.

- 4.17 Whilst the increase in bulk of the roof will have some impact on light to each of the neighbouring properties, this is considered minimal given the scale and siting of the existing building. It must also be noted that the orientation of the rear of these properties is to the south which provides the maximum exposure to daylight and direct sunlight. Therefore, on balance, it is not considered the proposal will detrimentally alter the availability of daylight and sunlight to these properties
- 4.18 Overall therefore it is considered that the proposal would, on balance, have an acceptable impact on the amenities of the adjoining properties.

CIL

- 4.19 The proposed extension to the existing property equates to less than 100sqm of new floor space, the development therefore benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

Conclusion

- 4.20 The proposed development, by reason of the poor design and form of the roof, would result in a dominant and visually obtrusive addition to the property and would not preserve the character of the Leigh Conservation Area and the setting of the adjacent listed building. The proposal is therefore contrary to the National Planning Policy Framework (2012), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3, DM5 and DM6 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009) and Leigh Conservation Area Appraisal (2010).

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (2012)
- 5.2 Core Strategy Policies KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (The Environment and Urban Renaissance)
- 5.3 Development Management Document (2015) policies DM1 (Design Quality), DM3 (Efficient and effective use of land), DM5 (Southend-on-Sea's Historic Environment), DM6 (The Seafront) and DM15 (Sustainable Transport Management)
- 5.4 Leigh Conservation Area Appraisal (2010)
- 5.5 Southend Design & Townscape Guide (2009)

6 Representation Summary

Leigh on Sea Town Council

- 6.1 The proposed development is in the Conservation Area and by reason of its design, height and bulk will appear as an overly dominant and incongruous addition that is out of keeping and detrimental to the character and appearance of the host property, the street scene and the area more widely. It is therefore contrary to both the Core Strategy and Development Management policies.

Leigh Society

- 6.2 No comments received.

Public Consultation

- 6.3 A site notice was displayed on the 21.12.2017 and 7 neighbours were notified of the proposal. Two letters of representation have been received objecting to the proposal, which are summarised as follows:

- The proposed roof form is over dominant of and in relation to the neighbours
- The proposal will overshadow the neighbours
- The proposal is out of character with the streetscene and adjacent listed building
- The proposal will cause further overlooking of the neighbours
- The proposal would constitute an overdevelopment of the site
- The construction of the proposal would cause disturbance to the neighbours

[Officer Comment: These issues are discussed in detail above. In relation to construction noise, if the proposal were to be considered acceptable, a condition could be imposed to restrict hours of construction.]

- 6.4 This application was called to Committee by Cllr Wexham.

7 Relevant Planning History

- 7.1 Increase ridge height of hip roof, erect dormer to rear with recessed balcony (Amended Proposal) - approved (15/01417/FULH)
- 7.2 Increase ridge height, hipped to gable roof, erect dormer to rear with recessed balcony (Amended Proposal) - refused (15/00412/FULH)
- 7.3 Planning permission refused to erect front and rear dormers with balcony to rear (14/01437/FULH). Appeal dismissed (Feb 2015).
- 7.4 Install stainless steel and glass balustrading to rear terrace areas (Minor Material Amendment to planning application 12/00006/FULH) - Granted (12/00979/AMDT).
- 7.5 Form pitched roof over garage- Granted (12/00658/FULH).

- 7.6 Replace existing windows with new to match existing style and colour, and provide new 2 storey rear extension (Basement & Ground Floor) with new Terrace areas- Granted (12/00006/FULH).
- 7.7 Demolish garage- Granted (92/0821).

8 Recommendation

REFUSE PLANNING PERMISSION for the following reasons:

- 1 The proposal, by reason of the appearance, design, scale, form and bulk of the roof, would result in an incongruous and unsympathetic addition that does not relate satisfactorily to the existing dwelling, the character and appearance of the wider Leigh Conservation Area or the setting of the adjacent statutory listed building. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2012), policies KP2 and CP4 of the Core Strategy (2007), policies DM1, DM3, DM5 and DM6 of the Development Management Document (2015) and advice contained within the adopted Design and Townscape Guide (2009) and the Leigh Conservation Area Appraisal (2010).**

Informatives

01 You are advised that as the proposed development equates to less than 100 sqm of additional floorspace so 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.

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.