

Reference:	24/01830/FULH	
Application Type:	Full Application - Householder	
Ward:	Chalkwell	
Proposal:	Demolish existing rear extensions and north facing chimney stacks, convert garage to habitable accommodation, erect part single part two storey rear extension, raise ridge height to form habitable accommodation in roof, front gables, roof lights, rear dormer with balcony, alteration to elevations and relocate front door from side elevation to front elevation.	
Address:	33 Hall Park Avenue, Westcliff-on-Sea, Essex	
Applicant:	Mr & Mrs Vallance & Summers	
Agent:	Mr Mulry of Edith Garland Architecture	
Consultation Expiry:	12th December 2024	
Expiry Date:	31st January 2025	
Case Officer:	Gabriella Fairley	
Plan Nos:	P01, P02 (Rev B), P04 (Rev H), P07, MS-001	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1. The application site contains a detached dwelling on the west side of Hall Park Avenue within a residential area. Land levels slope down from north to south. The streetscene character is mixed, with examples of hipped and gabled roofed buildings, mainly two storey, within the site's immediate vicinity with some bungalows further north. Dwellings along Hall Park Avenue are predominantly detached and set back from the highway which is tree lined and has mature, planted verges.
- 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 raise the ridge height of the dwelling by between some 0.7m and 2.2m such that it would be some 9.6m above ground level. The remodelled main roof would be hipped, with two jettied gables to the front elevation each a maximum height of some 8.3m. The dwelling's eaves height will increase from 5.1m to 5.9m. Its front elevation will be remodelled with bay windows within the ground floor of the two new gables, and at first floor an additional window in the centre of the front elevation. The existing main entrance door will relocate to the front elevation.
- 2.2. Permission is also sought to erect a part single, part two storey rear extension some 10.8m wide, minimum 2.1m deep, maximum 3.6m deep and minimum 3.3m high, maximum 3.9m high at ground floor, and 3.3m high to its eaves. Its first-floor element would be some 10.8m wide, 1.3m deep and 9.6m high to its ridge. The remodelled dwelling's hipped roof would be continued over the first floor of this rear extension. The rear elevation would be remodelled. The rear extension's single storey element would have a decorative parapet roof with two windows and two sets of doors in its rear elevation with two rooflights. A full-length window will be in the southern side elevation of the ground floor element. This element would be finished in render. Three windows will be in the first-floor rear elevation.
- 2.3. A proposed rear pitched roof dormer, 3.6m wide, 3m high to the ridge and 4.3m deep, would have a balcony some 1m deep. The dormer would be zinc clad to its side elevations and rendered to its rear.
- 2.4. The existing garage is proposed to be remodelled and converted into habitable accommodation and an existing garage door and window would be removed.
- 2.5. Four rooflights are proposed to the front roofslope of the main dwelling. A door and a window are proposed to be removed from the ground floor southern side elevation together with two windows on the first-floor southern side elevation. A new obscure glazed window is proposed to the first-floor southern side elevation and a new door to its ground floor. Two of the dwelling's three existing chimneys will be removed. An existing part single part two storey rear extension will be removed to facilitate the proposal.

3 Relevant Planning History

None.

4 Representation Summary

Public Consultation

4.1. Six (6) neighbouring properties have been notified. One objection letter was received, summarised below.

- Concerns relating to the western elevation and the proposed height of the rear extension along the boundary.

[Officer Comment - The concerns summarised above are noted and they have been taken into account in the assessment of the application where relevant to material planning considerations but were not found to justify refusing planning permission in the circumstances of this case]

Chalkwell Ward Residents Association

4.2. Object. The proposal would completely alter the character of the property in a way that is damaging to the character of the property and the character of the area.

Highways

4.3. Off street parking has been retained as part of the proposal therefore no highway objections are raised. It is not considered that the proposal will have a detrimental impact on the local highway network.

5 Procedural matters

5.1. This application is presented to the Planning Committee because it was called in by Cllr Folkard.

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 an 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. Paragraph 131 of the NPPF states *'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations and how these will be tested, is essential for achieving this.'*
- 7.5. The application dwelling is detached and characterised by its pair of prominent co-joined jettied front gables. It has also been previously extended both to its rear, explained in subsequent paragraphs, and with a lower two storey gable roofed extension to its north side which abuts the flank boundary with No 31 Hall Park Avenue. Hall Park Avenue's streetscene is varied, containing examples of dwellings with hipped and gabled roofs, a mix of designs and materials, but with some common features. Those include the tendency for dwellings to have a spacing between at least one of their flank walls and their side boundary and/ or incidental buildings such as garages all of which lend a general rhythm of space between the upper floors of buildings, albeit there are some isolated exceptions. The setting of the buildings, the local topography, the planted verges and street trees and the typical external materials palette create a pleasing overall character, to which the current dwelling makes a positive contribution. Partly due to that local topography, ridges of neighbouring properties to the north side are higher than the application dwelling. The rear garden scene is varied with examples of rear extensions and roof enlargements.

- 7.6. The proposed increased ridge height of the main dwelling would not exceed that of the neighbouring dwellings and would be a similar height to that at No. 35 Hall Park Avenue to the south of the site. The hipped roof form at No. 35 is broadly similar to that proposed at the application site. The proposal includes removing two of the three existing chimneys which is regrettable but is weighed in the round and also noted against the background that such removal in itself could be undertaken without planning permission. The retained southern chimney is publicly visible so will continue to contribute positively to the remodelled dwelling's and streetscene character. The proposed raising of the ridge height, and alteration to the roof form and raised eaves and redesign of the building's elevations maintaining a different symmetrical arrangement of two front gables is generally well-resolved. The rear extensions would not result in any significant harm to the character and appearance of the host dwelling or the rear garden scene noting the setting of the rear garden environment and that the proposal will remove existing extensions of mainly flat roof design and utilitarian, low design quality.
- 7.7. Turning to the development's streetscene impact, the enlarged dwelling would remain some 1.7m off the site's southern boundary. It would abut the northern boundary. The proposal's increased mass here would have some impact on the rhythm of spacing between dwellings. Three factors are taken into account, however. Firstly, the existing dwelling already sits on the northern side boundary following its historic extension on this side. Secondly, although the eaves and ridge height will increase, the remodelled roof will be hipped, so sloping away from the northern boundary whereas the existing dwelling presents a gabled roof form to that side. Thirdly, although the height and eaves increase the symmetrical form of the remodelled front elevation will focus attention on the visually strong, jettied gable features such that public general interpretation of the dwelling's scale in the streetscene will not materially alter. Given these factors, and that the space between the remodelled dwelling and its southern boundary would be maintained, no significant harm to the streetscene or wider surrounding is identified. The proposal's incorporation of timber and render external finishes, reflecting the character of the existing dwelling and other buildings nearby, will further assist the development's integration locally. Windows on the dwelling's front elevation at ground floor and first-floor would align with each other, creating a sense of hierarchy within the front elevation, which is positive. The repositioned front entrance door will create a focal point on the front elevation of the main dwelling, which is currently missing. Altogether the proposal would not result in any significant harm to the character and appearance of the host dwelling, the streetscene or wider surroundings.
- 7.8. The proposed rear dormer would be set down some 0.3m from the ridge of the main dwelling, set up some 1.5m from the eaves and in some 2.8m from the sides of the main roof. The proposed dormer is subservient in size and scale and would not dominate the rear roofslope. Its zinc clad side elevations would be uncharacteristic of the surroundings. However, this is a modest contemporary design feature and would not result in significant harm to the character and appearance of the host dwelling, the streetscene or wider surroundings.
- 7.9. The proposed rooflights and alterations to the side elevation of the main dwelling would not result in any significant harm to the character and appearance of the

host dwelling, the streetscene or wider surroundings.

- 7.10. Altogether 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. Subject to conditions, the proposal is therefore considered to be acceptable and policy compliant in these regards.

Amenity Impacts

- 7.11. 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.
- 7.12. The proposed part single, part two-storey rear extension would be sited along the shared boundary with No. 31 Hall Park Avenue, which is itself extended, and would not project beyond the rear elevation at No. 31. The first-floor element of the proposal would be along the shared boundary with No. 31 and would replace an existing first-floor flat roofed rear extension. No. 31 has two windows at first floor facing the application site (none at ground floor). One of the windows is high level and on the balance of probabilities neither window has been identified as a primary habitable room window and it is not considered that the proposal would result in significant harm in this respect. Taking these factors into consideration, this element of the proposal would not result in any significant harm to No. 31's amenity in any relevant regards.
- 7.13. The ground floor element of the rear extension would be some 1.8m from the shared boundary with No. 35, some 4.2m from No 35's closest side elevation at its closest point projecting some 2.5m beyond No 35's main rear elevation. The extension's first-floor element would be 1.8m from the shared boundary with No. 35 projecting some 0.6m beyond its main rear elevation. Taking these factors into consideration, this element of the proposal would not result in any significant harm to the amenity of No. 35 in any relevant regards.
- 7.14. The extended ridge of the main dwelling would be some 2.8m from the shared boundary with No. 31 and some 4.6m from the shared boundary with No. 35 Hall Park Avenue. The ridge height would not exceed those of those neighbouring dwellings. The relationship with No. 31's non-primary flank windows is summarised in 7.12 above. No. 35 is covered in heavy vegetation to its side elevation facing the application site and no windows are clearly visible on its side elevation facing the application site. Taking these factors into consideration, as well as the existing roof form at the application site, the remodelled roof would not result in any significant harm to the amenities of either of these neighbouring properties in any relevant regard.
- 7.15. The new windows and door on the front elevation and the rooflights which would face the public domain would not significantly harm the amenities of any neighbouring property in any relevant regards.

- 7.16. The proposed rear dormer and balcony would be some 19.8m from the shared rear boundary of the site and some 40m from the rear elevations of Nos. 30 and 32 The Leasway to the west. The proposed balcony would not project beyond the rear elevation of the dormer, mitigating any harmful overlooking of the adjacent neighbouring properties. No windows are proposed to the side elevations of the dormer. Taking these factors into consideration, this element of the proposal would not significantly harm any neighbouring property's amenity in any relevant regards.
- 7.17. The proposed new window on the first-floor southern side elevation would be obscure glazed. Subject to a condition controlling this, no significant harm would be caused to the amenities of any neighbouring property in any relevant regards.
- 7.18. All other neighbouring properties are sufficiently removed such that their amenity would not be significantly harmed in any relevant regards.
- 7.19. 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. Subject to conditions, the proposal is therefore considered to be acceptable and policy compliant in these regards.

Traffic and Transportation Issues

- 7.20. 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'.
- 7.21. The existing garage is undersized when assessed against Policy DM15 parking standards dimensions and is not considered to be of sufficient size to adequately serve as an off-street parking space in line with the Council's car parking standards. 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.
- 7.22. 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.
- 7.23. The proposal is therefore acceptable and policy compliant in the above regards.

Other matters

- 7.24. 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.
- 7.25. This application is exempt from the requirement of Biodiversity Net Gain, as it is a householder application.

Equality and Diversity Issues

- 7.26. 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

- 7.27. For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. 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

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: P01, P02 (Rev B), P04 (Rev H), P07, MS-001**

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 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 being granted by the Local Planning Authority. 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).

- 05 The windows on the first floor side elevations 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 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).

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.