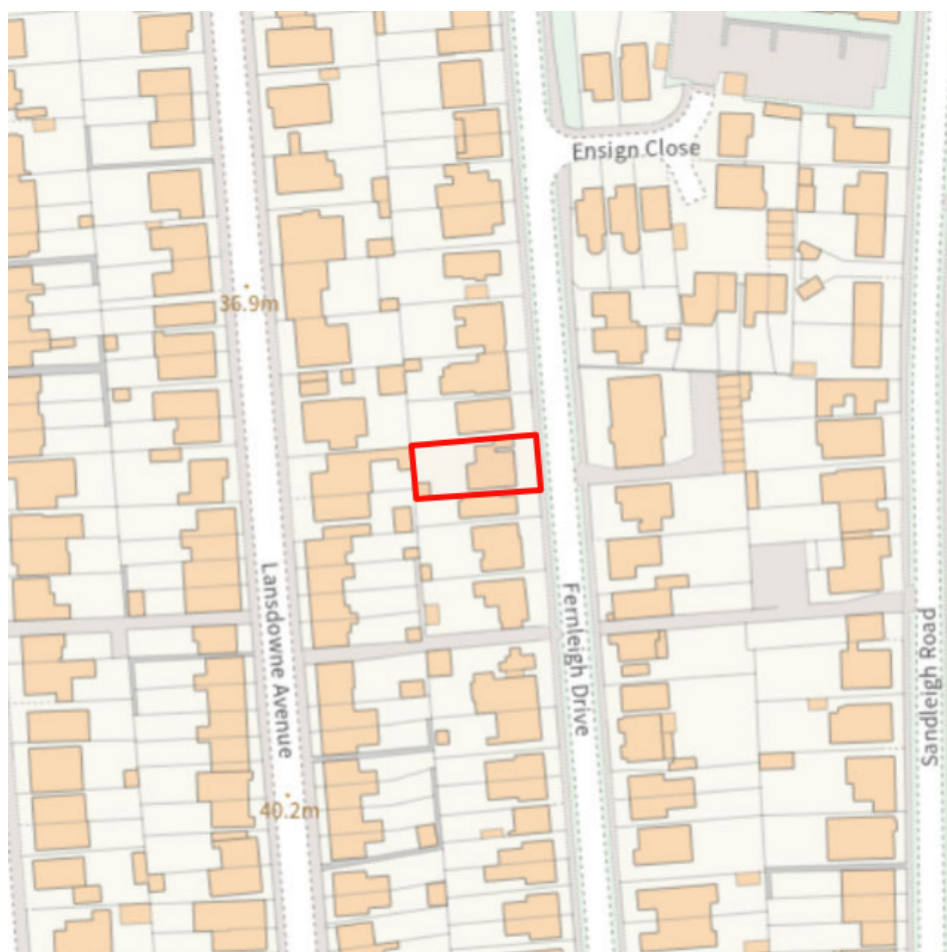


Reference:	24/01963/FULH	
Application Type:	Full Application - Householder	
Ward:	Chalkwell	
Proposal:	Demolish existing garage to side, erect single storey front and side extension, extend habitable accommodation in roof space with rooflights and reposition front door	
Address:	69 Fernleigh Drive, Leigh-on-Sea, Essex, SS9 1LG	
Applicant:	Mr Jason Paul	
Agent:	N/A	
Consultation Expiry:	20 th January 2025	
Expiry Date:	21 st February 2025	
Case Officer:	Jennifer Doherty	
Plan Nos:	23-69FD-001 Rev A, 23-69FD-002 Rev A	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1. The application site contains a detached chalet bungalow on the west side of Fernleigh Drive which is residential in character. Land levels rise from north to south on Fernleigh Drive.
- 1.2. The site is not within a conservation area and is not subject to any other planning policy designation.

2 The Proposal

- 2.1. The application seeks planning permission to erect a front and side extension, demolish the existing garage, form additional habitable accommodation in the roofspace and to alter elevations including the repositioning of the front door.
- 2.2. The pitch-roofed side extension would measure some 6.24m deep, 2.83m wide and 6.8m high (3.8m high to the eaves). The ridge would match the height of the existing ridge. A flat roof is proposed in the valley between the existing roof and the proposed roof. The roof would overhang the side extension by some 0.88m.
- 2.3. To the front elevation, a recessed porch would be formed with an additional ground floor window and a first floor oriel window to the front to match the existing. To the northern flank elevation two rooflights are proposed with an Air-Source Heat Pump (ASHP) unit sited to the rear of the proposed extension not visible from the streetscene. To the rear elevation a first floor window is proposed. To the southern flank elevation, solar photovoltaic (PV) panels are proposed.
- 2.4. The ASHP and solar PV panels can be implemented under permitted development rights, they were not included within the description of the development in the application form. Therefore, these elements are not being considered in this report.
- 2.5. The extension would be finished in render and roof tiles to match the existing dwelling. The valley roof would be finished in black EPDM single ply membrane.

3 Relevant Planning History

- 3.1. None.

4 Representation Summary

Public Consultation

- 4.1. Fifteen (15) neighbouring properties have been notified. No letters of representation have been received.
- 4.2. The consultation period has not expired at the time of writing the report. Any representations received will be submitted through the supplementary agenda.

5 Procedural matters

- 5.1. This application is presented to the Planning Committee because a councillor (Cllr Longstaff) drew the plans on behalf of the applicant.

6 Planning Policy Summary

- 6.1. The National Planning Policy Framework (NPPF) (2024)
- 6.2. Planning Practice Guidance (PPG) (2024)
- 6.3. National Design Guide (NDG) (2021)
- 6.4. Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance)
- 6.5. Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management)
- 6.6. Southend-on-Sea Design and Townscape Guide (2009)
- 6.7. Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 6.8. Town and Country Planning Act 1990 (as amended) Section 90A, Schedule 7A (Biodiversity Net Gain – BNG)

7 Appraisal

Principle of Development

- 7.1. The principle of altering and extending the existing dwelling is considered acceptable and policy compliant, subject to the proposal appropriately addressing the relevant detailed planning considerations.

Design and Impact on the Character of the Area

- 7.2. Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.3. Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contributes positively to the space between buildings and their relationship to the public realm. Policy DM1 and the Southend-on-Sea Design and

Townscape Guide provide further details on how this can be achieved.

- 7.4. The proposed extension would be highly visible within the streetscene which has a mixed character and contains an eclectic mix of building designs. Opposite the site is a three-storey block of flats, with a dual-pitched roof and side gables. To the south of that block is a two-storey property with a hipped roof and to the north is a two-storey property with a dual-pitched roof and side gables. To the south of the site there are mainly detached homes, some presenting front gables to the street, others only having side gables or a combination of both. To the north of the site there is a similar mix of properties, as well as a chalet-style dwelling with front-facing hip-roofed dormers. In this varied context, the proposed extension would not appear out of keeping or cause any significant harm to the character and appearance of the streetscene or the wider area.
- 7.5. Due to the size and the scale of the extension including the pitched roof design, the proposed extension would alter the appearance of the existing dwellinghouse. However, it is not considered to cause significant harm to the character and appearance of the site due to the use of incorporating materials, the proposed front windows aligning with the existing windows and the relocation of the porch creating a symmetrical appearance.
- 7.6. Overall, it is considered that the design, size, siting and scale of the development proposed are such that it would not significantly harm the character and appearance of the site, the streetscene and the area more widely. The proposal is therefore considered to be acceptable and policy compliant in these regards.

Amenity Impacts

- 7.7. Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies 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. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 7.8. The proposed extension would be some 1m from the shared boundary with no. 73 Fernleigh Drive and some 2.35m away from the flank elevation of no 73. On the flank elevation of no 73, there are 2 windows and the entrance to no 73. On balance and using historical records, the side appears to contain secondary openings to a lounge and a dining room. The first-floor flank windows of no 73 are obscure-glazed therefore the proposed rooflights to the side are not considered to be significantly harmful in terms of overlooking but a condition is recommended to keep these obscure-glazed, too. Due to the separation distance, the ground floor windows of no 73 being secondary windows, the proposed extension is not considered to be significantly harmful to the occupiers of this neighbouring property in any relevant amenity regards.
- 7.9. Due to the proposed extension's siting and being shielded from the adjoining neighbour by the existing dwelling, the proposed extension is not considered to be significantly harmful to

the occupiers of no 67 Fernleigh Drive in any relevant amenity regards.

- 7.10. The proposed first floor window to the rear would be some 14.2m from the shared boundary with no. 72 Lansdowne Avenue. Due to the separation distance, the proposed rear window is not considered to be significantly harmful to this neighbour's residential amenity in any relevant regards.
- 7.11. The new windows and door on the front elevation would face the public domain would not significantly affect the residential amenities of any neighbouring property in any relevant regards.
- 7.12. All other neighbouring properties are sufficiently removed such that their amenity would not be significantly harmed in any relevant regards.
- 7.13. It is considered that the design, size, siting and scale of the development proposed are such that it would not significantly harm the residential amenities of the site, neighbouring occupiers or wider area in any relevant regard. The proposal is therefore considered to be acceptable and policy compliant in these regards.

Traffic and Transportation Issues

- 7.14. Paragraph 116 of the NPPF states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 7.15. The existing garage is undersized when assessed against Policy DM15's parking standard dimensions and is not considered to be of sufficient size to adequately serve as an off-street parking space. The existing forecourt parking for at least one car would be retained. Therefore, the proposal would have a neutral impact on the parking conditions within the locality and is not found to result in any adverse parking or highways impacts. It is therefore acceptable and policy compliant in these regards.
- 7.16. It is considered that the proposal would not significantly harm the parking availability in the area, highway safety or the traffic network. Highways do not object.
- 7.17. The proposal is therefore acceptable and policy compliant in the above regards.

Other matters

- 7.18. The development equates to less than 100sqm of new floorspace so benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.
- 7.19. This application is exempt from the requirement of Biodiversity Net Gain, as it is a householder application.

Equality and Diversity Issues

- 7.20. The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equality Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

Conclusion

- 7.21. For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. The proposed development would have an acceptable visual impact, would not result in significant harm to the residential amenity of neighbouring occupiers and would have an acceptable impact on parking and highways. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is granted subject to conditions.

8 Recommendation

- 8.1. **GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 The development hereby permitted shall begin no 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 shall only be undertaken in accordance with the following approved plans: 23-69FD-001 Rev A, 23-69FD-002 Rev A**

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with Policy DM1 of the Development Management Document (2015).

- 03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.**

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with Policy DM1 of the Development Management Document (2015).

- 04** The proposed side-facing rooflights on the northern roof slope of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut (except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level) prior to the first use or occupation of the development hereby permitted and shall be retained as such thereafter. 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 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with Policy DM1 of the Development Management Document (2015).

- 05** The flat roof of the development hereby approved shall not be used as a balcony, roof garden or terrace or for any other purpose at any time without planning permission having been granted. The roof can however be used for the purposes of maintenance or to escape in the event of an emergency.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with Policy DM1 of the Development Management Document (2015).

Informatives

- 1** 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 the Levy.
- 2** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the city.

Positive and Proactive Statement

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.