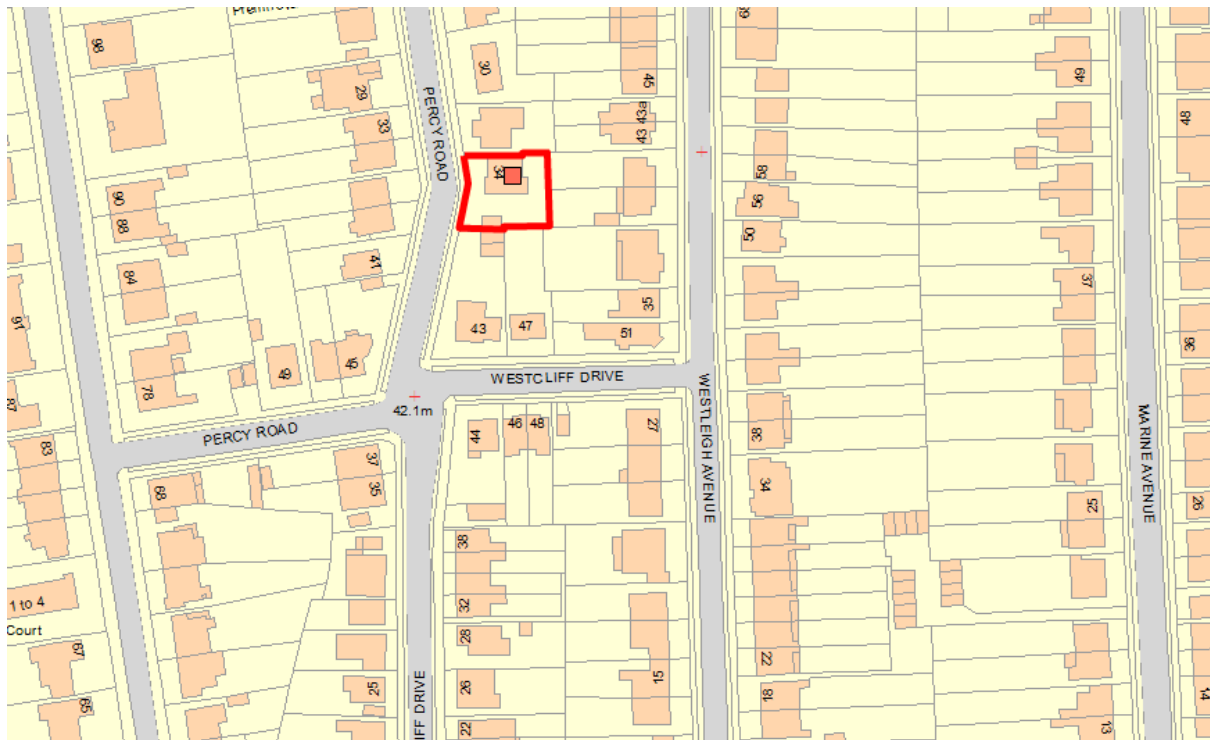


Reference:	17/02115/FULH	
Ward:	West Leigh	
Proposal:	Erect single storey side and rear extensions, raise and alter roof height, install gables to front and rear, dormer to rear, rooflight to front and side and alter elevations	
Address:	34 Percy Road, Leigh-On-Sea, Essex, SS9 2LA	
Applicant:	Mrs H Collins	
Agent:	Knight Gratrix Architects	
Consultation Expiry:	26.01.2018	
Expiry Date:	08.02.2018	
Case Officer:	Janine Rowley	
Plan Nos:	030; 031A; 032	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought erect a single storey side and single storey rear extensions, raise and alter the building's roof height, install gables to the front and rear, a dormer to the rear, rooflights to the front and side and alter the elevations of the property.
- 1.2 The existing dwelling is 6.4m high x 9.2m wide x 7.9m to 10.4m deep and single storey.
- 1.3 The proposal seeks to raise the ridge height to 6.9m rising to 8.1m to the top of the gable roof to the south. The increased ridge height will facilitate a chalet bungalow 14m wide x 10.3m deep. The overall design is contemporary with a gable roof form. Two off street parking spaces are provided to the site and amenity space of 107sqm. The internal floorspace of the dwelling is 233.9sqm.
- 1.4 The accommodation will include a sitting room/study, living room, dining room and kitchen area to the ground floor. The first floor will include four double bedrooms with associated bathrooms.
- 1.5 This application has been submitted following the refusal of application 17/01041/FUL, which sought planning permission to demolish the existing bungalow and erect a detached bungalow with a roof extension to the front and sides. The application was refused for the following reasons:
 1. *"The proposed development would, by reason of its scale, size bulk, mass, detailed design and use of materials appear incongruous and out of keeping within the streetscene to the detriment of the character, appearance of the site and area more widely. 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 advice contained within the Southend-on-Sea Design and Townscape Guide (2009)".*
- 1.6 The main changes from the previously refused application are that the proposal seeks to erect various extensions to the existing bungalow rather than demolishing it and redeveloping the site.
 - The main roof height has decreased from 7.8m to 6.9m (rises to 8.1m to the top of the gable roof to the south);
 - Width increased from 13.1m to 14m;
 - Depth of the existing dwelling is 7.9m to 10m and this amended proposal seeks to increase the depth to between 10m to 10.3m.
 - Gable roof design rather than a hipped roof.

1.7 There is an extensive history on this site and also of relevance is application 16/00467/FUL, which sought planning permission to erect a pair of semi-detached dwellinghouses. That application was refused for the following reasons:

1. *“The proposed development by reason of its scale, bulk, mass, detailed design and materials would appear incongruous and out of keeping within the streetscene to the detriment of the appearance and character and appearance of the area contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Core Strategy; Policy DM1 of the Development Management Document DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1)”.*

2. *“The proposed development due to its height and position in relation to neighbouring properties nos. 39 and 41 Westleigh Avenue would result in an overbearing dominant form contrary to the National Planning Policy Framework, Policy CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide”.*

1.8 The appeal following the above application was subsequently dismissed (reference: 3153696) and will be discussed in further within the Appraisal section of this report in relation to aspects of relevance to this current application. The main conclusions of the appeal Inspector were that:

- The appeal buildings would appear unduly bulky and prominent within the streetscene and would as a result harm the character and appearance of the area.
- The appeal buildings would not be likely to present an overbearing form of development to existing properties in Westleigh Avenue or affect living conditions.

2 Site and Surroundings

2.1 This single storey bungalow is located on the eastern side of Percy Road. The streetscene is mixed, consisting of bungalows, chalets and two storey semi-detached houses of various designs. To the north of the site is a relatively modern chalet type dwellinghouse. The south of the site adjoins the rear gardens of properties in Westcliff Drive. Opposite the site are a number of larger, semi-detached houses. It is noted that there are a few other bungalows in the street interspersed between the two storey properties.

3 Planning Considerations

3.1 The main considerations are the principle of the development, design and impact on character of the area, traffic and transportation issues and impact on residential amenity and sustainable construction, CIL and whether the proposal has overcome the previous reasons for refusal of application 17/01041/FUL, and the objections previously raised by the Inspector when determining the appeal against refusal of 16/00467/FUL.

4 Appraisal

Principle of Development

National Planning Policy Framework, Core Strategy (2007) Policies KP1, KP2 and CP4 Development Management Document (2015) policies DM1 and DM3

- 4.1 This proposal is considered in the context of the Borough Council policies relating to new development and design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy Policies KP2, CP4 and CP8. The core planning principles of the National Planning Policy Framework state the need to:

“Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”

- 4.2 Policy DM3 (4) of the Development Management Document quotes 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 The existing site is occupied by a small bungalow located on the east side of Percy Road. The streetscene is characterised by predominantly two storey properties and chalet bungalows. It is not considered that an enlarged chalet bungalow would appear at odds with the established character of the area in principle.
- 4.4 The applicant has submitted information on drawing 031 demonstrating that the proposal will provide appropriately for the needs of older residents. The submitted information shows the proposal would meet the M4 (2) standard, which replaced the Lifetime Homes Standard. The proposal therefore satisfies Policy DM3 4 (ii) of the Development Management Document.

Design and Impact on the Street Scene

National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the Design and Townscape Guide (2009)

- 4.5 The National Planning Policy Framework requires new development to reinforce local distinctiveness. Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect and complement the character of the local area.

- 4.6 The existing property is a two bedroom single storey bungalow measuring 9.2m wide x 7.9m-10.4m deep x 6.4m high, with a pitched roof. A single storey garage is located to the southern boundary of the site and the existing property has an amenity area of 161sqm.
- 4.7 The proposed extensions would create a development 14m wide x 10.3m deep x 6.9m high (rises to 8.1m to the top of the gable roof to the south). The design of the extended dwelling is a chalet style.
- 4.8 In relation to the height of the development, the roofline of the extended dwelling is set in line with the property to the immediate north of the site with the exception of the southern gable that is set higher due to the ground levels sloping away and the pitch. It is not considered that the height would appear out of keeping with the streetscene particularly taking into account the site levels, and streetscene which is characterised by two storey properties. In relation to the width, previously under application 17/01041/FUL, this was proposed at 13m including a large asymmetrical shaped roof which compounded the scale and bulk. The width now proposed is 14m but the proposal is set in line with existing properties to the north of the site and comprises a simple contemporary gable roof forms and fenestration. No objection is raised to this architectural approach. The proposed projecting front gables represent a distinctive contemporary interpretation of the gabled roof form characteristic of the area. It is not considered that this feature would materially harm the streetscene. It is therefore considered that the development would draw satisfactory reference from the neighbouring dwellings and would not be detrimental to the character of the wider area. The materials include render to the main elevations and clay roof tiles to match the existing character of the streetscene. This can be controlled by condition.
- 4.9 In light of the above, the proposed the development by reason of its design, scale, roof form and materials is considered to comply with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy and Policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide. The proposal has therefore addressed reason 01 of application 17/01041/FUL and 01 of 16/00467/FUL.

Living Conditions for Future Occupiers

National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1, DM3, DM8, The National Technical Housing Standards (2015) and Design and Townscape Guide (2009)

- 4.10 The total internal floorspace of the extended dwelling is 233.9sqm. This complies with current policy, which requires a minimum of 130sqm for 4 bedrooms (8 people). All rooms benefit from sufficient outlook and daylight, which is welcomed.
- 4.11 Part M4(2) of the Building Regulations adopted by the National Technical Housing Standards 2015 covers accessible and adaptable dwellings. Drawing 031 has been provided demonstrating the proposal will meet this standard.

- 4.12 Policy DM8 of the Development Management Document states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers.
- 4.13 The existing 2 bedroom bungalow has an amenity area to the east and south equating to 161sqm. The proposed 4 bedroom dwelling will have access to 107sqm, which has increased from the previously refused application 17/01041/FUL and is considered useable and sufficient for future occupiers.
- 4.14 The living conditions for future occupiers are therefore found to be acceptable and policy compliant.

Traffic and Transportation

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

- 4.15 The proposed development will provide two spaces for the dwelling complying with Policy DM15 of the Development Management Document and no objections have been raised by the Councils Highway Officer. The proposal is found to be acceptable on parking and highway grounds and therefore policy compliant.

Impact on residential amenity

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

- 4.16 Policy DM1 of the Development Management Document states that any new 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. Paragraph 343 of the Design and Townscape Guide (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.
- 4.17 The extended dwelling will be set 3.3m away from the southern boundary and a further 18m-21m from the rear elevations of numbers 43 and 47 Westcliff Drive, which is sufficient to mitigate against any harm in terms of being overbearing, or loss of light or outlook or invasion of privacy.

- 4.18 In relation to impact on the amenities of No. 32 to the north of the site, the existing property is set on the boundary abutting no. 32 and there is 0.6m to the flank elevation. There are currently no windows to the flank elevation other than a door to the ground floor. The proposal seeks to extend the rear wall adjacent to no. 32 by 1.3m at single storey level. Taking into account the extension has a flat roof adjacent to no. 32 and the overall modest size of the structure no objection is raised in terms of loss of light and being an overbearing form of development. No flank windows are proposed at first floor level to the northern elevation and the development will therefore not result in overlooking or loss of privacy. Furthermore, given the first floor extensions will not project beyond the rear wall of the existing property it is not considered the proposal would be overbearing nor result in undue sense of enclosure to number 32. A comparable is achieved with number 36 south of the site subject to obscured glazing of a proposed roof light which can be secured by condition.
- 4.19 The overall height of the development is 6.9m rising to rising to 8.1m to the top of the gable roof. The development will be set 4.4m to 6.7m away from the rear boundaries of 39 and 41 Westleigh Avenue at ground floor and 5.6m to 6.8m at first floor. It should be noted the previous development under application 17/01014/FUL was set 4.9m to 5.1m away from the rear boundaries of 39 and 41 Westleigh Avenue at ground floor and total of 7.7m at first floor, which was not previously objected to. There is a further 15m-17m to the rear of nos. 39 and 41 Westleigh Avenue respectively. It is not considered the proposed development will be overbearing or detrimental to the amenities of existing occupiers surrounding the site nor will the proposal result in loss of light, overlooking or loss of privacy taking into account the overall separation distance to the rear of properties in Westleigh Avenue. Furthermore, overlooking and loss of privacy has been mitigated by the design of high level windows whereby the cills have been set at 1.65m above first floor level within the rear gables which repeats the theme considered acceptable by the inspector overlooking. It should also be noted that the inspectorate in dismissing the appeal for application 16/00467/FUL found that the living conditions of occupiers of adjoining dwellings would be acceptable and said in paragraphs 8 and 9 of the appeal decision:

8. "The appeal buildings would back on to nos. 39 and 41 Westleigh Avenue. As a pair of two storey buildings replacing a single bungalow they would inevitably be more prominent in views from the rear of these premises. However, they would not project any further to the rear of the site than the existing bungalow, while the gardens of nos. 39 and 41 are relatively long and the appeal buildings would be set at a distance from the rear of these houses which would be sufficient to retain a reasonable visual separation".

9. "As a result, therefore, the appeal buildings would not be likely to present an overbearing form of development to these properties, and would not therefore have a harmful effect on the living conditions of occupiers of these properties. They would not therefore conflict with Policy DM1 of the DM, which seeks development which protects the amenity of immediate neighbours with respect to outlook, nor with Policy CP4 of the Core Strategy which seeks development which maintains and enhances the amenities of residential areas".

- 4.20 The separation distance to the eastern boundary in the current proposal are not materially dissimilar from those considered acceptable by the Inspector. It is therefore considered that this would not be a sustainable ground for refusal.
- 4.21 In relation to the dwellings to the west of the site directly opposite the proposals site, there is a 21m separation distance between the development and nos. 35, 37 and 39 Percy Road. It is not considered the proposed development would result in a perceived overlooking nor be overbearing to the amenities enjoyed by existing residents.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.22 This application 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 application site is located within Zone 3 therefore a CIL rate of £72.23 per sqm is required for the proposed development. The existing dwelling has an internal floorspace of 93sqm and 21.5sqm will be demolished as part of this proposal. The total gross internal floorspace proposed is 180.7sqm and the overall net additional gross floorspace following development equates to 159.2sqm. The proposal may therefore equate to a CIL charge of approximately £11,499.14 (subject to confirmation) taking into account the existing floorspace to be demolished. Any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount. However, the applicant has applied for 'Self Build Exemption' in which case, no CIL charge would be required.

Conclusion

- 4.24 Having taken all material planning considerations into account, it is found that subject to compliance with the proposed conditions, the development would be acceptable and compliant with development plan policies and guidance. The proposed development by reason of its design and scale, would provide an acceptable addition within the streetscene maintaining the overall character and appearance of the locality, while providing adequate amenities for future occupiers, respecting the amenities of neighbouring properties and not resulting in any unacceptable parking or highways impacts. The application is therefore recommended for approval.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance)
- 5.3 Development Management Document Policies DM1 (Design Quality), DM3 (The Efficient and effective use of land), DM15 (Sustainable Transport Management)

- 5.4 Design & Townscape Guide (2009)
- 5.5 Waste Management Guide
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule

6 Representation Summary

Leigh Town Council

- 6.1 Objection, the proposed development is an overdevelopment of the existing bungalow and contrary to Policy DM3 in that it will adversely impact upon the amenity of neighbouring residents, will harm the character and appearance of the wider area and will lead to a detrimental change of the street scene. The proposal is also in contravention of policy DM1, in that the design quality does not protect the amenity of the site, immediate neighbours and surrounding area having regard to visual enclosure, daylight and sunlight

There is concern that the plans provided are incomplete. There is no mention of the final height of the proposal.

[Officer Comment: The information submitted is sufficient for the assessment of the proposal].

Public Consultation

- 6.2 Ten neighbours notified of the proposal and four letters of objection have been received stating:
 - No site notice displayed **[Officer Comment: A site notice has not been displayed in this instance as this application solely relates to extensions to the existing house]**
 - The proposed development is a tall, large double fronted property that covers the site;
 - Overdevelopment of the site
 - Overlooking and invasion of privacy
 - Loss of privacy
 - Small amenity space provided at the back of the development is inadequate for a 4 bedroom house;
 - Very modern design and angular design out of keeping with the streetscene;
 - Materials should match the existing streetscene;
 - Proposal will add to an already densely populated area including impact on parking and school places;
 - Two on-site parking spaces is not sufficient;
 - Loss of a bungalow;
 - Bulky;
 - No dimensions shown on plans **[Officer Comment: All drawings are to scale and don't require specific measurements to be annotated on the drawings];**
 - Unbalanced design;
 - Loss of light;

- The reduction in size of the windows doesn't affect the original objections to this proposal.

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.

6.3 Councillor Phillips has requested this application be dealt with by Development Control Committee.

7.0 Relevant Planning History

7.1 Demolish existing bungalow, erect detached bungalow with roof extension to front and sides, boundary wall to side to form covered courtyard, form layout parking to front and install new vehicular access on to Percy Road (Amended Proposal)- Refused (17/01041/FUL)

7.2 Demolish existing dwelling and erect two semi-detached dwellinghouses, amenity space to rear, layout parking to front and install new vehicular access on to Percy Road (Amended Proposal)- Refused (16/00467/FUL). Appeal dismissed 3153696.

7.3 Demolish existing dwelling and erect two semi-detached dwellings, layout parking to front and amenity space to the rear (Amended Proposal) - Refused (15/01024/FUL).

7.4 Demolish existing dwelling and erect two semi-detached dwellings, layout parking to front and amenity space to the rear- Refused (15/00086/FUL).

8 Recommendation

8.1 Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

01 The development hereby permitted shall begin no later than 3 (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 approved plans: 030; 031A; 032.

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

- 03 Notwithstanding the details shown on the plans submitted otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings at the site have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it is occupied.**

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009). Given the nature of the development proposed, the details sought and the objectives of the condition it is fundamental that information required is provided prior to the commencement of any development.

- 04 The development hereby approved shall be carried out in a manner to ensure the extended dwelling complies with Building Regulation part M4 (2) 'accessible and adaptable dwellings', before it is brought in to use.**

Reason: To ensure the residential units hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

- 05 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time Sundays or Bank Holidays.**

Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 06 Prior to its first occupation the first floor level accommodation hereby approved shall be constructed so that the first floor level of the bedrooms with east facing windows shall be set not less than 1.65m below the cil level of the east facing windows. The development shall be retained as such in perpetuity thereafter.**

Reason: Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 07 The new rooflight in the southern 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. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. (C17B)**

Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the 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

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). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn 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.