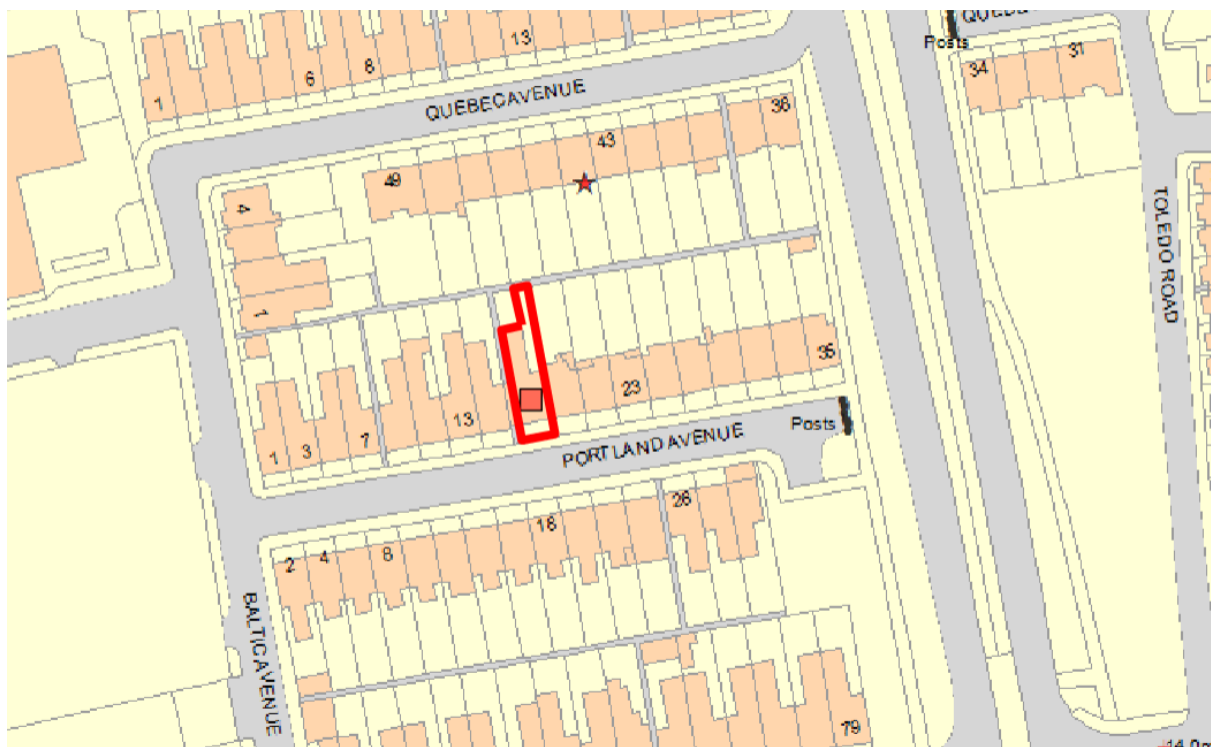


Reference:	17/00093/BC4	
Ward:	Milton	
Proposal:	Convert garage into habitable accommodation	
Address:	Lower flat 17 Portland Avenue, Southend-on-Sea, Essex, SS1 2DD	
Applicant:	Mr Fackerall	
Agent:	Contour Architectural Designs Limited	
Consultation Expiry:	16.02.2017	
Expiry Date:	23.03.2017	
Case Officer:	Janine Rowley	
Plan Nos:	CAD/PP/16096/001; CAD/PP/16096/002	
Recommendation:	GRANT PLANNING PERMISSION	



## **1 The Proposal**

- 1.1 The application seeks planning permission to convert the garage into habitable accommodation with corresponding alterations to the front elevation.
- 1.2 The existing garage is 2.6m wide x 4.6m deep and therefore cannot properly accommodate a vehicle does not meet policy DM15 of Development Management requirements and does not qualify as a parking space. The proposal seeks to replace the existing garage doors with a three pane window to match the first floor.

## **2 Site and Surroundings**

- 2.1 The site relates to a mid-terraced property located on the north side of Portland Avenue. The property has been previously converted into flats and this application relates to the ground floor flat.
- 2.2 The site is located in a residential area in close proximity to the town centre and within walking distance of the Travel Centre and Southend Central Station.

## **3 Planning Considerations**

- 3.1 The main considerations are in relation to the principle of development, design and impact on the character of the area, traffic and transportation implications and impact on residential amenity and CIL.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; policy DM1 of the Development Management DPD2 and the Design and Townscape Guide SPD1 (2009)**

- 4.1 This proposal is considered in the context of the Core Strategy DPD Policies KP2 and CP4, policy DM1 of the Development Management DPD2. These policies and guidance support extensions to properties in most cases but require that such alterations and extensions respect the existing character and appearance of the building. Alterations and extensions are acceptable to the property provided that there is no adverse visual impact on the character of the surrounding area and on residential amenity. Therefore, the principle of converting the garage to habitable accommodation is acceptable subject to the detailed design considerations below.

### **Design and impact on the character of the area**

**National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; DPD2 (Development Management) policy DM1, and Design and Townscape Guide SPD1.**

- 4.2 National Planning Policy Framework (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”*.
- 4.3 Policy KP2 of the Core Strategy advocates the need for all new development to respect the character and scale of the existing neighbourhood where appropriate and secure urban improvements through quality design. Policy CP4 of the Core Strategy states that development proposals will be expected to contribute to the creation of a high quality, sustainable, urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.
- 4.4 Policy DM1 of the Development Management DPD2 advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 4.5 The proposal seeks to replace the existing garage door with a three pane window incorporating a bay to match the first floor. The proposed external changes will result in an improvement to the overall appearance of the building and have a positive impact on the character and appearance of this part of Portland Avenue, which is characterised by similar bay windows. This is considered to be in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management and the Design and Townscape Guide.

### **Traffic and Transportation**

**National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; DPD2 (Development Management) policy DM15 and the Design and Townscape Guide SPD1.**

- 4.6 The site is located within the central area of Southend within walking distance to the town centre including the Travel Centre and Southend Central railway station. Portland Avenue has parking restrictions and a number of properties do not benefit from off street parking. This application seeks to convert the existing garage serving the ground floor flat. As stated in paragraph 1.2 above, the existing garage is 2.6m wide x 4.6m deep. A normal garage space as set out in the Development Management Document, Design and Townscape Guide and the Councils Vehicle Crossing Policy requires a minimum width of 2.8m and 4.8m depth. The existing garage does not suit to accommodate a vehicle by reason of its limited size. It should also be noted the garage does not meet current standards set out in policy DM15 of the Development Management Document that requires a garage to have a minimum size of 3m width and 7m deep.

- 4.7 Policy DM15 of the Development Management Document states that 1 parking space per flat is required in the Southend Central Area. However, the policy goes on to state in part 6:

*“Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/ or where the rigid application of these standards would have a clear detrimental impact on local character and context.*

*Reliance upon on-street parking will only be considered appropriate where it can be demonstrated by the applicant that there is on-street parking capacity”.*

- 4.8 The existing first floor flat does not benefit from off street parking and there are a number of properties in Portland Avenue that also do not benefit from off street parking. Taking into account that the existing garage does not provide off street parking and the site is located within a sustainable location with access to frequent and extensive links to public transport no objection is raised in relation to policy DM15 of DPD2. In addition, a recent appeal decision at 15 Portland Avenue (reference: 3162315) has been allowed to convert a house into a house of multiple occupation for seven bedrooms the Inspector considered no harm would be generated in relation to parking stating in paragraph 7:

*“On street parking in the vicinity of the appeal site is strictly controlled so the parking of any vehicles belonging to the existing or future occupants of the HMO is unlikely to harmfully affect the area. As such, the conversion to an HMO has not harmed the quality or character of the area”.*

- 4.9 Furthermore, the Councils Highway Officer has raised no objection given the proposal falls below current standards and does not qualify as a parking space and the site is considered to be in a sustainable location to public transport and a number of public car parks in walking distance.

#### **Impact on residential amenity**

**National Planning Policy Framework; DPD1 (Core Strategy) policy CP4; DPD2 (Development Management) policy DM1 and the Design and Townscape Guide SPD1.**

- 4.10 Policy DM1 of the Development Management Document states that any new 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. 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.
- 4.11 The proposed external changes will not result in any harm to the residential amenities of adjacent occupiers and provide an improvement, in terms of less noise and disturbance from using the existing garage.

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

- 4.12 The proposed alterations to the existing 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.

## **Conclusion**

- 4.13 The existing garage is substandard and does not qualify as a parking space due to the limited size of the garage. Given the location of the site within walking distance to the main bus station, Southend Central Station and the High Street, the site is considered to be located in a sustainable location and therefore no objections are raised to the conversion on highway grounds. Furthermore, the conversion and installation of the bay would enhance the appearance of the building and character of the area.

## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Development Plan Document 1: CP4 (The Environment and Urban Renaissance) KP2 (Development Principles), CP3 (Transport and Accessibility)
- 5.3 Development Plan Document 2: policy DM1 (Design Quality), DM3 (Efficient and Effective Use of land), DM15 (Sustainable Transport Management)
- 5.4 SPD1 Design & Townscape Guide 2009
- 5.5. Vehicle Crossover Policy

## **6 Representation Summary**

### **Design and Regeneration**

- 6.1 No comments.

### **Highways**

- 6.2 The application site has what has been described as a garage which is proposed to be converted into a habitable room. The garage size measures 2.7m x 4.6m this is below a parking space size of 2.4m x 4.8m and the garage standards as set out in policy DM15 of the Development Management Document therefore it is considered that this cannot be considered a useable garage space.

The site is considered to be in a sustainable location with regard to public transport with good links in close proximity. The site also has a number of public car parks within the local area.

Given the above information there are no highway objections to the proposal it is not considered that the application will have a detrimental impact on the surrounding highway network.

### **Neighbour Notification**

- 6.3 8 neighbours notified and no letters of representation received.
- 6.4 Councillor Ware-Lane has requested this application be dealt with by Development Control Committee because of the loss of a parking space.

### **7 Relevant Planning History**

- 7.1 Install replacement windows and door at rear- Granted (12/01521/BC4)

### **8 Recommendation**

**Members are recommended to GRANT PLANNING PERMISSION for the following reasons:**

**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: CAD/PP/16096/001; CAD/PP/16096/002.**

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

**03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.**

**Reason: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, policy DM1 of Development Management Document DPD2 and SPD1 (Design and Townscape Guide).**

### **Informative**

- 1 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](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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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.**