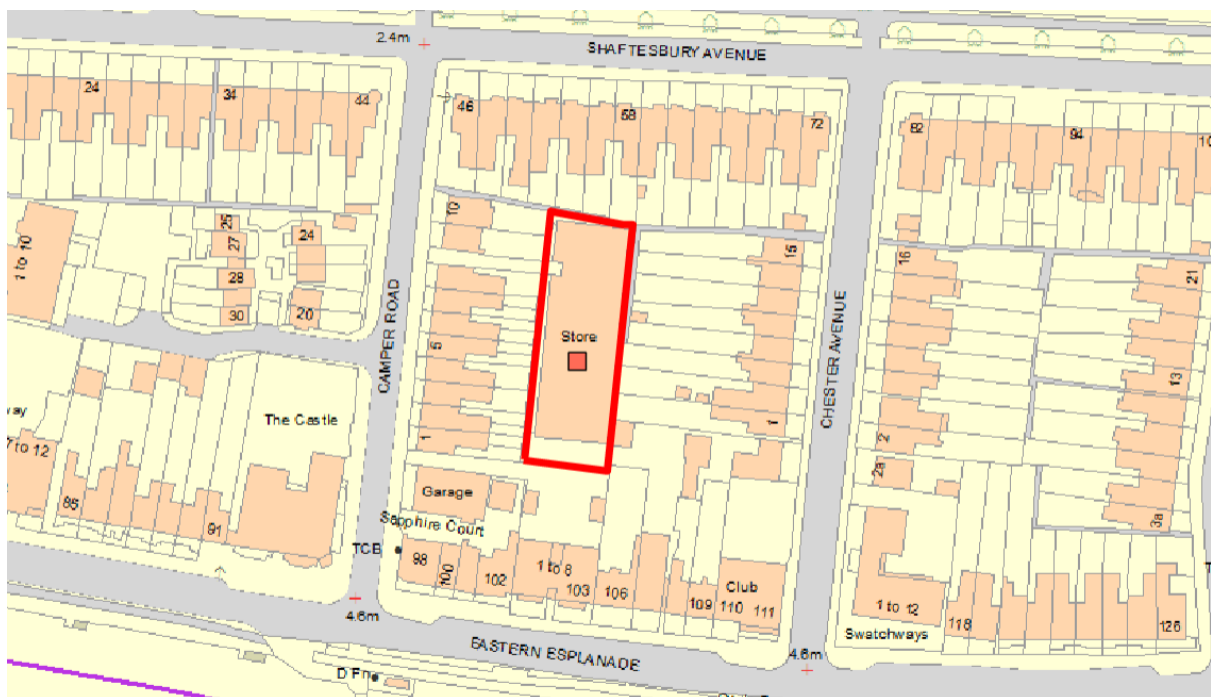


<b>Reference:</b>	16/02061/FUL
<b>Ward:</b>	Thorpe
<b>Proposal:</b>	Replace plan 151-02-13 2, 151-02-13 P01 with 151-02-13 2A, 151-02-13 P01B to amend parking layout (Variation of conditions 2 and 4 of planning application 13/01753/FUL dated 17/02/14) (retrospective)
<b>Address:</b>	Rear of 2 - 10 Camper Road, Southend-On-Sea, Essex, SS1 2YR
<b>Applicant:</b>	Stockvale Properties LTD
<b>Agent:</b>	SKArchitects
<b>Consultation Expiry:</b>	13.12.2016
<b>Expiry Date:</b>	02.02.2017
<b>Case Officer:</b>	Janine Rowley
<b>Plan Nos:</b>	P01 Revision C; P02(4) Revision A; P02 Revision B and P03 Revision B
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>



## **1 The Proposal**

- 1.1 A planning application (11/00507/FUL) to demolish an existing storage building and erect 5, two storey dwellings was allowed on appeal in 2011 (reference: 2164587). The development has been completed and includes a pair of semi-detached dwellings and a terrace of 3 to the north.
- 1.2 Application 13/01753/FUL sought permission to change the footprint of the buildings allowed at appeal under reference app/2164587, which was granted planning permission on the 17<sup>th</sup> February 2013.
- 1.3 There is a concurrent planning application to erect a two storey side extension to form a terrace house and layout parking under reference 16/01901/FUL currently pending consideration.
- 1.4 This application seeks to make amendments to the previously approved planning application 13/10753/FUL. The amendment relates to the car parking whereby the applicant has not implemented this element of the development in accordance with the approved plans. Under application 13/01753/FUL, three spaces were originally proposed to the eastern boundary and two spaces to the west of the dwelling houses. The applicant has changed the parking layout and installed five spaces to the south of the dwellinghouses, which the applicant is now seeking permission for retrospectively.

## **2 Site and Surroundings**

- 2.1 The site is occupied by five two storey dwellinghouses with associated amenity space. The surrounding character is two storey properties to the north, east and west with larger flatted developments to the south.
- 2.2 To the north of the site are residential properties fronting Shaftesbury Avenue which have rear gardens backing onto the application site.
- 2.3 To the east and west of the site are residential properties fronting Chester Avenue and Camper Road whose rear gardens also back onto the application site.
- 2.4 To the south of the site is a shared right of way and access and beyond this is Thorpe Lodge which contains flats.
- 2.5 The area is generally residential in character, with some commercial uses fronting Eastern Esplanade.

## **3 Planning Considerations**

- 3.1 The main considerations in relation to this application are the principle of the development, impact on the character of the area, traffic and transportation issues and impact on residential amenity. The planning history of the site is also a material consideration, in particular application no. 13/01753/FUL.

## 4 Appraisal

### **Principle of Development**

**National Planning Policy Framework, Core Strategy Policies KP2, CP1, CP4 and CP8, Development Management Document DPD2 policies DM1 and DM3**

- 4.1 The principle of redevelopment of this site for residential use has been accepted. The only change from the previously approved plans is the parking layout, which has been changed to be laid out to the south of the existing dwellinghouses.

### **Design and Impact on the Character of the Area:**

**National Planning Policy Framework, Core Strategy Policies KP2, CP1, CP4 and CP8, Development Management Document DPD2 policy DM1**

- 4.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF as well as Policies KP2 and CP4 of the Core Strategy DPD1 and policy DM1 of the Development Management Document DPD1. The Design and Townscape Guide (SPD1) also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.3 As stated above the overall design and scale of the development has been previously accepted. This application seeks to vary conditions 2 and 4 of application 13/01753/FUL in relation to the parking layout, which has been constructed retrospectively and in a different location.
- 4.4 The parking layout now includes 5 spaces to the south of the existing pair of semi-detached and the refuse and recycling storage have been resited along the eastern boundary. The amended parking layout will allow for greater landscaping and openness to the development which will improve the setting of the houses and the approach to the front entrances which are located in the centre of the site. There are therefore no design objections to the proposed amended parking layout.

### **Traffic and Transport Issues**

**National Planning Policy Framework, Core Strategy Policies KP2, CP3, CP4 Development Management Document DPD2 policy DM15**

- 4.5 The principle of five parking spaces, 1 per dwelling has been considered acceptable following the appeal allowed for redevelopment of this for five houses (appeal reference: 2164587). No objections were raised in relation to the access road or parking layout.
- 4.6 The parking layout as constructed has removed the turning area for vehicles to manoeuvre as previously allowed at appeal. However, vehicles will still be able to manoeuvre across and existing right of way area that serves a number of properties allowing vehicles to exit in a forward gear to Camper Road. The Councils Highway Officer has raised no objections to this arrangement.

### **Impact on Residential Amenity**

#### **National Planning Policy Framework, Core Strategy Policies KP2, CP4 Development Management Document DPD2 policy DM1**

- 4.7 It is not considered the amended parking layout will affect the amenities of nearby residential occupiers.

### **Flood Risk**

#### **National Planning Policy Framework, Core Strategy Policy KP2**

- 4.8 The site is located within Flood Zone 3a (high probability of flooding) and the applicant has submitted an FRA which considers risk of flooding, access and resilience measures.
- 4.9 Paragraph 103 of the NPPF states:

*“When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:*

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.”*

- 4.10 The application seeks to make amendments to the design of the parking layout dwellings. The principle of dwellings was not objected to by the Planning Inspector when allowing the appeal. It is not considered there are any new material planning considerations that would mean the development is not acceptable in terms of the sequential test or exceptions test, which have previously been satisfied. Furthermore, the Environment Agency has raised no objection.

### **Other Matters**

#### **Contamination**

#### **National Planning Policy Framework, Core Strategy Policies KP2, CP4 Development Management Document DPD2 policy DM14**

- 4.11 The site has been identified as a site that could be contaminated due to the previous uses on site. The development has been completed and the Councils Environmental Health Officer considers a number of site investigation reports have been provided and the information appears to be satisfactory. If further intrusive works were to be carried out at the location or if the use of the site was to vary then further investigation would be required.

## **Renewable Energy**

### **National Planning Policy Framework, Core Strategy Policies KP2, CP4 Development Management Document DPD2 policies DM1 and DM2**

4.12 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. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in SPD 1 Design and Townscape Guide”.*

4.13 Photovoltaic panels were required on the dwellings by condition. These have not been installed and thus a further condition is recommended.

### **Community Infrastructure Levy (CIL) Charging Schedule.**

4.14 CIL Regulation 128A means that CIL is only chargeable if there is a net increase in floorspace between the original permission of 13/01753/FUL and this Section 73 application. The proposal will not result in any additional floorspace.

## **5 Conclusion**

5.1 Taking into account the above and all other material considerations the amended parking layout is considered to be in accordance with the Development Plan.

## **6 Planning Policy Summary**

6.1 National Planning Policy Framework.

6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), and CP8 (Dwelling Provision).

6.3 Development Plan Document 2: Development Management Document policies DM1 (Design Quality), DM2 (Low Carbon and Efficient Use of Resources), DM14 (Environmental Protection), DM15 (Sustainable Transport Management)

6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009)

6.5 CIL Charging Schedule

## 7 Representation Summary

### Highways

- 7.1 There are no objections to the change of parking layout. Each dwelling will still retain 1 for 1 parking and the layout allows vehicle to manoeuvre effectively and exit in a forward gear.

### Environment Agency

- 7.2 We have no objection to the application as it is considered to be low risk.

### Environmental Health

- 7.3 A number of site investigation reports have been provided and the information appears to be satisfactory. If further intrusive works were to be carried out at the location or if the use of the site was to vary then further investigation would be required.

### Public Consultation

- 7.4 A site notice and neighbours notified. Two letters of representation has been received stating:

- Each house will have one parking space per dwelling **[Officer Comment: The parking provision of one space per dwelling remains unaltered. The parking provision has been previously accepted by a planning inspector under appeal reference: 2164587];**
- The disabled bay is to be removed and no parking provision is proposed for such users **[Officer Comment: Under applications 11/00507/FUL and 13/01753/FUL no disabled parking was proposed and therefore the proposal is not removing such provision];**
- The additional cars from this development already affect the surrounding residents;
- This proposal will result in further demand for parking **[Officer Comment: The number of parking spaces per dwelling remains unchanged from the previously approved applications to redevelop the site. The change relates to the siting of the parking to the south of the pair of semi-detached properties rather than to the east and west boundaries respectively]**

- 7.5 Councillor Woodley has requested this application be dealt with by Development Control Committee.

## 8 Relevant Planning History

- 8.1 2011 – A planning application (11/00507/FUL) to demolish an existing storage building and erect 5, two storey dwellings was refused planning permission. A subsequent appeal was allowed.

- 8.2 2013- Application to vary condition 2 (the development hereby permitted shall be carried out in accordance with the approved plans) allowed on appeal dated 14th March 2012 to request amendment to building footprint. Granted (13/01753/FUL).
- 8.3 2017- Erect two storey side extension to form terraced house and layout parking- Pending consideration (16/01901/FUL)

## **9 Recommendation**

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

01 **The development hereby permitted shall be carried out in accordance with the following approved plans: P01 Revision C; P02(4) Revision A P02 Revision B and P03 Revision B.**

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

02 **Notwithstanding the submitted plan P02(4), within three months of the date of this permission five marked car parking spaces shall be provided and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of the dwelling(s) of which it forms part and their visitors and for no other purpose unless otherwise agreed in writing by the local planning authority.**

**Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15, and SPD1 (Design and Townscape Guide).**

03 **Within three months of the date of this permission, photovoltaic panels shall be installed carried out in accordance with details of renewable energy statement carried out by pemxq September 2013 and drawings P02 Revision B and P03 Revision B relating to the photovoltaic panels and permanently retained thereafter.**

**Reason: In the interest of sustainable development and in accordance with Policy KP2 of the Southend on Sea Borough Core Strategy.**

04 **The development hereby permitted shall operate at all times in accordance with the 'Flood Evacuation and Warning Plan' project 151-02-13 submitted with this application.**

**Reason: To ensure that the habitable development remains dry in the event of flooding for the adequate protection of the occupants in accordance with the NPPF.**

- 05 The development hereby permitted Trentside Geotechnical Testing and Site Investigations Limited report dated 22.04.2016 reference JB/TGT/010 is agreed, unless otherwise agreed in writing by the local planning authority.**

**Informative**

- 1 You are advised that as the proposed external alterations does not result in the creation of new floorspace given that it 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](http://www.southend.gov.uk/cil) for further details about 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.**