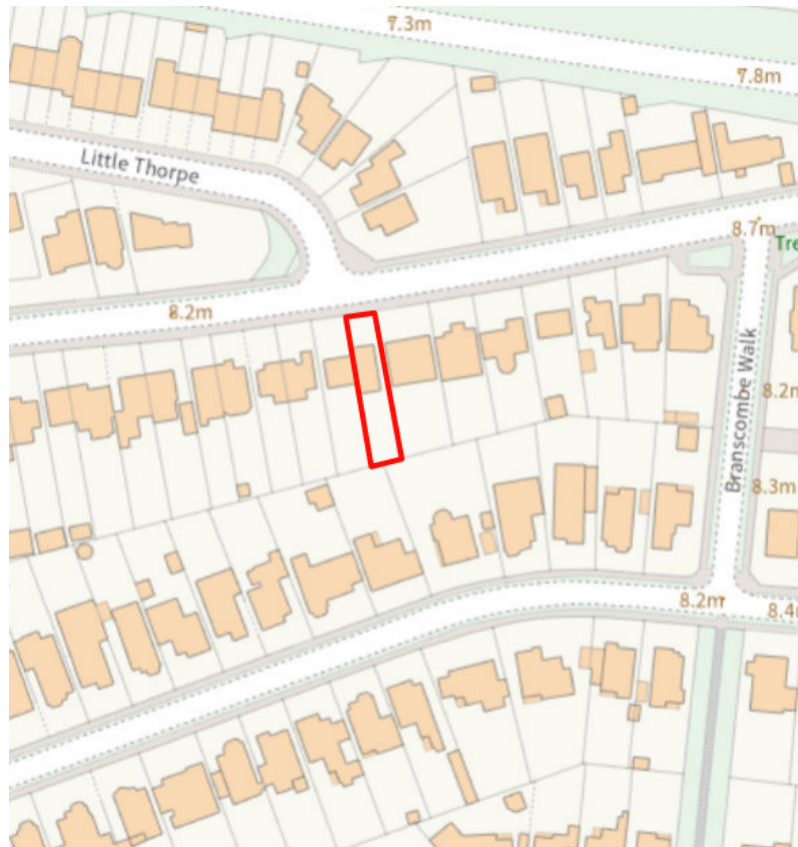


Reference:	25/00040/GPDE	
Application Type:	General Permitted Development (Extensions)	
Ward:	Southchurch	
Proposal:	Erect single storey rear extension projecting 4m beyond the existing rear wall of the dwelling, 2.95m high to eaves and with a maximum height of 3.2m	
Address:	148 Shoebury Road, Thorpe Bay, Essex, SS1 3RL	
Applicant:	Mr Rhys Taylor	
Agent:	Miss Liz Schofield of BDA Architecture	
Consultation Expiry:	31 st January 2025	
Expiry Date:	28 th February 2025	
Case Officer:	Jennifer Doherty	
Plan Nos:	24.167/10, 24.167/11, 24.167/12	
Additional information:	N/A	
Recommendation:	OBJECTIONS RECEIVED; PRIOR APPROVAL REQUIRED AND GRANTED	



1 Site and Surroundings

- 1.1 The application site is occupied by a semi-detached dwelling house on the south side of Shoebury Road. The area is residential in nature. The site is not on article 2(3) land or subject to any other planning related designation.

2 The Proposal

- 2.1 The application seeks confirmation that prior approval of the Local Planning Authority is not required for a single storey extension, under paragraph A.4 of Class A, Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2.2 The proposed rear extension would be up to 4m deep, 5.735m wide, 2.95m high to the eaves and 3.2m high. The existing single storey conservatory to the rear is to be demolished.

3 Relevant Planning History

- 3.1 The most relevant planning history for the determination of this application is shown on Table 1 below:

Table 1: Relevant Planning History of the Application Site

Reference	Description	Outcome [Date]
25/00041/CLP	Demolish existing porch to side and erect porch to front (Lawful Development Certificate-Proposed)	Pending Consideration

- 3.2 No restriction on permitted development rights has been identified.

4 Representation Summary

Public Consultation

- 4.1 Five (5) neighbouring properties were notified of the application by letter. One (1) letter of representation objecting to the proposal has been received which is summarised below:

- Due to the height of the parapet and depth of the extension, in close proximity to the boundary, the extension would harm the private amenity space and cause overshadowing and loss of light to the rear habitable room and patio area.

[**Officer comment:** All relevant impacts on neighbouring occupiers' amenity have been assessed within the appraisal section of the report. These concerns are noted, and they have been taken into account in the assessment of the application but were not found to justify refusing prior approval in the specific circumstances of this case.]

5 Procedural matters

- 5.1 This application is presented to the Development Control Committee because the applicant is an employee of the Council.

6 Planning Policy and Legislation 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): Policy CP4 (Environment and Urban Renaissance).
- 6.5 Development Management Document (2015): Policy DM1 (Design Quality), DM3 (Efficient and Effective Use of Land).
- 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)
- 6.9 The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO) – Article 3; Schedule 2, Part 1, Class A.

7 Planning Considerations

- 7.1 The prior notification process involves the Local Planning Authority (LPA) notifying the owners/occupiers of any adjoining property. Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the LPA is required as to the impact of the proposed development on the residential amenity of any adjoining premises assessed against the relevant local and national policies. The LPA must, when considering the impact, take into account any representations made as a result of the notice given and consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.
- 7.2 The considerations in this report are whether the proposal would comply with permitted development limitations and, because an objection has been received, whether the proposal would have an acceptable impact on the residential amenity of neighbouring occupiers.

8 Appraisal

Permitted Development

- 8.1 The proposed rear extension constitutes an enlargement, addition, or alteration to a dwellinghouse. It falls within Part 1, Class A of the GPDO and needs to be judged against criteria A.1 (a) to (l), as well as meet the conditions within Paragraphs A.3 and A.4.
- 8.2 The dwelling has not been granted permission to be used as a dwellinghouse only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 and therefore provision (a) is not applicable.
- 8.3 The proposed extension, in conjunction with all other buildings within the curtilage, would not exceed 50% of the total area of the curtilage; therefore, provision (b) is met.
- 8.4 The extension would not exceed the height of the highest part of the existing roof and therefore provision (c) is met.
- 8.5 The height of the eaves of the extension would not exceed that of the original dwelling and therefore provision (d) is met.
- 8.6 The extension would not extend beyond a wall which fronts a highway, and which is either the principal or side elevation of the original dwellinghouse. Therefore provision (e) is not

applicable.

- 8.7 The proposed development would not exceed four metres in height. Whilst it would project beyond the rear wall of the original semi-detached dwellinghouse by more than 3 metres and as such it would exceed limitation (f), it would not extend beyond the rear wall of the original dwellinghouse by more than 6 metres. The extension therefore satisfies the requirements of paragraph A.1(g) and is subject of the prior notification process.
- 8.8 The extension would not have more than a single storey. Therefore provision (h) is not applicable.
- 8.9 The enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse and the height of the eaves of the enlarged part would not exceed 3 metres and therefore provision (i) is met.
- 8.10 The enlarged part of the dwellinghouse would not extend beyond a wall forming a side elevation of the original dwellinghouse, therefore, provision (j) is not applicable.
- 8.11 The proposal would not be joined to any non-original addition to the original dwelling. Therefore, provision (ja) is not applicable.
- 8.12 The proposed addition does not consist of or include the installation, alteration or replacement of a microwave antenna, chimney, flue or soil and vent pipe, a verandah, balcony or raised platform. Therefore, provision (k) is not applicable.
- 8.13 The dwellinghouse is not built under Part 20 of Schedule 2 (construction of new dwellinghouses) and therefore, provision (l) is met.
- 8.14 Paragraph A.2 is not applicable as the site is not on Article 2(3) land. The proposal would comply with condition A.3 (a) which requires matching materials with the original dwelling. An Informative is recommended as a reminder. Other conditions in paragraph A.3 are not applicable as the proposal is single storey in nature.
- 8.15 Paragraph A.4 (3) states that the local planning authority may refuse an application where, in the opinion of the authority—
- (a) the proposed development does not comply with, or;
 - (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitations, or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).
- 8.16 In this instance sufficient information has been submitted with the application to demonstrate that the proposal would constitute development permitted by Class A.

Amenity impacts

- 8.17 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.
- 8.18 The proposed extension would abut the shared boundary with no. 146 Shoebury Road to the east. The proposed extension would project some 4m beyond the rear wall of no 146.

The extension would project some 1.2m deeper than the existing conservatory at the site and will also be 0.7m taller including the parapet wall. The extension would result in some loss of light and increased sense of enclosure to a habitable room to the rear as well as the neighbouring amenity space. However, the rear elevations of properties in this area and their gardens are south-facing. Moreover, most gardens, including the garden at no. 146, are generous in size. Therefore, any impact on light would be limited on the morning hours and the increased sense of enclosure would not be significantly harmful to the residential amenity of neighbouring occupiers.

- 8.19 Consideration is given to the existing boundary treatment between the applicant dwelling and the adjoining neighbour, as well as the size and location of the existing conservatory. The additional impact caused by the current proposal is not considered to be significantly above and beyond the existing conditions nor harmful enough in its own right to warrant a refusal on this ground alone. Furthermore, it is also noted that an extension of the same height and at the same location but with a depth of up to 3m, could have been erected without the prior approval of the LPA. This is a fallback position that needs to be taken into consideration. Such an extension erected under the fallback position would have comparable impacts on the adjoining neighbour. Due to the single storey nature of the development, the existing development at the site and the fallback position, the proposed extension is not considered to be significantly harmful to the occupiers of no. 146 in any relevant amenity regards.
- 8.20 The proposed extension would be some 1.15m away from the shared boundary with no. 150 Shoebury Road to the east and some 2.7m away from the dwelling at no. 150. The proposed extension would extend some 2m beyond no. 150's rear wall. Due to the single storey nature, the limited depth beyond no. 150's rear wall and the separation distance, the proposed extension is not considered to be significantly harmful in any relevant regards to the amenity of no. 150.
- 8.21 Due to the separations involved, it is considered that the proposal would not harm the amenity of any other neighbouring properties in any relevant regards.
- 8.22 The proposal is therefore considered to be acceptable and compliant with the relevant policies in terms of its amenity impacts.

Community Infrastructure Levy

- 8.23 The new floor space created by the proposal would be less than 100m². Therefore, the proposal development is not CIL Liable.

Biodiversity Net Gain (BNG)

- 8.24 Biodiversity Net Gain does not apply to development that is granted planning permission by a development order (including permitted development rights).

Equality and Diversity Issues

- 8.25 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

- 8.26 Overall, the proposal is considered to comply with the permitted development limitations, subject to the prior approval process. As an objection has been received, the prior approval of the Local Planning Authority, in terms of the amenity impacts of the proposal, is required. The proposal is found to be acceptable in terms of its amenity impacts and as such the prior approval of the Local Planning Authority is recommended to be granted.

9 Recommendation

9.1 OBJECTION RECEIVED; PRIOR APPROVAL REQUIRED AND GRANTED

INFORMATIVES:

- 1 This written notice indicates that the proposed development would comply with condition A.4 of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). If you want confirmation that the proposed development would be lawful/permitted development (e.g. on the basis that it would comply with all of the limitations and conditions of Schedule 2, Part 1, Class A), then you should submit an (optional) application to the local planning authority for a Lawful Development Certificate.**
- 2 The applicant's attention is drawn to the condition of development permitted by Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) under paragraph A.3 (a) that the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.**
- 3 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission, that the 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.**
- 4 The proposed building equates to less than 100sqm of new floorspace as such 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.**