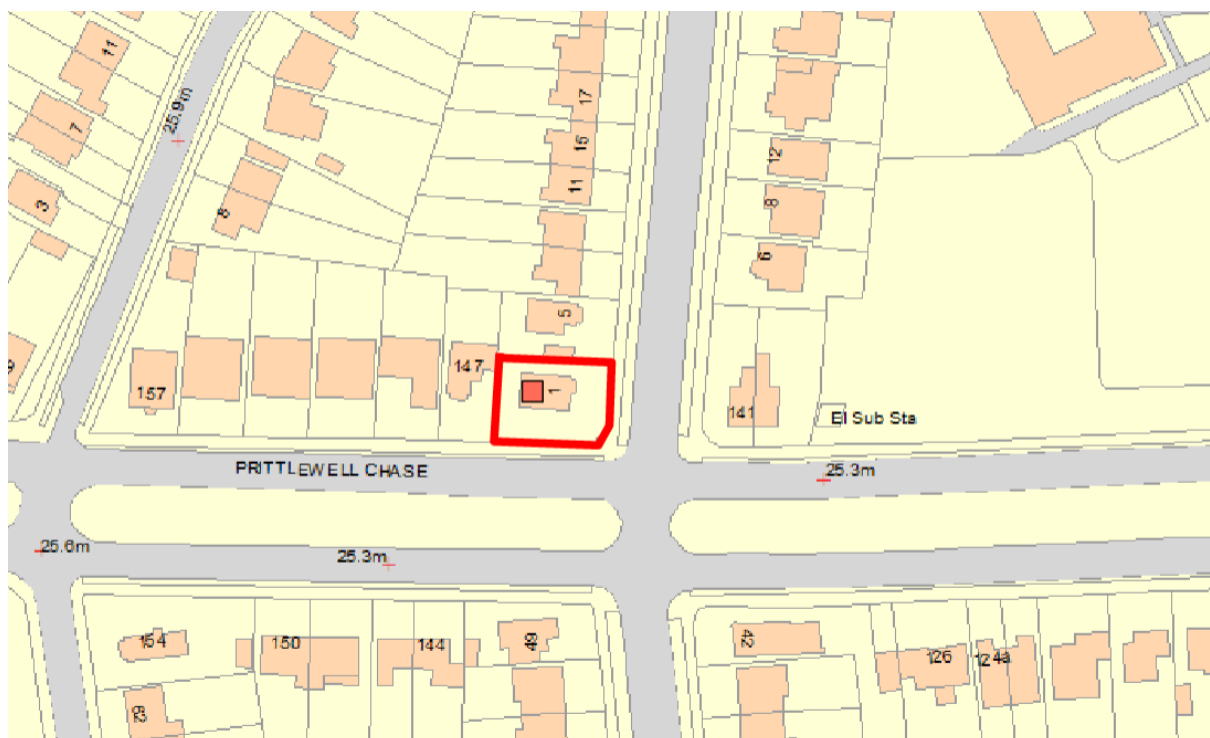


Reference:	17/00110/FUL	
Ward:	Prittlewell	
Proposal:	Change of use from dwellinghouse (Class C3) to non-residential education/training centre (Class D1), demolish existing boundary wall, install layout parking and vehicular access onto Prittlewell chase	
Address:	1 Hobleythick Lane, Westcliff-On-Sea, Essex, SS0 0RP	
Applicant:	Ms Eileen Koh	
Agent:	Mr Dwight Breley	
Consultation Expiry:	17 <sup>th</sup> February 2017	
Expiry Date:	21 <sup>st</sup> March 2017	
Case Officer:	Anna Tastsoglou	
Plan No's:	1289-01 A	
Recommendation:	REFUSE PLANNING PERMISSION	



## **1 The Proposal**

- 1.1 Planning permission is sought to convert the existing dwellinghouse (C3) to a non-residential education/training centre (D1), demolish existing boundary wall, layout parking and form vehicular access onto Prittlewell Chase.
- 1.2 With the exception of the demolition of the boundary wall the development would incorporate internal alterations only, with no external alterations to the existing dwelling.
- 1.3 The property has an existing garage and driveway onto Hobleythick Lane and it is proposed to extend existing hardstanding to create turning space and install a new vehicular access, 3.6m wide, onto Prittlewell Chase, layout hardstanding and form two off-street parking spaces to the south and west of the dwelling.
- 1.4 It is noted that the applicant has not submitted additional information regarding the proposed use in support of the application.

## **2 Site and Surroundings**

- 2.1 The site is located on the corner of the junction of Prittlewell Chase to the south and Hobleythick Lane to the east and it is occupied by a detached two storey dwelling. The property has the main entrance to the south facing Prittlewell Chase, and a double storey bay window and two storey flat roof side extension facing Hobleythick Lane. The front/side curtilage of the dwelling is soft landscaped. A driveway leading to a garage is located along the northern boundary of the application site. The property has a very small rear garden, which is proposed to be hard surfaced and used for parking. The property is bounded by burr brick wall to the south and east, including a timber top.
- 2.2 The site is located within a residential area, comprising a mixture of two storey houses to the north and predominantly bungalows to the south. Southend High School For Boys is sited in close proximity to the east and Southend University Hospital to the west.

## **3 Planning Considerations**

- 3.1 The main considerations in relation to this application are the principle of the development, the impact on the character of the area, impact on neighbouring properties, and any traffic and transport issues.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework 2012; Core Strategy CP4, CP6, CP8 and KP2; Development Management DPD Policy DM1, DM3, DM11 and DM15**

- 4.1 Although the NPPF promotes and encourages sustainable economic growth, the proposal would result in a loss of a family dwelling, located within a residential area and therefore, this would be contrary to policy CP8 which seeks to *“resist development proposals that involve the loss of existing valuable residential resources, having regard to the limited land resources in the Borough, the need to safeguard an adequate stock of single family dwellinghouse, and to protect the character of residential areas”*.
- 4.2 Furthermore, it is the Council requirement to provide an adequate number of dwellinghouses and also protect the existing housing stock, in order to meet the housing needs within the Borough. It should be also noted that policy DM11 identifies specific employment areas within the Borough. The site however, is not located within any of these sites.
- 4.3 Policy CP6 of the Core Strategy states that improvement on education attainment, health and well-being of local residents can be achieved by *“supporting improvements to existing, and the provision of new, facilities to support the needs of education, skills and lifelong learning strategies particularly by:*  
*a. securing the physical infrastructure needed to maximise the impact of the Higher Education/University Campus in the Town Centre;*  
*b. the provision of academic and vocational education/training at a new Prospects College in east Southend; and*  
*c. providing for an academy of educational/training skills in aviation at London Southend Airport.”*
- 4.4 No evidence has been submitted clearly demonstrating the need of the proposed training/education centre and also no information has been provided in relation to the type of education/training provided. It is therefore considered in the absence of evidence demonstrating the need of the proposed educational use in this location, the loss of the existing single family dwelling would be contrary to policy and there are no material circumstances that would support an exception to policy in this case.
- 4.5 In light of the above, it is considered that the proposal would be unacceptable in principle and it would not accord with the guidance contained within the NPPF and the policies of the development plan. Other material planning considerations including impact on visual amenity, any traffic and transport issues and impact on neighbours are discussed below.

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

#### **NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Policy DM1 of the Development Management DPD; SPD 1 (Design & Townscape Guide (2009))**

- 4.6 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. 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.”*

- 4.7 Paragraph 56 of the NPPF states 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.”*
- 4.8 Policy DM1 of the Development Management DPD states that all 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”*.
- 4.9 Policy DM3 (5) also advises that *‘Alterations and additions to a building will be expected to make a positive contribution to the character of the original building and the surrounding area through:*
- (i) The use of materials and detailing that draws reference from, and where appropriate enhances, the original building, and ensures successful integration with it; and*
  - (ii) Adopting a scale that is respectful and subservient to that of the original building and surrounding area; and*
  - (iii) Where alternative materials and detailing to those of the prevailing character of the area are proposed, the Council will look favourably upon proposals that demonstrate high levels of innovative and sustainable design that positively enhances the character of the original building or surrounding area.’*
- 4.10 According to Policy KP2 of Core Strategy (CS) new development should *“respect the character and scale of the existing neighbourhood where appropriate”*. Policy CP4 of CS requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 4.11 With regard to boundary treatment SPD1 states that *“any form of enclosure must be high quality and complementary to the overall scheme of existing building. Boundary treatment should clearly distinguish between public and private space.”*
- 4.12 No external changes to the existing building are proposed. However, alterations are proposed to the front/side curtilage of the property and also the demolition of the existing boundary wall. The wall is an original feature of the dwelling, which provides enclosure to the building and it positively contributes to the surrounding area and the streetscene. Although all properties in the immediate area are bounded by low boundary walls and the loss of the boundary wall would be undesirable, it is noted that its demolition could take place without permission.
- 4.13 It is also proposed to lay out hardstanding to the front and side curtilage of the property. Although this would result in loss of a large currently soft landscaped area, the proposal would still result in an adequate area which can be soft landscaped. Should permission be granted, a condition would have been imposed to secure soft landscaping.

## **Impact on Neighbouring Properties**

### **NPPF; Development Management DPD Policy DM1; SPD 1 (Design & Townscape Guide (2009))**

- 4.14 Policy DM1 of the Development Management DPD requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities *“having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.”*
- 4.15 The applicant states that the facility would have three full time members of staff; however, no opening hours or number of pupils have been provided. In the absence of this information, it is not possible to fully assess the impact of the proposed development on the nearby residents. However, as noted above, the site is located within a residential area and five classrooms are proposed to be formed. It is therefore likely the proposed development to result in high levels of activity compared to residential use, in various hours within the day and also in significantly increased levels of vehicle movement, not only from the staff, but also from the pupils attending the classes. Without having evidence to demonstrate otherwise, it is considered that the proposed development, by reason of its location within a residential area, the increased activity on site and increase vehicle movement would result in a detrimental impact on the residential amenity of the neighbours.
- 4.16 No details have been submitted in relation to ventilation or air conditioning units required. However, should permission been granted, this could have been agreed by condition.
- 4.17 No external alterations are proposed and hence, the proposal would not result in a greater impact on the nearby neighbours, by way of loss of light, overlooking or sense of enclosure.

## **Traffic and Transport Issues**

### **NPPF; Development Management DPD Policy DM15; DPD 1 (Core Strategy) Policies Policy CP3; SPD 1 (Design & Townscape Guide (2009))**

- 4.18 The property has an existing garage and two additional parking spaces are proposed to be formed to the front/side curtilage, including turning points within the application site. It is noted that the proposed garage does not meet the minimum dimension standards set in Policy DM15 and cannot be counted as a parking space; however, given that this is an existing garage, no objection is reasonable to be raised in that respect.
- 4.19 A new crossover is proposed to be formed onto Prittlewell Chase, 3.6m wide, which would be wide enough to allow vehicles to enter and exit the site without causing obstruction on the highway. As noted above, turning points are provided within the site to allow vehicles enter and exit the site in forward gear, although Prittlewell Chase is not a classified road and therefore, this is not a highway safety requirement.

The Traffic Signal Engineer has been consulted and raised no objection regarding the impact of the proposed vehicle crossover in this location. As such, the proposed vehicle access would be acceptable.

- 4.20 With regard to off-street parking spaces, no details have been provided in terms of the type of use and as such, the highways impact cannot be fully assessed. For most of the D1 educational uses one parking space is required per full time staff and a one space per 15 pupils. In the absence of information demonstrating otherwise, it is considered that it is likely the proposed use, based in the number of classrooms, would result in a parking demand which would exceed the parking availability on site. The site is located in an area which is mainly covered by double yellow lines, restricting on-street parking and also when permitted, area is of parking stress. Therefore, an objection is raised regarding lack of on-site parking provision.
- 4.21 No cycle parking is proposed to be provided. However, it is considered reasonable for cycle parking to be provided on site and there is space available. This would promote the sustainable transport and be an alternative to private vehicle use, in accordance with the NPPF and the Development Management DPD. A condition requiring the details of cycle parking would have been imposed, should permission be granted.

### **Waste Storage**

- 4.22 No details have been provided regarding refuse storage. However, this could be dealt by condition, should permission be granted.

### **Community Infrastructure Levy**

#### **CIL Charging Schedule 2015**

- 4.23 No new floor space is created. Therefore, the proposed development is not CIL liable.

## **5 Conclusion**

- 5.1 The proposal would result in loss of a much needed family dwellinghouse and therefore, an objection is raised to the principle of the proposed development. Furthermore, no details have been submitted to the local planning authority to fully assess the highways impacts of the proposed development and also the impacts on the residential amenity. However, on the basis of the information provided, it is considered that the proposed development has the potential to result in detrimental impact on the amenity of the neighbours as a result if noise and disturbance and lead to an increased parking demand which cannot be accommodated on site and south have a detrimental on the highway network.

## **6 Planning Policy Summary**

- 6.1 National Planning Policy Framework (2012): Section 6 (Delivering a wide choice of high quality homes) and Section 7 (Requiring Good design)

- 6.2 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles), ), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), CP6 (Community Infrastructure) and CP8 (Dwelling Provision)
- 6.3 Development Management DPD 2015: Policies DM1(Design Quality), DM3 (Efficient and Effective Use of Land), DM11 (Employment Areas) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide, 2009.
- 6.5 CIL Charging Schedule 2015

## **7 Representation Summary**

### **Transport & Highways**

- 7.1 Having consulted with our traffic signal engineer there would not be a highway objection to the proposed vehicle crossover at this location. The proposal enables vehicles to enter and leave in a forward gear. Given that only 2 car parking spaces will be available via this entrance this would not have a detrimental impact on the capacity or the free flow of traffic in this location.

Concern is raised relating to the change of use to educational establishment. The applicant has not provided pupils numbers or any information relating to travel plan information. I would expect to see this type of information before determining if the proposal has a detrimental impact on the surrounding highway network.

### **Design and Regeneration**

- 7.2 The application is making no external changes to the building so it will appear relatively unchanged in the streetscene except for the addition of parking and signage. It is noted however that the proposal includes the demolition of the boundary wall and this is a concern as this will expose the additional hardstanding to the detriment of local character. In addition to providing screening, the wall is an original feature, provides enclosure to the building and the streetscene and relates positively to the other houses in the street. There seems no reason to demolish the wall and it should be retained. There would be no objection to the removal of the timber top but the burr brick wall below should remain. There would also be no design objection to an additional access to Prittlewell Chase and additional parking provided it was well detailed with piers either side and that the parking area within was well landscaped, particularly in relation to the front parking space and new turning head.

### **Parks**

- 7.3 No comments received.

## **Public Notification**

7.4 Five neighbours have been notified and two representations have been received raising the following concerns:

- Detrimental impact on highway.
- Overdevelopment of the site.
- Lack of information regarding opening hours.
- Enquiry regarding the type of the proposed education/training centre.

**[Officer Comment: It is noted that the above concerns are discussed within the main body of the report.]**

7.5 The application has been called into committee by Cllr Garston.

## **8 Relevant Planning History**

8.1 No relevant planning history.

## **9 Recommendation**

**9.1 REFUSE PLANNING PERMISSION for the following reasons:**

- 01 The proposed change of use would result in the loss of a single family dwellinghouse and thereby the reduction of housing supply within the Borough to the detriment of the area. No evidence has been submitted demonstrating the need of the proposed educational use in this location and therefore, the proposal is unacceptable in principle and contrary to the National Planning Policy Framework and Policy CP8 of the Southend-on-Sea Core Strategy (2007).**
- 02 The applicant has failed to demonstrate that the educational use of the premises would not result in undue noise or disturbance to the adjoining occupiers to the detriment of the residential amenity thereof. This is considered to be harmful to the amenities of the occupiers of nearby residential properties. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).**
- 03 The proposed use would result in an increased demand for parking, which cannot be provided on site. The development would therefore result in additional on-street parking on a road with limited on-street parking availability and high levels of parking stress to the detriment of highway safety and the local highway network contrary to Policy CP3 of the Core Strategy and Policy DM15 of the 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.

#### **Informatives**

- 1 You are advised that as the proposed alterations to your property do not result in new floorspace and 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.