

Reference:	16/00504/FUL
Ward:	Eastwood Park
Proposal:	Demolish existing dwelling and garage and erect two storey dwellinghouse with rooms in roof, balcony at rear, two storey side extension to form habitable accommodation with attached link to main building, layout landscaping, parking to front and install new vehicular access on to Green Lane.
Address:	143 Green Lane, Eastwood, Essex, SS9 5QL
Applicant:	Mr And Mrs Siddique
Agent:	SKArchitects
Consultation Expiry:	12/05/16
Expiry Date:	10/06/16
Case Officer:	Ian Harrison
Plan No's:	P01, 233P02, 233P03A and 233P04A
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 The application seeks permission for the demolition of the existing dwelling and garage at the application site and the erection of a three storey replacement dwelling with a two storey side projection to replace the existing garage.
- 1.2 The main part of the existing dwelling measures 8.7 metres deep and 14.6 metres wide with a two storey cross-wing that provides gable ends to the rear and rear elevations. A first floor gable ended projection also exists at the front of the dwelling. The roof of the dwelling is built to a conventional pitch with an eaves height of 5.2 metres and a ridge height of 9.3 metres. A single storey garage exists at the frontage of the site that measures 9 metres by 6.8 metres with a cat-slide pitched roof built to a minimum height of 2.1 metres and a ridge height of 4.6 metres.
- 1.3 The proposed replacement dwelling would be formed of two gable ended blocks that would run roughly perpendicular to the highway, with a third element linking the two gable ended blocks. The block to the west would measure 11.9 metres deep and 6.7 metres wide, with an eaves height of 5.9 metres and a ridge height of 10.9 metres, with the ridge running from north north west to south south east. The block to the east would measure 10.9 metres deep and 7.5 metres wide, with matching eaves and ridge heights, with the ridge running from north north east to south south west. The south west corner of the east block being positioned 3.7 metres from the south east corner of the first block.
- 1.4 The main part of the linking element would measure 3.7 metres wide at the front elevation and 11.1 metres wide at the rear, with the rear elevation having a dog-legged elevation to reflect the splayed relationship of the two blocks. The linking element would feature a flat roof with an eaves height of 5.9 metres and a maximum height of 9.2 metres. Part of the North elevation would be 'cut into' to enable glazing to be installed. A single storey projection with a flat roof would project between 1 and 2.8 metres further at the rear, the roof of which would be used as a balcony.
- 1.5 At the side of the dwelling would be a two storey structure that would replace the existing garage, measuring 16.4 metres deep and 6.8 metres wide with a pitched roof built to an eaves height of 3.3 metres and a ridge height of 6.6 metres. The garage would extend 2.5 metres forward of the position of the existing garage. The two storey part of the structure would be linked to the side of the proposed dwelling by a 'study link' that would measure 6.8 metres deep and 1.4 metres wide. The roofspace of the structure would be utilised as guest accommodation and storage and the ground floor accommodation would be used as a study and as a garage.
- 1.6 At the front of the building would be a single storey front projection that would measure between 2.3 and 1.4 metres deep, that would form an entrance lobby and canopy at the frontage of the dwelling. The projection would be built to a maximum height of 3 metres.

- 1.7 The application also seeks permission to create a new point of access onto Green Lane, 17 metres to the West of the existing access and with the existing access being closed. The creation of this access would require the removal of trees at the frontage of the site. Brick walls are proposed at the frontage of the site that measure between 1.2 and 1.9 metres tall. It is also noted that a patio is proposed at the rear of the site, which would appear to be raised from ground level, although no details have been submitted in relation to this.
- 1.8 The proposal has been amended during the course of the application being considered through the reduction of the roof pitch and the roof height of the two blocks by 1 metre.

2 Site and Surroundings

- 2.1 The application site is located to the North of Green Lane. The site measures 63 metres deep and 37 metres wide and contains a two storey dwellinghouse and garage that are described above. The site also features an additional outbuilding to the rear that contains a swimming pool and associated accommodation, the main part of which measures 8 metres by 20 metres.
- 2.2 The North part of the site is outside of the Southend-on-Sea Borough and as such planning permission is also required from Rochford District Council for the development proposed. The application site is not the subject of any policy designations.
- 2.3 The surrounding area is characterised by large dwellings, not exceeding two storeys in height, on large plots to the north of Green Lane. The application site is one of 8 comparably large plots to the north of Green Lane. Two storey dwellings of consistent scale and equally sized, smaller plots are located to the South of Green Lane.

3 Planning Considerations

- 3.1 The main issues for consideration are the principle of the development, design and relationship with adjacent development and the streetscene, impact on existing trees, any impact on neighbours, living conditions for future occupiers, parking and access implications and the use of on-site renewables.

4 Appraisal

Principle of Development

National Planning Policy Framework 2012, Core Strategy Policies KP2, CP4 and CP8, Development Management Policies DM1 and DM3 and the Design and Townscape Guide (SPD1)

- 4.1 The National Planning Policy Framework 2012 is aimed at guiding local authorities in the delivery of sustainable development and housing. Paragraph 56 of the 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.”*
- 4.2 Paragraph 63 of the NPPF states that *“In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area”*. Paragraph 65 states that *“Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design”*.
- 4.3 The proposal consists of a one for one replacement dwelling within a residential area. Thus, the proposal is considered acceptable in principle subject to further detailed considerations set out below.

Design

National Planning Policy Framework 2012, Core Strategy Policies KP2, CP4 and CP8, Development Management Policies DM1 and DM3 and SPD1

- 4.4 The Development Management DPD, policy DM1 states that development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features.”*
- 4.5 Paragraph 60 of the NPPF advises that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. It is further stated that it is proper to reinforce local distinctiveness. Design policies should concentrate on such issues as guiding overall scale, massing, height and layout of new development in relation to neighbouring buildings and the local area more generally (paragraph 59 of NPPF).

- 4.6 In terms of scale it is noted that the proposed dwelling would be 0.5 metres taller than the existing dwelling, which in turn appears to be the tallest dwelling within the surrounding area. Council records indicate that 149 Green Lane measures 8.2 metres to the ridge, 173 Green Lane measures 7.9 metres tall and 175 Green Lane measures 8.1 metres to the ridge. It is therefore the case that the tallest part of the proposed dwelling would be at least 1.7 metres taller than the adjacent dwellings. It is however noted that the height of the dwelling has been reduced by a meter during the course of the consideration of the application.
- 4.7 As set out above, policy DM1 states that development should respect the local context in terms of height, size and scale. Section 4.2.2 of SPD1 addresses areas of varied scale, stating that where existing variations occur in the height of buildings, this can be continued. However, the inference is that the variations should reflect the character of the surrounding area. In this instance, it is considered that the height of the dwellings to the north side of Green Lane varies significantly and as such there is little uniformity between the scale and appearance of dwellings. The increase of the height of the dwelling by a maximum of 0.5 metres, with the central roof being lower in height than the existing dwelling by 0.3 metres is considered to be an inconsequential change to the height of the built form at the site and for this reason it is considered that no objection should be raised to the height of the proposed dwelling. It is noted that the height of the built form would be emphasised by the provision of second floor windows within the gable ends, but it is considered that this would appear as accommodation within the roofspace rather than a full three storey dwelling and as such, whilst appearing as a three storey dwelling, the dwelling would not have a materially greater height than the existing dwelling and as such the provision of roof accommodation should not be objected to as a matter of principle.
- 4.8 Part 3.3 of the Design and Townscape Guide which states that *“when designing a new building or extension it is important that the development integrates with existing buildings. This is best done by identifying the positive characteristics and relationships formed by the existing buildings e.g. frontage lines, height of ridges and eaves, proportions, materials etc, and respecting them in new development.”* The form of the proposed dwelling, with two blocks linked by a subordinate roof would be at odds with the established character of the area. It is however noted that the National Planning Policy Framework states that *“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.”*
- 4.9 The splayed arrangement of the blocks would maximise the occupants’ enjoyment of the panoramic countryside views that exist to the North and as such it can be argued that the replacement dwelling would be designed to reflect the orientation of the site. Whilst it was previously a concern that this would cause the front elevation to have an unusual appearance that would not be of benefit to the streetscene, it is noted that the Design Officer has raised no objection to this design approach as it is advised that the mixed character of Green Lane would enable a modern style development to occur without causing material harm.

- 4.10 It is noted that single storey outbuildings and forward projections are an established feature of this part of Green Lane, with some being taller and more imposing than the existing outbuilding at the application site. The increase of the size of the forward projection and its link to the proposed dwelling would increase the prominence and scale of the building and its impact would be exaggerated by the lack of fenestration on the blank South elevation. However, it is considered that this is not unduly uncommon in the surrounding area and it is considered that the impact would be satisfactorily mitigated by virtue of the screening that would be provided by tree planting at the frontage of the site. On balance, noting that the other concern in relation to the height of the host building has been addressed, it is considered that this aspect of the proposal should not represent a reason for the refusal of the application.
- 4.11 It is also proposed to modify the frontage of the site with the creation of a new access, a new landscaping arrangement and a brick wall enclosure at the frontage of the site. The design advice received raises an objection to the proposed wall on the grounds that it would be materially taller than the boundary treatments at the frontage of other properties. It is noted that most properties in the surrounding area feature low walls and fences, with tall vegetation behind those enclosures and the only taller forms of boundary enclosure are a fence which is of low density and therefore less visual impact than the proposed wall and taller brick piers at 155 Green Lane. The height of the wall would be 1.9 metres at the main entrance to the site and 1.2 metres elsewhere. It is considered that the other works at the frontage of the site are not considered to have a harmful visual impact.

Impact on Residential Amenity.

National Planning Policy Framework, Policy CP4 of the Core Strategy, Development Management DPD Policy DM1 and Design and Townscape Guide.

- 4.12 Paragraph 343 of SPD1 (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. Policy DM1 of the Development Management DPD also states 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.”
- 4.13 The neighbouring dwelling of 149 Green Lane is located 14.5 metres to the east of the proposed garage extension and is positioned with the front elevation of that dwelling aligning with the rear of the extended ‘outbuilding’. Due to this arrangement and the separation distance it is considered that the proposed replacement dwelling would not cause a materially harmful loss of light or outlook within the neighbouring property. The splayed alignment of the proposed dwelling means that the windows in the east block face towards the neighbouring property to the east. However, it is considered that the separation distance and orientation would ensure that the overlooking is not harmful to an extent that would justify the refusal of the application on those grounds.

Similarly, the proposed rear balcony would be adequate distance from the shared boundary and the private amenity space to ensure that the development does not cause overlooking to an extent that would justify the refusal of the application.

- 4.14 The neighbouring dwelling of 137 Green Lane is located 12.7 metres to the West of the proposed dwelling and is positioned in line with the proposed dwelling. Due to this arrangement and the separation distance it is considered that the proposed replacement dwelling would not cause a materially harmful loss of light, privacy or outlook within the neighbouring property. Notwithstanding the concerns raised by the occupants of that property, it is considered that there is no reason to conclude that the balcony area would be used any more intensively or loudly than the existing garden could be and therefore it would not be reasonable to refuse the application on those grounds. Views from the balcony towards the garden area of that neighbouring property would be possible, but the rear part of the proposed dwelling would restrict views towards the dwelling itself and therefore the impact on privacy would not be materially greater than the impact of conventional windows and would not cause overlooking to an extent that would justify the refusal of the application on those grounds.
- 4.15 The proposed dwelling would be 35 metres from the residential properties to the South of Green Lane and would not therefore have a material impact on the amenities of those residents.

Living Conditions for Future Occupiers

National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM8 and the Design and Townscape Guide.

- 4.16 Development Management Development Plan Document policy DM8 sets out minimum standards for residential accommodation. The new dwelling would have generous size rooms. It is considered that internal room sizes are sufficient to provide for good living conditions for future occupiers.

Parking and Highway Implications

National Planning Policy Framework, Policy KP2, CP4 and CP8 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM15 and the Design and Townscape Guide.

- 4.17 The proposed dwelling would be served by ample parking to accord with the Council's Adopted Parking Standards.
- 4.18 The replacement of the access to the site with a new access 17 metres to the West has been assessed by the Highway Authority and is considered to be acceptable. It is therefore considered that no objection should be raised to the proposal on the grounds of highway safety.

Sustainability

Core Strategy Policies KP2, CP4 and CP8, Development Management DPD Policy DM2 and SPD1

- 4.19 Policy KP2 of the DPD1 and the SPD1 require that 10% of the energy needs of a new development should come from on site renewable resources, and also promotes the minimisation of consumption of resources. No details have been provided in this respect but it is considered that this could be addressed by way of condition.

Tree Protection

National Planning Policy Framework, Core Strategy Policies KP2 and CP4 and Policy DM1 of the Council's Development Management DPD.

- 4.20 The applicant has submitted a tree survey to demonstrate that all trees at the site can be protected during the construction of the proposed dwelling. However, the assessment does not include any assessment of the impact of the construction of a new vehicle access which would require the removal of some trees within the site. The trees that are likely to be affected included two hawthorns that have been assessed to be in a fair/poor condition. A Crab Apple in good condition and a Box Elder in Fair condition are also likely to be affected. As none of these trees are the subject of a Tree Preservation Order and are relatively small trees that do not make a valuable contribution to the streetscene it is considered that the removal and replacement of these trees would be acceptable. A landscaping condition should therefore be imposed, including a requirement for replacement tree planting, on any planning permission that is granted.

Community Infrastructure Levy

- 4.21 This application is CIL liable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. The proposed development will result in the erection of a building that measures 660 square metres in internal area. The existing buildings have a floor area of approximately 300 square metres. As there is net increase in floor area at the site of 330 square metres, the proposed development would require a CIL payment of £7,615.38. The figures referred to include the existing and proposed dwelling and garage but not the pool building as no works are proposed to that building and it is therefore neutral in terms of CIL charge.

Conclusion

- 4.22 There is no objection to the principle of a replacement dwelling being provided at the site, the impact of the proposed development on the neighbours or the alterations to the vehicle access. Following amendments during the course of the application, it is considered that the visual impact of the development can now be found to be acceptable and therefore, for the reasons set out above, it is considered that the proposal is in accordance with the abovementioned policies of the development plan.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework 2012.
- 5.2 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles) CP4 (Environment & Urban Renaissance), and CP8 (Dwelling Provision).
- 5.3 Development Management DPD. Policies DM1 (Design Quality), DM3, (Efficient and Effective Use of Land), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).
- 5.4 Supplementary Planning Document 1: Design & Townscape Guide, 2009.
- 5.5 Community Infrastructure Levy Charging Schedule

6 Representation Summary

Public Consultation

- 6.1 6 neighbours were notified of the application and the receipt of amended plans and a site notice was displayed. 2 representations have been received which object to the proposal on the following grounds:
 - The proposal should be considered as a three storey dwelling
 - The proposed materials are not clear.
 - The site has been the subject of development on previous occasions.
 - The dwelling would be much taller than neighbouring properties.
 - The proposed dwelling is bigger than the existing dwelling.
 - The use of the balcony for leisure purposes will generate noise and cause a loss of privacy.
 - Accommodation within the garage building could be used as an annex.
 - The drainage infrastructure will not be able to cope with the extra waste water caused by the dwelling.
 - The re-positioning of the access is unnecessary.
 - The site could be used by protected species and other species and therefore a wildlife survey should be submitted. **[Officer Note - There is no reason to believe that the existing building would be used by any protected species and if any were to be found, they would be protected under the terms of other legislation].**
- 6.2 Cllr Flewitt has requested that this application go before the Development Control Committee.

Design and Regeneration

- 6.3 Green Lane has a very varied character and scale ranging from modest 1970s houses and bungalows to some of the largest residential properties in the Borough. The application site is located on the north side of the road backing onto the open fields and is set within a block of houses of significant scale set on substantial plots.

These properties are up to 2.5 storeys in height but their width, depth and more spacious arrangement set well back from the street give them a much grander presence in the streetscene although it is noted that a number of them are set behind high hedged boundaries which provide substantial screening from the street. They are all of more recent construction than the 1970s houses opposite but mixed in design and as such there is no consistent character in terms of design detail. They are however unified by their greater scale and setting. The area overall is defined by its variety in both scale and design.

The application property is a large 2 storey mock Tudor property with substantial outbuildings to both the front and rear on the eastern boundary. The proposal seeks to demolish this building and erect a replacement detached house in a more modern style. There is no objection to the loss of the existing building or to the principle of its replacement with a large modern detached house.

The proposal has a larger footprint than the existing building but has been splayed so that a narrower frontage is achieved to the street reducing the perceived scale of the building in the streetscene. The design is defined by the two feature gables which are linked with a more lightweight glazed element which again helps to break up the massing of the frontage. The height of the gables have been reduced during negotiations and are now a much more comfortable proportion and better relate to the scale of the adjacent dwellings. The main ridge in between is slightly lower than that of the existing property to be demolished. The house will be joined by a lightweight link to the existing double garage on the eastern boundary. It is proposed to increase the height and depth of this slightly to allow a guest room to be accommodated within the roofspace. Many properties in this block have large double garages on the frontage and the principle of this is therefore accepted.

The proposal has simple modern fenestration but the frontage is enlivened by additional brickwork detailing including dentil work around some of the windows and at the around the building between ground and first floor. This decoration continues into the design of the entrance porch helping to integrate it into the overall design. Generally the design, although quite restrained, has enough elements of detail to articulate the frontage and the success of this proposal will rely on the quality of this detailing and the materials.

Overall therefore it is considered that the proposal would not appear out of scale in the context of this group of larger dwellings and that the mixed streetscene can accommodate the more modern character of property proposed.

Traffic and Highways

- 6.4 There are no highway objections to this proposal. The relocation of the access will have no adverse impact upon the public highway. The applicant will be required to reinstate the existing vehicle crossover when the new crossover is constructed.

7 Relevant Planning History

- 7.1 The extension of the garage at the site was approved under the terms of application 91/0765.

8 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

01 The development hereby permitted shall begin not 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 hereby permitted shall be carried out in accordance with the following approved plans: P01, 233P02, 233P03A and 233P04A

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

03 Prior to the commencement of the development hereby approved, samples of the external materials to be used in the construction of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall subsequently be used in the construction of the dwelling hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

04 Prior to the commencement of development a renewable energy assessment shall be submitted to and agreed in writing with the Council to demonstrate how at least 10% of the energy needs of the development will come from onsite renewable options (and/or decentralised renewable or low carbon energy sources. The scheme as approved shall be implemented and brought into use on first occupation of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) policy DM2 and SPD1 (Design and Townscape Guide).

05 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

07 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and the approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. These details shall include details of:

- i. the hard surfacing materials to be used at the frontage of the site
- ii. details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established, details of measures to enhance biodiversity within the site and tree protection measures to be employed during demolition and construction.

Reason: To safeguard character and appearance of surrounding area and the amenities of the occupants of the proposed development in accordance with policies DM1, DM3, DM5 and DM8 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy.

Informative

Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil .

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.