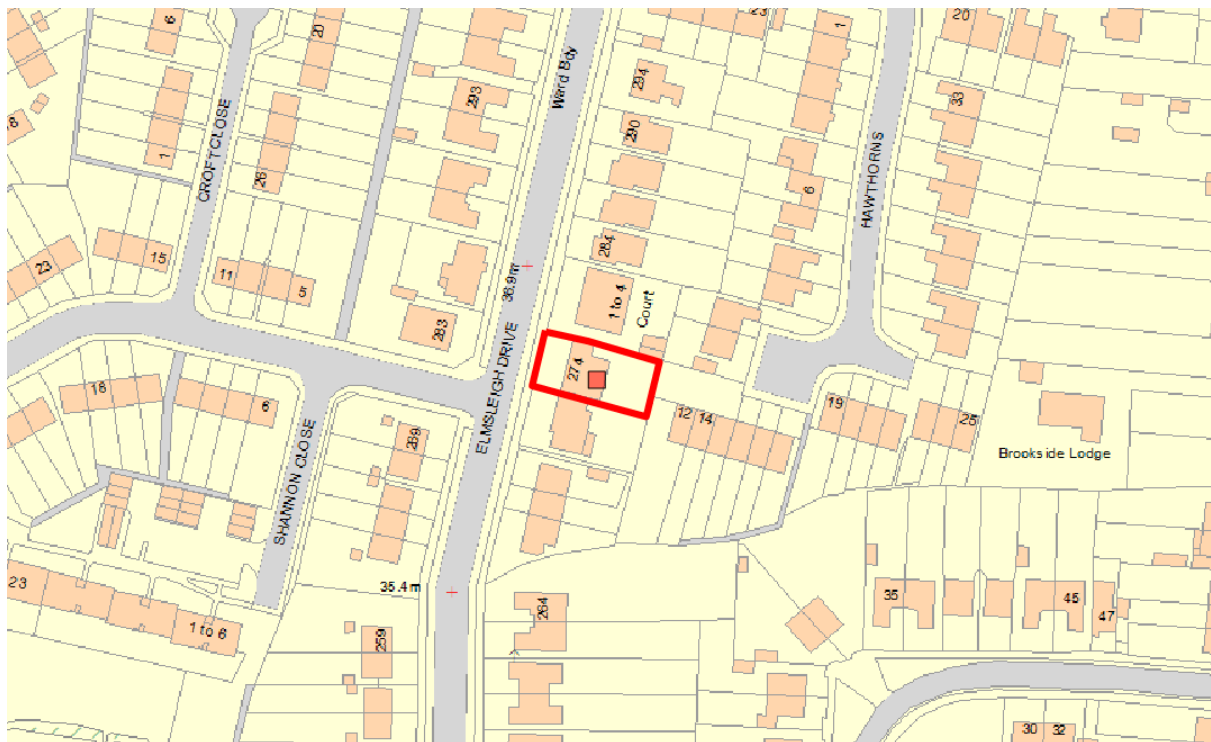


Reference:	16/01237/FUL
Ward:	Blenheim Park
Proposal:	Demolish existing bungalow and erect two semi-detached dwelling houses (Amended Proposal)
Address:	274 Elmsleigh Drive, Leigh-On-Sea, Essex, SS9 4JR
Applicant:	Mr Neville Hyams (Narrate Properties)
Agent:	BGA Architects
Consultation Expiry:	29/07/16
Expiry Date:	19/07/16
Case Officer:	Ian Harrison
Plan Nos:	15-001, 2-300, 1-300, 1-001, 1-201, 0-300, 0-001, 0-002 and 0-005.
Recommendation:	REFUSE PLANNING PERMISSION



1 The Proposal

- 1.1 Permission is sought to demolish an existing bungalow at 274 Elmsleigh Drive and replace it with a pair of semi-detached dwellings, with associated gardens and parking.
- 1.2 The main part of the existing bungalow measures 10 metres deep and 9.8 metres wide with a pitched roof built to an eaves height of 2.9 metres and a ridge height of 6 metres. Single storey projections exist to the front and rear and a flat roofed garage exists at the side of the dwelling. The dwelling is positioned a minimum of 5.7 metres from the highway frontage of the site.
- 1.3 The main part of the proposed replacement dwellings would each measure 9 metres deep and 5.9 metres wide with a shared pitched roof built to an eaves height of 5.3 metres and a ridge height of 7.6 metres. A two storey rear projection is proposed, that would measure 2.6 metres deep and 6.4 metres wide with a pitched roof built to a maximum height of 7 metres, with the projection being positioned centrally on the building and therefore being shared by the two dwellings. A single storey projection would be provided at each side of the two storey projection with flat roofs and roof lanterns. Single storey bays would be provided at the front elevation of each dwelling with lean-to roofs that provide a canopy to the front of the dwelling. The dwellings would be handed replicas of each other.
- 1.4 Two parking spaces would be provided to serve the proposed dwellings with a shared access from Elmsleigh Drive. Each dwelling would feature three bedrooms, two of which would be double bedrooms, have an internal floor area of 110 square metres and feature gardens to the rear that would measure an average of 70 square metres per property in area.
- 1.5 This application follows the refusal of similar application 16/00432/FUL which sought permission for a similar development but with a different arrangement to the parking and access at the frontage of the site. That application was refused for the following reasons:

1. The proposed vehicle accesses would cause the loss of the existing bus stop at the frontage of the site and no suitable replacement bus stop has been agreed. The loss of public transport facilities would reduce the ability to travel sustainably and the proposal would therefore be contrary to the NPPF, policies KP2 and CP3 of DPD1 (Core Strategy) and Policy DM15 of DPD2 (Development Management).

2. The proposed vehicle accesses would be likely to result in loss or damage to a street tree resulting in an unacceptable impact on visual amenity in the streetscene contrary to policies KP2 and CP4 of DPD1 (Core Strategy), policies DM1 and DM15 of DPD2 (Development Management) and SPD1 (Design and Townscape Guide).

2 Site and Surroundings

- 2.1 The application site currently contains a single storey dwelling that is described above, with front and rear gardens and vehicular access from Elmsleigh Drive. A bus stop sign is located in front of the site.

2.2 The site is located within an area of mixed residential properties. To the North of the application site is a block of four flats, to the South is a bungalow and the wider area features a variety of bungalows, chalet style dwellings and full two-storey dwellings.

2.3 The site is not the subject of any site specific policy designations.

3 Planning Considerations

3.1 The main considerations in the determination of this application are the principle of the development, design and impact on the streetscene, impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers, traffic and highways issues and sustainability.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP8; Development Management DPD Policies DM1, DM3, DM7, DM8 and DM15 and the Design and Townscape Guide SPD1 (2009)

4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy DPD Policies KP2, CP4 and CP8. Amongst the core planning principles of the NPPF includes 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.”* 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.”* Paragraph 64 of the NPPF states; *“that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*

4.2 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design, and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 requires that development proposals contribute to local housing needs and identifies that 80% of residential development shall be provided on previously developed land.

- 4.3 Policy DM3 states that *“the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity”* and that *“The conversion of existing single dwellings into two or more dwellings will only be permitted where the proposed development:*
- (i) Does not adversely impact upon the living conditions and amenity of the intended occupants and neighbouring residents and uses; and*
 - (ii) Will not harm the character and appearance of the existing building or wider area; and*
 - (iii) Will not lead to a detrimental change of a street’s function; and*
 - (iv) Meets the residential standards set out in DM8 and the vehicle parking standards set out in Policy DM15.*
- 4.4 Policy DM3 also states 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.”*
- 4.5 The majority of these issues will be discussed in greater detail below, but subject to these matters it is considered that no objection should be raised to the principle of residential development at this site.

Design and Impact on the Character of the Area

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) policies DM1 and DM3 and the Design and Townscape Guide.

- 4.6 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policy DM1 of the development management DPD and in the Policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide (SPD1) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”* In the NPPF it is stated that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* In the Council’s 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.”*

- 4.7 As set out above, the street of Elmsleigh drive is of varied character, featuring a mixture of single and two pitched roof buildings, with a mixture of detached and semi-detached properties. In this context it is considered that no objection should be raised to the loss of bungalows on visual grounds. It is considered that the street is not dominated by bungalows and as such the provision of two storey development would not be at odds with the character of the site or the surrounding area.
- 4.8 The buildings of the area follow generally consistent building lines and this has been incorporated into the proposed development as the proposed dwellings would align with both neighbouring buildings. The arrangement of the dwellings compliments the layout and arrangement of dwellings within the surrounding area.
- 4.9 Policy DM1 states that weight should be given to the council's Design and Townscape Guide (SPD1) and in respect of this proposal it is considered relevant to note that paragraph 85 states that *"the successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant in the streetscene and development which is under scaled will appear weak and be equally detrimental. The easiest option is to draw reference from the surrounding buildings. This is generally a good 'rule of thumb', especially where local character is uniform. Referencing in this way does not necessarily include looking at landmark buildings nearby. The character of much of the Borough is defined by street blocks or small runs of properties."* Given the varied scale of buildings within the vicinity of the site, it is considered that no objection should be raised to the erection of two-storey dwellings in place of bungalows on visual grounds.
- 4.10 Unlike the previous proposal at this site, the layout of the parking area would enable the retention of the street tree at the frontage of the site and therefore it is considered that the previous grounds for objection to the visual impact of the development has been overcome. No other objections were raised to the visual impact of the development previously and it is considered that this position should be maintained.

Impact on Residential Amenity.

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

- 4.11 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."

- 4.12 The neighbouring bungalow of 272 Elmsleigh Drive features a garage to the side and no windows in the side elevation that would face the proposed dwellings. The proposed dwellings would measure 11.7 metres deep at ground floor and 9 metres deep at first floor and therefore the ground floor of the dwellings would project 4.4 metres to the rear of the garage and 2.9 metres to the rear of the main part of the neighbouring dwelling. Due to the 3.1 metre separation distance between the dwelling and the habitable part of the neighbouring dwelling (i.e. not the garage), the relatively low height of the part that projects beyond the neighbouring property and the positioning of the dwellings to the North of that property, it is considered that the proposal would not cause a materially harmful loss of light or outlook within the neighbouring property. It is noted that the neighbouring dwelling is set at a lower ground level and therefore the ground floor projection would be elevated in comparison to the neighbouring property and this therefore causes the extensions to have a greater impact than if the ground was level. However, on balance, it is considered that the impact on light would not be unduly harmful and the impact of the extensions would not be unduly overbearing on residential amenity. Moreover, as all first floor windows would be East or West facing (except for an en-suite which be expected to feature obscure glazing) it is considered that the proposal would not cause a loss of privacy within the neighbouring property.
- 4.13 The building to the North consists of 4 flats and features three windows (two at first floor and one at ground floor) and two doors in the South elevation. The South facing windows would be separated from the proposed dwellings by 4.4 metres and appear to serve two bathrooms and a stair well. The dwellings would have some impact on the outlook from within the neighbouring property, but due to the separation distance, the elevated position of the first floor windows and the non-habitable use of the rooms that are served by those windows, it is considered that the impact of the proposed dwelling would not be materially harmful.
- 4.14 No other properties would be materially affected by the proposed development.

Standard of Accommodation:

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.

- 4.15 Paragraph 17 of the NPPF states that “*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. It is considered that most weight should be given to the Technical Housing Standards that have been published by the Government which are set out as per the below table:
- Minimum property size for residential units shall be as follow:
 - (a) 3 bedrooms (5 bed spaces) 93 square metres
 - Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m² ; and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.

- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

The following is also prescribed:

- Provision of a storage cupboard with a minimum floor area of 1.25m² should be provided for 1-2 person dwellings. A minimum of 0.5m² storage area should be provided for each additional bedspace.
- Amenity : Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7m² for a single bedroom with a minimum width of 2.15m² ; and 12m² for a double/twin bedroom with a minimum width of 2.55m².
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home. Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.
- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.
-

4.16 The proposed dwellings would accord with the abovementioned bedroom standards and have a gross internal area that also meets the policy requirements. Ample amenity space would be provided and it is considered that there is scope to provide adequate cycle parking and refuse storage facilities at the site.

4.17 Policy DM3 requires that developments should meet the Lifetime Homes Standards which have subsequently been dissolved. However, their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. A plan has been submitted to demonstrate that the proposed development would comply with those standards. It is therefore considered that the proposed development should not be refused on the grounds of the loss of a bungalow.

Highways and Transport Issues:

National Planning Policy Framework, Policy KP2, CP3 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM15 and the Design and Townscape Guide.

- 4.18 Policy DM15 states that each dwelling should be served by a minimum of two parking spaces. This standard has not been met by the proposed development and it is therefore considered that the proposal would cause a reduction of highway safety within the surrounding area by increasing the demand for parking within highways within the vicinity of the site. It is noted that the applicant has submitted a travel plan to attempt to encourage sustainable modes of transport to mitigate the lack of parking. However, it is considered that the site is not in a sufficiently sustainable location for such a travel plan to have a reasonable prospect of success that would justify a reduction of the parking standards.
- 4.19 The Highway Authority objected to the previous application on the grounds that the proposal would require the relocation of the bus stop at the frontage of the site. The modification of the proposal means that this is no longer the case and therefore this basis to object to the application has been satisfactorily overcome.

Sustainability

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

- 4.20 Policy KP2 of the Core Strategy states; *“All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources”* and that *“at least 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)”*. The provision of renewable energy resources should be considered at the earliest opportunity to ensure an integral design
- 4.21 The submitted plans show the provision of solar panels to the roof of one of the dwellings but it has not been demonstrated that this would provide 10% of the energy required at the site. It would however be possible to secure the submission and agreement of further details of sustainable construction under the terms of a condition.

Community Infrastructure Levy.

- 4.22 This application is CIL liable and there will be a CIL charge payable. 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 a net increase in gross internal area of 101 square metres (taking into account a deduction of 121 square metres for existing 'in-use' floorspace that is being demolished). The CIL chargeable rate for residential units in this location is £20 per square metre and this equates to a CIL charge of £2136.54.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 DPD1 Core Strategy Policies CP4 (Environment & Urban Renaissance) and KP2 (Development Principles), KP3 (Implementation and Resources) CP8 (Dwelling Provision)
- 5.3 Development Management DPD Policies DM1, DM2, DM3, DM7, DM8 and DM15 including Housing Standards Transition Policy Statement dated 01/10/15.
- 5.4 Community Infrastructure Levy Charging Schedule
- 5.5 Design & Townscape Guide 2009 (SPD1).
- 5.6 Technical Housing Standards

6 Representation Summary

Traffic & Highways Network

- 6.1 There is a highway objection to this proposal the Policy DM15 requires 2 car parking spaces per dwelling the application only provided 1 space per dwelling consideration has been given to the travel plan provided however in this instance 2 car parking spaces per dwelling are required.

With regard to the vehicle crossover extension this would be located extremely close to the existing bus stop, extending the crossover may have a detrimental impact on any future infrastructure improvements to the bus stop, therefore a highway objection is also raised to the vehicle crossover extension.

Design and Regeneration Officer

- 6.2 Elmsleigh Drive has a mixed character including bungalows, chalets and houses of various ages and designs including both traditional and modern properties. There is limited cohesion in the streetscene in design terms except for the uniform building line and red/brown roof materials. The grass verges and street trees are a positive feature and help to provide some consistency to the streetscene.

Number 274 is one of two bungalows set in between two storey houses. It is proposed to demolish the existing bungalow and erect a pair of semi-detached houses. Given the mixed character of the street there is no objection on character grounds to the principle of replacing the existing bungalow with a pair of semi-detached houses. The proposal generally seems well scaled and respects the consistent building line in the street. The design has replicated the bay detail of the existing property, which is also found in other properties in the street, and have added a canopy and hanging bay above with a hipped roof and feature chimneys. Whilst the elevation is not unresolved it may be worth considering linking the two bays into a double height feature and separating the porch as this would better rationalise the relationship between the floors. The hipped roof and feature chimneys, as well as the bay detail positively relate to the design of 268-270 and this should help to integrate the proposal into the streetscene.

To the rear the proposal is reasonable in its design although there could be a better correlation between the ground and first floor.

There is some concern that there will not be much/any space for landscaping on the frontage but it is pleasing to see that the street tree and section of verge is now proposed to be retained.

It is pleasing to see some renewables on the plan although it is noted that this is only on 1 property (the south roof slope). There is no objection to this in principle provided that it produces at least 10% of the energy for the whole site. This should be conditioned.

Public Consultation

6.3 A site notice was posted and letters were sent to 11 neighbouring residents. Several objections have been received from the occupants of four properties which object on the following grounds:

- The parking provided is inadequate.
- The loss of a bungalow.
- The submitted travel plan does not address the concerns.
- The junction of Danescroft Drive and Elmsleigh Drive is dangerous and therefore parking in the surrounding area should be restricted.
- Crossing the road will be dangerous for school children.
- Safety should be more important than profits for developers.

The application has been called-in to the Council's Development Control Committee by Councillor Evans

7 Relevant Planning History

7.1 The refusal of similar recent application 16/600432/FUL is discussed in detail above.

8 Recommendation

REFUSE PLANNING PERMISSION for the following reason:

01 **The proposed development would have insufficient parking to meet the needs of occupiers and would therefore be likely to result in vehicles parking within the highway to the detriment of highway safety and the free flow of traffic. The proposal would therefore be contrary to the National Planning Policy Framework and policies DM3 and DM15 of the Council's Development Management DPD.**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

Informative

Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application might also be CIL liable.