

Reference:	16/01282/FULH
Ward:	Thorpe
Proposal:	Erect dormer to rear and install roof lights to front to form habitable accommodation in roof and install window to side elevation (Retrospective)
Address:	103 Kensington Road, Southend-On-Sea, SS1 2SY
Applicant:	Ms Paul
Agent:	Trudy's Architectural Consultants
Consultation Expiry:	19.08.16
Expiry Date:	05.09.16
Case Officer:	Louise Cook
Plan Nos:	39/15/A, 39/15/D, unnumbered location plan
Recommendation:	Grant Planning Permission



1 The Proposal

- 1.1 Retrospective planning permission is sought to retain the existing rear dormer, front rooflights and window in the side elevation which has been constructed at the property.
- 1.2 The dormer window measures 6.3m wide x 3m high x 3.5m deep with a flat roof and finished in cladding.
- 1.3 Two rooflights have been installed into the front elevation and a window in the gable on the side elevation.
- 1.4 The application is a result of an enforcement complaint (ref. 16/001117/UNAU_B). A certificate of lawfulness was granted for a dormer and rooflights on 2nd July 2015 under ref. 15/00723/CLP however, the dormer as constructed does not constitute permitted development as it breaches certain conditions imposed on permitted development under Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015, specifically:

Condition B.2 (a) which requires that *“the external materials used in any exterior work must be of similar appearance to those used in the construction of the exterior of the original dwellinghouse”*. [The dormer has been finished in cladding rather than render].

Condition B.2 (b) (i) (aa) which requires that *“the eaves of the original roof are maintained or reinstated.”* [The eaves of the original roof have not been retained.]

Condition B.2 (b) (i) (bb) which requires that *“the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2m from the eaves, measured along the roof slope to the outside edge of the eaves.”* [The dormer has been built off the outside wall and therefore fails to meet this requirement.]

Condition B.2 (b) (ii) which requires that *“...no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.”* [The fascia of the dormer extends beyond the outside face of the rear external original wall.]

- 1.5 The application is not CIL liable as it benefits from Minor Development Exemption (under 100sq.m).

2 Site and Surroundings

- 2.1 The application property is a semi-detached dwellinghouse located on the western side of Kensington Road between its junctions with Woodgrange Drive and Northumberland Crescent.

- 2.2 The site is located in a residential area which is characterised by semi-detached and terrace two storey dwellinghouses.
- 2.3 The site has a medium west facing rear garden.

3 Planning Considerations

- 3.1 The main planning considerations for this application are the principle of development, design and impact on the streetscene, potential impact on neighbouring occupiers and traffic and transportation.

4 Appraisal

Principle of Development

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

- 4.1 The extension of residential properties is supported where the proposed development meets the policies of the development plan.

Design and Impact on the Streetscene

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

- 4.2 Policies KP2 and CP4 of the Core Strategy details that all new development should respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design.
- 4.3 Policy DM1 of the Development Management Document states that the Council will support good quality, innovative design that contributes positively to the creation of successful places and add to the overall quality of the area and respect the character of the site, local context and its surroundings.
- 4.4 Paragraph 366 of the Design and Townscape Guide (SPD1) states;

“Proposals for additional roof accommodation within existing properties must respect the style, scale and form of the existing roof design and the character of the wider townscape. Dormer windows, where appropriate should appear incidental in the roof slope (i.e. set in from both side walls, set well below the ridgeline and well above the eaves)...”
- 4.5 The property is one of an existing semi-detached pair which has gable roofs.

- 4.6 The dormer window is located to the rear of the site and has very little public impact (there is a slight glimpse of the side of the dormer between the neighbouring property to the north). The dormer is set in from both sides of the roof, and below the ridge. However, it has been built off the outside wall of the dwelling and therefore is set fractionally beyond the outside wall of the original dwellinghouse. The applicant has advised that the gutter will be put on to the rear of the house to match the neighbouring property and be reinstated as per existing. This will somewhat hide the base of the dormer where it joins the first floor wall below.
- 4.7 It is noted that there are other dormers within the vicinity of the site in Kensington Road and to the rear in Victoria Road, albeit that they are smaller than the dormer in question and finished in hanging tiles.
- 4.8 Whilst the dormer has been finished in cladding and there is no such cladding on the existing building, this is similar in colour to the cream render on the existing building and white render of neighbouring buildings. There is other similar modern cladding on the neighbouring property to the north at 105 Kensington Road and opposite the site.
- 4.9 Therefore, in light of the above and taking into account the permitted development rights available and that the dormer has limited public impact in the streetscene, it is not considered that an objection is raised to the dormer on design grounds in this instance.

Impact on Neighbouring Occupiers

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

- 4.10 Policy DM1 of the Development Management Document states that all 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.
- 4.11 With regard to the impact upon no. 105 Kensington Road located to the north of the application site, there is a separation distance of 2m between the dormer window and no. 105. It is not considered that the dormer is overbearing upon or detrimental to the amenities of this neighbouring occupier. The window inserted into the gable of the existing property will not give rise to overlooking or loss of privacy to this neighbour as it is obscure glazed and on its own is permitted development. Existing windows in the side flank of no. 105 are obscure glazed and there are no main habitable room windows in this wall facing the application site.

- 4.12 With regard to the impact upon no. 101 Kensington Road located to the south of the site, the dormer is stepped in from the adjoining boundary by 0.6m. It is not considered that the dormer is overbearing upon the neighbour given its siting and taking into account that a similar size dormer with windows in this position could be built under permitted development.
- 4.13 It is not considered that the dormer window would give rise to overlooking or loss of privacy to neighbours as it is not considered that the windows would have any further impact than the existing first floor windows in the rear of the property.
- 4.14 It is not considered that the development gives rise to overlooking or loss of privacy to neighbours at the rear in Victoria Road given the levels of separation involved of approximately 45m.
- 4.15 Therefore, the proposed development will not be detrimental to the amenities of neighbouring occupiers and satisfies Policy DM1 of the Development Management Document in this respect.

Traffic and Transportation

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

- 4.16 The dormer has increased the number of bedrooms at the property from 3 to 5. This does not increase the requirement for parking which remains at 2no. off-street parking spaces as set out in Policy DM15 of the Development Management Document. There is sufficient existing parking on the frontage to meet this requirement and therefore no objection is raised.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework, 2012.
- 5.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance).
- 5.3 Development Management Document Policies DM1 (Design Quality) and DM15 (Sustainable Transport Management).
- 5.4 Design & Townscape Guide, 2009 (SPD1).

6 Representation Summary

- 6.1 None required.

Public Consultation

- 6.2 Neighbours notified – Three letters of representation has been received which object to the development on the following grounds:
- The cladding on the dormer is not in keeping with the house and is an eyesore. The dormer should be clad in roof tiles to blend in with the existing roof and as per other dormer extensions.
 - The dormer overhangs the back wall of the house.
 - Overpowering
 - Much larger than other dormers around locally.
 - The dormer fails to comply with certain permitted development requirements.
- 6.3 The application has been called into the Development Control Committee by Cllr Woodley.

7 Relevant Planning History

- 7.1 15/00723/CLP: Dormer to rear and install roof lights to front to form habitable accommodation in roof and install window to side elevation (Lawful Development Certificate - Proposed) – Certificate granted on 2nd July 2015.
- 7.2 14/00796/FULH: Erect conservatory to rear (Retrospective) – Approved.

8 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

01. The development hereby permitted shall be permanently retained in accordance with the approved plans: 39/15/A, 39/15/D.

Reason: To ensure that the development is permanently retained in accordance with provisions of the Development Plan.

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.

Informative

01. You are advised that as the proposed extension(s) to your property 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 CIL.