

Southend-on-Sea Borough Council

Agenda
Item

Report of the Corporate Director of
Enterprise, Tourism & the Environment
To
Development Control Committee
On
12th December 2012

Report(s) on Planning Applications
A Part 1 Agenda Item

WARD	APP/REF NO.	ADDRESS	PAGE
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Main Plans Report			
Milton	12/01398/FULM	35 - 47 Milton Road, Westcliff-on-Sea	3
Milton	12/01095/OUTM	Balmoral Hotel, 32-34 Valkyrie Road, Westcliff-on-Sea	16
Leigh	12/01439/FUL	Grand Hotel, Broadway, Leigh-on-Sea	30
Westborough	12/01326/AMDT	Brookside Works Springfield Drive And 279 Fairfax Drive Westcliff-On-Sea	42
Milton	12/01363/FUL	Courtway House, 129 Hamlet Court Road, Westcliff-On-Sea	55
West Leigh	12/01413/FUL	34 Woodlands Park, Leigh-on-Sea	64
Milton	12/01195/EXT	29 - 31 Clifftown Road Southend-On-Sea	70
Milton	12/01407/FUL	66 Avenue Road Westcliff-On-Sea	79

Belfairs	12/01283/FULM	1355 - 1369 London Road, Leigh-on-Sea,	88
Leigh	12/01131/BC4	Bell Wharf, High Street, Leigh-on-Sea	100
Blenheim Park	12/00243/FUL	Westcliff High School For Boys Kenilworth Gardens Westcliff-On-Sea	108
Milton	12/01216/FUL	10 Preston Road Westcliff-On-Sea	117
Leigh	12/01222/FULH 12/01223/CAC	4 Victoria Road Leigh-On-Sea	124
Prittlewell	12/01410/FUL	42 Highfield Gardens Westcliff-On-Sea	131
Eastwood Park	12/01490/TPO	Green Lane Eastwood	143
Belfairs	12/01394/FULH	251 Woodside Leigh-On-Sea	149

Reference:	12/01398/FULM
Ward:	Milton
Proposal:	Demolish existing building and erect 10 dwellinghouses, layout amenity spaces, parking and form vehicular accesses onto St Helens Road and St Johns Road (amended proposal)
Address:	35 - 47 Milton Road, Westcliff-on-Sea, SS0 7JR
Applicant:	Hollybrook Limited
Agent:	N/A
Consultation Expiry:	29.11.12
Expiry Date:	22.01.13
Case Officer:	Louise Cook
Plan No's:	10167_PL30 Rev A, 10167_PL04 Rev A, 10167_PL32, 10167_PL31
Recommendation:	Delegate to the acting Head of Planning and Transport or the Corporate Director of Enterprise, Tourism and the Environment to GRANT PLANNING PERMISSION subject to the completion of a S106 agreement



1 The Proposal

- 1.1 Planning permission is sought to demolish the existing car sales building and to erect 10 no. two storey dwellinghouses fronting Milton Road, layout amenity spaces, parking and form vehicular accesses onto St Helen's Road and St John's Road.
- 1.2 All ten dwellinghouses are proposed to be affordable and the applicant has submitted a Unilateral Undertaking in respect of this.
- 1.3 This application is an amended proposal following a previously approved scheme on the site (ref. 10/01817/FUL) for 9 no. two storey dwellinghouses and a two storey building for office use (Class B1(a)) fronting St John's Road. This was granted planning permission on 16th November 2010.
- 1.4 All dwellinghouses have 3 bedrooms which range from 93 to 97sq.m in floorspace. Each dwellinghouse has a private rear garden ranging from 40 to 96sq.m. Ten parking spaces are proposed (one per dwellinghouse), all but one of which would be accessed to the rear of the properties off St Helen's Road via a new access road which will run along the rear of the gardens be gated to ensure use by future occupiers only. There is also a turning head at the end of the access road to allow vehicles to both enter and exit the site in forward gear. One parking space for the dwellinghouse on the junction of Milton Road and St John's Road is proposed to be accessed off St John's Road.
- 1.5 The application follows two previously approved schemes which have not been implemented as detailed below:
 - 03/01671/FUL dated 23.01.2007 – Erect a part single/part two/part three/part four storey building comprising 37 flats with basement parking and ground floor offices together with a part two/part three storey block of nine flats.
 - 10/01817/FUL dated 16.11.2010: Demolish existing building, erect nine, two storey dwelling houses fronting Milton Road, erect one, two storey building for office use (class B1(a)) fronting St John's Road, form vehicular accesses onto St Helen's Road and St John's Road and layout parking.

	03/01671/FUL (dated 2007)	10/01817/FUL (dated 2010)	Current Proposal
No. of residential units	46	9	10
Mix of residential units	24 x 1 bed, 22 x 2 bed (flats)	9 x 3 bed	10 x 3 bed
Commercial floorspace	626sq.m	172sq.m	None
Maximum height	11.4m	8.9m	8.1m
Parking spaces per residential unit	1	1	1

2 Site and Surroundings

- 2.1 The application site is located on the western side of Milton Road and forms the street block north of St Helen's Road and south of St John's Road. The site was formerly occupied by a vacant garage, car showroom and office building which has been recently demolished and has an area of approximately 1977sq.m (0.197 hectares).
- 2.2 To the rear of the site in St Helen's and St John's Roads are predominantly two storey semi-detached and late Victorian terraced properties with small to medium sized rear gardens and uniform building lines. These streets have a far stronger coherent character than Milton Road which overall has a mixed character, varying from modest two storey terraces to large three storey civic buildings and significant churches.
- 2.3 The site was previously allocated within a Fringe Commercial Area as designated on the local plan however, this policy has not been saved and therefore no longer applies.

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, the standard of accommodation for future occupiers, traffic and transportation, sustainable construction and developer contributions.

4 Appraisal

Principle of the Development

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policies KP2, CP1, CP3, CP4, CP8; Borough Local Plan Policy E1 and the Design and Townscape Guide SPD1 (2009).

- 4.1 The site was formerly occupied by a car showroom of 626sq.m. This building had been vacant since 1st February 2009.
- 4.2 Whilst the application site is not allocated within a particular designation on the Local Plan proposals map, the principle of the development should be considered in accordance with Policy CP1 of the Core Strategy. This states that permission will not normally be granted for the loss of existing employment land and premises unless it can be clearly demonstrated that the proposal will contribute to the objective of regeneration of the local economy in other ways, including significant enhancement of the environment, amenity and condition of the local area.
- 4.3 The principle of the redevelopment of this site for mixed use has been accepted previously (planning permission 03/01671/FUL and 10/01817/FUL). However, the proposed development is for residential accommodation only.
- 4.4 Paragraph 22 of the National Planning Policy Framework (NPPF) states;
- “Where there is no reasonable prospect of a site being used for allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”*
- 4.5 The proposed development will provide 10 no., three bedroom dwellinghouses which are all proposed to be affordable units and the application has been submitted in connection with Estuary Housing Association.
- 4.6 The Strategic Market Housing Assessment for Thames Gateway South Essex (September 2008) recognises that demand is strongest for larger properties such as those being proposed and there is a strong need in the Borough for the provision of additional affordable housing.
- 4.7 A marketing report has been submitted by the applicant. This details that Ayers and Cruiks have been marketing the commercial space on the site for over four years. During this time there has been no interest in the former commercial premises. It is considered that there is an oversupply of office floorspace within the area including a significant supply of refurbished office stock.
- 4.8 The application will provide 100% affordable housing (10 units) which will provide much needed affordable family homes with gardens and will also enable the long overdue regeneration of this site.

- 4.9 Therefore, on balance, in this instance it is considered that the benefits of providing an additional ten affordable homes within the Borough, together the regeneration of the streetscene will outweigh the loss of this former employment space.
- 4.10 Therefore, no objections are raised on the basis of Policy CP1 of the Core Strategy (DPD1) and the principle of development is considered acceptable.

Design and Impact on the Streetscene

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policy CP4; Borough Local Plan Policies C11, C14, H5; and the Design and Townscape Guide SPD1 (2009).

- 4.11 The development is proposed to have external materials of yellow facing brickwork and a red dentil course, dark roof tiles, white UPVC windows, timber painted doors and dark roof tiles. It should be noted that whilst materials in the local area are mixed, there are a number of rendered and red brick properties. Specific materials can be agreed by way of condition.
- 4.12 The proposed dwellinghouses will have their principle elevations facing onto Milton Road and therefore, will be read as part of this streetscene rather than from St Helen's Road. Milton Road has a mixed character with a variety of buildings from different periods. It is not considered that the proposed development would be detrimental to the character and appearance of this streetscene and would improve the appearance of the site. It is also considered that the proposal would help to regenerate this part of Milton Road.
- 4.13 Whilst the applicant has failed to provide any information relating to the use of renewable energy, it is considered policy requirements can be met and this can be conditioned (as per the previous permission) in order to meet the provisions of Policy KP2 of the Core Strategy which states that at least 10% of the total energy needs of a new development should be provided through renewable energy sources.
- 4.14 In response to Sustainable Urban Drainage Systems (SUDS), the principles of this will be followed as far as possible in order to minimise the discharge of storm water from the site into the public drainage system. A full scheme of SUDS can be conditioned if planning permission were to be granted (as per the previous permission), for example to ensure that all new hardstanding is constructed of a permeable material to prevent water run-off from the site.

Impact on Residential Amenity

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policies KP2, CP4; Borough Local Plan Policies C11, E5; and the Design and Townscape Guide SPD1 (2009).

- 4.15 There is a minimum distance of 15m increasing to 18m between the rear of the proposed dwellinghouses and the nearest existing residential occupiers in St John's and St Helen's Roads. This distance is considered to be satisfactory to mitigate any potential overlooking or loss of privacy of neighbouring occupiers.
- 4.16 Given the siting and distance between the proposed buildings and existing dwellinghouses to the rear of the site, it is not considered that the proposal would be overbearing or give rise to loss of light of neighbouring properties, and would have less impact than the former building on the site which is currently being demolished.
- 4.17 Whilst the proposed access road will be sited alongside the application property at 131 St Helen's Road and towards the rear of 1 St John's Road, it is not considered that this would give rise to undue levels of noise or disturbance to these occupiers and this has been previously accepted under planning permission ref. 10/01817/FUL. There will also be no access via the proposed access road at the rear of the site from St Helen's to St John's Roads.
- 4.18 Whilst a separate crossover is proposed to serve a parking space for the dwellinghouse located on the junction of St John's Road and Milton Road, it is considered that this would not be detrimental to amenities of neighbouring occupiers as there is currently a vehicular access in this location at present. It is considered that the proposed scheme will give rise to less noise and disturbance to neighbouring occupiers than the former use of the site. A larger parking area in this position was previously approved under ref. 10/01817/FUL.
- 4.19 It should also be noted that it is considered that the proposal would give rise to the potential for less noise and disturbance than the former use of the site. It is considered that residential development would improve neighbouring residential occupiers' environment in this instance.
- 4.20 In light of the above, it is considered that the proposal complies with the above policies and guidance.

Standard of Accommodation for Future Occupiers

National Planning Policy Framework; East of England Plan Policies ENV7 and SS1; DPD1 (Core Strategy) Policies KP2, CP4; Borough Local Plan Policies C11, H5; and the Design and Townscape Guide SPD1 (2009).

- 4.21 Each dwellinghouse is 93 to 97sq.m in size and has its own private rear garden ranging from 40 to 96sq.m in size. All rooms are considered to be of adequate size suitable for their function and no objections are raised to the internal room layouts.
- 4.22 Overall the standard of accommodation being proposed is considered to be acceptable and satisfies the above policies.

Traffic and Transportation

National Planning Policy Framework; East of England Plan Policies ENV7 and SS1; DPD1 (Core Strategy) Policies CP3, CP4; Borough Local Plan Policies T8, T11; and the Essex Planning Officer Association Vehicle Parking Standards.

- 4.23 Two new vehicular accesses are proposed to be created towards the rear of the site off St Helen's Road and St John's Road. The existing vehicular access in St Helen's road will be reinstated and this can be required by condition. The new vehicular access off St Helen's Road to the south of the site will provide access to nine car parking spaces and a turning head using a 4.2m access road to serve nine of the dwellings. The vehicular access to the north of the site off St John's Road will provide access to one car parking space to serve the dwellinghouse located on the junction of Milton Road with St John's Road.
- 4.24 It is not considered that the new accesses would be detrimental to highway or pedestrian safety.
- 4.25 Policy T11 of the Borough Local Plan states that permission will not normally be granted for any development which would be likely to give rise to additional demand for on-street parking, particularly in residential areas, unless satisfactory and convenient alternative provision is made. There are high levels of on-street parking stress in this area as many of the existing residential properties in the already not benefit from off-street parking.
- 4.26 One car parking space is proposed per residential unit. This is considered to be acceptable given that the location is sustainable in terms of access to public transport. Both Southend Central and Westcliff Stations are within walking distance (approximately 800m) along with bus routes operating along London Road. The application site is also within walking distance of the town centre.
- 4.27 Additionally, the number of parking spaces at one space per unit together with the parking layout has been previously accepted under the previous permission, ref. 10/01817/FUL.
- 4.28 Therefore, it is considered that the parking provision complies with policy and will not further add to existing on-street parking stress.

Developer Contributions

National Planning Policy Framework; East of England DPD1 (Core Strategy) Policies KP2, CP4; Borough Local Plan Policy C11 and the Design and Townscape Guide, 2009 (SPD1) and Planning Obligations (SPD2).

- 4.29 The applicant has submitted a Unilateral Undertaking to the Council. It is proposed that all ten units will be for affordable housing.
- 4.30 Officers are seeking amendments to the wording of the Unilateral Undertaking. Any recommendation is subject to the completion of a suitable agreement.

- 4.31 No education contribution is sought in this instance. Children and Learning have advised that as the development is to provide 100% affordable housing their formula for calculating education contributions does not apply to this development.

Conclusion

- 4.32 In light of the above, the principle of development is considered to be acceptable in this instance as the proposal will mark an improvement to the character and appearance of the area and assist regeneration. Ten affordable family homes will be provided, substantially more than the two required by Policy CP8 of the Core Strategy. It is considered that the proposal would not have a detrimental impact on highway or pedestrian safety or the amenities of neighbouring residential occupiers. Therefore, the proposals are considered to be acceptable.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework, 2012.
- 5.2 East of England Plan Policies SS1 and ENV7.
- 5.3 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP1 (Employment Generating Development), CP3 (Transport and Accessibility), CP4 (The Environment & Urban Renaissance), CP6 (Community Infrastructure) and CP8 (Dwelling Provision).
- 5.4 Southend-on-Sea Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), H5 (Residential Design and Layout Considerations), E1 (Employment Promotion), E3 (Secondary Offices), E5 (Non-Residential Uses Close to Housing), T8 (Traffic Management and Highway Safety), T11 (Parking Standards) and T12 (Servicing Facilities).
- 5.5 Supplementary Planning Document 1: Design & Townscape Guide, 2009.
- 5.6 Supplementary Planning Document 2: Developer Contributions.
- 5.7 EPOA Vehicle Parking Standards (2001).

6 Representation Summary

Traffic and Highways

- 6.1 The proposal incorporates parking for all properties in accordance with guidance. The access way will ensure that vehicles can manoeuvre sufficiently inside the site if needed and refuse collection has been provided in accordance with guidance. Unrestricted kerbside parking is available outside the site for up to about six cars.
- 6.2 Additionally, the proposed development of ten houses will have fewer traffic movements than the consented scheme for 37 flats.

6.3 In light of the above, no objections are raised.

Parks and Open Spaces

6.4 No response received at the time of writing this report.

Design and Regeneration

6.5 The building lines and small front gardens proposed are considered to be in keeping with the character of the area. The parking area to the rear ensures that the development is not dominated by parking and this is welcomed.

6.6 Whilst the design of the southern block has been accepted under the previous permission it is considered that greater articulation could be provided by introducing full height gables, including chimneys to add rhythm to the terrace and increasing the level of fenestration on the side elevations. **[Officer comment: The extension is very similar in design to the previously approved scheme ref. 10/01807/FUL and therefore, no objections are raised to its design.]**

Strategic Housing

6.7 Concerns raised regarding the wording of the Unilateral Undertaking submitted by the applicant.

Children and Learning

6.8 No contribution required.

Public Consultation

6.9 One letter of representation was received which raises concerns about increased parking pressure in the local area.

6.10 The application has been called in by Cllr Ware-Lane.

Relevant Planning History

6.11 12/01320/AD: Application for approval of details pursuant to conditions 3 (materials), 10 (landscaping), 12 (SUDS) and 13 (on-site renewables) of planning permission 10/01817/FUL granted on 3rd November 2010 – Pending consideration.

6.12 10/01817/FUL: Demolish existing car sales building, erect nine, two storey dwelling houses fronting Milton Road, erect one, two storey building for office use (class B1(a)) fronting St John's Road, form vehicular accesses onto St Helen's Road and St John's Road and layout parking – Approved.

6.13 10/01818/FUL: Demolish existing building, erect nine, two storey dwelling houses

fronting Milton Road, erect one, two storey building for office use (class B1(a)) fronting St John's Road, form vehicular accesses onto St Helen's Road and St John's Road and layout parking – Refused permission on the following grounds:

“01. The proposed parking layout to the front of the site and resultant siting of the proposed dwellinghouses back from the road frontage would be out of character with and detrimental to the character and appearance of the Milton Road street scene, contrary to Policies KP2 and CP4 of the Core Strategy (DPD1), Policy C11 of the Borough Local Plan and guidance contained within the Design and Townscape Guide, 2009 (SPD1).”

- 6.14 03/01671/FUL: Erect part single/part two/part three/part four storey block comprising 37 flats with basement parking, cycle store, amenity area and ground floor offices (Class B1) at 35-47 Milton Road; erect part two/part three storey block and a two storey block forming 9 flats, lay out parking, refuse store and amenity area on land adjacent 24 Milton Road – Approved on 29.01.2007.
- 6.15 00/00892/OUT: Demolish buildings and erect part two/part three/part four storey block of 40 sheltered housing units with communal facilities and lay out 20 parking spaces with access onto St. Helens Road (Outline Application) – Refused; appeal dismissed.
- 6.16 99/01082/OUT: Demolish buildings and erect part three/part four storey block of 54 sheltered housing units with communal facilities and lay out 28 parking spaces (Outline) – Refused.

7 Recommendation

Members are recommended to:

(a) **DELEGATE** to the acting Head of Planning and Transport or the Corporate Director of Enterprise, Tourism and the Environment to **GRANT PLANNING PERMISSION** subject to completion of a **LEGAL AGREEMENT UNDER SECTION 106** of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to seek the following:

1. 100% affordable housing units (ten units).

(b) The acting Head of Planning and Transport or the Corporate Director of Enterprise, Tourism and the Environment be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

01. The development hereby permitted shall be begun not later than three years beginning with the date of this permission.

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 approved plans: 10167_PL30 Rev A, 10167_PL04 Rev A and 10167_PL32, 10167_PL31.

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

03. No development shall take place until samples of the materials to be used on the external elevations of the buildings, on any screen/boundary walls, fences and on any driveway, access road, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of the area in accordance with Policies C11 of the Borough Local Plan and KP2 and CP4 of the Borough Local Plan.

04. No residential unit shall be occupied until all 10 car parking spaces, the associated access road and a properly constructed vehicular access to the adjoining highway has been constructed, in accordance with the approved plans.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy T11 of the Borough Local Plan and CP3 of the Core Strategy (DPD1).

05. The parking spaces provided in relation to condition 04 shall be permanently reserved for the parking of vehicles of occupiers and callers to the residential units and not used for any other purpose.

Reason: To retain satisfactory provision for parking off the highway, in accordance with Policy T11 of the Southend on Sea Borough Local Plan.

06. No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping. This shall include details of all the existing trees and hedgerows on the site and details of any to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established; details of measures to enhance biodiversity within the site and details of the treatment of all hard and soft surfaces (including any

earthworks to be carried out).

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy C14 of the Borough Local Plan and Policy CP4 of the Core Strategy (DPD1).

07. All planting in the approved landscaping scheme shall be carried out within the first available planting season of the completion of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the local planning authority.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Policy C14 of the Southend on Sea Borough Local Plan, Policies KP2 and CP4 of the Core Strategy (DPD1).

08. No development hereby permitted shall commence until details of surface water attenuation for the site, based on SUDS principles, have been submitted to and approved by the local planning authority. The works agreed shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory drainage of the site in accordance with Policies KP2 and CP4 of the Core Strategy (DPD1).

09. A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development and implemented in full prior to the first occupation of any of the units. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1).

Reason for Approval

This permission has been granted having regard to the National Planning Policy Framework, East of England Plan Policies ENV7 and SS1; Core Strategy DPD Policies KP1, KP2, CP1, CP3, CP4, CP6 and CP8, Policies C11, C14, H5, E1, E3, E5, T8, T11, T12 of the Southend-on-Sea Borough Local Plan, the principles contained within the Design & Townscape Guide SPD

and all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 22nd January 2013, Head of Planning and Transport or the Corporate Director of Enterprise, Tourism and the Environment be authorised to refuse planning permission for the application on the grounds of failure to comply with Policies CP6 and CP8 of the Southend on Sea Core Strategy 2007.

INFORMATIVE

1. This permission is governed by a legal agreement between the applicant and Southend Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to: 1. Affordable housing.

Reference:	12/01095/OUTM
Ward:	Milton
Proposal:	Demolish existing building and erect three storey building with dormer windows to front, sides and rear comprising of 36 self contained flats with balconies and roof terrace at rear, layout parking and cycle/refuse stores and form vehicular access onto Valkyrie Road (outline)
Address:	Balmoral Hotel, 32-34 Valkyrie Road, Westcliff-on-Sea, Essex
Applicant:	Mr S Brown
Agent:	ACS Design Associates Ltd
Consultation Expiry:	4 November 2012
Expiry Date:	8 January 2013
Case Officer:	Matthew Leigh
Plan Nos:	2918/TP/01, 2918/TP/02, 2918/TP/03, 2918/TP/05-A, 2918/TP/06-A, 2918/TP/07-A, 2918/TP/10-A and 2918/TP/12,
Recommendation:	REFUSE PLANNING PERMISSION



1 The Proposal

- 1.1 This outline application seeks permission to demolish the existing buildings and redevelop the site with a three storey building with accommodation within the roof. An indicative layout has been submitted for consideration, together with floor plans which provide an indication of the size of the building. Access, layout and scale are to be considered as part of this application whilst appearance and landscaping are reserved for future consideration.
- 1.2 The proposed development would provide accommodation in the form of 12 no. one bedroom flats, 20 no. two bedroom flats and 4 no. three bedroom flats.
- 1.3 The development would also include the provision of car parking, bin and cycle store and amenity area.

2 Site and Surroundings

- 2.1 The site is located on the eastern side of Valkyrie Road southeast of its junction with Genesta Road. The site is occupied by a three storey detached property, which is currently vacant. The lawful use of the building is as a hotel with ancillary services, including bar and restaurant.
- 2.2 The character of Valkyrie Road is predominately made up of two storey semi-detached properties.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, impact on the character of the area, traffic and transportation issues, impact on residential amenity, sustainable construction and developer contributions. The planning history of the site is also a material consideration.

4 Appraisal

Background to the application

- 4.1 A complaint was received on the 21st July 2010 in relation to the unauthorised change of use of the hotel to residential accommodation. The complaint was investigated and a meeting was held at the Balmoral Hotel; the owner of the site confirmed that the hotel was no longer in use and that the site was being used to provide residential accommodation.
- 4.2 A planning application (10/02133/FUL) to use the site as a House in Multiple Occupancy (HMO) was refused planning permission on the 11 March 2011.
- 4.3 An Enforcement Notice was served on the 17th November 2011 in relation to the unauthorised use of the site as a HMO and an independent restaurant/bar.
- 4.4 An outline application (11/00171/OUTM) with all matters reserved, except for

access, was submitted seeking to demolish the existing buildings on site and 84 Ditton Court Road and erect a part four storey and part two storey 85 bed nursing home. This application was refused and dismissed on appeal.

- 4.5 A Planning application (11/01375/FUL) for a change of use of the Balmoral Hotel (Class C1) to a residential institution (sui generis) was refused planning permission in 2011.

Principle of the Development:

The National Planning Policy Framework, East of England Plan policies SS1, and ENV7; DPD1 (Core Strategy) policies KP2, CP4 and CP8; BLP policies L7, C11, H5 T8 and T11.

- 4.6 The site previously consisted of a 27 bedroom hotel. Southend-on-Sea Borough Local Plan (BLP) Policy L7 states that development which would involve the loss of any hotel or guest house accommodation in excess of 20 bedspaces will not be permitted unless there is an overriding need for the development which cannot be met elsewhere, it will enhance the quality and viability of the hotel or guest house or there are overriding environmental reasons for the development. Strategically the Council aims to deliver more accommodation provision to encourage visitors for longer periods; which would therefore increase the value to the visitor economy.
- 4.7 Whilst it is accepted that the existing hotel has ceased trading the principle of the loss of the hotel is a material consideration in policy terms. It is considered if planning permission for residential accommodation is granted on site the chances of the site returning to a hotel use are minimal.
- 4.8 Policy DM12 Visitor Accommodation of the Southend Development Management Development Plan Document (submission version) states that within key areas (including the seafront) visitor accommodation will be retained. However, this document has limited weight.
- 4.9 The Southend-on-Sea Hotel Futures Study (2010) encourages the retention of the existing hotel provision within the borough. However, this locality has not been highlighted as an area for the main focus of regeneration or encouragement for the provision of new hotels. The applicant has previously provided a market assessment stating an hotel in this location is not viable. On this basis, the loss of the hotel was not objected to at the time of the previous application to regularise the unlawful use of the site as an HMO or at the time of the outline application for a care home.
- 4.10 Government policy seeks to maximise the use of urban land. The proposed development would be constructed on a site which has been used as a hotel and so is considered to be previously developed land. Therefore, no objection is raised to the principle of the use of the site for residential accommodation.
- 4.11 To deliver sustainable communities, the Council seeks to ensure that new housing

reflects the needs and demand of Southend-on-Sea's existing and future communities and improves the quality and mix of housing within the Borough. In order to develop sustainable communities it is considered that a mix of housing (tenure, size, etc.) is required within each development and the mix should reflect the demand for housing within the Borough.

- 4.12 A Strategic Market Housing Assessment (SHMA) for Thames Gateway South Essex was completed in September 2008. The Thames Gateway South Essex Group (sub-region) consists of 5 local authorities being Basildon, Castle Point, Rochford, Southend-on-Sea and Thurrock. The report assesses the housing market for the sub-region while also identifying local need. It is important to note that housing need identified in that report is relevant to both affordable and market housing. The Executive Summary states that Southend has the largest proportion of 1 and 2-bed properties of the above five local authorities and the highest level of vacancy. Demand is strongest for three and four bedroom properties rather than one or two bed properties. The South Essex Thames Gateway Strategic Housing Market Assessment identified a shortage of family accommodation in Southend-on-Sea despite an acute demand for this type of dwelling.
- 4.13 The proposed development would provide accommodation in a mix of one, two and three bedroom flats which is considered to meet the housing demands of the borough.
- 4.14 The principle of redeveloping the site to provide residential accommodation is considered acceptable. Other material planning considerations are discussed below.

Design and Impact on the Character of the Area:

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; BLP policies C11, H5 and H7 and the Design and Townscape Guide.

- 4.15 It should be noted that good design is fundamentally important to new development and this is reflected in the NPPF as well as Policies C11 and H5 of the Local Plan, policies KP2 and CP4 of the Core Strategy, Policy ENV7 of the East of England Plan and the Design and Townscape Guide.
- 4.16 The NPPF states that:
- “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”.*
- 4.17 The Design and Townscape Guide (SPD1) states that:

“The character of all immediate neighbours and the wider townscape should

inform their layout, scale and design of any new development”

“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... the easiest option is to draw reference from the surrounding buildings.”

- 4.18 This is a prominent site on Valkyrie Road, and is particularly visible from Genesta Road. Any development therefore needs to respect local character and scale, ensuring that the quality of the streetscene is enhanced with a good quality design. The character of Valkyrie Road is varied but is predominately residential and there are a number of recurring features within the streetscene such as gabled bays, the use of vertical proportions and materials such as red brick, clay tiles, timber balustrades and white render. The buildings are generally well spaced and there is a strong building line, with properties set well back from the street.
- 4.19 Whilst ‘appearance’ is reserved for future consideration a successful scheme should replicate existing character of the area delivering appropriately scaled development respecting the urban grain of the area.
- 4.20 There are concerns regarding the scale of the building, particularly in relation to its height and width. The building proposed is marginally higher than the property to the north and considerably higher than the properties to the south. The character of properties in this part of Valkyrie Road is of staggered roof heights due to the topography of the road which slopes down from north to south. The scale of development in the area is two storeys with accommodation in the roofspace whereas the proposed development is three storeys with accommodation in the roofspace. The proposed development has taken its reference with respect to its ridge line from the dwellings at 38-40 Valkyrie Road. However, these semi-detached properties are considerably higher than those further to the north and the existing hotel building on this side of the road. It is considered that by taking reference from 38-40 Valkyrie Road the building proposed is excessive in scale which is also exacerbated by the length of the proposed development. Therefore, it is considered that the development would appear out of scale, especially when taken in context with the height of the surrounding properties. It would form an incongruous feature within the streetscene and would not take appropriate reference the adjoining properties, to the detriment of the character of the area.
- 4.21 The indicative plans show that the car parking would be accessed through an undercroft access. The Council’s Design and Townscape Guide (Supplementary Planning Document One) states in paragraph 3.1.5.2 in relation to Undercroft parking:

“The entrance must not appear over dominant in the elevations and include sufficient visibility for users“

- 4.22 The indicative plans show that car parking would be provided to the front of the site along Valkyrie Road. This is considered to be to the detriment of the

appearance of the scheme. However, it is proposed that additional landscaping would be introduced to the front of the site. Therefore whilst the majority of the frontage is proposed to be hardsurfaced it is not considered that an objection to this aspect of the development can be raised.

- 4.23 Whilst it is accepted that the plans submitted are indicative the width of the proposed building would mean there would be no alternative, but to provide undercroft vehicular access. Whilst it is noted that the site currently provides a similar form of access this is not a strong architectural feature of surrounding properties. The access has been moved to the north of the site which is considered to reduce the impact on the streetscene, reducing the height of the void, due to the topography of the site. Therefore, on balance, no objection can be raised to the principle of undercroft vehicular access.

Traffic and Transportation Issues:

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; BLP policies T8 and T11.

- 4.24 Policy T11 requires the provision of adequate parking and servicing facilities. The Essex Planning Officers Association (EPOA) set out the requirements for each use. The Parking Standards are expressed as maximum standards and requires a maximum of 1.5 spaces per residential dwelling. It is also noted that public transport is available in the locality.
- 4.25 The plans indicate the provision of 35 on-site car parking spaces. However, the parking layout is cramped and a number of the proposed spaces would be restricted and not meet the guidance for car parking spaces contained within the Design and Townscape Guide. It is considered that the proposed development would not provide an acceptable level of on-site car parking provision to the detriment of the free flow of traffic and highway safety.
- 4.26 The proposed access to the car park to the rear of the site is through undercroft access. The width of the access to the front of the building would not allow for two cars to pass at the same time which would have the potential to cause vehicular conflict when vehicles are entering and exiting the site. This is exacerbated by the location of the refuse store. The proposed location of the refuse store would reduce the width of the access way to 3m. Due to the cramped layout at ground floor level it is not considered that the site could accommodate the refuse store in a different location.
- 4.27 The plans have indicated the provision of a secure cycle storage area within the ground floor of the development which is considered acceptable.

Impact on Residential Amenity:

The National Planning Policy Framework; BLP policies C11, H5 and the Design and Townscape Guide.

- 4.28 The plans indicate that the development would be three storeys in height and provide accommodation in the roofspace. The three storey rear projection would be in excess of 12 m from the boundary of the site and this is not considered to result in an unneighbourly form of development, in terms of causing an unreasonable sense of enclosure or access to daylight and sunlight.
- 4.29 Whilst the plans are indicative in nature it would appear that the three storey rear projection would provide bedroom windows at a separation distance in excess of 12m. This distance is considered, on balance, sufficient to mitigate against overlooking of the adjoining residents.
- 4.30 The Design and Townscape Guide states:
- “Outdoor space significantly enhances the quality of life for residents and an attractive useable garden area is an essential element of any new residential development”*
- 4.31 The proposed development would provide balconies for the provision of private amenity space to some of the flats. It should be noted that several balconies are not considered to be a useable size. Therefore, these are not practical to meet the outdoor needs of the occupiers. The scheme also provides a shared roof garden. However, this is also considered to be relatively small in size and not to provide an area capable of meeting the outdoor needs of the future occupiers of the site. Whilst it is noted that the application is outline in nature, due to the scale and dimensions of the restricted site it is not considered that the application is capable of being amended, at reserved matters stage, to overcome these concerns. Therefore, it is considered that the proposed development would not provide an acceptable level of amenity space for the future residents.
- 4.32 The indicative plans show car parking spaces in close proximity to the three ground floor units to the rear of the development. Car parking provision in such close proximity to these residential units is considered to be likely to lead to an unacceptable impact upon the future occupiers due to noise and disturbance is indicative of overdevelopment of the site.
- 4.33 The development would provide car parking to the rear of the Valkayrie Road aspect of the site. Whilst it is noted that this is in relatively close proximity to the boundary of the adjoining residents the sites currently provides a car park to the rear of the hotel and it is not considered that a reason for refusal in respect of this could be sustained relating to this mater.

Sustainable Construction:

The National Planning Policy Framework; DPD1 (Core Strategy) policies HP2, CP4 and CP8; BLP policies C11, H5 and the Design and Townscape Guide.

4.34 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”.

4.35 The proposed development involves the redevelopment of the entire site and it is considered reasonable to require the provision of at least 10% of the energy needs of new development from on-site renewable resources. Whilst the provision of renewable energy resources should be considered at the earliest opportunity to ensure an intrinsic design, the application is outline in nature. The applicant has indicated that the development will include photovoltaic cells on the roof but has not provided any details. It is therefore considered reasonable and appropriate to impose a condition on any approval requiring details of renewable options (and/or decentralised renewable or low carbon energy sources) to meet 10% of the developments energy needs to be submitted in accordance with Policy KP2 and Government guidance.

Other Matters:

DPD1 (Core Strategy) policies KP2 and CP4 and BLP policies C11, H5 and H8.

4.36 The applicant has supplied a location for the proposed refuse store within the ground floor of the building. The proposed location is considered to be unacceptable due to the impact on the vehicular access to the site. Due to the cramped layout at ground floor level it is not considered that the site could accommodate the refuse store in a different location.

Developer Contributions:

The National Planning Policy Statement; DPD1 (Core Strategy) policies CP4, CP6 and CP8; BLP policies C11, H5, H7 and H10 and the Design and Townscape Guide.

4.37 The Community Infrastructure Levy Regulations (CIL Regs) 2010 came into force on the 6th April 2010 and under regulation 122 planning obligations must meet the following tests:

- a) necessary to make the development acceptable in planning terms; and
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

4.38 SPD2 adheres to the fundamental principle that planning obligations may not be bought or sold and that planning obligations must only be sought to make acceptable development which would otherwise be unacceptable in planning terms

4.39 It should be noted that Policy CP8 of the Core Strategy states that:

“all residential proposals of 10-49 dwellings or 0.3hectares up to 1.99 hectares makes an affordable housing or key worker provision of not less than 20% of the total number of units on site”

4.40 The applicant has indicated that they are willing to enter into a S.106 agreement to provide affordable housing on-site. The Housing Department has requested 3 no. one bedroom flats, 2 no. two bedroom flats and 2 no. three bedroom flats.

4.41 The development is anticipated to impact upon local education capacity as the development is within an area of the town that is already short of primary places. An education contribution of £25,249.42 towards increases in primary admissions as a result of this development has being requested. Contributions towards providing places for secondary and post-16 pupils are not required as there are sufficient spaces within the borough schools and colleges. The applicant has indicated that they are willing to enter into an agreement in respect of this. Currently there is availability in secondary and post-16 schools within the area and therefore no contribution is required in respect of this.

4.42 Policy CP4 seeks imaginative design and elements of public art within new development. The Design & Townscape Guide further elaborates on the positive role public art can have within the public realm.

4.43 A scheme of this nature would be expected to make a contribution Public Art on or within the vicinity of the site. The applicant has confirmed that they are willing to provide a contribution to public art in accordance with the guidance in SPD2 which is 1% of build costs.

4.44 It is considered that the requirements of affordable housing, the education contribution and Public Art discussed above are in accordance with the CIL Regulations.

5 Conclusion

5.1 Whilst the principle of the redevelopment of the site is acceptable, the detail of the scale and height of the development are considered unacceptable. It is also considered that the development does not provide an acceptable level of amenity space accessible access or appropriate car parking layout for the future occupiers of the development. The development would also lead to a detrimental impact upon the amenity of the three ground floor flats at the rear of the development due to noise and disturbance caused by vehicular movements in such close proximity. The proposal therefore represents an overdevelopment of the site which is not sustainable to the detriment of the character of the area.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework.
- 6.2 East of England Plan (May 2008) Policies SS1 (Achieving Sustainable Development), ENV7 (Quality in the Built Environment).
- 6.3 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance) and CP8 (Dwelling Provision).
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide
- 6.5 Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), H7 (Formation of Self-contained Flats), L7 (Retention of Hotel and Guest House Uses), T8 (Highway Safety) and T11 (Parking Standards).
- 6.6 EPOA adopted Vehicle Parking Standards.

7 Representation Summary

Highway Authority

- 7.1 The access to the proposed development due to the narrow entrance could potentially cause vehicle conflict with vehicles entering/exiting the site. This is further increased due to the location of the refuse storage which narrows the access way to 3m. Approximately 7m past the refuse store the access way narrows again to 3.9m. These fluctuations in access way width will lead to unnecessary manoeuvres for vehicles.

The parking requirement for this development is 36 car park spaces the proposal does not meet this standard. 6 of the parking bays would be difficult to manoeuvre in and out from due to the close proximity to walls, in these situations consideration should be given to increase the bay width to ensure that the space accessed without unnecessary vehicle movements.

Cycle parking has been provided.

Construction of the vehicle crossovers will require a section 278 agreement with detailed design agreed before works commence on site.

Given the above a highway objections is raised to this proposal.

Strategic Planning

- 7.2 No comments received.

Design and Regeneration

- 7.3 Local character is primarily residential, 2-3 storeys, and the recent addition of the PCT to Valkyrie Road has paved the way for good quality, contemporary design in the area that responds to the intricacies of local character. Previous design comments highlighted concerns with the scale of the front gables, which have been reduced to 3 storeys. The proportions of the roof have also been addressed and its depth increased, although more depth is needed to meet the proportions of the neighbouring property. It is pleasing to see the access way to the rear car park has been relocated to the north end of the frontage, this addresses previous concerns on this matter.

Nonetheless, concerns remain that the proposals would create an overly dominant development within the streetscene. As previously noted, the street has a gentle sloping gradient from north to south and this should be addressed within the design, providing a step change between the proposed development and neighbouring properties to the south. Here a reduction in scale is necessary. This would help to break up the monotony of the form, and should help to reduce its overall impact. Materials are to be dealt with as a reserved matter however, as proposed the front gables appear rather dominant, emphasised by the use of colour, a lighter colour may be more appropriate.

While some terraces and balconies have been provided, overall the lack of amenity space given the number of flats proposed (36) is regrettable (note: roof plan does not appear to have been provided), particularly given that the rear and front of the site are dominated by car parking. A greater level of landscaping is shown on the plans to the frontage, which is welcome, nonetheless parking remains a dominant feature here and details of landscaping, hard surfacing and boundary treatment would need to be agreed.

Units 1 and 2, to the rear at ground floor, have terraces that look out onto the parking area. What boundary treatment / screening is proposed here to improve outlook and restrict noise etc? This will be required and details will need to be agreed.

A min. of 10% of the energy needs of the development would need to come from on-site renewable sources in line with policy KP2 of the core strategy, further details will be required and this will need to be agreed.

Materials it is noted are to be agreed as a reserved matter. Materials should be chosen to draw reference to local character e.g. white render, red brick, roof tiles, white joinery.

Park and Open Space

- 7.4 No comments received.

Housing

- 7.5 In order to meet housing needs inline with the Borough's Core Strategy DPD, we would require Affordable Housing to be included within this proposed development, In order to meet housing needs inline with the Southend Borough Council's Core Strategy DPD, Adult & Community Services would require new housing development to reflect a broad mix of accommodation in accordance with the Thames Gateway SHMA, August 2008 for Southend on Sea*. As the plans do not give clear indication of unit sizes, we would advise that affordable housing units must meet HCA minimum standard and code Level 4 for sustainable homes. which all Registered Providers (RP) would require section 106 affordable units to compile to, this is a requirement under the governments Affordable Homes Programme Framework 2011-2015. In total seven properties would be requested made up of 3 no. one bedroom flats, 2 no. two bedroom flats and 2 no. three bedroom flats.

Education

- 7.6 This building is within an area of the town that is already short of primary places, especially in the infant age range where there are currently forecasts of a 90 place shortfall for September 15 reception admission round. Families moving into the borough are also adding to the pressure in all primary ages. An education contribution of £25,249.42 towards increases in primary admissions as a result of this development is being requested. This amount will be used towards the current plans to expand local primary schools in the central area of the town. Contributions towards providing places for secondary and post-16 pupils are not requested as there are sufficient within the borough schools and colleges although some parents might consider the secondary travel distance onerous.

Public Consultation

- 7.7 At the time of writing the report ten letters have been received which raise the following comments and observations:
- Impact from recent or planned developments.
 - Over development
 - Concerns in relation to car parking
 - Noise from balconies
 - Loss of privacy
 - Tree screening
 - Above existing roofline to South
 - Should be a four storey building
 - Pollution
 - Impact on outlook
 - Rebuild should not extend past its original footprint
 - Over shadowing
 - Details of the neighbour consultation by owner is not accurate **[Officers Comment: The Council undertakes its own consultation process]**
 - Out of character

- Loss of light
- Inconvenience whilst development being built [**Officers Comment: Not a significant planning consideration**]
- Too many flats [**Officers Comment: This has been considered in the main body of the report.**]

8 Relevant Planning History

- 8.1 1979 – Certificate issued to legalise the use of the premises as a guest house.
- 8.2 1980 – Application approved to convert 36 Valkyrie Road from a dwelling to an extension to the adjoining hotel with associated works.
- 8.3 2007 – Planning permission was refused to demolish dwelling, erect part two/part three storey block of 7 self-contained flats with balconies to front and rear, layout parking, amenity areas and landscaping (SOS/ 07/00095/FUL).
- 8.4 2010 – A planning application (SOS/09/01551/FUL) to demolish existing buildings and to erect a 2 storey building comprising of 10 bedrooms and associated facilities for ancillary use to Balmoral Hotel, a covered walkway and refuse and cycle store, the layout of 10 car parking spaces and two access ramps to front.
- 8.5 2010 - An enforcement notice was served on the 17th November 2011 in relation to the unauthorised use of the site as a HMO and an independent restaurant/bar.
- 8.6 2011 – A retrospective planning application (10/02133/FUL) to convert Hotel (Class C1) to House in Multiple Occupation (Class C4) was refused planning permission.
- 8.7 2011 – An outline application to demolish the existing buildings and erect a part 2 storey and part four storey 85 bed nursing home was submitted for the Balmoral Hotel and 34 Ditton Court Road. The application was refused and a subsequent appeal was dismissed.
- 8.8 2011 – A planning application (11/01375/FUL) for a change of use of the Balmoral Hotel (Class C1) to a residential institution (sui generis) was refused planning permission.

9 Recommendation

9.1 Members are recommended TO REFUSE PLANNING PERMISSION, for the following reasons:

- 01 The proposal, by reason of its excessive height and scale, unacceptable cramped ground floor layout and poor living conditions for future occupiers, access and on-site car parking provision, unacceptable level of amenity space would result in overdevelopment on the site contrary to Policies C11, H5 and H7 of the Borough Local Plan, Policies KP2 and CP4 of the Core Strategy, Policies SS1 and ENV7 of the East of England Plan and advice contained within the adopted Design and Townscape Guide (SPD1), and Government guidance contained within the NPPF.**

- 02 In the absence of a signed legal agreement the development makes no contribution for affordable housing, public art or education, which would be required with respect to mitigating the wider impacts of the development on local infrastructure and the townscape. As such the proposal is considered contrary to Policy KP2, KP3 and CP8 of the Southend on Sea Core Strategy 2007 and guidance within SPD1: Design and Townscape Guide and the NPPF.**

Informative:

- 01 It should be noted that the Council considers that the provision of dormers in the front elevation, shown in the indicative plans, is unlikely to gain a positive recommendation if submitted as Reserved Matters.**

Note

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. The proposal is not considered to represent sustainable development. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal – which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Reference:	12/01439/FUL
Ward:	Leigh
Proposal:	Erect three storey rear extension to form 3 additional bedrooms and enlarged kitchen facilities, form basement spa, alter car parking at rear and form new vehicular accesses (amended proposal)
Address:	Grand Hotel, Broadway, Leigh-on-Sea, SS9 1PJ
Applicant:	Scoop Trading Ltd
Agent:	Stone Me Ltd
Consultation Expiry:	07.12.12
Expiry Date:	28.12.12
Case Officer:	Louise Cook
Plan No's:	01C, 02C, 40D, 42D, 43B, 44B, 45B, 51
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to erect a three storey rear extension to form three additional bedrooms and enlarged kitchen facilities, to form a basement spa, alter car parking at rear and form new vehicular accesses (amended proposal).
- 1.2 The application is an amended proposal following the approval of planning permission ref. 12/00719/FUL at the Development Control Committee on 15th August 2012 to erect a two storey rear extension to form two additional bedrooms and enlarged kitchen facilities, a basement spa, alter the car parking at the rear and to form a new vehicular accesses at the site.
- 1.3 The proposed three storey rear extension will measure a maximum of 13.6m wide x 9m deep. This extension will provide an entrance to the basement spa, store and cloakrooms, and five additional bedrooms. Therefore, the proposed development will increase the total number of bedrooms on site from 17 (including the manager's accommodation) to 20, each with an en-suite.
- 1.4 The application proposals form part of the planned refurbishment and extension of the building. The supporting statement accompanying the application details that the proposed development is required for reasons of viability and to ensure a sustainable business model for the applicant. However, it should be noted that a viability assessment or similar supporting evidence has not been submitted.
- 1.5 A two storey rear extension was approved under reference 12/00719/FUL with the same footprint as the proposed development.
- 1.6 The materials to be used on the exterior of the extension are proposed to match those used on the existing building including red facing brickwork and stonework panels and window surrounds.
- 1.7 The submitted drawings show a raised terrace to the front of the building which was approved under references 10/00741/FUL and 10/01447/FUL and is subject to a condition preventing its use after 23:00.

2 Site and Surroundings

- 2.1 The application relates to a large detached three storey building located on the junction of the Broadway with Leighton Avenue. The Grand Hotel is a dominant feature on the eastern end of Broadway, built on a scale befitting its name in 1899. The building is predominantly constructed of brick with decorative stone dressings.

- 2.2 The building is a locally listed building and is located within the Leigh Cliff Conservation Area.
- 2.3 The premises is currently vacant and has been so for several years, leading to a gradual decline in the appearance of the building and state of the site. The site was last used as a hotel, bar and function room.
- 2.4 Immediately to the west of the site is Leighton Avenue which is predominantly residential in character. The properties are predominantly two storey late Victorian terraces, some of which have been converted into flats.
- 2.5 To the north of the site is a detached block of purpose built flats (Southdown Court) with car parking at the rear accessed off Leighton Avenue.
- 2.6 To the east of the site in the Broadway are two storey buildings with commercial premises at ground floor level. Commercial premises continue along the Broadway to the south of the site. The side roads off the Broadway are predominantly residential in character.
- 2.7 The following extract is from the Leigh Cliff Conservation Area appraisal which describes the Grand Hotel as;

“The most notable building in the townscape on a prominent corner site. It is a richly decorated four storey red brick Edwardian style building, with distinctive shaped gables and chimney stacks. The windows are traditional painted timber casements, with curved heads, fanlight detailing and decorative stone surrounds which decrease in prominence on the higher storeys. The rooms on the first floor front elevation have small ornate iron balconies with views of the estuary.”

3 Planning Considerations

- 3.1 The main planning considerations for this application are the principle of development, design, visual impact in the street scene, impact on the Conservation Area and locally listed building, impact on neighbouring occupiers and traffic and transportation issues.

4 Appraisal

Principle of Development

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policies KP1, KP2 and CP4; Borough Local Plan Policies C2, C4, C11, C14, L6, L7, T8, T11 and the Design and Townscape Guide, 2009 (SPD1).

- 4.1 The building currently has a lawful use as a hotel, restaurant, bar and function rooms. The building is proposed to be refurbished and re-used as a boutique hotel, restaurant, lounge bar, function room and spa with the hotel bedrooms undergoing substantial refurbishment.
- 4.2 The proposed facilities will not alter the lawful use of the building and it should be noted the formation to the basement spa has been previously approved by the Development Control Committee on 4th April 2012 and on 15th August 2012 as part of an amended scheme.
- 4.3 The three additional bed spaces and enlarged kitchen facilities will enhance the use of the building and increase the potential number of visitors it is able to accommodate. This will have a positive impact in terms of bringing additional trade into the Borough, in particular the commercial area of Leigh thus enhancing the vitality and viability of the area.
- 4.4 Therefore, there is no objection in principle to the extension of this locally listed building and its reuse is welcomed subject to each of the considerations detailed below being satisfactorily addressed.

Design, Impact on the Streetscene, Conservation Area and Locally Listed Building

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policies KP2, CP4; Borough Local Plan Policies C2, C4, C11, C14 and the Design and Townscape Guide, 2009 (SPD1).

- 4.5 The application is similar in appearance to the previously approved plans (ref. 12/00719/FUL) however, a mansard style roof is now proposed in order to accommodate additional bedrooms taking the extension at the rear from two to three storeys in height.
- 4.6 The mansard roof is similar in appearance to the roof of the main building. It is not considered that the extension would be overly dominant given the design of the mansard roof, its siting and that it will be relatively hidden behind parapet and chimney features, in keeping with the design of the main building.

- 4.7 The proposed extension has been designed in an attempt to reflect the character of the existing building. It will project a maximum of 9m beyond the original rear wall of the building, be set back 3.4m from the eastern wall of existing building (facing Broadway) and 5.1m from the western wall of the building (facing onto Leighton Avenue).
- 4.8 Whilst the set back from both from Broadway and Leighton Avenue are generous, given the openness of the site and the height of the proposed extension, the proposed extension will be highly visible in both streetscenes and the wider conservation area.
- 4.9 It is considered that the proposed extension satisfactorily relates to this locally listed building and will not detract from its character or integrity. Additionally, the extension and associated redevelopment of the building will enhance the character and appearance of the conservation area and have a positive impact in the streetscene.
- 4.10 As detailed above, the proposed spa and alterations to the access arrangements were approved under application ref. 12/00719/FUL and therefore, no objection is raised in principle to these elements of the proposal.
- 4.11 In light of the above, the proposed extension is considered to be a sympathetic addition to the building which will not be detrimental to its character or appearance. The extension will enhance the character and appearance of the streetscene and conservation area and therefore satisfies the above policies.

Impact on Neighbouring Occupiers

National Planning Policy Framework; DPD Policies KP2 and CP4; Borough Local Plan Policies C11 and E5 and the Design and Townscape Guide, 2009 (SPD1).

- 4.12 The proposed three storey extension is sited a minimum distance of 17m from the rear (northern) boundary of the site and there is a separation distance of 19m from the Southdown Court flats immediately to the north. It is considered that this distance is acceptable and will not result in a material loss of light or amenity to these neighbouring occupiers. Additionally, ground levels fall away from this block of flats in a southerly direction towards the extension, thus reducing its impact upon these properties.
- 4.13 Additionally, there is a separation distance of 22m from the nearest residential property in Leighton Avenue to the proposed extension. This substantial distance is considered acceptable to ensure that the proposal will not be overbearing upon or detrimental to the amenities of neighbouring occupiers.
- 4.14 It is not considered that the level of activity associated with the additional five bedrooms would be significant and would not be detrimental to the amenities of neighbouring occupiers and there are no other neighbouring occupiers that would be affected by the proposed development.

- 4.15 It is also considered that the level of activity associated with the spa would be acceptable with regard to the amenities of neighbouring occupiers (this element of the proposal has already been considered and granted permission under ref. 12/00719/FUL). The proposed entrance to the spa is located at the rear of the extension away from neighbouring residential occupiers and the use of the spa is subject to a condition detailed below preventing its use before 07:00 hours and after 23:00 hours.
- 4.16 Therefore, in light of the above, it is considered that the proposed development would not be detrimental to the amenities of neighbouring residential occupiers and as such it is considered that the proposed development satisfies the above policies.

Traffic and Transportation

National Planning Policy Framework; East of England Plan Policy ENV7; Borough Local Plan Policies T8 and T11 and the Design and Townscape Guide, 2009 (SPD1).

- 4.17 Sixteen car parking spaces are proposed to the rear of the site which will be accessed from Broadway and a further nine spaces (including two disabled parking bays) to the front of the site accessed off Leighton Avenue. Therefore, a total of 25 off-street car parking spaces are proposed to serve the site. This car parking layout was granted permission under reference 12/00719/FUL and 12/00069/FUL, however no further car parking for the additional five bedrooms now being proposed has been introduced. A transport statement has been submitted as part of the application.
- 4.18 Essex Planning Officer Association (EPOA) vehicle parking standards require a maximum standard of one car parking space per bedroom for hotel (class D1) uses. Therefore, a maximum of 20 spaces would be required for the proposed number of bedrooms at the site.
- 4.19 Whilst the site is within a sustainable location in terms of access to public transport, the local area suffers from high levels of on-street parking stress. Policy T11 of the Borough Local Plan states;

“Permission will not normally be granted for any development which would be likely to give rise to additional demand for on-street parking, particularly in residential areas...unless satisfactory and convenient alternative provision is made.”

- 4.20 The applicant has submitted a Transport Statement to determine if there is any impact of providing the proposed additional three bedrooms on parking space availability within the surrounding road network assuming that the proposed hotel car parking is at full capacity by serving the hotel room already given planning approval. A survey was carried out during the likely peak usage of the site between 18:00 hours and 22:00 hours.

- 4.21 The survey concludes that there is sufficient parking spaces available on-street locally within close proximity of the site to accommodate the proposed additional three rooms without significantly impacting the surrounding highway network.
- 4.22 Therefore, in light of the above and that the site is within a sustainable location within a local commercial centre, no objections are raised on this basis.

Planning Policy Summary

- 4.23 National Planning Policy Framework, 2012, Sections 1 (Building a Strong, Competitive Economy), 2 (Ensuring the Vitality of Town Centres), 4 (Promoting sustainable Transport), 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment).
- 4.24 East of England Plan Policies SS1 and ENV7.
- 4.25 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (The Environment and Urban Renaissance).
- 4.26 Borough Local Plan Policies C2 (Historic Buildings), C4 (Conservation Areas), C11 (New Buildings, Extensions and Alterations), C14 (Trees, Planted Areas and Landscaping), L6 (Hotel and Guest Houses), L7 (Retention of Hotel and Guest House Uses), E5 (Non-Residential Uses Close to Housing), T8 (Traffic Management and Highway Safety), T11 (Parking Standards) and U2 (Pollution Control).
- 4.27 Design & Townscape Guide, 2009 (SPD1).
- 4.28 EPOA Vehicle Parking Standards, 2001.

5 Representation Summary

Design and Regeneration

- 5.1 There are no objections to the proposals. Materials and fenestration to match the existing and to be agreed by condition.

Highways

- 5.2 An existing on street parking survey has been undertaken to identify the spare capacity within the local area during the anticipated peak usage of the hotel rooms and facilities (for weekend use between 18.00 and 22.00 hours). The survey demonstrates that there is sufficient parking capacity within the area to accommodate the additional three hotel rooms without significantly impacting on the surrounding highway network.
- 5.3 Given the information supplied by the applicant has been verified by the Development Control Committee Mains Plans Report DETE 12/088 12/12/2012 Page 36 of 154

Council's Highway Officer there are no highway objections to the proposal.

Parks

- 5.4 No comments received at the time of drafting this report.

Environmental Health

- 5.5 No comments received at the time of drafting this report. However, no objections were raised to the previous application.

Leigh Society

- 5.6 No comments received at the time of drafting this report.

Leigh Town Council

- 5.7 No comments received at the time of drafting his report.

Public Consultation

- 5.8 Neighbours notified and a site notice displayed – One letter of representation has been received in support of the application.

6 Relevant Planning History

- 6.1 12/01091/AD: Application for approval of details pursuant to conditions 3 (Samples of materials), 4 (Detailed drawings of windows, railings and lanterns), 5 (Pointing and bond of Brickwork) And 6 (Junction between building and terrace) of planning permission 10/00421/FUL dated 4th May 2010 – Pending consideration.
- 6.2 12/00719/FUL: Erect two storey rear extension to form 2 additional bedrooms and enlarged kitchen facilities, form basement spa, alter car parking at rear and form new vehicular accesses (amended proposal) – Approved.
- 6.3 12/00069/FUL: Form basement spa, erect single storey rear extension, alter car parking at rear, layout car parking spaces and form new vehicular access – Approved at the Development Control Committee on 11th April 2012.
- 6.4 11/01723/NON: Enlarge first floor extension at rear (Non Material Amendment following planning permission 10/00741/FUL dated 17/06/10) – Approved.
- 6.5 10/01447/FUL: Variation of condition 02 of planning permission 10/00421/FUL to allow use of the outdoor terrace area at front until 23:00 hours Monday to Sunday and Bank Holidays – Approved.
- 6.6 10/00741/FUL: Erect single storey rear extension, alterations to fenestration at rear, three storey infill extension and external staircase to western elevation from basement to ground floor level – Approved.

- 6.7 10/00421/FUL: Alterations to elevations, form disabled access ramp to side elevation, form terrace with seating areas and form additional vehicular access onto Leighton Avenue – Approved.

7 Recommendation

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

01. The development hereby permitted shall begin no later than 3 (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: 01C, 02C, 40D, 42D, 43B, 44B, 45B, 51.

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

03. The basement spa shall only be used as a spa and for no other purpose.

Reason: In the interest of the amenities of neighbouring occupiers and parking provision in accordance with Policies KP2 and CP4 of the Core Strategy, Policies E5, T11 and U2.

04. No development shall take place until samples of the materials to be used on the external elevations of the extensions, external staircases, hardstanding, and details of boundary treatments have been submitted to and approved by the Local Planning Authority. The development shall be carried out and permanently retained in accordance with the approved details.

Reason: In the interest of the character, appearance and integrity of the locally listed building and the character and appearance of the conservation area and street scene, in accordance with Policies C2, C4 and C11 of the Southend-on-Sea Borough Local Plan.

05. Prior to the commencement of the works hereby granted, a sample panel showing the pointing profile, copings, mortar mix, bricks, brick bond to be used on the extension and brick wall shall be provided on site and first agreed in writing by the local planning authority. The works shall be carried out and permanently retained in accordance with the agreed details unless otherwise first agreed in writing with the Local Planning Authority.

Reason: In the interest of the character, appearance and integrity of the locally listed building and the character and appearance of the conservation area and street scene, in accordance with Policies C2 and C4 of the Southend-on-Sea Borough Local Plan.

06. Notwithstanding condition 04 above, the existing bricks in the wall on the Broadway shall be reused in the replacement wall where practical unless otherwise first agreed in writing by the Local Planning Authority. The development shall be carried out and permanently retained in accordance with the approved details.

Reason: To safeguard the character and appearance of the street scene, Conservation Area and the locally listed building in accordance with Policies C2, C4 and C11 of the Borough Local Plan and Policies KP2 and CP4 of the Core Strategy DPD1.

07. Detailed drawings, including details of the pediment features, materials of the windows and doors to be inserted into the extension and the detailing around them, together with details of the glazed lantern rooflight to the spa, at scales of between 1:20 and 1:1 as appropriate, shall be submitted to and agreed in writing with the local planning authority prior to the commencement of development. The development shall be carried out and permanently retained in accordance with the agreed details.

Reason: In the interest of the character, appearance and integrity of the locally listed building and the character and appearance of the conservation area and street scene, in accordance with Policies C2 and C4 of the Southend-on-Sea Borough Local Plan.

08. No electricity, gas or water meter boxes, soil ventilation pipes, air extraction pipes, air conditioning units, boiler flues, ventilation grills or ducting shall be fixed to the exterior of the building without prior written approval of the local planning authority. The development shall be carried out and permanently retained in accordance with the agreed details.

Reason: In the interest of the character, appearance and integrity of the locally listed building and the character and appearance of the conservation area, in accordance with Policies C2 and C4 of the Southend-on-Sea Borough Local Plan.

09. Prior to the first use of the spa, sixteen car parking spaces shall be laid out and the associated access provided in accordance with drawing number 43B and permanently retained for visitors to the site unless otherwise first agreed in writing by the Local Planning Authority. The development shall be carried out and permanently retained in accordance with drawing number 43B.

Reason: To provide satisfactory off-street parking provision and a suitable vehicular access in accordance with Policies T8 and T11 of the Borough Local Plan.

10. The landscaping shall be carried out prior to the first use of the spa as shown on drawing number 43B and the submitted soft landscaping specification from Andrew Day Arboricultural Consultancy dated 14th February 2012, unless otherwise first agreed in writing by the Local Planning Authority. The landscaping shall be carried out and permanently retained in accordance with the approved drawings.

Reason: In the interests of visual amenity, the character and appearance of the conservation area, the amenities of neighbouring occupiers and to ensure a satisfactory standard of landscaping pursuant to East of England Plan Policy ENV7, Policy CP4 of the Core Strategy DPD1 and Policies C4, C11 and C14 of the Borough Local Plan.

11. Prior to the first use of the spa, details of the new garden area to the rear of the site (the north-western corner) indicated on drawing number 43B incorporating details of hardsurfacing and soft landscaping shall be first agreed in writing by the Local Planning Authority. The development shall be carried out and permanently retained in accordance with the agreed details.

Reason: In the interests of visual amenity, the character and appearance of the conservation area, the amenities of neighbouring occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies C4, C11 and C14 of the Borough Local Plan and Policy CP4 of the Core Strategy DPD1.

12. The spa shall not be used outside of the following hours: 07:00 to 23:00 Mondays to Sundays.

Reason: In the interest of the amenities of neighbouring residential occupiers in accordance with Policies C11, E5 and U2 of the Borough Local Plan.

13. The roof of the extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: In the interests of visual amenity, the character and appearance of the conservation area, the amenities of neighbouring occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies C4, C11 and C14 of the Borough Local Plan and Policy CP4 of the Core

Strategy DPD1.

14. Details of an acoustic fence or similar to be erected along the northern side of the site adjacent to Southdown Court prior to the first use of the spa shall be submitted to and approved by the Local Planning Authority. The acoustic fence shall be erected in accordance with the approved details and permanently retained.

Reason: In the interests of the amenities of neighbouring occupiers in accordance with Policies C11 and E5 of the Borough Local Plan and Policies KP2 and CP4 of the Core Strategy.

Reason for Approval

This permission has been granted having regard to the National Planning Policy Framework, East of England Plan Policies SS1 and ENV7, Core Strategy DPD Policies KP1, KP2 and CP4, Policies C2, C4, C11, C14, E5, T8, T11 and U2 of the Southend-on-Sea Borough Local Plan, the principles contained within the Design & Townscape Guide SPD and all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

Informative

01. The applicant is advised that the outdoor terrace at the front is restricted by separate conditions under planning permission ref. 10/01447/FUL.

02. The applicant is advised to discuss those works which will affect the public highway with the Council's Highway Engineer Martin Warren who can be contacted on (01702) 534328. This includes pavement crossovers, removal of redundant crossovers and changes in on-street parking arrangements. You will be required to pay all administration, design, supervision and any other costs of the work. The Council as Local Highways Authority will carry out any work which affects the highway.

Reference:	12/01326/AMDT
Ward:	Westborough
Proposal:	Move the siting of dwellings 17-21 by approximately 500mm (minor material amendment to planning permission 11/01349/FULM dated 28/03/12)
Address:	Brookside Works, Springfield Drive and 279 Fairfax Drive, Westcliff-On-Sea, Essex
Applicant:	Aitch Group
Agent:	Fluid
Consultation Expiry:	10 December 2012
Expiry Date:	24 January 2013
Case Officer:	Matthew Leigh
Plan Nos:	FSW11-786-50, FSW11-786-51, FSW11-786-55 Rev F, FSW11-786-57 Rev B, FSW11-786-702 Rev B, FSW11-786-105 Rev D, FSW11-786-106 Rev C, FSW11-786-110 Rev D, FSW11-786-115 Rev D, FSW11-786-120 Rev C, FSW11-786-121 Rev C, FSW11-786-125, FSW11-786-126 Rev B, FSW11-786-130 Rev C, FSW11-786-131 Rev C, FSW11-786-135 Rev C, FSW11-786-1361 Rev B, FSW11-786-140 Rev A, FSW11-786-141 Rev C, FSW11-786-142 Rev C, FSW11-786-145 Rev C, FSW11-786-146 Rev B, FSW11-786-150 Rev C, FSW11-786-155 Rev C, FSW11-786-100 Rev D, FSW11-786-700 Rev B, FSW11-786-701 Rev B, FSW11-786-703 Rev B, FSW11-786-704 Rev B, fb11-786-52 and fb11-786-53.
Recommendation:	Delegate to the acting Head of Planning and Transport or the Corporate Director of Enterprise, Tourism and the Environment to GRANT PLANNING PERMISSION SUBJECT TO THE COMPLETION OF THE S106 AGREEMENT



1 The Proposal

- 1.1 An application is made for a minor amendment to application 11/01349/FULM; which was to redevelop two sites; one facing onto Fairfax Drive and the second facing onto Springfield Drive with 22 houses.
- 1.2 The amendment relates to re-siting of a number of dwellings due to a slight discrepancy in the boundaries of the site which is not as large initially thought.

2 Site and Surroundings

- 2.1 The application site is made up of two former industrial sites. Part of the site is located on the northern side of Fairfax Drive, 59m west of its junction with Springfield Drive. It is a relatively regular shaped site, having a frontage of 22m, a rear boundary of 27m and a maximum depth of 55m whilst the second part of the site is located on the western side of Springfield Drive, 25m north of its junction with Fairfax Drive. It is an irregular shaped site with a frontage of 27m and a depth of 100m.
- 2.2 The streetscene and character of this part of Fairfax Drive is predominately residential, however to the northwest are commercial sites. To the north of the site is Prittlewell Brook and Prittlewell Chase allotment Gardens. Whilst the streetscene in this part of Springfield Drive is predominately residential in character, the dwellings are of a variety of styles and designs.

3 Planning Considerations

- 3.1 The application is made under s.73 of the Town and Country Planning Act 1990 and is for a change to an existing condition. The only considerations available relate to alterations to the scheme caused by the proposed amendment, to re-site a number of dwellings.

4 Appraisal

Background to the application

- 4.1 A planning application to demolish the existing buildings on site and erect a three storey building comprising of two commercial units and eight self-contained flats and six, three storey houses at 279 Fairfax Drive was granted permission on the 20th April 2009.
- 4.2 Similarly, a planning application to redevelop Brookside Works, Springfield Drive through the demolition of the existing industrial unit and the construction of a three storey frontage building consisting of commercial space at ground floor and one commercial unit and four self-contained flats at first and second floor together level with 4 no. three storey terraced houses attached to a three storey block of flats containing three flats, towards the rear of the site was approved on the 12th August 2009.
- 4.3 A subsequent planning application was submitted for 279 Fairfax Drive

(SOS/10/01621/FULM) and Brookside Works (SOS/10/01620/FULM) to use the commercial units for purposes falling within Use Classes A1, A2, B1a, or B1c, or for uses falling within Class D1 in relation to the provision of medical/dental/veterinary services, as a dispensing opticians, as a crèche/nursery/children's centre, or for educational/training purposes (and for no other purpose within Class D1). Both applications were refused planning permission on the 9th December 2010.

- 4.4 A planning application (11/01349/FULM) to provide 22 houses was granted planning permission in 2011.

Principle of the Development

The National Planning Policy Framework, East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policies KP2 CP1, CP4 and CP8; Borough Local Plan (BLP) Policies E1, C11 and H5 and the Design and Townscape Guide SPD1.

- 4.5 The application is for residential accommodation. The principle of the provision of residential accommodation has been considered acceptable previously and it is therefore considered acceptable at this time.

Design and Impact on the Character of the Area:

The National Planning Policy Framework, East of England Plan Policies ENV7, DPD1 (Core Strategy) Policies KP2 and CP4; BLP Policy C11.

- 4.6 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 C11 and H5 of the Local Plan and Policies KP2 and CP4 of the Core Strategy and Policy ENV7 of the East of England Plan. Also the Design and Townscape Guide (SPD1) states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.7 The scheme proposes to move dwellings 17-21 by approximately 500mm toward the Prittle Brook. The dwellings would have limited views available from the public vistas. It is not considered that the proposed relocation would have a detrimental impact on the character of the area.

Impact on Residential Amenity:

The National Planning Policy Framework, East of England Plan policies SS1, SS2, ENV7; DPD1 (Core Strategy) policies KP2 and CP4; BLP policies C11, E5, H5 and H7 and the Design and Townscape Guide (2009).

- 4.8 At the time of the extant permission the orientation of the dwellings numbered 15-22 and the location adjacent to the Prittlewell Brook was considered not to have a detrimental impact upon amenity to residents to the north. Although moving slightly further north, the proposed amendment is not considered to result in any undue impact in relation to the amenity of adjoining residents.

- 4.9 Whilst it is accepted that the relocation of houses 17-21 would slightly reduce the rear garden amenity space provided under the original application it is considered that the proposed development would, on balance, still provide a rear garden space capable of meeting the outdoor requirements of the occupiers of the site and therefore, there is no objection to the reduction in size of the rear garden.

Developer Contributions:

The National Planning Policy Framework, East of England Plan policies H2; DPD1 (Core Strategy) policies CP4 and CP8; BLP policies C11 and H5 and the Design and Townscape Guide (2009).

- 4.10 The Community Infrastructure Levy Regulations (CIL Regs) 2010 came into force on the 6th April 2010 and under regulation 122 planning obligations must meet the following tests:

- i) necessary to make the development acceptable in planning terms; and
- ii) directly related to the development; and
- iii) fairly and reasonably related in scale and kind to the development.

- 4.11 SPD2 adheres to the fundamental principle that planning obligations may not be bought or sold and that planning obligations must only be sought to make acceptable development which would otherwise be unacceptable in planning terms

- 4.12 It should be noted that Policy CP8 of the Core Strategy states that:

“all residential proposals of 10-49 dwellings or 0.3hectares up to 1.99 hectares makes an affordable housing or key worker provision of not less than 20% of the total number of units on site”

- 4.13 The applicant has indicated that they are willing to enter into a S.106 agreement to provide 3 No. three bed houses and a four bedroom house, this is acceptable to the Housing Department on the basis the proposed accommodation meets the demand of the borough and are of an acceptable size standard.

- 4.14 The development is anticipated to impact upon local education capacity (Milton Hall) and a contribution for education is required. The applicant has indicated that they are willing to enter into an agreement in respect of this. Currently there is availability in secondary and post-16 schools within the area and therefore no contribution is required in respect of this.

- 4.15 It is considered that the requirements of affordable housing and the education contribution discussed above are in accordance with the CIL Regulations and are the same as those agreed with the previous application.

5 Conclusion

5.1 The minor material amendment is considered acceptable for reasons outlined above.

6 Planning Policy Summary

6.1 The National Planning Policy Framework (NPPF)

6.2 East of England Plan Policies SS1 (Achieving Sustainable Development), SS2 (Overall Spatial Strategy) and ENV7 (Quality in the Built Environment).

6.3 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles), CP1 (Employment Generating Development), CP4 (The Environment and Urban Renaissance) and CP8 (Dwelling Provision).

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

6.5 Borough Local Plan Policies E4 (Industrial and Warehousing), C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), T8 (Traffic Management and Highway Safety) and T11 (Parking Standards).

6.6 EPOA adopted Vehicle Parking Standards.

7 Representation Summary

Highway Authority

7.1 No objection.

Design and Regeneration

7.2 No comments received at the time of writing the report.

Park and Open Space

7.3 No comments received at the time of writing the report.

Director of Children and Learning

7.4 No comments received at the time of writing the report.

Housing

7.5 As the number of dwelling have not changed we will only require the same number of Affordable housing; which is 3 no. three bedroom house and a four bedroom house.

Public Consultation

7.6 At the time of writing the report no neighbour responses had been received.

8 Relevant Planning History

279 Fairfax Drive

- 8.1 2007 - A planning application (SOS/07/01071/FULM) to demolish existing building, erect two three storey block comprising 24 self contained flats and commercial premises to ground floor, lay out parking spaces, cycle stores, refuse and amenity space was withdrawn.
- 8.2 2008 - A planning application (SOS/08/00245/FULM) to demolish building, erect two there storey block comprising 23 self contained flats and commercial premises to ground floor, layout parking spaces, cycle stores, refuse store and amenity area (Amended Proposal) was refused for the following reasons:
- “ 1. *The proposed amenity space would be distributed so that it would not be accessible to a number of the proposed residential units, and would represent small and effectively unusable areas of space. This is not considered to result in a good quality and sustainable residential environment, suggests an overdevelopment of the site and would be contrary to Policy H5 of the Southend on Sea Borough Local Plan 1994, Policy CP4 of the Southend on Sea Core Strategy 2007 and guidance contained with the Southend on Sea Design & Townscape Guide 2006.*
- “2. *The proposed development does not make adequate provision for affordable housing and education provision, and thus would fail to help address the shortfall of affordable housing and place increased pressure on local schools in the Borough, and would not contribute to a mixed and balanced community. This is considered contrary to Policy CP8 of the Southend on Sea Core Strategy 2007, and guidance contained within PPS3: Housing.*”
- 8.3 2010 – A planning application (SOS/08/01576/FUL) to vary of condition 03 of planning permission SOS/08/01576/FULM was refused planning permission.

Brookside Works, Springfield Drive

- 8.4 2009 – A planning application to demolish buildings and erect 3 storey building comprising three commercial units and 4 self-contained flats (Block A), 4 three storey attached dwellings with garages and three self-contained flats (Block B) and 2 three storey attached houses (SOS/09/01048/FULM) was approved.
- 8.5 2010 – A planning application (SOS/10/01620/FULM) to Vary of condition 03 of planning permission SOS/09/01048/FULM was refused planning permission.

279 Fairfax Drive and Brookside Works, Springfield Drive

- 8.6 2011 – A planning application (11/01349/FULM) to erect 22 dwellinghouses was granted planning permission.

9 Recommendation

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

(a) Consideration of the application be delegated to the Acting Head of Planning & Transport or to the Corporate Director of the Enterprise, Tourism & the Environment subject to completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to seek the following ;

- Affordable housing, made up of 3 No. three bed houses and 1 No. four bed house.**
- Education contribution (to be confirmed)**

(b) The Acting Head of Planning & Transport or to the Corporate Director of the Enterprise, Tourism & the Environment be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accord with the details set out in the report submitted and the conditions listed below:

01 The development hereby permitted shall begin not later than three years from the date of this decision. (C01A)

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)

02 The development hereby permitted shall be carried out in accordance with the following approved plans: FSW11-786-50, FSW11-786-51, FSW11-786-55 Rev F, FSW11-786-57 Rev B, FSW11-786-702 Rev B, FSW11-786-105 Rev D, FSW11-786-106 Rev C, FSW11-786-110 Rev D, FSW11-786-115 Rev D, FSW11-786-120 Rev C, FSW11-786-121 Rev C, FSW11-786-125, FSW11-786-126 Rev B, FSW11-786-130 Rev C, FSW11-786-131 Rev C, FSW11-786-135 Rev C, FSW11-786-1361 Rev B, FSW11-786-140 Rev A, FSW11-786-141 Rev C, FSW11-786-142 Rev C, FSW11-786-145 Rev C, FSW11-786-146 Rev B, FSW11-786-150 Rev C, FSW11-786-155 Rev C, FSW11-786-100 Rev D, FSW11-786-700 Rev B, FSW11-786-701 Rev B, FSW11-786-703 Rev B, FSW11-786-704 Rev B, fb11-786-52 and fb11-786-53.

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval. (R01D)

03 No development shall take place until samples of the facing material to be used, including glazing, have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed

in writing by the local planning authority. (C23E)

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide). (R23DA)

- 04** 22 car parking space(s) shall be provided in accordance with plan no. fd11-786-55 Rev F prior to occupation of the dwelling(s) hereby approved 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. (C18B)

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 East of England Plan 2008 policy T8, DPD1 (Core Strategy) 2007 policy KP2, Borough Local Plan 1994 policy T8 and T11, and SPD1 (Design and Townscape Guide). (R18C)

- 05** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Class A to E to those Orders.

Reason: To safeguard the amenities of the adjoining residential properties, in accordance with Policy H5 of the Southend on Sea Borough Local Plan

- 06** No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping. This shall include details of all the existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site, e.g. the un-compacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established; and details of the treatment of all hard and soft surfaces (including any earthworks to be carried out).

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide). (R27A)

- 07 All planting in the approved landscaping scheme shall be carried out within 12 calendar months of the practical completion of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the local planning authority.**

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide). (R27A)

- 08 No dwellings hereby approved shall be occupied until a sustainable urban drainage scheme including porous hard surface materials has been submitted to and agreed with the local planning authority. The development shall only be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In accordance with Policy KP2 of the Southend on Sea Borough Core Strategy.

- 09 No development shall take place until a scheme for public art has been submitted to and approved in writing by the local planning. The public art is to be carried out by or at the cost of the Owner. The development shall only be carried out in accordance with the approved details and shall have been carried out and completed prior to the first occupation of any dwelling hereby approved.**

Reason: To safeguard the visual amenities of the area, in accordance with Policy CP4 of the Southend on Sea Borough Core Strategy; Policy H5 of the Southend on Sea Borough Local Plan and guidance contained with the Design and Townscape Guide.

10 1. Site Characterisation

No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,**
- property (existing or proposed) including buildings, crops,**
- livestock, pets, woodland and service lines and pipes,**
- adjoining land,**
- groundwaters and surface waters,**

- ecological systems,
- archaeological sites and ancient monuments;

2. Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within two months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within seven days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of point 1 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of point 2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with point 3.

5. Long Term Monitoring and Maintenance

No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of three years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the

effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority. (C15A)

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Planning Policy Statement 1 and 23; East of England Plan 2008 policy ENV7 and WAT4; and DPD1 (Core Strategy) 2007 policy KP2. (R15A)

- 11 Demolition or construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays. (C09A)

Reason: To protect residential amenity and general environmental quality in accordance with East of England Plan 2008 policy SS1, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Borough Local Plan 1994 policy H5 and U2. (R09A)

- 12 Prior to first occupation of any dwelling hereby approved sustainability measures, including the provision of at least 10% of the development hereby approved's energy needs being provided from renewable sources, shall be provided in accordance with the Sustainable Design and Construction Statement dated the 19th December 2011. The sustainability measures shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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

REASON FOR APPROVAL:

01. This permission has been granted having regard to East of England Plan (May 2008) Policies SS1 (Achieving Sustainable Development), SS2 (Overall Spatial Strategy), E2 (Provision of Employment), H1 (Regional Housing Provision 2001 to 2021), H2 (Affordable Housing), ENV7 (Quality in the Built Environment), ENG1 (Carbon Dioxide Emissions and Energy Performance) WAT1 (Water Efficiency), WAT4 (Flood Risk Management) T2 (Changing Travel Behaviour), T4 (Urban Transport), T9 (Walking, Cycling and other Non-Motorised Transport) and ETG1 (Strategy for the Sub-Region), the Core Strategy Policies KP2 (Development Principles), CP1 (Employment Generating Development), CP4 (The Environment and Urban Renaissance) and CP8 (Dwelling Provision) and Policies E4 (Industrial and Warehousing), C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), H7 (Formation of Self-contained Flats) and T8 (Traffic Management and Highway Safety) and T11 (Parking Standards) of the Borough Local Plan together with, the Design and Townscape Guide SPD, Government guidance and to all other material considerations. The carrying out of the

development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

- (c) In the event that the planning obligation referred to in part (a) above has not been completed before the 24th January 2013, the Acting Head of Planning & Transport or to the Corporate Director of the Enterprise, Tourism & the Environment be authorised to refuse planning permission for the application on the grounds of failure to comply with Policies CP4 and CP8 of the Core Strategy.**

Reference:	12/01363/FUL
Ward:	Milton
Proposal:	Erect five storey building incorporating retail shop (class A1) at ground floor level and nine self-contained flats with associated landscaping and parking
Address:	Courtway House, 129 Hamlet Court Road, Westcliff-On-Sea, Essex, SS0 7EW
Applicant:	Mr Gershlick
Agent:	BGA Architects
Consultation Expiry:	17 th December 2012
Expiry Date:	27 th December 2012
Case Officer:	Janine Argent
Plan Nos:	0-001; 0-002; 0-003; 2-002; 1-007; 1-008; 18-001; 1-002; 1-003; 1-004; 1-005; 1-006; 2-001; 2-100
Recommendation:	Delegate to the acting Head of Planning and Transport or the Corporate Director of Enterprise, Tourism and the Environment to REFUSE PLANNING PERMISSION subject to the expiry of the publicity period.

1 The Proposal

- 1.1 Planning permission is sought to erect a five storey building incorporating retail shop (class A1) at ground floor level and nine self-contained flats on upper floors with associated landscaping and parking
- 1.2 This application has been submitted following a fire that destroyed the existing property on the 8th May 2011. The Design and Access Statement accompanying this planning application provides a timeline of the events of the fire and various correspondences with the Council's Structural Engineer concerning the need for the demolition of the building due to safety concerns.
- 1.3 The proposal is for nine self contained flats including two 1 bedroom units and seven 2 bedroom flats. The proposed amenity space equates an area of 202sqm, thus 22sqm per unit.

2 Site and Surroundings

- 2.1 The application site is located to the west side of Hamlet Court Road and is opposite the junction of Hamlet Court Road and St Helens Road. It is within a Primary Shopping Frontage as designated by the Southend on Sea Borough Local Plan. The site is surrounded by a variety of different uses ranging from residential to large scale commercial premises.
- 2.2 The site is positioned between two separate frontages of very different character. Both contain two storey properties, all of which include roof accommodation. These frontages are commercial at ground floor and include residential accommodation at upper floors.
- 2.3 The site has vehicular links to Ditton Court Road and Anerley Road which are predominantly residential streets with Edwardian character.
- 2.4 The existing pedestrian and vehicular access is off Anerley Road and will be maintained.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, design and impact on character of the area, traffic and transportation issues, impact on residential amenity and sustainable construction.

4 Appraisal

Principle of Development

National Planning Policy Framework; Policy ENV7 and E2 of the East of England Plan, DPD1 (Core Strategy) policies KP1, KP2, CP4, CP8; BLP policies C7, C11 and the Design and Townscape Guide SPD1 (2009)

- 4.1 The most recent planning application granted planning permission on site included a retail shop (Class A1) at ground floor and offices (Class B1) at first, second and third floor levels and several extensions and alterations (11/01086/FULM). This application includes residential on upper floors, and no office space.
- 4.2 Policy S1 of the Southend on Sea Borough Local Plan states that retail development will normally be concentrated in the Borough's existing shopping centres. Policy S5 of the Southend on Sea Borough Local Plan states that to safeguard Primary Shopping Frontages the principle function should be for retailing of goods and to maintain their character and vitality. In this instance the proposal will include a retail unit to the ground floor therefore complying with Policy S5 of the Southend on Sea Borough Local Plan.
- 4.3 The National Planning Policy Framework (NPPF) at paragraph 21 suggests that support should be provided for existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area it states. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. Paragraph 22 goes on to state "*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose*". The existing site prior to the fire last year had been used as a retail unit to the ground floor and by a solicitor's firm to the upper floors for the previous 23 years. It is a local centre and within walking distance of a railway station and other transport infrastructure. In light of this there is reasonable prospect the site could be used for the purpose of B1 offices again.
- 4.4 Policy CP1 of the Core Strategy states that permission will not normally be granted for development proposals that involve the loss of existing employment land and premises unless it can be clearly demonstrated that the proposal will contribute to the objective of regeneration of the local economy in other ways including significant enhancement of the environment, amenity and condition of the local area. Policy E4 of the Southend on Sea Borough Local Plan states that permission will not be granted for proposals involving the loss of industrial, warehousing or other business uses on land identified for such uses.
- 4.5 The proposal is for 303m² of retail space to the ground floor and 1020m² of residential space to the upper floors. It is noted the applicant has submitted an office review carried out in September 2012, detailing offices within Southend, and Leigh-on-Sea but also the surrounding area including Rayleigh, Basildon, Benfleet, Hockley, Brentwood, Great Wakering, Harlow, Hockley, Hullbridge, Rochford, Romford and Wickford. Whilst it is acknowledged examples have been provided they are not comparable to the new office development previously approved under planning reference (11/01086/FULM) at this site. The Design and Access Statement accompanying the previously approved application documented that the office space was previously used by a firm of solicitors for twenty three years and was to be used as such again (11/01086/FULM). However, the cost implications of relocating the previous tenants back to the site are cited as a reason for the proposed residential use.

- 4.6 The supporting information including the office review and design and access statement has been assessed but officers are of the view that it has not been clearly demonstrated that the premises are no longer viable as offices. No marketing or information specific to new office space in this area has been submitted. In light of the above, the principle of residential to the upper floors is considered unacceptable and would result in the loss of employment land contrary to the provisions of the National Planning Policy Framework, Policy ENV7 of the East of England Plan, Policy CP1 of the Core Strategy and Policy E4 of the Southend on Sea Borough Local Plan.

Design and impact on the character of the area

National Planning Policy Framework; Policy ENV7 of the East of England Plan, DPD1 (Core Strategy) policies KP2, CP4; Borough Local Plan policies C7, C11, H5 and Design and Townscape Guide SPD1.

- 4.7 The National Planning Policy Framework (NPPF) paragraph 56 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”*.
- 4.8 Policy ENV7 of the East of England Plan, Policy KP2 and CP4 of the Core Strategy requires all new development to contribute to economic, social, physical and environmental regeneration in a sustainable way. Policy C11 of the Southend on Sea Borough Local Plan advocates the need for development to relate to the surrounding developments. The Design and Townscape Guide 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 out of scale will appear dominant in the streetscene and development which is too small will appear weak and be equally detrimental. The easiest option is to draw reference from the surrounding buildings.
- 4.9 The previous building occupying the site has been demolished following a fire and the issuing of a Building Regulation Approval and Dangerous Structure Notice for the demolition of this building.
- 4.10 The overall scale has increased from the previous building (which was already one of the tallest in the vicinity) with an overall height of 16.8m (previous height of 14.6m), thus an overall increase of 2.2m. To the rear of the site the overall scale of the development is similar to that of a previously approved extension (07/0039/FUL), whereby the projection has increased by 1.9m but the overall scale of the extension is of concern as it does not appear subservient to the main building.
- 4.11 The original building formed part of a frontage of Townscape Merit and was an important part of the built form of Hamlet Court Road. The site occupies a prominent position when looking up Hamlet Court Road. Whilst the design is proposing to replicate features of the original building such as the parapet and column detailing, the addition of two extra rows of windows in the main building

and the removal of the mansard, which was set back from the building frontage, has resulted in a very ill-proportioned crowded elevation which also appears out of scale in relation to neighbouring buildings. The loss of the mansard and the break that it provided in the scale of the facade and the taller columns of windows has resulted in a building with much more of a vertical emphasis and one that will appear significantly taller and more dominant in the streetscene contrary to Policy C7 of the Southend on Sea Borough Local Plan.

- 4.12 The proposed development by reason of design and scale will result in an dominant, poor proportioned and incongruous feature within Hamlet Court Road contrary to the National Planning Policy Framework, Policy ENV7 of the East of England Plan, Policy KP2 and CP4 of the Core Strategy, Policy C7 and C11 of the Southend on Sea Borough Local Plan and the Design and Townscape Guide SPD1.
- 4.13 In terms of internal arrangements, overall the flats would be relatively spacious and whilst not all rooms (with particular reference to kitchens) would have natural light, it is not considered a poor quality residential environment would result.
- 4.14 With respect to amenity space, the first floor would include a communal amenity space surrounded by screens with an area of 202sqm including a grassed area, raised plant beds and a patio area. This equates to 22sqm per unit, which is a reasonable level given the siting of the development. Full details of landscaping could be dealt with by condition.

Traffic and transportation

National Planning Policy Framework; DPD1 (Core Strategy) policies CP3; BLP policies T8, T11; EPOA Parking Standards and the Design and Townscape Guide SPD1.

- 4.15 The development is well served by a number of local bus routes at the top of Hamlet Court Road/London Road. There is also a railway station Westcliff on Sea located at the southern end of Hamlet Court Road. It is therefore considered, a sustainable location.
- 4.16 Whilst EPOA Vehicle Parking Standards require 1 space per 20m² for Class A1 retail units and 1.5 parking spaces per residential unit, on balance, given the location of the retail unit in relation to public transport and the public car parks in the immediate vicinity of the site it is not considered to have a greater impact than the previous retail use at ground floor. The parking for the proposed flats will be via an existing access from Anerley Road utilising a historic access. Whilst the access is 3.5m wide, and given the revised parking arrangement it is not considered that the development would have a detrimental impact on highway safety when entering or exiting from Anerley Road. The proposed parking provision is considered acceptable given the sustainable location of the building with respect to modes of public transport.
- 4.17 Cycle storage to the rear of the site is welcomed and full details of the cycle storage can be required to be submitted to and agreed by the local planning

authority. Waste storage is also located to the rear of the site and further details are required to how the waste will be stored and the strategy for both the retail unit and residential flats.

Impact on residential amenity

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; BLP policies C11, H5, E5 and the Design and Townscape Guide SPD1.

- 4.18 The existing uses of the adjacent properties include a restaurant at ground floor to the south and residential units to the first and second floor and to the north a retail unit at ground floor and residential to the first and second floor.
- 4.19 In terms of impact on residential occupiers, the proposed uses to the building including retail at ground floor and residential to the upper floors. It is not considered that the activity generated by the proposed development will result in any harm to the amenities of immediate residential occupiers or potential future residential occupiers, thus no objection is raised.
- 4.20 With respect to noise and disturbance the proposed opening time for the retail unit are 7am-11pm Monday- Sunday and Bank Holidays. The proposed opening hours are considered acceptable given the proximity of other uses within the vicinity of the site.
- 4.21 It is not considered that the proposed development will give rise to overlooking or loss of privacy or will the development result in an overbearing form to adjacent residential occupiers. In accordance with Policy CP4 and H5 of the Southend on Sea Borough Local Plan.

Sustainable Construction

National Planning Policy Framework, East of England Plan policies SS1, ENV7, ENG1; DPD1 (Core Strategy) policies: KP2, CP4, SO15, SO17; Borough Local Plan Policy C11 and the Design and Townscape Guide SPD1.

- 4.22 National guidance and relevant regional and local planning policies advocate the need to ensure design maximises the use of sustainable and renewable resources in the construction of development. It also states that all development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources and at least 10% of the energy needs of new development should come from on-site renewable options and sustainable urban drainage systems shall be successfully integrated.

- 4.23 This application is accompanied by a Sustainability Appraisal and Energy Statement discussing the various technologies that can be applied to provide renewable energy however, the report suggests how further research is required to full assess the correct technology to be applied. Given the siting of the building within Hamlet Court Road, it is considered that the renewable technologies should form part of the overall design as they could significantly alter the overall

character and appearance of the proposed building, in light of this the proposal is considered contrary to the provisions of Policy KP2 of the Core Strategy. No details of sustainable drainage have been submitted but this could be dealt with by condition.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 East of England Plan Policy ENV7 (Quality in the Built Environment)
- 5.3 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), CP3 (Transport and Accessibility)
- 5.4 Borough Local Plan Policies S1 (New Shopping Developments), S5 (Non retail uses),C7 (Shop and Commercial Frontages and Fascias), C11 (New Buildings, Extensions and Alterations, T8 (Traffic Management and Highway Safety), T11 (Parking Standards), C14 (Trees, Planted Areas and Landscaping)
- 5.5 SPD1 Design & Townscape Guide 2009
- 5.6 EPOA Vehicle Parking Standards (2001)
- 5.7 Waste Management Guide

6 Representation Summary

Design and Regeneration

- 6.1 The existing building on this site, which was recognised as a Frontage of Townscape Merit, was unfortunately destroyed by fire in 2011.

The use of the building is now proposed as residential rather than commercial and in order to maximise the number of units in the building it is proposed that two extra additional floors are included in the main bulk of the building and that the mansard accommodation is removed. This has had a significant and detrimental impact on the proportions of the main facade, which was the key element of its special interest (designated as frontage of townscape merit). Whilst the design is proposing to replicate features of the original building such as the parapet and column detailing, the addition of two extra rows of windows in the main building and the removal of the mansard (which was set back from the building frontage) has resulted in a very squashed and crowded elevation. In addition the once tall and grand proportions of the windows of the original building have been replaced with ones almost half their height. The proportions of the floors will be more akin to a modern block of flats than a landmark historic building which it is seeking to replicate and this will affect the integrity of the facade in the streetscene.

To the rear the mix of traditional and modern fenestration styles seems to be a conflict.

It is not easy to successfully replicate a historic building and where this is proposed it is very important to get the proportions and detail correct. There is concern that in this amended design key elements which gave reason and integrity to this design approach have been lost.

This building was an important landmark for Hamlet Court Road for over 100 years. It was much larger and grander than most of the other buildings in the street and it terminated the view down St Helen's Road. Any replacement building therefore needs to be of exceptional quality in both design and detailing.

Traffic and Transportation

- 6.2 Parking for the proposed 9 flats is accessed via Anerley Road utilizing an historic access. This is quite a narrow access measuring approximately 3.5m. Consideration should be given to the historic use of this site for parking purposes; and added benefit of a revised parking arrangement which ensures vehicle movements are reduced. Appropriate signage should be used to ensure that vehicles entering the site have priority over vehicles exiting. This will ensure that any manoeuvres occur within the site and not on the public highway which could affect the free flow of traffic on the network

Cycle parking has been provided in accordance with guidance

Refuse storage has been provided but is not with collection guidance. Separate arrangements would need to be made on the day of collection.

The site benefits from being in a very sustainable location with regard to public transport therefore no highway objections are raised.

Environmental Health

- 6.3 No comments received at the time of writing this report.

North Thames Gas

- 6.4 No comments received at the time of writing this report.

Public Consultation

- 6.5 A site notice was displayed on the 26th November 2012 and 43 neighbours have been notified of the proposal. No comments have been received.
- 6.6 Councillor Garston and Councillor Ware-Lane have requested this application be dealt with by Development Control Committee.

7 Relevant Planning History

- 7.1 Erect part two/ part four storey building incorporating retail shop (Class A1) at ground floor and offices (Class B1) at first, second and third floor levels- Granted planning permission 19th October 2011 (11/01086/FULM)
- 7.2 Erect two storey rear extension and two additional floors above existing two storey rear projection- Granted planning permission 11th June 2007 (07/00399/FUL)

8 Recommendation

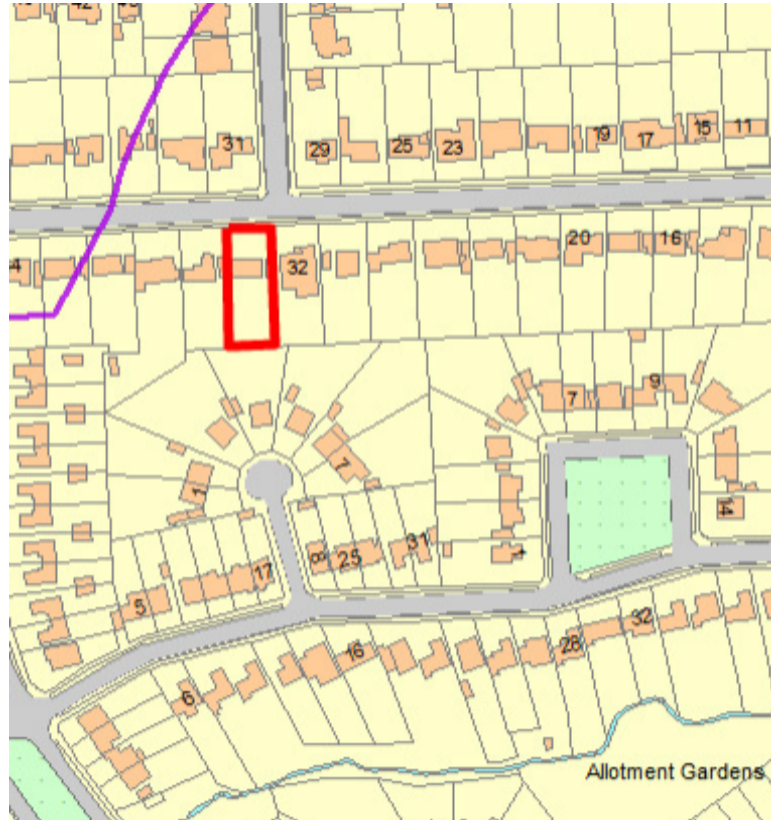
Members are recommended to REFUSE PLANNING PERMISSION

- 1 The proposed use would lead to the loss of the site for employment purposes within a Borough, of which there is a limited supply. The proposed change of use would undermine the Local Planning Authorities policies including KP1, CP1 of the Core Strategy and policy E4 of the Borough Local Plan which seek to retain satisfactory employment opportunities and in addition, creating pressure for employment related development in areas not so allocated.**
- 2 The proposed development, by reason of its scale, elevational composition and fenestration would result in an unresolved and unsympathetic design, which would be an incongruous feature within the street scene to the detriment of the character and appearance of the locality contrary to National Planning Policy Framework, Policy ENV7 of the East of England Plan, Policies KP2 and CP4 of the Core Strategy, Policies C11, H5 of the Southend on Sea Borough Local Plan and the Design and Townscape Guide.**
- 3 The proposed development fails to provide satisfactory on-site renewable energy options to ensure that 10% of the energy needs of the new development are met by renewable energies contrary to Policies KP2 and CP4 of the Core Strategy (DPD1) and the Design and Townscape Guide, 2009 (SPD1).**

Note

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. The proposal is not considered to represent sustainable development. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal – which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Reference:	12/01413/FUL
Ward:	West Leigh
Proposal:	Demolish existing dwelling and erect two storey detached dwellinghouse with roof accommodation and garage
Address:	34 Woodlands Park, Leigh-on-Sea, SS9 3TY
Applicant:	Mr G. Downham
Agent:	Mark Hipsey Architectural Designs
Consultation Expiry:	07.12.12
Expiry Date:	07.01.13
Case Officer:	Louise Cook
Plan Nos:	2693 02, 2693 09, 2693 10, 2693 11 and 2693 12
Recommendation:	REFUSE PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to demolish the existing dwelling and to erect a two storey detached dwellinghouse with roof accommodation and garage.
- 1.2 The proposed dwellinghouse will measure a maximum of 13m wide x 18.6m deep x 11.7m high and have a pitched roof.
- 1.3 The proposed dwellinghouse will have five bedrooms, an integral double garage to the front, front and rear dormer windows and rooflights in the western elevation.
- 1.4 The proposed dwellinghouse will be finished in colour washed render, plain tiles, UPVC or powdercoated aluminium windows and doors. However, full details including samples of materials can be dealt with by condition.

2 Site and Surroundings

- 2.1 The application property is a large two storey detached dwellinghouse located on the southern side of Woodlands Park opposite its junction with Forest View Drive.
- 2.2 The site has a medium sized rear garden and is located within a residential area predominantly characterised by two storey detached dwellinghouses on spacious plots.

3 Planning Considerations

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

4 Appraisal

Principle of Development

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policies KP2, CP4; Borough Local Plan Policies C11 and H5 and the Design and Townscape Guide, 2009 (SPD1).

- 4.1 There is no objection in principle to the demolition of the existing dwellinghouse and a replacement dwellinghouse in this residential area, subject to the considerations detailed below being satisfactorily addressed.

Design and Impact on the Streetscene

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policies KP2, CP4; Borough Local Plan Policies C11 and H5 and the Design and Townscape Guide, 2009 (SPD1).

- 4.2 Both the existing and proposed dwellinghouses are of traditional appearance however, the proposed dwellinghouse is significantly higher and larger than the existing.
- 4.3 The proposed dwellinghouse will be sited a minimum distance of one metre from both eastern and western boundaries of the site.
- 4.4 The proposed dwellinghouse is 11.6m in height in comparison to the existing dwellinghouse at 8m which represents an overall maximum increase in height of 3.6m.
- 4.5 There is a very gradual fall in land levels across the site and neighbouring properties in an easterly direction. Both immediate neighbouring properties are detached two storey dwellinghouses however, no. 36 is significantly smaller in scale in comparison to the other neighbouring occupier to the application site at no. 32 which is a replacement property granted planning permission in 2002 (ref. 02/01137/FUL).
- 4.6 The proposed dwellinghouse will be higher than both immediate neighbouring properties (a maximum of 1.4m higher than no. 32 and 4.4m higher than no. 36). It is considered that this would result in a dwellinghouse out of scale and visually dominant, to the detriment of the character and appearance of the streetscene.
- 4.7 The proposed front garage projection contributes to the overall scale and bulk of the proposed dwellinghouse. It has a significant height for a single storey element at 4m high and will project 0.4m further forward than the single storey canopy and front projection at no. 32. It is considered that this element of the design is out of character with the streetscene and by reason of its roof design, interrupts the fenestration on the upper floor making the front elevation appear awkward.
- 4.8 In light of the above, the proposed dwellinghouse by reason of its design, height, scale and bulk would appear visually dominant and incongruous, to the detriment of the character and appearance of the streetscene. This is contrary to the National Planning Policy Framework, East of England Plan Policies SS1 and ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C11 and H5 and the Design and Townscape Guide, 2009.

Impact on Neighbouring Occupiers

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD1 (Core Strategy) Policies KP2 and CP4; Borough Local Plan Policies C11 and H5 and the Design and Townscape Guide, 2009 (SPD1).

- 4.9 The proposed development will be sited one metre off the site boundary with no. 32 Woodlands Park and a separation distance of 3m will be retained between the proposed dwellinghouse and this neighbouring property.
- 4.10 The proposed dwellinghouse will extend beyond the rear of no. 32 by a total of 4.8m and 1.8m of this distance is at two storeys in height. The two storey element of the proposal will not infringe a 45 degree angle when taken from the nearest corner of the neighbouring property and therefore, it is not considered to be overbearing. Whilst the overall rearward projection beyond the rear of no. 32 extends by 4.8m, given the level of separation retained between the two properties, its orientation and that the majority of the extension is single storey only with limited height, it is not considered that the proposed development would be overbearing upon or result in an undue loss of light to the neighbouring occupier.
- 4.11 With regard to the impact upon the front of no. 32, the proposed single storey front garage projection will project 2.9m beyond the main front flank wall of no. 32. It is not considered that this would be overbearing upon, or detrimental to, the amenities of this neighbour given the level of separation to the neighbour's nearest habitable room window.
- 4.12 With regard to the impact on no. 36, the proposed dwellinghouse will extend 5.6m beyond the rear of two storey element of this neighbouring property and 1.7m beyond the rear of their single storey rear projection which is located up to the site boundary.
- 4.13 Whilst the overall rearward projection beyond the neighbour's nearest upper floor bedroom window is deep at 5.6m, the proposed development will not infringe a 45 degree angle when taken from the closest upper floor edge of the neighbouring property. Additionally, a separation distance of 5.6m will be retained between the proposed development and the nearest two storey elements of the neighbouring property.
- 4.14 For the reasons detailed above, it is not considered that the proposed dwellinghouse would be overbearing or give rise to an undue loss of light to the neighbouring occupier at no. 36.
- 4.15 It is not considered that the proposed development would give rise to overlooking or loss of privacy to neighbouring occupiers. All first floor side windows can be subject to a condition requiring them to be obscure glazed and fixed shut where necessary. Additionally, a distance of 20m will be retained to the rear boundary of the site which is satisfactory to mitigate against overlooking of neighbouring properties which back onto the site in

Buxton Close.

- 4.16 Therefore, in light of the above, it is not considered that the proposed development would be detrimental to the amenities of neighbouring occupiers and satisfies the above policies.

Sustainable Construction

National Planning Policy Framework; East of England Plan Policies SS1 and ENV7; DPD (Core Strategy) Policy KP2; Borough Local Plan Policies C11 and H5 and the Design and Townscape Guide, 2009 (SPD1).

- 4.17 Policy KP2 of the Core Strategy and the Borough Local Plan advocate the need to ensure design maximises the use of sustainable and renewable resources in the construction of development. Policy KP2 states that at least 10% of the energy needs of new development should come from on-site renewable options.
- 4.18 No details have been provided regarding the use of renewable. However, as the site is has a south facing rear elevation with a large pitched roof, it is considered that sufficient solar photovoltaic panelling could be provided to ensure that the provisions of Policy KP2 of the Core Strategy are met and therefore, an objection is not raised on this basis in this instance.

5.0 Planning Policy Summary

- 5.1 National Planning Policy Framework, 2012 section 7.
- 5.2 East of England Plan Policies SS1 and ENV7.
- 5.3 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance).
- 5.4 Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations) and H5 (Residential Design and Layout Considerations).
- 5.5 Design & Townscape Guide, 2009 (SPD1).

6 Representation Summary

Design and Regeneration

- 6.1 Whilst there is scope for some increase in scale, the proposed design is significantly larger and would dominate the neighbour at no. 36 in particular. A reduction in height is necessary. Number 32 is already one of the larger houses in this section of the road.
- 6.2 Concern raised regarding the forward projection of the proposed garage in the streetscene which appears inconsistent, overly dominant and overscaled.
- 6.3 A minimum of 10% renewables to be used on the new dwellinghouse in order

to comply with Policy KP2 of the Core Strategy.

Highways

6.4 No objection.

Leigh Town Council

6.5 No comments received at the time of writing this report.

Public Consultation

6.6 Neighbours notified and a site notice displayed – No letters of representation have been received.

6.7 Cllr Lamb has called in the application to the Development Control Committee.

7 Relevant Planning History

7.1 02/01130/FUL: Erect single storey side extension – Approved.

8 Recommendation

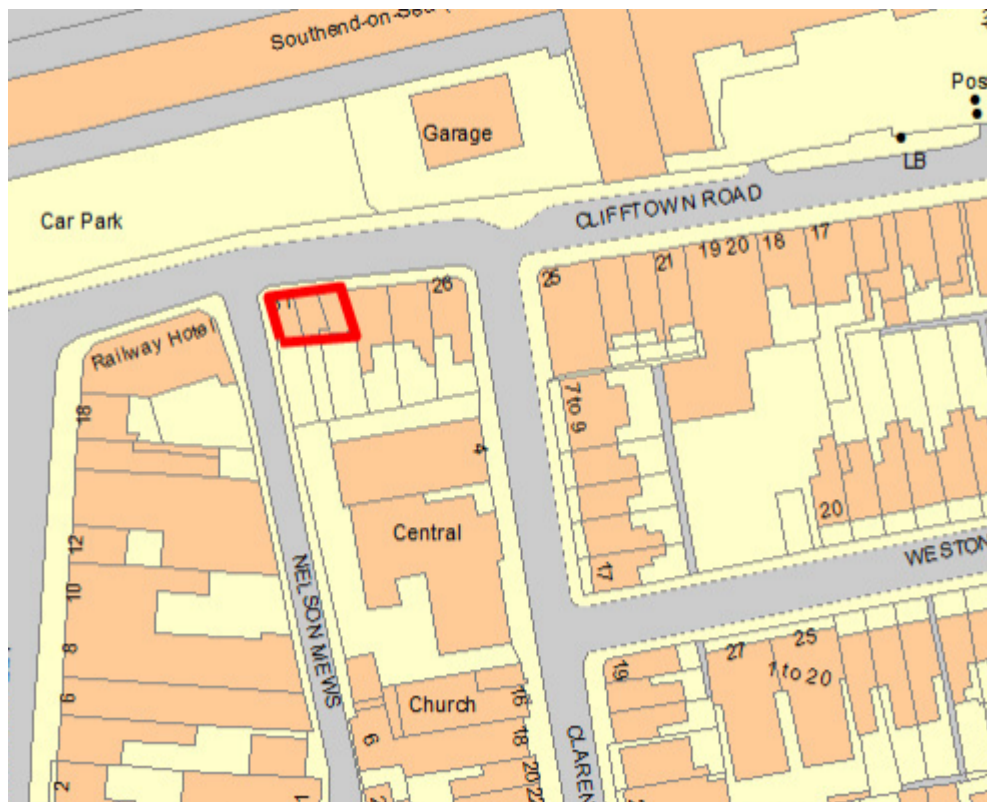
Members are recommended to REFUSE PLANNING PERMISSION for the following reasons:

01. The proposed dwellinghouse by reason of its design, height, scale and bulk would appear visually dominant and incongruous, to the detriment of the character and appearance of the streetscene. This is contrary to the National Planning Policy Framework, East of England Plan Policies SS1 and ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C11 and H5 and the Design and Townscape Guide, 2009.

Note

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 the report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to meet with the Applicant 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.

Reference:	12/01195/EXT
Ward:	Milton
Proposal:	Erect second floor to form self-contained flat (outline) (application to extend the time limit for implementation following planning permission 09/01900/OUT dated 21st December 2009)
Address:	29 -31 Clifftown Road, Southend-on-Sea, Essex, SS1 1AB
Applicant:	Regis Group UBK Ltd
Agent:	ACS Design Associates Ltd.
Consultation Expiry:	11 December 2012
Expiry Date:	18 December 2012
Case Officer:	Sophie Glendinning
Plan Nos:	2538/TP/02, 2713/TP/01
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 The application seeks to extend the time limit to erect a second floor to form a self contained flat (outline) which was granted planning permission on 21 December 2009 (Reference: 09/01900/OUT). This application expires on 21 December 2012 and as such is currently extant.
- 1.2 All matters have been reserved for this application.

2 Site and Surroundings

- 2.1 The application site is located on the corner of Clifftown Road and Nelson Mews and is presently occupied by a two storey flat roofed building. The ground floor unit is currently vacant but was last used as a clothing shop. The first floor is used for residential purposes containing a self-contained flat. The first floor is brick built with timber sliding sash windows. The ground floor shopfront is of a traditional design; well detailed and proportioned, and has been designated as a Frontage of Townscape Merit.
- 2.2 The adjoining properties to the east are three storey terrace buildings and consist of commercial uses at ground floor with residential accommodation above. They are typically Victorian and are characterised by gable roofs. There is a car park to the rear of the property and the Railway public house on the opposite corner of Nelson Mews.
- 2.3 The application site is within a town centre location, and is situated opposite Southend Central Station. The application property sits directly adjacent to the boundary of the Clifftown Conservation Area.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, design and impact on the streetscene, any impact on residential amenity, and parking and highways considerations.

4 Appraisal

Principle of Development

National Planning Policy Framework, East of England Plan policy ENV7; Core Strategy DPD Policies KP2 and CP4, CP8; BLP Policies: C11 (New Buildings, Extensions and Alterations), H5 (),

- 4.1 With regards to applications to extend the life of a permission, on the 6th September the Secretary of State announced a one year extension to the temporary provisions introduced in October 2009, allowing applicants to extend the time limits for implementing a planning permission granted on or before 1st October 2012. This came into force in October 2012 and allows

such applications to be made for an additional 12 months.

- 4.2 Circular 08/2005 Guidance on Changes to the Development Control System provides some useful advice in assessing such applications. It advises that an application to renew an existing planning permission should be refused only where:

“a) there has been a material change in planning circumstances since the original permission was granted (e.g. a change in some relevant planning policy for the area, or in relevant highway considerations, or the publication by the Government of new planning policy guidance, material to the renewal application);

b) continued failure to commence the development would contribute unacceptably to uncertainty about the future pattern of development in the area;

c) the application is premature because the permission still has a reasonable time to run”.

- 4.3 With regards to the above three criteria, the changes in planning policy are discussed below. Secondly, this is the first extension of time application and the extension of time to implement the approved application would not have an adverse impact on any proposed future pattern of development in the area. Thirdly, the extension of time application is not premature in this case as the permission expires on 21 December 2012.

- 4.4 Since the planning permission was granted on the 21st December 2009, there has been one significant policy change whereby the National Planning Policy Framework adopted in April 2012 has replaced Planning Policy Guidance and Planning Policy Statements. Accordingly it is considered that given the material change in planning circumstances since the previous planning permission was granted the proposal should be assessed against current policy.

- 4.5 The National Planning Policy Framework sets out planning policies for England with a main emphasis on three dimensions of an economic role, a social role and an environmental role, there are several policies that apply including the following:

- Building a strong, competitive economy.
- Promoting sustainable transport.
- Delivering a wide choice of high quality homes.
- Requiring good design.

- 4.6 The guidance contained within the new NPPF does not affect the acceptability of the principle of the development. The principle of the development is therefore, still considered to be acceptable, subject to other material planning considerations.

Design and Impact on the Character of the Area

National Planning Policy Framework; East of England Plan policy ENV7; DPD1 (Core Strategy) Policies KP2, CP4; Borough Local Plan Policies C11, C4, H5, C6, C4, C7 and the Design and Townscape Guide SPD1 (2009).

Layout

- 4.7 The proposed extension will not result in an increase in the footprint of the existing building and therefore the extension will not affect the existing building line. The access would via the existing access directly from Nelson Mews. No related amenities (car parking etc) are proposed outside of the extension.

Scale

- 4.8 Under the matters for consideration of outline planning permission the applicant is required to provide information regarding the overall scale of the building which relates to its height, width, and length, even if 'scale' is reserved for future consideration.
- 4.9 **The streetscene in this part of Clifftown Road is characterised by three storey terrace buildings of various architectural styles. It is not therefore, considered that an objection can be raised to the principle of creating a third storey to the existing building. The building immediately to the east is a three storey terrace, and the Railway Public House to the west is a four storey building. Accordingly the proposed floor is considered to be of an acceptable scale for this location.**

Appearance

- 4.10 In terms of the appearance of the building, this is a matter reserved for future consideration. The indicative elevations however show a mansard style roof to be clad in zinc profiled steel. Modern mansard roofs are generally unacceptable in the Borough as they generally not characteristic of Southend. Indeed, in this location the character is predominantly for hips or gables, with a few buildings with flat roofs and it is therefore, considered that a mansard style roof form would be out of character with the streetscene and contrary to advice contained within the Design and Townscape Guide (2009).
- 4.11 Also, the windows are to be constructed of aluminium and painted grey. While it is noted that the applicant has sought to align the new windows with the existing at first floor, the windows proposed lack the level of detail of the existing (i.e. central window bars and timber frames) and are likely to appear at odds with the ground and first floors.
- 4.12 Also it is noted that the proportions of the existing building are more horizontal than vertical and therefore any extension should be sympathetic to the existing character. Furthermore, the application site is adjacent the boundary of the

Clifftown Conservation Area and therefore consideration should be given to the impact the proposal may have on adjacent conservation area.

- 4.13 Details of appearance and materials have been reserved and would be addressed in any subsequent reserved matters application should permission be granted, and as such it is intended that an informative be included on any permission granted advising that the indicative design would not be acceptable. The proposed materials could also be agreed through the reserved matters application.

Impact on Neighbouring Properties

National Planning Policy Framework, East of England Plan policies ENV7; DPD1 (Core Strategy) policies KP2 and CP4; BLP policies C11, H5 and the Design and Townscape Guide SPD1.

- 4.14 The proposed additional floor would not project beyond the rear wall of the attached terrace property at third floor level, which contains residential. There are no residential dwellings directly to the rear and as such the proposed floor would not result in any material harm to residential amenity. The proposal would therefore be consistent with BLP Policy H5.

Standard of Accommodation

National Planning Policy Framework, East of England Plan policies ENV7, Core Strategy policies KP2, CP4, Borough Local Plan Policies H5 and H7 and SPD1).

- 4.15 Since the planning permission was granted on the 21st December 2009, an Issues and Options Consultation Document has been prepared for a Development Management Development Plan Document. In this document minimum dwelling and room sizes are set out. For a residential dwelling capable of accommodating one person a minimum gross internal floor area of 30m² is prescribed, for a dwelling able to accommodate up to two people a minimum gross internal floor area of 45m² is prescribed and for a dwelling able to accommodate 3 people a minimum gross internal floor area of 57m² is prescribed. It should be noted however, that only limited weight can be given to the Draft Development Plan Document standards as they have not yet been formally adopted.
- 4.16 Floorplans have been submitted with the application and as layout is a matter for consideration this includes the proposed internal layout of the accommodation. The floor plans show that the proposed second floor flat would contain three bedrooms however there would not be any provision for outdoor amenity space. Whilst this would not normally be acceptable for a new development, the extant permission was granted with no outdoor amenity space. As there have not been any policy changes in respect to provision of outdoor amenity space in this time, it would not be reasonable to now raise an objection on this basis.

Traffic and Transportation

National Planning Policy Framework; East of England Plan policy ENV7; DPD1 (Core Strategy) policies KP2, CP4, CP3; BLP policies T8, T11; EPOA Parking Standards 2001 and the Design and Townscape Guide SPD1.

- 4.17 EPOA parking standards (2001) advocate 1.5 spaces as an average maximum with an average of 1 space where access to public transport is good and 2 spaces where a location has poor off peak public transport services. In this case, no additional on-site parking is proposed. The required parking standards are however expressed as a maximum and the site is in close proximity to the town centre. The location also offers good public transport, facilities and services. It should also be noted that Government guidance encourages the reduction in the reliability of cars and promotes methods of sustainable transport. Furthermore, the extant permission was considered acceptable on highways grounds. It is therefore not considered that an objection could be sustained in relation to car parking provision.

Sustainability

National Planning Policy Framework; East of England Plan policies SS1, ENV7, ENG1; DPD1 (Core Strategy) policies: KP2, CP4, SO15, SO17 and the Design and Townscape Guide SPD1.

- 4.18 Policy KP2 states that at least 10% of the energy needs of new development should come from onsite renewable options. The proposed development fails to give any details about renewable options, however; this can be provided through conditions and as such no objections are raised.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework 2012.
- 5.2 East of England Plan Policy ENV7.
- 5.3 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles) and CP4 (Environment & Urban Renaissance).
- 5.4 Borough Local Plan Policies: C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), H7 (The Formation of Self-Contained Flats), T8 (Traffic Management and Highway Safety) and T11 (Parking Standards).
- 5.5 Supplementary Planning Document 1: Design & Townscape Guide, 2009.
- 5.6 EPOA Vehicle Parking Standards 2001.

6 Representation Summary

Public Consultation

- 6.1 Neighbours notified and site notice posted – no representations received at the time of writing this report.
- 6.2 Cllr Ware-Lane has requested this application to be determined by the Development Control Committee.

Traffic and Highways

- 6.3 The site benefits from being in a sustainable location with regard to public transport with good links in close proximity there are also public car parks within the area. Therefore no highway objections are raised.

Parks and Open Spaces

- 6.4 No comments received at the time of writing this report.

Environmental Health

- 6.5 No comments received at the time of writing this report.

Design and Regeneration

- 6.6 The qualities of no. 29-31 include the detailed brick parapet, original timber sliding sash windows and an attractive, well detailed and well proportioned shopfront. It is these features, together with its horizontal proportions, that give the property its own unique character and any proposed development should be responsive to this ensuring that it integrates well with neighbouring buildings.

As an additional storey is proposed, key to the success of this development will be the quality of materials and detailing, and importantly the integration of new and old materials. The roof in particular will need to integrate successfully with the existing building and the materials must be sympathetic to local character. Materials to be agreed by condition.

7 Relevant Planning History

- 7.1 96/0062 - Self contain existing first floor flat and erect additional storey at second floor level to form additional self contained flat. Approved.
- 7.2 99/0313 - Self Contain Existing First Floor Flat And Erect additional Storey At Second Floor Level To Form additional Self Contained Flat. Approved.
- 7.3 31 March 2005 – 05/00156/OUT – Erect second floor to form self contained flat (Outline). Approved.

- 7.4 21 December 2009 – 09/01900/OUT – Erect second floor to form self contained flat (Outline). Approved.
- 7.5 23 April 2010 – 10/00215/FUL - Use premises as restaurant and bar (Sui Generis), use roof as terrace, erect roof extension and alter elevations. Refused.
- 7.6 17 December 2010 - 10/01978/FUL - Form additional floor and convert existing ground floor retail unit (Class A1) and first floor dwelling (Class C3) to Bar and Restaurant (Class Sui Generis) (Amended Proposal). Withdraw.
- 7.7 13 April 2011 - 11/00201/OUT - Form additional floor and convert existing ground floor retail unit (Class A1) and first floor dwelling (Class C3) into Bar and restaurant (Class Sui Generis)(Amended Proposal).

8 Recommendation

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

- 01 Details of the means of access, design, external appearance, scale, landscaping and layout (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.**

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of the details mentioned.

- 02 The development hereby permitted shall be begun not later than whichever is the later of the following dates: i) The expiration of 3; years beginning with the date of this permission; ii) The expiration of 2; years beginning with the approval of the last reserved matter to be approved.**

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990

- 03 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority concurrently with the reserved matters and implemented in full prior to the occupation of any of the dwellinghouses. This provision shall be made for the lifetime of the development.**

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy

Framework, East of England Plan 2008 policy SS1, ENV7, ENG1, WAT1 and WAT4, DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

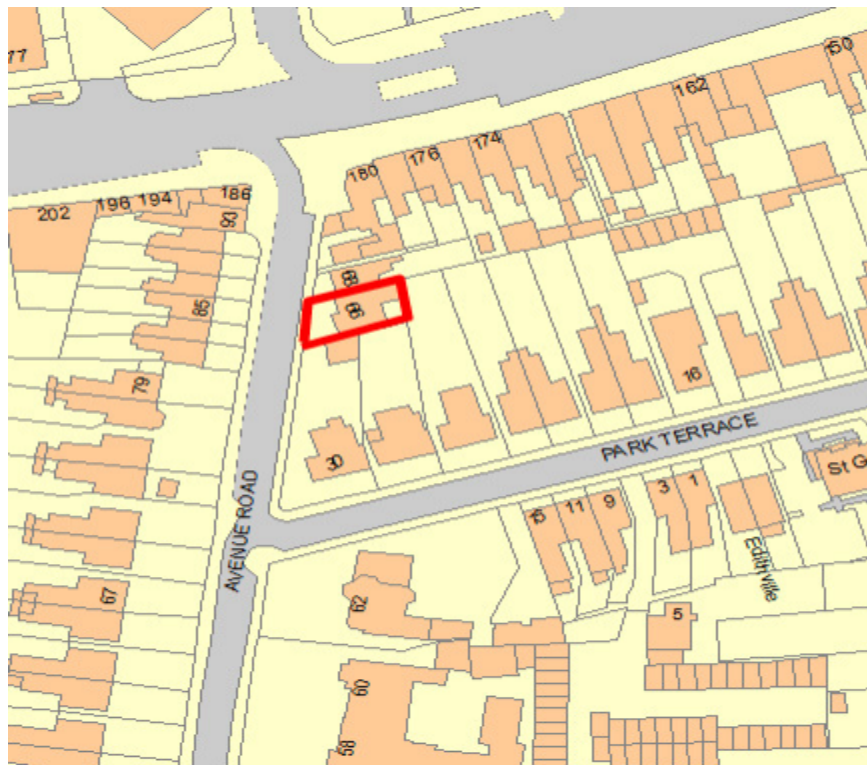
9 Reason for Approval

This permission has been granted having regard to National Planning Policy Framework, Policy ENV7 (Quality in the Built Environment), Policy KP2 (Development Principle), CP3 (Transport & Accessibility) CP4 (Environment & Urban Renaissance) of the Core Strategy DPD; Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), T8 (Traffic Management and Highway safety), T11 (Parking); the Design and Townscape Guide (SPD1); EPOA Adopted Vehicle Parking Standards and all other material considerations. The carrying out of the development permitted, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission. Details of this outline proposal have been reserved for submission and consideration at a later date within 3 years of the date of this permission.

INFORMATIVE

- 01** You are advised that the design of the proposed third floor would not be acceptable. Mansard roofs are generally unacceptable in the Borough as they are unattractive and out of character in Southend. This area is characterised largely by hips or gables and therefore the mansard style roof is considered to be out of character and contrary to the Design and Townscape Guide (2009). The proportions of the property are more horizontal than vertical and therefore any application to extend it must be sympathetic to this prevailing characteristic.

Reference:	12/01407/FUL
Ward:	Milton
Proposal:	Demolish existing building and erect two storey detached dwelling
Address:	66 Avenue Road, Westcliff-on-Sea, Essex, SS0 7PJ
Applicant:	Mrs S Lloyd
Agent:	Sorrell Chartered Surveyors
Consultation Expiry:	10 December 2012
Expiry Date:	18 December 2012
Case Officer:	Sophie Glendinning
Plan Nos:	66AR3, Section A-A & Ground Levels, Existing Elevation, Floor Plan, Roof Plan, Site Plan
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to demolish an existing single storey garage building and erect a two storey detached dwelling in its place.
- 1.2 The dwelling would measure 5.3m wide, a maximum of 11.8m deep and a maximum height of 9m and would provide accommodation in the form of 2 bedrooms and a bathroom at first floor, and a living room, bathroom, kitchen, dining area at ground floor. The proposed dwelling would be of a pitched roof design with a two storey outrigger projection to the rear.
- 1.3 Boundary treatment would include the existing boundary walls which would be retained to the front and sides of the site. One off-street car parking space would be provided to the front. To the rear of the proposed dwelling and part of the front would be laid to lawn for amenity areas.
- 1.4 This application follows an application for the same development which was previously approved on 26 November 2009 (Reference: 09/01910/FUL). This permission has now expired.

2 Site and Surroundings

- 2.1 The application relates to a single storey building attached to a two storey residential dwelling (No. 68 Avenue Road). The building was last used as a car repair workshop.
- 2.2 The site is located on the eastern side of Avenue Road within a predominantly residential area typified by Mid-Victorian and early Edwardian houses of a mixed styles and designs. The site adjoins the rear garden of residential properties fronting Park Terrace and a single storey garage to the south. Opposite the site lies two storey terraced properties with semi-detached houses located further to the south.
- 2.3 The application site lies adjacent to the Milton Conservation Area.

3 Planning Considerations

- 3.1 The main issues for consideration are the principle of the development, design and impact on the streetscene and the adjoining Conservation Area, any impact on neighbours, living conditions for future occupiers, parking implications, and use of on-site renewables.

4 Appraisal

Principle of Development

National Planning Policy Framework Section 6, East of England Plan Policy ENV7, Core Strategy Policies KP2, CP1, CP4 and CP8 and Borough Local Plan Policies H5, C11 and E4

- 4.1 The existing building is currently vacant and was last in use in 2009 as a car repair workshop. Policy CP1 of the Core Strategy and BLP Policy E4 states that permission will not normally be granted for proposals that involve the loss of existing employment land and premises unless it can be clearly demonstrated that the proposal will contribute to the objective of regeneration of the local economy in other ways, including regeneration of the built environment.
- 4.2 The applicant has stated that the existing building has been vacant since 2009, and given the size of the existing building, its removal would not result in a significant loss of employment premises so as to have a material impact on employment opportunities in the Borough. Furthermore, the site is within a residential area and as such the proposed residential use would be more compatible with the surrounding area than the existing car repair use. Whilst no marketing evidence has been submitted to demonstrate that the use is no longer viable, given the above factors and that no objections were raised to the removal of the building in the previously approved application, the principle of the loss of the existing building and the proposed residential development is therefore, considered acceptable in this location, subject to other material considerations discussed below.

Design and Impact on the Street Scene

National Planning Policy Framework Section 7, East of England Plan Policy ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C11, H5 and H7 and the Design and Townscape Guide (SPD1)

- 4.3 Policy C11 of the BLP states that new buildings and extensions or alterations to existing buildings should be designed to create a satisfactory relationship with their surroundings in respect of form, scale, massing, height, elevational design and materials. Policy H5 of the BLP requires all development within residential streets to be appropriate in its setting by respecting neighbouring development, existing residential amenities, and the overall character of the locality.
- 4.4 Overall it is considered that the proposed dwelling is of an appropriate elevational design. An effort has been made to reference the existing adjacent dwelling at No. 68 in terms of the scale, roof pitch, eaves height, the recessed front door, bay windows, and window detailing including timber sliding sash windows. This is considered to result in a satisfactory relationship with the neighbouring dwelling and therefore will not result in harm to the character of the streetscene or the adjoining Milton Conservation Area. It is however, recommended that a condition be imposed on any permission

granted requiring further details of the proposed external materials including the windows, be submitted to ensure they are appropriate.

- 4.5 It is noted that a bin store is proposed to the front which would be publicly visible which could dominate the frontage and be detrimental to the character and general visual amenity of the streetscene and would be contrary to Part 4.8.1 of the Design and Townscape Guide. It is noted however, that the bin store could be accommodated within the rear garden or an alternative location within the property and as such it is recommended that further details of the location of the bin store are sought by condition.

Standard of Accommodation for Future Occupiers

National Planning Policy Framework Sections 6 and 7, East of England Plan Policy ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policy H5 and the Design and Townscape Guide (SPD1)

- 4.6 The proposed dwelling would be approximately 82sqm and would have two reasonable sized bedrooms and a separate kitchen and living room. The proposed internal layout would allow for acceptable internal circulation and storage areas. The habitable rooms would be served by sufficient windows which would provide acceptable light and outlook. The dwelling would have an amenity area of 38sqm to the rear and 20sqm to the front which would be sufficient for a dwelling of this size.

Impact on Neighbouring Occupiers

National Planning Policy Framework, East of England Plan Policy ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies H5 and H7 and the Design and Townscape Guide (SPD1)

- 4.7 The proposal is considered in the context of Policy CP4 of the Core Strategy (DPD1) and Policy H5 of the Borough Local Plan, which requires all development within residential streets to be appropriate in its setting by respecting neighbouring development, existing residential amenities and the overall character of the locality.
- 4.8 The proposed dwelling does not have any first floor flank windows in its northern elevation. Whilst the southern elevation has a first floor window, this is serving a landing and as such would not serve a habitable room. The only window at first floor level at the rear serves a bathroom, which again could be obscure glazed by way of a condition. Accordingly, it is not considered that the proposed dwelling would result in overlooking.
- 4.9 With regards to the impact on No. 68, the rear building line would not extend beyond the rear building line of No. 68. Furthermore the dwelling will be set off the northern boundary adjoining No. 68 by 1m and as such would avoid any loss of light or enclosure to this property.

- 4.10 With regard to the impact on the dwellings fronting Park Terrace, the proposed new dwelling is located at the end of the rear gardens of these properties. As the adjoining rear gardens are approximately 15m deep, the proposed dwelling is not considered to be overly dominant or have a material impact on residential amenity.
- 4.11 Given the above the proposed dwelling is consistent with BLP Policy H5.

Traffic and Transportation

National Planning Policy Framework Section 4, East of England Plan Policy ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies T8 and T11 and the Design and Townscape Guide (SPD1)

- 4.12 Policy T11 of the BLP states that the Council will require the provision of off-street parking spaces and permission will not normally be granted for any development which would give rise to additional demand for on-street parking, particularly within residential areas. The adopted EPOA standards (2001) advocate 1.5 spaces as an average maximum with an average of 1 space where access to public transport is good and 2 spaces where a location has poor off peak public transport services.
- 4.13 One off street parking space is proposed to the front of the site. This is consistent with BLP Policy T11 and as such is acceptable in highways terms.
- 4.14 Cycle storage could be accommodated within the rear garden.

Use of On Site Renewable Energy Resources

Core Strategy Policies KP2, CP4 and CP8, Borough Local Plan Policy C11, H5 and SPD1

- 4.15 Policy KP2 of the DPD1 and the SPD1 require that 10% of the energy needs of a new development should come from on site renewable resources, and also promotes the minimisation of consumption of resources. The supporting statement submitted with the application states that various energy saving technologies will be used however further information should be sought by way of a condition in this respect.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework, 2012.
- 5.2 East of England Plan Policy ENV7.
- 5.3 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles), CP1 (Employment Generating Development), CP4 (The Environment and Urban Renaissance) and CP8 (Dwelling Provision).
- 5.4 Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations),

H5 (Residential Design and Layout Considerations), E4 (Industry and Warehousing), T8 (Traffic Management and Highway Safety) and T11 (Parking Standards).

5.5 Design & Townscape Guide, 2009 (SPD1).

6 Representation Summary

Highways

6.1 The proposal has provided off street parking and benefits from being in a sustainable location with regard to public transport so no highway objections are raised.

Design and Regeneration

6.2 No Objections. Materials to be agreed by condition.

Parks and Open Spaces

6.3 No comments received at the time of writing this report.

Milton Conservation Society

6.4 No comments received at the time of writing this report.

Public Consultation

6.5 Neighbours notified and a site notice displayed – No letters of representation have been received.

6.6 Cllr Ware-Lane has called in the application to the Development Control Committee.

7 Relevant Planning History

7.1 26 November 2009 - 09/01910/FUL - Demolish existing building and erect a two storey detached dwelling. Approved.

8 Recommendation

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

- 01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.**

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 approved plans: 66AR3, Section A-A & Ground Levels, Existing Elevation, Floor Plan, Roof Plan, Site Plan**

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

- 03 No development shall take place until details of the facing material to be used, including glazing and details of boundary treatments and hard landscaping, have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

- 04 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority. These details shall include, for example:-**

- i. proposed finished levels or contours;**
- ii. means of enclosure;**
- iii. other vehicle and pedestrian access and circulation areas;**
- iv. hard surfacing materials;**
- v. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);**
- vi. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports.);**
- vii. retained historic landscape features and proposals for restoration, where relevant.**
- viii. soft landscaping and details of numbers and species of trees and shrubs to be planted**

These works shall be carried out in accordance with the approved

details and permanently retained thereafter unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide).

05 No development shall take place until the following has been submitted to and approved by the Borough Council as local planning authority. The works must then be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

- a. detailed drawing (at a scale of 1:20 or larger) showing the design of the proposed windows including joinery details, depth of recess, materials, external finish, and glazing bars.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B, and C to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance with Policies C11 and H5 of the Southend on Sea Borough Local Plan.

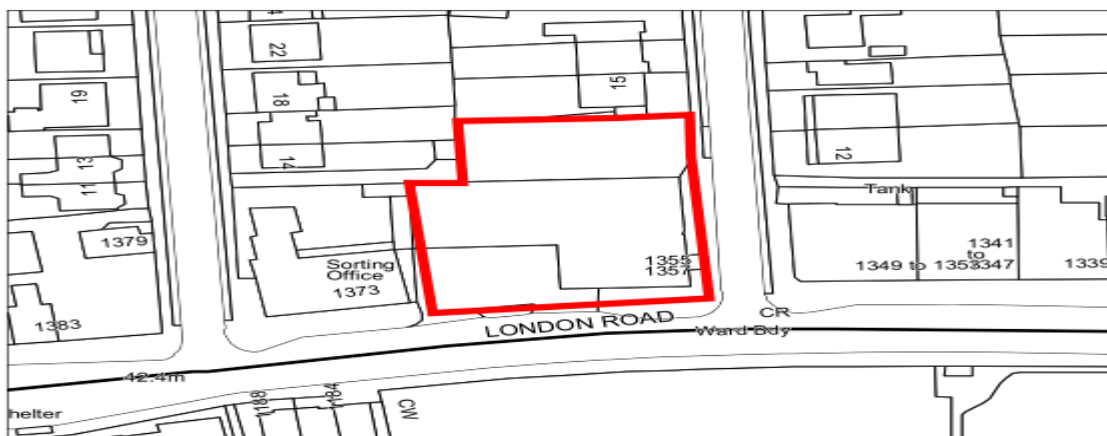
07 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development and implemented in full prior to the first occupation of the dwelling houses. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy ENV7 of the East of England Plan, Policies KP2 and CP4 of the Core Strategy (DPD1).

9 Reason for Approval

This permission has been granted having regard to the National Planning Policy Framework 2012, East of England Plan Policies ENV7 and SS1, Core Strategy DPD Policies KP2, CP4 and CP8, Policies C11, H5, E4, T8 and T11 of the Southend-on-Sea Borough Local Plan, the principles contained within the Design & Townscape Guide SPD and all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

Reference:	12/01283/FULM
Ward:	Belfairs
Proposal:	Variation of condition 02 of planning permission 12/00440/FULM dated 30/05/12 to amend approved plans (floor plans and elevations) to re-locate the access to ancillary storage area, installation of louvres to the front elevation and alterations to the shop front including the installation of an ATM machine. (The development hereby permitted shall be carried out in accordance with approved plans, P-4251-102, 2594-PL27d, 2594-PI28e, 2594_PL27D, P-4251-210 Rev B, P4251-110 Rev A, P4251-100, P4251-223 Rev A, P4251-210 Rev C, P4251-211 (part retrospective))
Address:	1355 - 1369 London Road, Leigh-on-Sea, Southend-on-Sea, SS9 2AB
Applicant:	Sainsburys Supermarket
Agent:	Indigo Planning Ltd
Consultation Expiry:	27 th November 2012
Expiry Date:	29 th January 2013
Case Officer:	Janine Argent
Plan Nos:	P-4251-102, 2594-PL27d, 2594-PI28e, 2594_PL27D, P-4251-210 RevB, P4251-110 Rev A, P4251-100, P4251-223 Rev A, P4251-220 Revision D, P4251-210 Rev C, P4251-211
Recommendation:	GRANT PLANNING PERMISSION



The Proposal

1.1 This application seeks a variation of condition 02 of planning permission 12/00440/FULM which was for a retail unit to the ground floor and 9 flats to the upper floors (dated 30/05/12) by amending the approved plans include show the following amendments:

- Installation of to the louvre to the front elevation.
- Alterations to the shop front include the resiting of the installation of an ATM machine to the eastern elevation.
- Alterations to the brickwork detailing.
- Reduction in size of the fascia sign.
- Alterations to the elevations at ground floor including the resiting of doors, omission of windows at the front, the omission of a doorway to the rear of the site.

2 Site and Surroundings

2.1 Construction work has commenced on site and the site was previously used as a car sales and workshop (West Leigh Motors). The site includes part single, part 2/3 storey flat roofed building located to the north side of London Road, at the junction with Flemming Avenue to the immediate west.

2.2 The site slopes downwards from south to the north, meaning that the residential area to the north and northwest, is set some 1 to 1.5m lower than the London Road frontage. Commercial properties lie adjacent to the west and east, with the Royal Mail Sorting Office building adjoining the west boundary.

2.3 Leigh cemetery lies opposite the site, on London Road, and a parking lay-by lies immediately south of the site, between it and the cemetery. Much of the London Road frontage is given over to vehicle crossovers.

2.4 The wider area is of mixed character, with a number of commercial, residential and public uses along this stretch of London Road, with domestic scale residential areas to the north.

3 Planning Considerations

3.1 The main considerations of this application are the principle of the development, design and impact on character of the area, traffic and transportation, impact on residential amenity and sustainable construction.

4 Appraisal

Principle of Development

National Planning Policy Framework, East of England Plan policies ENV7; DPD1 (Core Strategy) policies KP2, CP1, CP2, CP4, CP8; BLP policies

C11, H5 and the Design and Townscape Guide SPD1 (2009)

- 4.1 The principle of development has been previously established following the approval of 11/01583/FULM. Permission was granted on the 4th January 2012 to part demolish existing building, erect part two/part three storey block comprising retail unit and ancillary storage (Class A1), 9 self-contained flats (Class C3) to ground, first and second floors with associated terraces, lay out 13 car parking spaces to front, 9 spaces to the rear and landscape the site. Subsequently there has been a further application to vary the layouts of flats 1 and 2, which has also been previously accepted (12/00440/FULM).
- 4.2 In light of the above, no objection is raised to the principle of development subject to other material planning considerations detailed below.

Design and impact on the character of the area

National Planning Policy Framework; East of England Plan policy ENV7; DPD1 (Core Strategy) policies KP2, CP4; Borough Local Plan policies C7, C11, C14, H5 and Design and Townscape Guide SPD1.

- 4.3 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”*.
- 4.4 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.
- 4.5 Policy C7 of the Southend on Sea Borough Local Plan states proposals for shop and commercial frontages and fascias will be required to respect the scale and design of the buildings in which they are situated and of neighbouring buildings, and enhance the appearance of the area. The Design and Townscape Guide states that shopfronts contribute significantly to the quality of shopping centres. Attractive shopfronts can create a pleasant shopping environment positively enhancing the shopping experience and boosting local businesses. The proposed alterations will include the omission of a two windows at the front of the building and will be replaced with four louvres to serve the retail unit at ground floor (it should be noted the louvred openings have already been constructed). On the approved drawings an ancillary storage area including a kitchen area was proposed to the front of the building at ground floor and included a window facing onto the street which gave some interest to this part of the elevation. Together with high quality cladding this provided an active textured feature (12/00440/FULM). The

proposed siting of the four large louvre openings removes any activity from this part of the front elevation. Additional information has been provided in relation to the visual appearance of the louvres whereby a Lamigraf Graphic applied material will give the louvres the appearance of face brickwork to match the rest of the facade. Whilst the louvres will still be visible on the front elevation, on balance the material proposed (to be dealt with by condition) will mitigate against any potential harm the proposal will have on the overall character and appearance of the facade, thus no objection is raised.

- 4.6 The proposal also includes the resiting of an ATM machine from a blank area of brickwork in the centre of the front facade to the eastern end of the building originally the main store entrance was proposed. The ATM has altered the corner feature which was the main focus of the building. The proposed alterations results in the main entrance to the building being a less prominent weakening the relationship to upper floors. However, on balance it is not considered that the proposed amendments will have a significant detrimental impact on the overall character and appearance of the building or the surrounding area. Furthermore, in order to ensure the character and appearance of the street and visual interest is maintained facing Flemming Avenue, a condition in relation to vinyl adverts will be imposed by condition. The overall size of the fascia sign has been reduced which is considered an improvement. Whilst the comments of the design officer are noted in relation to the blank brick work wall, adverts are now proposed in this location and thus this will add some interest to the brickwork.
- 4.7 It should be noted that the detailing has altered from the previously approved scheme with specific reference to the materials used. All materials for the proposed development were agreed under reference 12/00613/AD. The most notable difference is the feature cladding which was to be constructed from a copper coloured profile metal cladding. This will be dealt with by condition to ensure all of the materials previously agreed will be used.
- 4.8 On balance, the proposed alterations to the front elevation and shop front are considered acceptable subject to the conditions detailed below in accordance with the National Planning Policy Framework, Policy ENV7 of the East of England Plan, Policy KP2 and CP4 of the Core Strategy, Policy C11 and H5 of the Southend on Sea Borough Local Plan and advice contained within the Design and Townscape Guide SPD1, which seek to promote quality design.

Traffic and Transportation

National Planning Policy Framework; East of England Plan policy ENV7; DPD1 (Core Strategy) policies CP3; BLP policies T8, T11; EPOA Parking Standards and the Design and Townscape Guide SPD1.

- 4.9 It is not considered that the proposed alterations will have any impact on highways or transport issues, which have previously been considered

acceptable. It is not considered that the proposed alterations will have any impact refuse storage or, which have previously been considered acceptable.

Impact on residential amenity

National Planning Policy Framework, East of England Plan policies ENV7; DPD1 (Core Strategy) policies KP2 and CP4; BLP policies C11, H5 and the Design and Townscape Guide SPD1.

- 4.10 The amendments by virtue of including only minor changes to alterations will not have a materially greater impact on residents than the originally approved scheme.

Sustainability

National Planning Policy Framework; East of England Plan policies SS1, ENV7, ENG1: DPD1 (Core Strategy) policies: KP2, CP4, SO15, SO17 and the Design and Townscape Guide SPD1.

- 4.11 A Sustainability Statement and an Energy Strategy submitted previously identified Air Source Heat Pumps (ASHPs) and Solar hot Water and Solar Photovoltaic to be the most appropriate for this development. Full details will be required to be carried out in accordance with 12/00613/AD together with the Sustainable Urban Drainage system.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 East of England Plan (May 2008) ENV7 (Quality in the Built Environment), SS1 (Achieving Sustainable Development)
- 5.3 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), CP3 (Transport and Accessibility)
- 5.4 Borough Local Plan Policies C8 (Shopfronts), C11 (New Buildings, Extensions and Alterations), T8 (Traffic Management and Highway Safety), T11 (Parking Standards), C14 (Trees, Planted Areas and Landscaping), H5 (Residential Design and Layout Considerations), E5 (Non Residential Uses Close to Housing), T3 (A13 and related routes), T12 (Servicing Facilities), T13 (Cycling and Walking), U2 (Pollution Control)
- 5.5 SPD1 Design & Townscape Guide 2009
- 5.6 EPOA Vehicle Parking Standards (2001)
- 5.7 Waste Management Guide

6 Representation Summary

Design and Regeneration

6.1 Louvres

No objections provided they are the same colour as the brickwork / cladding. Additional landscaping in this area to add interest and soften the frontage.

Alterations to shopfront

The main focus to the building is on the south east corner and this is highlighted by the corner feature at first floor. It is essential that this is an attractive and active area and that it makes a positive impact on the streetscene. Relocating the atm here will have an impact on the relationship between the ground and first floor but will bring extra activity to this location. It is understood that the vinyl proposed for the Fleming Avenue has not been approved following the recent advertisement application which was partly approved and refused and greater transparency here will also add to the activity in the streetscene and help to open up the corner once again.

Cladding

Site photos appear to show that the metal cladding on the features at each end has not been installed but appear to be coloured render. This is such a simple elevation that the quality of this cladding is key to the success of the building.

Traffic and Transportation

6.2 No objections

Environmental Health

6.3 No comments received

Leigh Town Council

6.4 No objection.

Public Consultation

6.5 Site notice has been displayed on the 6th November 2012 and 26 neighbours have been notified of the proposal. One letter of representation has been received stating:

- Object to the installation of an external ATM on this site.

7 Relevant Planning History

7.1 Install internally illuminated fascia sign and internally illuminated projecting box sign to south and east elevation and non illuminated ATM surround , poster frame to south elevation and totem sign to boundary- Pending consideration (12/01284/ADV)

- 7.2 Variation of condition 02 of planning permission 11/01583/FULM dated 04/01/12 to amend approved plans to the floor plans and elevations to form additional bedrooms to flats 1 and 2. The development hereby permitted shall be carried out in accordance with approved plans PL25f, PL26e, PL27d, PL28e and PL30j- Granted (12/00440/FULM)
- 7.3 Application for approval of details pursuant to condition(s) 7 (Materials) 8 (Bin Storage) 10 (Landscape Details) 14 (Renewable Energy) and 15 (Drainage) of planning permission 11/01583/FUL granted on 4th January 2012- Agreed (12/00613/AD)
- 7.4 Application for approval of details pursuant to condition 6 (lay-by details) of planning permission 11/01583/FULM dated 26.1.12- Agreed 12/00186/AD)
- 7.5 Part demolish existing building, erect part two/part three storey block comprising retail unit and ancillary storage (Class A1), 9 self-contained flats (Class C3) to ground, first and second floors with associated terraces, lay out 13 car parking spaces to front, 9 spaces to the rear and landscape (amended proposal)- Granted (11/01583/FULM)
- 7.6 Part demolish existing building, erect part two/part three storey block comprising retail unit and ancillary storage (Class A1), 9 self-contained flats (Class C3) to ground, first and second floors with associated terraces, lay out 13 car parking spaces to front, 9 spaces to the rear and landscape (amended proposal)- Refused 18th August 2011 (SOS/11/00652/FULM) for the following reasons:
- 7.7 Part demolish existing building, erect part two/part three storey block incorporating 16 integral car parking spaces and cycle store to lower ground, retail unit (class A1) and Doctors surgery (Class D1) to ground and first, 9 self contained flats (Class C3) to first and second with associated terraces, lay out 23 car parking spaces to front and rear and landscape- Withdrawn (SOS/10/02159/FULM)
- 7.8 Demolish existing buildings, erect 4 storey block of 21 flats with terraces and ground floor commercial units (376m², Class A2/B1), lay out 38 car parking spaces, cycle stores and refuse stores at basement level, lay out landscaping and amenity area and new vehicular access onto Flemming Avenue (amended proposal)- Granted planning permission 14th July 2008 (SOS/07/01724/FULM)
- 7.9 Demolish existing buildings, erect 4 storey block of 22 flats with terraces and ground floor commercial units (376m², Class A2/B1), lay out 38 car parking spaces, cycle stores and refuse stores at basement level, lay out landscaping and amenity area and new vehicular access onto Flemming Avenue (amended proposal)- Withdrawn 29th May 2007 (SOS/07/00339/FULM)
- 7.10 Erect part 3/part 4 storey block with lower ground floor comprising 23 flats and ground floor commercial units, with parking and vehicular access onto Flemming Avenue (Amended proposal) - Refused planning permission and

dismissed at appeal 1st August 2006. The development was refused by reason of its bulk, design and massing is poorly related to adjacent development particularly residential properties to the north, and as such comprises overdevelopment of the site, contrary to Policies BE1 of the Essex and Southend Replacement Structure Plan and H5, H7 and C11 of the Borough Local Plan. (SOS/05/00151/FUL)

8 Recommendation

Members are recommended to:

8.1 GRANT PLANNING PERMISSION

- 1 The development hereby permitted shall be carried out in accordance with the approved plans P-4251-102, 2594-PL27d, 2594-PI28e, 2594_PL27D, P-4251-210 RevB, P4251-110 Rev A, P4251-100, P4251-223 Rev A, P4251-220 Revision D, P4251-210 Rev C, P4251-211.**

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

- 2 The building shall not be occupied until a means of vehicular access has been constructed in accordance with the approved plan P-4251-102 and remain in perpetuity.**

Reason: To ensure efficient vehicular access to the development in the interests of accessibility, highways efficiency and safety in accordance with East of England Plan 2008 policy T8, DPD1 (Core Strategy) 2007 policy KP2 and Borough Local Plan 1994 policy T8.

- 3 Thirteen car parking space(s) shall be provided in accordance with plan no. P-4251-102 prior to first use of the commercial unit hereby approved and shall thereafter be permanently retained in connection with the commercial use of the site 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 and turning provision is provided for occupants of the new dwelling(s) and in the interests of residential amenity and highway efficiency and safety, in accordance with East of England Plan 2008 policy T8, DPD1 (Core Strategy) 2007 policy KP2, Borough Local Plan 1994 policy T8 and T11, and SPD1 (Design and Townscape Guide).

- 4 No flat shall be occupied until car parking spaces and cycle spaces have been laid out within the site in accordance with the plan attached P-4251-102 for 19 bicycles to be parked unless otherwise agreed in writing by the local planning authority and shall remain in perpetuity.**

Reason: To ensure that satisfactory secure car parking off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with East of England Plan 2008 policy T8, DPD1 (Core Strategy) 2007 policy KP2, Borough Local Plan 1994 policy T8 and T11, and SPD1 (Design and Townscape Guide).

- 5 The development hereby permitted shall be carried out in accordance with layby drawing 120395/SK/01 Revision B of 12/00186/AD. The approved scheme shall be implemented in full prior to occupation of the development unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of highway efficiency and safety in accordance with East of England Plan 2008 policy T8, DPD1 (Core Strategy) 2007 policy KP2 and Borough Local Plan 1994 policy T8.

- 6 External finishes materials shall be in accordance with those agreed by the local planning authority under reference 12/00613/AD on 6th July 2012, unless otherwise agreed in writing with the local planning authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

- 7 No louvres shall be installed on the front elevation until details and samples of the facing material to be used, has been submitted to and approved in writing by the local planning authority. The works to the louvres must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

- 8 The shopfront windows fronting Flemming Avenue shall not be obscured and no window vinyl's applied without further written consent of the local planning authority.**

Reason: To protect the character and appearance of the street and maintain its visual interest in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C7, and SPD1 (Design and Townscape Guide).

- 9 The landscaping scheme shall be carried out in accordance with drawing 2594_CD01 and 2594_PL31a agreed under planning reference 12/00613/AD.**

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide).

- 10 The details of waste storage shall be carried out in accordance with drawing 2594_CD02 on the 11th May 2012 of 12/00613/AD and remain in perpetuity unless otherwise agreed in writing with the local planning authority.**

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with East of England Plan 2008 policy SS1, DPD1 (Core Strategy) 2007 policy KP2 and CP4.

- 11 The obscure screens serving flats 4 and 6 in the north elevation shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) as detailed on drawing P4251-211 and constructed prior to occupation of the dwellings and permanently retained unless otherwise agreed in writing by the local planning authority.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with East of England Plan 2008 policy SS1, DPD1 (Core Strategy) 2007 policy CP4, Borough Local Plan 1994 policy H5, and SPD1 (Design and Townscape Guide).

- 12 The premises shall not be open for customers outside the following hours: - 0700 hours to 2300 hours Monday – Saturdays 0700 hours to 2300 Sundays and Bank Holidays.**

Reason: To protect residential amenity and general environmental quality in accordance with East of England Plan 2008 policy SS1, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Borough Local Plan 1994 policy H5, E5 and U2.

- 13 The commercial unit can only be used as an A1 use Class A1 of the Town and Country Planning (Use Classes) 1987 as amended April 2005 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force). It must not be used for any other purpose.**

Reason: To ensure that the development is completed and used as agreed, and to ensure that it meets East of England Plan 2008 policy ENV7; DPD1 (Core Strategy) 2007 policy KP2 and CP4 Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

- 14 All servicing must take place between 0700-2300 Monday to Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building.**

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, East of England Plan 2008 policy SS1, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Borough Local Plan 1994 policy H5, E5 and U2.

- 15 The renewable energy requirements shall be carried out in accordance with the details submitted by Pemxq Limited Rev 1-16th May 2011 under reference 12/00613/AD and shall remain in perpetuity.**

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with National Planning Policy Framework, East of England Plan 2008 policy SS1, ENV7, ENG1, WAT1 and WAT4, DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

- 16 All drainage details shall be carried out in accordance with the details submitted to the local planning authority on the 19th June 2012 under reference 12/00613/AD.**

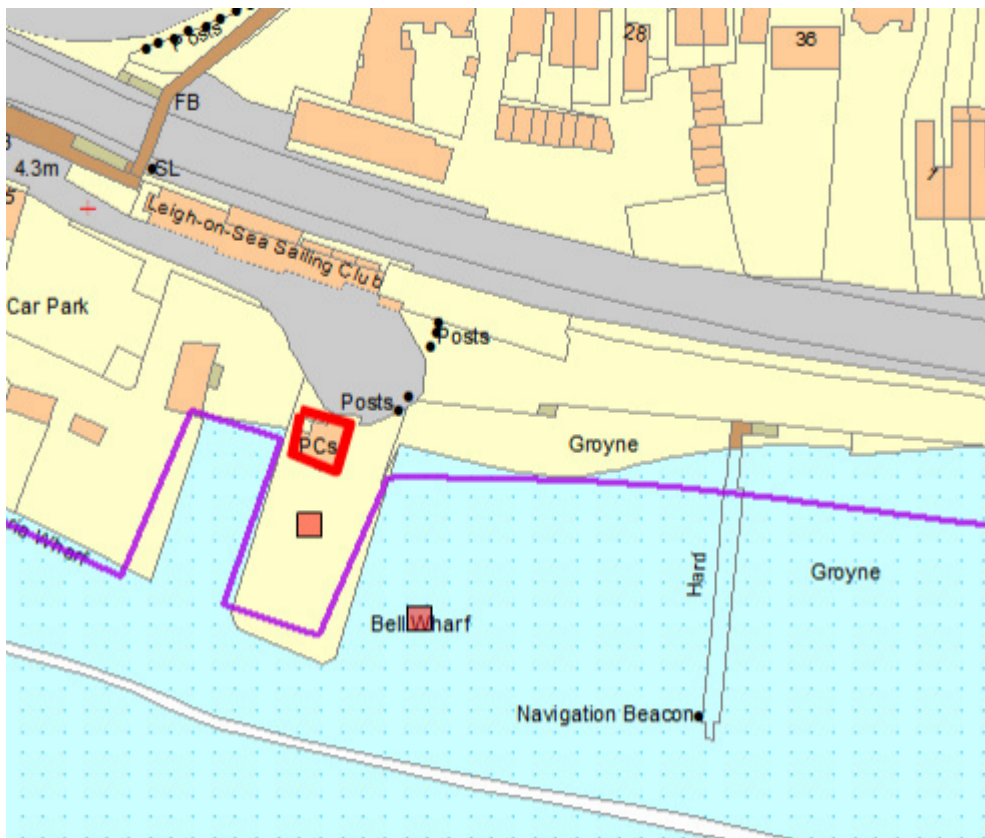
Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with East of England Plan 2008 policy SS1 and WAT4, DPD1 (Core Strategy) 2007 policy KP2.

Reason for approval

This permission has been granted having regard to National Planning Policy Framework, East of England Plan 2008 policy ENV7; DPD1 (Core Strategy) policy KP2 and CP4; Borough Local Plan 1994

policy C7, C11, C14; and SPD1 (Design and Townscape Guide) together with Government guidance and all other material considerations including any representations. The carrying out of the development permitted, subject to any conditions imposed, would accord with those policies and in the opinion of the local planning authority there are no circumstances which otherwise would justify the refusal of permission.

Reference:	12/01131/BC4
Ward:	Leigh
Proposal:	Change of use of part of the building to a refrigeration storage area for fishmonger and erect infill extension with extended roof
Address:	Bell Wharf, High Street, Leigh-on-Sea, Essex, SS9 2EN
Applicant:	Leigh Fishing Ltd
Agent:	New World Designers
Consultation Expiry:	11 th December 2012
Expiry Date:	11 th January 2013
Case Officer:	Janine Argent
Plan Nos:	Location Plan; Existing and Proposed Plans
Recommendation:	GRANT PLANNING PERMISSION



The Proposal

- 1.1 Planning permission is sought to change the use of part of an existing toilet block to a refrigerated storage area for a fishmonger and erect an infill extension with extended roof. The infill extension and extended roof is 2.8m wide x 5.1m depth x 2.1m-4m high. Alterations are proposed to the front elevation whereby a door is proposed. Materials are to match existing.
- 1.2 The Design and Access Statement accompanying this planning application states that the proposal will provide a refrigerated store for fresh fish catchments as landed at Bells Wharf for Leigh Fishing Limited. The existing building includes a disabled toilet to the front which is used by members of the public and maintained by Southend-on-Sea Borough Council accessed from the High Street. To the rear of the building is a disused toilet block and storage area. It should be noted the proposal will not have any impact on the existing public toilet facilities available in the adjoining building or for disabled persons. The area of the building subject of the proposed works does not currently provide public toilet facilities.

2 Site and Surroundings

- 2.1 The site is located within the Old Leigh Conservation Area and is on the south of the High Street.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, design and impact on character of the area and conservation area, traffic and transportation and impact on residential amenity.

4 Appraisal

Principle of Development

National Planning Policy Framework, East of England Plan policies ENV7; DPD1 (Core Strategy) policies KP2, CP4, CP7; BLP policies C11, C4, C5 and the Design and Townscape Guide SPD1 (2009)

- 4.1 The proposal is considered in the context of the National Planning Policy Framework, Policy ENV6, ENV7 of the East of England Plan, DPD (Core Strategy) policies KP2, CP4 and CP7, Borough Local Plan policies C4, C11 and the Design and Townscape Guide. These policies and guidance support extensions to buildings in most cases but require that such alterations and extensions respect the existing character and appearance of the building and the historic conservation areas.

- 4.2 Policy C5 of the Borough Local Plan states that the Council encourages within Leigh Old Town the retention of commercial, leisure and residential uses appropriate to its character as a working marine village and seeks to reduce vehicular access for non-essential traffic. The proposal is for a change of use from a part disused toilet block. The existing disabled toilet facilities to the front of the building would remain. It is considered that the proposal continues to comply with the provisions of Policy C5 of the Southend on Sea Borough Local Plan, thus no objection is raised to the principle of development. In order to safeguard the principle of the use within the area of Old Leigh Conservation Area and to ensure the development complies with the provisions of Policy C5 of the Southend on Sea Borough Local Plan a condition will be imposed restricting the use for B8 in relation to a refrigeration storage area for fishmongers.
- 4.3 In light of the above and subject to all other relevant planning considerations detailed below no objection is raised in relation to principle of development.

Design and impact on the character of the area

National Planning Policy Framework; East of England Plan policy ENV6 and ENV7; DPD1 (Core Strategy) policies KP2, CP4; Borough Local Plan policies C4, C11 and Design and Townscape Guide SPD1.

- 4.4 The National Planning Policy Framework states that there is a need for any new development to make a positive contribution to the local character and distinctiveness. 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. Policy C11 and C4 of the Southend on Sea Borough Local Plan advocate the need for any development to respect the character of the area by reason of scale and materials.
- 4.5 No objections are raised in relation to the proposed design of the infill extension or the extension of the roof together with the alterations to the front façade. Materials will be required to be dealt with by condition to ensure the character and appearance of the Leigh Conservation Area is retained. The proposal by reason of its scale, design and materials respects the character and appearance of the building and the Leigh Conservation Area in accordance with the provisions of National Planning Policy Framework, Policy ENV6, ENV7 of the East of England Plan, Policy KP2 and CP4 of the Core Strategy, Policy C4 and C11 of the Southend on Sea Borough Local Plan and advice contained within the Design and Townscape Guide SPD1.

Traffic and Transportation

National Planning Policy Framework; East of England Plan policy ENV7; DPD1 (Core Strategy) policies KP2, CP4, CP3; BLP policies T8, T11; EPOA Parking Standards and the Design and Townscape Guide SPD1.

- 4.6 The proposal is for a change of use of part of the building for the storage of fish within refrigeration units. The building will be used by a fishing company who already have premises along the High Street within Old Leigh. The Design and Access Statement accompanying this application states that access will be from the trawler, anchored alongside the Wharf. Further transportation would be by a small lorry along the High Street. The applicant has confirmed that the trip generation associated with the use would include a small number of vans with perhaps only several trips each week, no large vehicles could be possibly be warranted due to the low context of frozen fish space available within the building. In light of this, it is not considered that the proposal will have a detrimental impact on the highway network particularly given the siting of the building and in relation to the existing commercial premises in close proximity that all ready exist for Leigh Fishing Limited. In light of the above, no objections are raised.
- 4.7 It is not clear where waste produced will be stored, however given the nature of the application a condition can be imposed to ensure full details are submitted to the local planning authority.

Impact on residential amenity

National Planning Policy Framework, East of England Plan policies ENV7; DPD1 (Core Strategy) policies CP4; BLP policies E5 and the Design and Townscape Guide SPD1.

- 4.8 The building is located within Old High Street, Leigh to the south of the Leigh Yacht Club; it is not considered the proposal will have any impact on residential amenities. However, in order to safeguard the surrounding area and due to the nature of the application installing refrigeration units a condition will be imposed to ensure the noise levels comply with the British Standards given the ventilation unit proposed at the rear of the building.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 East of England Plan (May 2008) ENV6 (The Historic Environment), ENV7 (Quality in the Built Environment), SS1 (Achieving Sustainable Development), T3 (Managing Traffic Demand)
- 5.3 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), CP3 (Transport and Accessibility)
- 5.4 Borough Local Plan Policies C4 (Conservation Areas), C5 (Leigh Old Town), Development Control Committee Mains Plans Report DETE 12/088 12/12/2012 Page 103 of 154

C11 (New Buildings, Extensions and Alterations), T8 (Traffic Management and Highway Safety), T11 (Parking Standards), E5 (Non Residential Uses Close to Housing), T12 (Servicing Facilities), T13 (Cycling and Walking), U2 (Pollution Control)

5.5 SPD1 Design & Townscape Guide 2009

5.6 EPOA Vehicle Parking Standards (2001)

6 Representation Summary

Design and Regeneration

6.1 The proposals would see the existing Bell Wharf building extended and infilled to the western side. At present the western half of the building has a good level of symmetry with the eastern side, however there is a variation in the front building line, and as such it displays some subservience. Given this, and the proposals to simply extend the along the same pitch, there are no objections raised but materials should be agreed, to match existing.

Traffic and Transportation

6.2 No comments received.

Environmental Health

6.3 No comments received.

Pier and Foreshore

6.4 No comments received.

Asset Management

6.5 Heads of terms in relation to this proposal have been agreed in principle subject to planning permission and the disabled toilet to the front will not be affected by the proposal.

Environment Agency

6.6 No comments.

Natural England

6.7 No comments received.

Leigh-on-Sea Town Council

6.8 No comments received.

Leigh Society

6.9 No comments received.

Essex Police

6.10 No comments received.

Public Consultation

6.11 A site notice was displayed on the 20th November 2012. No comments have been received at the time of writing this report.

7 Relevant Planning History

7.1 None

8 Recommendation

GRANT PLANNING PERMISSION

1 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the approved plans Location Plan; Existing and Proposed Plans.

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

3 The permission hereby granted shall be restricted solely to use as a refrigeration storage area in connection with the local fishing industry and when the premises cease to be used for this purpose the use of the site for Class B8 (storage) purposes shall immediately cease.

Reason: The premises would not be suitable for wider B8 usage having regard to the location, and specifically the potential for adverse harm to the surrounding area, particularly in terms of noise, in accordance with policy CP4 of the Core Strategy and Policy E5 of the Borough Local Plan.

4 Full details and samples of the materials to be used on the external

elevations shall be submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of this part of the Old Leigh Conservation Area. This is set out in East of England Plan 2008 policy ENV6, ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C4, C11, and SPD1 (Design and Townscape Guide).

- 5** Prior to occupation of the building details of how waste and refuse is to be stored on site have been submitted to and approved by the local planning authority. The stores for waste and materials must then be provided in accordance with the approved details. Waste must be stored inside the property and only put outside just before it is to be collected. The waste stores must not be used for any other purpose.

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with East of England Plan 2008 policy SS1, DPD1 (Core Strategy) 2007 policy KP2 and CP4.

- 6** With reference to BS4142, the noise rating level arising from the extraction and ventilation system should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest property. There shall be no tonal characteristics.

Reason: To protect the environment of people in neighbouring properties and general environmental quality from the intrusion of noise and vibration by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest. In accordance with the East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Borough Local Plan 1994 policy U2.

Reason for Approval

This permission has been granted having regard to National Planning Policy Framework, East of England Plan 2008 policy ENV6, ENV7; DPD1 (Core Strategy) policy KP2, CP4; Borough Local Plan 1994 policy C4, C5, C11, E5, U2, T11, T8 and SPD1 (Design and Townscape Guide) together with Government guidance and all other material considerations including any representations. The carrying out of the development permitted, subject to any conditions imposed, would accord with those policies and in the opinion of the local planning authority there are no circumstances which otherwise would justify the refusal of permission.

Reference:	12/00243/FUL
Ward:	Blenheim Park
Proposal:	Variation of Condition 09 of planning permission 08/00890/FUL which restricted the use of the hard standing to the east of the site to be used solely for car parking to allow it for use as general D1
Address:	Westcliff High School for Boys, Kenilworth Gardens, Westcliff-on-Sea, Essex, SS0 0BD
Applicant:	Westcliff High School for Boys
Consultation Expiry:	3 April 2012
Expiry Date:	13 November 2012
Case Officer:	Matthew Leigh
Plan Nos:	8659-03 and 8659-04
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

1.1 The application is in relation to the variation of condition 9 of planning application SOS/08/00890/FUL.

1.2 Application SOS/08/00890/FUL was submitted to change the use of the public open space for educational purposes (class D1) lay out car parking spaces, erect boundary fence and form vehicular access onto Eastwood Boulevard. The application was refused planning permission. The application was appealed and the appeal was subsequently allowed.

1.3 Condition 9 states:

“The area to the east of the site annotated as a car park area (29 car parking spaces) on Drg. No 8659-03 shall be used only for the parking and manoeuvring of vehicles, motorcycles and bicycles and shall not be used for any purpose including any purpose that falls within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).”

1.4 This application seeks to vary the condition to allow unrestricted D1 use of the area.

2 Site and Surroundings

2.1 Westcliff High School for Boys can be accessed from Middlesex Avenue, and is located between Kenilworth Gardens, Eastwood Boulevard and Manchester Drive.

2.2 The site is occupied by the main school building, ancillary buildings including science block and gymnasium, playing fields and hard surfaced playground area.

2.3 The application site relates to an area in the northeast corner of the school. An area of the site has recently been cleared to provide hard standing in accordance with application SOS/08/00890/FUL.

3 Planning Considerations

3.1 The main considerations of 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.

4 Appraisal

Background to the application

4.1 A planning application (SOS/08/00890/FUL) for the change of use of the public open space for educational purposes (class D1) lay out car parking spaces, erect

boundary fence and form vehicular access onto Eastwood Boulevard was refused planning permission at Development Control Committee. The application was appealed and the appeal was subsequently allowed on the 7 July 2009.

- 4.2 At the time of the appeal the appellant attempted to increase the scope of the appeal by including use of the proposed hardstanding as a play area. The Inspector concluded that this was a substantially different application and determined the appeal on the basis of the information that was submitted at the application stage. No comment was made by the Inspector in relation to the principle of the proposal.
- 4.3 Condition 9 of the Inspector's decision restricted the area to car parking only and not for any other use within Class D1. The applicant seeks to remove the restriction and allow the hardstanding to be used as car parking or any D1 use.
- 4.4 During the course of the appeal it became apparent that the school did not need the parking spaces on a daily basis, but would rather need them on an infrequent basis to coincide with major events at the school such as open days, where pupils and their parents invariably come by car and park in the surrounding streets causing inconvenience to local residents. Therefore, the Inspector imposed a condition limiting the use of the car park to six times a year.

Principle of the Development

The National Planning Policy Framework, SS1 SS2, ETG4 and ENV7; DPD1 (Core Strategy) Policies KP2 and CP4; Borough Local Plan (BLP) Policies R1, C15, U7 and U8.

- 4.5 Policy U7 states that the Council will normally support the improvement or extension of existing education establishments and encourage their use for community purposes. Any proposal should maintain satisfactory environmental conditions and residential amenities. A similar stance taken in relation to provision of new education facilities in Policy U8.
- 4.6 The principle of the redevelopment of the site for use by Westcliff High School for Boys is similar in nature to the previous permission, allowed at appeal, and it is considered that there have been no new policies or material considerations since the previous permission and as such the proposal remains acceptable in this respect.
- 4.7 The development would also involve the provision of a new purpose built hardstanding which could be used as a play ground predominately but also as an over flow car park when needed.
- 4.8 On the basis that the car park is only intended to be used as an overspill area, in principle, it is considered acceptable to provide an additional hard surfaced play area to facilitate use of this space.

Design and Impact on the Character of the Area:

The National Planning Policy Framework, Policies KP2 and CP4; BLP Policy C11.

- 4.9 The area was heavily vegetated and the application proposes the replacement of this vegetation with hardstanding. The principle of this was considered acceptable at the last planning application. It should also be noted that the Inspector stated *“I observed that the existing area of vegetation is unsightly and detracts from the character and appearance of the area... The proposed development would involve a new landscaped strip which would enhance the area. Consequently I do not consider that the proposal would have an unacceptable impact on either the character and appearance of the area or on the outlook of those properties located opposite the appeal site.”*
- 4.10 It is not therefore, considered that an objection can be raised to the proposal in relation to the impact on the character of the area.

Traffic and Transportation Issues:

The National Planning Policy Framework, East of England Plan T9 and T14, Planning Policy Guidance Note 13; DPD1 (Core Strategy) policies KP2, CP3, CP4; BLP policies T8 and T11.

- 4.11 The impact upon highway and parking are identical in nature to the previous application and was considered acceptable at that time. With this in mind it is considered reasonable to impose conditions in relation to restricting the number of times per year the site is used for car parking and access arrangements including car parking.

Impact on Residential Amenity:

The National Planning Policy Framework, East of England Plan policies SS1, SS2 and ENV7; DPD1 (Core Strategy) policies KP2 and CP4; BLP policies C11 and E5 the Design and Townscape Guide (2009).

- 4.12 The use of the site for a play ground may lead to a greater level of noise and disturbance than currently is generated on site. However, the site is separated from the adjoining residents from by a relatively busy road and the playground will only be in use during the day when the ambient noise levels are higher. It is not considered that the proposal would have a detrimental impact on the amenity of the adjoining residents, which is consistent with the Inspectors decision.

5 Conclusion

- 5.1 The proposal is considered acceptable and the unrestricted use of the site for educational purposes will not give rise to harm to interests of acknowledged planning importance.

5.2 As the approval of a S.73 application would result in a grant of a new planning permission the conditions imposed previously are to be re-imposed, where relevant.

6 Planning Policy Summary

6.1 The National Planning Policy Framework (NPPF)

6.2 East of England Plan Policies SS1 (Achieving Sustainable Development), ETG4 (Southend on Sea Key Centre for Development Change), ENV7 (Quality in the Built Environment), T9 (Walking, cycling and other Non-Motorised Transport), T14 (Parking).

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

6.4 Borough Local Plan: C11 (New Buildings, Extensions and Alterations), E5 (Non-residential Uses Located Close to Housing), U7 (Existing Education Facilities), U8 (Provision of New Education Facilities), T8 (Traffic Maintenance and Highway Safety), T11 (Parking Standards) and T13 (Cycling and Walking).

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

7 Representation Summary

Highway Authority

7.1 No objection.

Park and Open Space

7.2 No comment received.

Sports England

7.3 No comment received.

Director of Children and Learning

7.4 No comment received.

The Leigh Society

7.5 No comment received.

The Airport Director

7.6 No objection.

Property and Regeneration

- 7.7 It is understood that the primary use of this area is to be for D1 recreation with occasional (no more than six times per annum) use as an overspill car park. The Asset-Management Team has structured the land deal required around these arrangements. Any deviation from this position (as set out in condition 10 of the existing consent) will necessitate a review of the land transfer

Public Consultation

- 7.8 Two letters were received from the neighbouring properties, which raised the following comments and observations:
- Appeal decision states the area shall not be used for any purpose that falls within Class D1. **[Officer Comment: See paragraph 4.8 above]**
 - Trees shown to be retained have been removed. **[Officer Comment: Revised landscaping condition is proposed to seek alternative landscaping scheme. See paragraph 4.10 above]**
 - Destroyed outlook. **[Officer Comment: See paragraph 4.9 above]**
 - Replacement trees **[Officer Comment: See paragraph 4.10 above]**

8 Relevant Planning History

- 8.1 A planning application (SOS/08/00890/FUL) for the change of use of the public land to educational purposes (Class D1). The development also includes the layout car parking spaces, erect boundary fence and form vehicular access onto Eastwood Boulevard was refused planning permission. The applicant took the opportunity to appeal the Council's decision and the appeal was allowed.

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: 8659-03 and 8659-04.**

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

- 02 Within two months of the date of this decision a scheme shall be submitted to and agreed in writing by the local planning authority to ensure that the number of occasions when the car park to the east of the site annotated as a car park area (29 car parking spaces) on Drg. No 8659-03 shall be used shall not exceed six times in each school year. The scheme shall include details of how the dates and hours of use shall be communicated to the local planning authority (which shall be no later than the first day of the term in which the occasion will occur).**

The car park area will thereafter be used in accordance with the approved scheme. A vehicular gate shall be provided, prior to first use of the site, across the access to the car park which shall remain securely closed at all times other than when the car park is in use in accordance with the agreed scheme.

Reason: In the interests of residential amenity and highways efficiency and safety, in accordance with East of England Plan 2008 policy T8, DPD1 (Core Strategy) 2007 policy KP2, Borough Local Plan 1994 policy T8 and T11, and SPD1 (Design and Townscape Guide).

- 03** Within two months of the date of this decision details of both hard and soft landscaping works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include details of all the existing trees and hedgerows on site and details of any to be retained together with measures for their protection in the course of development; proposed finished levels or contours; car parking layouts; other vehicle and pedestrian access and circulation areas hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs etc); the position and type of any lighting and the proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc).

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide).

- 04** Soft landscape works shall include planning plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedule of plants, noting species, plant size and proposed numbers/densities where appropriate; and an implementation programme.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide).

- 05** All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with a programme agreed in writing by the local planning authority, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or

diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide).

- 06** A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the use hereby permitted commencing. The landscape management plan shall be carried out as approved.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide).

- 07** Soft landscape works shall include planning plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedule of plants, noting species, plant size and proposed numbers/densities where appropriate; and an implementation programme.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide).

- 08** The boundary treatment (including access gates) shall be provided, in accordance with drawing numbers 8659-03 and 5659-06, prior to the use of any part of the development.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide).

- 09** Prior to first use a Sustainable Urban Drainage Scheme shall be provided in accordance with drawing numbers 8659-02 and 03 and through use of Marshalls permeable block paving and shall be provided prior to the first use of the development.

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

- 10** The area to the east of the site annotated as car park area (29 car parking spaces) on Drg. No 8659-03 shall be used for car parking or any purpose that falls within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that the development is acceptable in planning terms and in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11, U7 and U8, and SPD1 (Design and Townscape Guide).

- 11** The access arrangements, including visibility splays, shall be provided in accordance with drawing number 8659-07. The use hereby approved shall not commence until the access has been provided and shall be retained in perpetuity.

Reason: In the interests of residential amenity and highways efficiency and safety, in accordance with East of England Plan 2008 policy T8, DPD1 (Core Strategy) 2007 policy KP2, Borough Local Plan 1994 policy T8 and T11, and SPD1 (Design and Townscape Guide).

Reason for Approval

This permission has been granted having regard to East of England Plan (May 2008) Policies SS1 (Achieving Sustainable Development) and ENV7 (Quality in the Built Environment), the Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance) and Policies C11 (New Buildings, Extensions and Alterations), E5 (Non-residential Uses Located Close to Housing), U7 (Existing Education Facilities), U8 (Provision of New Education Facilities), T8 (Traffic Maintenance and Highway Safety), T11 (Parking Standards) and T13 (Cycling and Walking) of the Borough Local Plan together with, the Design and Townscape Guide SPD, Government guidance and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

Reference:	12/01216/FUL
Ward:	Milton
Proposal:	Lay out hardstanding to front and form vehicular access onto Preston Road (amended proposal)
Address:	10 Preston Road, Westcliff-on-Sea, Essex
Applicant:	Stygrid
Agent:	Pryor Project Management
Consultation Expiry:	27 October 2012
Expiry Date:	14 November 2012
Case Officer:	Sophie Glendinning
Plan Nos:	10PRW0S/02b
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to form a vehicular access onto Preston Road and to lay out a hardstanding to the front. The vehicular access would be 4.8m wide with a maximum depth of 8.7m and would allow for two cars to be parked to the front, perpendicular to the highway. Three separate areas of planting are also proposed, surrounding the hardstanding.
- 1.2 The application is an amended scheme subsequent to the previously refused application (Reference: 12/00767/FUL). This application was refused for the following reasons:
1. *The proposed vehicle crossover and hardstanding would result in an unacceptable loss of soft landscaping and excessive length of vehicular crossover which would be detrimental to the visual amenity of the property and the wider streetscene and the contrary to Policy KP2 and CP4 of the Core Strategy (DPD1), Policy C14 and C11 of the Borough Local Plan and advice contained within the adopted Design and Townscape Guide (SPD1).*
 2. *The proposed vehicle crossover by virtue of its excessive length would result in loss of on-street parking which would cause an increase in the demand for parking in a road suffering severe parking stress to the detriment of highway safety and efficiency, contrary to Policy KP2 and CP4 of the Core Strategy (DPD1), Policy T8 Borough Local Plan and advice contained within the adopted Design and Townscape Guide (SPD1).*

2 Site and Surroundings

- 2.1 The application site contains a two storey detached property located on the eastern side of Preston Road with accommodation in the roof, consisting of flats. The property currently does not have any on-site parking.
- 2.2 The surrounding area is characterised by residential properties with many flat conversions which form the dominant housing type in the street. Many properties on the street have vehicular access and front hard-standings.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, design and impact on the streetscene, any impact on traffic and parking, highways safety, and any impact on residential amenity.

4 Appraisal

Principle of Development

National Planning Policy Framework, East of England Plan policy ENV7; DPD1 (Core Strategy) policies KP2, CP4; BLP policies C11 and the Design and Townscape Guide SPD1 (2009)

- 4.1 Vehicular crossings are generally considered acceptable in principle providing that highway safety is not adversely affected, and provided that there is no adverse visual impact on the character of the surrounding area, or on residential amenity.

Design and Impact on the Character of the Area

National Planning Policy Framework; East of England Plan policy ENV7; DPD1 (Core Strategy) policies KP2, CP4; Borough Local Plan policies C4, C11, C14, H5 and Design and Townscape Guide SPD1.

- 4.2 Paragraph 171 of SPD1 states that *“long crossovers that allow for several cars to be parked perpendicular to the road are unattractive and will be considered unacceptable. Shared drives reduce the need for crossovers and should be utilised where possible”*.
- 4.3 The proposal is for a vehicle crossover and hardstanding surface to enable two cars to park perpendicular to the road. The application is an amended scheme which has reduced the overall width of the vehicle crossover from 8m to 4.8m. This would not be out of character with the surrounding area and other properties within Preston Road. The area of hardstanding would have a maximum depth of 8.5m and would extend from the front entrance of the property to the front boundary. The amended scheme also includes additional areas of soft landscaping. Three separate areas of lawn including planting immediately to the frontage of the property are proposed. In this instance it is considered that the crossover and hardstanding would not be out of character with the surrounding area and other properties within Preston Road, which are also characterised by similar crossovers and areas of hardstanding. It is also considered that sufficient soft landscaping has been incorporated to help soften the appearance of the hardsurfacing. Given the amended application has reduced the size of the hardstanding and the width of the crossover; it is considered that the previous reason for refusal in respect of visual amenity have been overcome.
- 4.4 Furthermore, it is noted that the proposed crossover and hardstanding is comparable to a previous application (reference: 08/01530/FUL) which was allowed on appeal (2 February, 2010) which included a hardstanding to serve two parking spaces and a double crossover. This decision is extant and therefore is a material consideration of this application. The location of the crossover in this application would however mean that it would be within close proximity to a street tree, which contributes to the visual amenity of the area. On this basis the Council's Parks Department has objected to the crossover in

the location as approved in accordance with application 08/01530/FUL allowed on appeal, as a result of the impact it would have on the health of the tree. The position of the crossover in the current application would be to the south of the previously approved crossover, and would therefore, be sufficiently distanced from the street tree so as to prevent any impact on its health. As the proposal would allow the retention of the street tree the proposal is considered acceptable in visual amenity.

- 4.5 In terms of the materials proposed, the applicant states that this would be a brown coloured permeable block paving. Condition 03 below refers to the need for the new material for the hardstanding surface to be porous.

Traffic and Transportation

National Planning Policy Framework; East of England Plan policy ENV7; DPD1 (Core Strategy) policies KP2, CP4, CP3; BLP policies T8, T11; EPOA Parking Standards 2001 and the Design and Townscape Guide SPD1.

- 4.6 Preston Road is not a classified road and therefore, there is no requirement to enter and leave the site in forward gear. The proposed parking bays would be consistent with the size requirements as set out in The EPOA Vehicle Parking Standards 2001. The Council's Traffic and Highways department have been consulted on the application and have no objection.
- 4.7 With regards to the impact on the availability of on-street parking, whilst the proposed crossover would result in the number of available parking spaces on-street outside the front of the property, this would not have significant implications for road safety. It is also noted that the proposal would allow for two cars which would currently park on the street to be parked within the property. Furthermore, it should be noted that this is the view the Inspector took in relation to the previously allowed application, referred to above. As the amended scheme has reduced the width of the crossover from 8m as previously proposed, to 4.8m, this reason for refusal has been overcome.

Impact on Neighbouring Properties

National Planning Policy Framework, East of England Plan policies ENV7; DPD1 (Core Strategy) policies KP2 and CP4; BLP policies C11, H5 and the Design and Townscape Guide SPD1.

- 4.8 The proposed development would not have an adverse impact on residential amenity. The proposed works are to the front of the property and would not result in a loss of light or enclosure to any neighbouring properties. Both of the neighbouring properties have vehicle crossovers and hardstandings to the front.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework 2012.
- 5.2 East of England Plan Policy ENV7.
- 5.3 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles) and CP4 (Environment & Urban Renaissance).
- 5.4 Southend-on-Sea Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), and T8 (Traffic Management and Highway Safety).
- 5.5 Supplementary Planning Document 1: Design & Townscape Guide, 2009.
- 5.6 EPOA Vehicle Parking Standards 2001.

6 Representation Summary

Public Consultation

- 6.1 Neighbours notified – no representations received.
- 6.2 Cllr Ware-Lane has requested this application to be determined by the Development Control Committee.

Traffic and Highways

- 6.3 The proposal has provided off street parking and benefits from being in an sustainable location with regard to public transport so no highway objections are raised.

Parks and Open Spaces

- 6.4 No comments received at the time of writing this report.

7 Relevant Planning History

- 7.1 10 December 2007 - 07/01456/FUL: Erect part single/part two storey rear extension and form two self contained flats and lay out parking on additional forecourt (amended proposal). Refused.
- 7.2 08/01530/FUL - Erect single storey rear extension to form two additional self contained flats. Allowed on appeal 2 February 2012.
- 7.3 26 July 2012 - 12/00767/FUL: Lay out hardstanding to front and form vehicular access onto Preston Road. Refused.

8 Recommendation

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

- 01 Condition: The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 Condition: The development hereby permitted shall be carried out in accordance with the approved plans: 10PRW0S/02b**

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

- 03 Condition: The hardstanding area hereby approved shall be constructed of porous block paving unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with East of England Plan 2008 policy SS1 and WAT4, DPD1 (Core Strategy) 2007 policy KP2.

Reason for Approval

This permission has been granted having regard to National Planning Policy Framework, East of England Plan 2008 policy ENV7; DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 Policies C11 and T8, and SPD1 (Design and Townscape Guide) together with Government guidance and all other material considerations including any representations. The carrying out of the development permitted, subject to any conditions imposed, would accord with those policies and in the opinion of the local planning authority there are no circumstances which otherwise would justify the refusal of permission.

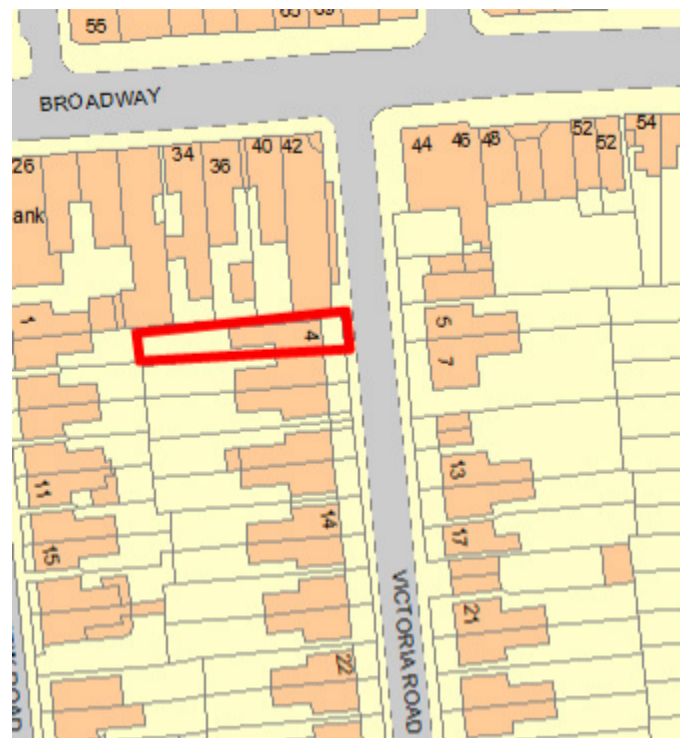
INFORMATIVE

- 01 You need to speak to our Highway and Traffic Management Service about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work.**

The Council as local highway authority will carry out any work which

affects the highway. For more advice, please phone 01702 215003. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the Borough Council (as highway authority).

Reference:	12/01222/FULH and 12/01223/CAC
Ward:	Leigh
Proposal:	<p>Planning permission to demolish existing boundary wall, lay out hardstanding, extend vehicular access and erect 1.2m high boundary wall.</p> <p>Conservation Area Consent to demolish a boundary wall above 1m in height.</p>
Address:	4 Victoria Road, Leigh-On-Sea, Essex, SS9 1AU
Applicant:	Mr Tom Archard
Consultation Expiry:	4 December 2012
Expiry Date:	31 December 2012
Case Officer:	Matthew Leigh
Plan Nos:	Received 21 November 2012
Recommendation:	GRANT PLANNING PERMISSION and CONSERVATION AREA CONSENT



1 The Proposal

- 1.1 The proposed development involves the demolition of the existing boundary wall and the construction of a new boundary wall, with a maximum height of 1.2m, and the layout of hardstanding. The development would extend the vehicular access onto the site.
- 1.2 Conservation Area Consent is also sought to demolish the boundary wall as it is above 1m in height.
- 1.3 The application is before the Development Control Committee as the applicant is a member of staff.

2 Site and Surroundings

- 2.1 The eastern side of Victoria Road, south of its junction with Broadway. The property is within the Leigh Cliff Conservation Area. The street is residential in nature and is made up of two storey dwellings.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, impact on the conservation area and the character of the area and traffic and transportation issues.

4 Appraisal

Principle of the Development

National Planning Policy Framework, East of England Plan Policies SS1, ENV6 and ENV7; DPD1 (Core Strategy) Policies KP2 and CP4; Borough Local Plan (BLP) Policies C4, C11 and H5 and the Design and Townscape Guide SPD1.

- 4.2 The site is occupied by a residential dwelling. The principle of providing improved facilities in association with the residential dwelling is considered acceptable. Other material planning considerations are discussed below.

Design and Impact on the Conservation and the Character of the Area:

National Planning Policy Framework, East of England Policies ENV6 and ENV7, DPD1 (Core Strategy) Policies KP2 and CP4; BLP Policies C4 and C11.

- 4.3 The importance of good design is reflected in the NPPF as well as policies SS1 and ENV7 of the East of England Plan, policies C4, C11 and H5 of the Local Plan, policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide also states that the Council is committed to good design and will seek to create attractive, high-quality living environments. It should also be noted that the site is

located within the Leigh Cliff Conservation Area and therefore, there is a duty to ensure the development either preserves or enhances the character and appearance of the conservation area.

- 4.4 The existing boundary wall on site is painted concrete block work and whilst it provides enclosure to the frontage it is of a modern design and is not considered to be sympathetic to the character of the conservation area. Therefore, there is no objection in principle to the demolition of this and replacement with a more appropriate design.
- 4.5 Only a few original boundary walls remain in the street and the neighbouring streets. Key features are low walls with tall piers and pyramid shape coping stones. Many of the original walls that remain have been rendered and these fit into the streetscene well especially where the house itself is rendered or painted.
- 4.6 The replacement wall design would provide taller piers at either end of the wall. The wall would be white render to match the house and this is considered to be the most appropriate material.
- 4.7 A slight reduction in the length of wall is not considered to be to the detriment of the character and appearance of the area. The current hard standing is of no architectural merit and it is considered that the resurfacing of the area with sandstone would not be to the detriment of the character of the area.

Traffic and Transportation Issues:

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; BLP policies T8 and T11.

- 4.8 Policy T11 requires the provision of adequate parking and servicing facilities. The Essex Planning Officers Association (EPOA) set out the requirements for each use. The Parking Standards are expressed as maximum standards and public transport is available in the locality. It should also be noted that the authority also takes into account Government guidance contained within the NPPF which encourages the reduction in the reliance on the car and promote methods of sustainable transport.
- 4.9 The proposed wall is not as wide as the existing wall on site and the development therefore, allows for a greater access onto the site. At this time the use of the hardstanding is restricted and the proposed scheme would be an improvement on the existing situation and therefore no objection is raised to the proposal in relation to highway safety.

5 Conclusion

- 5.1 The existing wall is of a modern design and unsympathetic to the character of the conservation area. The proposed wall is of a more traditional design and it is considered that the proposal preserves the character and appearance of the conservation area. It is therefore, recommended to grant planning permission and conservation area consent.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (NPPF).
- 6.2 East of England Plan Policies ENV6 (The Historic Environment), ENV7 (Quality in the built Environment) and SS1 (Achieving Sustainable Development).
- 6.3 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance).
- 6.4 Borough Local Plan Policies; C4 (Conservation Areas), C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), T8 (Traffic Management and Highway Safety) and T11 (Parking Standards).
- 6.5 Supplementary Planning Document 1: Design & Townscape Guide (2009)

7 Representation Summary

Highway Authority

- 7.1 There is an existing hardstanding in use the proposal seeks to increase the area which will ensure vehicles can manoeuvre more efficiently, No highway objections are raised.

Park and Open Space

- 7.2 No comments received at the time of writing the report.

Design and Regeneration

- 7.3 The existing boundary wall is painted concrete block and whilst it provides enclosure to the frontage it is of a modern design and quite inappropriate for the conservation area. There is therefore no objection in principle to the demolition of this and replacement with a more appropriate design. Many of the original walls that remain have been rendered and these fit into the streetscene well especially where the house itself is rendered or painted.

The replacement wall design should therefore be amended to a low wall with tall piers at either end. White render to match the house would seem to be the most appropriate material and this would allow for replica concrete coping stones to be used rather than natural stone. If brickwork is still preferred reclaimed stock brick would be acceptable but with natural stone copings on both the low wall and the piers rather than soldier courses.

A slight reduction in length of wall is accepted provided the replacement wall is of a high quality and representative of the original boundary treatment although it appears that the intention to park two cars on this frontage as would be tight.
[Officers Comment: Amended plans have been received which deals with the issue raised above]

Leigh Town Council

7.4 No objection.

The Leigh Society

7.5 No comments received at the time of writing the report.

Public Consultation

7.6 At the time of writing the report no neighbour responses had been received.

8 Relevant Planning History

8.1 No relevant planning history.

9 Recommendation

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

01 The development hereby permitted shall begin not later than three years from the date of this decision. (C01A)

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Received 21 November 2012 (C01D)

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval. (R01D)

03 The wall hereby approved shall be rendered and painted to match the dwelling.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policies C4 and C11 and SPD1 (Design and Townscape Guide).

04 No development shall take place until details of the coping stones to be used have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the

appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policies C4 and C11 and SPD1 (Design and Townscape Guide).

05 No development shall take place until samples of the hard standing to be used has been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policies C4 and C11 and SPD1 (Design and Townscape Guide).

REASON FOR APPROVAL:

01. This permission has been granted having regard to East of England Plan (May 2008) Policies SS1 (Achieving Sustainable Development) and ENV7 (Quality in the Built Environment), the Core Strategy Policies KP2 (Spatial Strategy) and CP4 (Development Principles) and Policies C4 (Conservation Areas), C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), T8 (Traffic Management and Highway Safety) and T11 (Parking Standards) of the Borough Local Plan together with, the Design and Townscape Guide SPD, Government guidance and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

9.2 Members are recommended to **GRANT CONSERVATION AREA CONSENT** subject to the following conditions:

01 The works covered by this consent shall begin not later than three years from the date of this consent. (C01B)

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990. (R01B)

02 The demolition of the wall, hereby approved, shall only be undertaken in accordance with planning application 12/01222/FULH.

Reason: The loss of the wall, without a replacement, would be to the detriment of the character and appearance of the conservation area contrary to policies ENV7 (Quality in the Built Environment), the Core Strategy Policies KP2 (Spatial Strategy) and CP4 (Development Principles) and Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential

Design and Layout Considerations) of the Borough Local Plan together with, the Design and Townscape Guide SPD

REASON FOR APPROVAL:

01. This permission has been granted having regard to East of England Plan (May 2008) Policies SS1 (Achieving Sustainable Development) and ENV6 (The Historic Environment), ENV7 (Quality in the Built Environment), the Core Strategy Policies KP2 (Spatial Strategy) and CP4 (Development Principles) and Policies C4 (Conservation Areas), C11 (New Buildings, Extensions and Alterations) and H5 (Residential Design and Layout Considerations)of the Borough Local Plan together with, the Design and Townscape Guide SPD, Government guidance and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

Reference:	12/01410/FUL
Ward:	Prittlewell
Proposal:	Demolish garage and car port, erect detached chalet bungalow adjacent to no 126 Prittlewell Chase, lay out amenity space and parking area and alter vehicular access onto Prittlewell Chase
Address:	42 Highfield Gardens, Westcliff-On-Sea, Essex, SS0 0SX
Applicant:	Mr. & Mrs. Rafiei
Agent:	The Planning & Design Bureau
Consultation Expiry:	05.12.2012
Expiry Date:	20.12.2012
Case Officer:	Darragh Mc Adam
Plan No's:	PDB/12/101/03, PDB/12/101/02, PDB/12/101/01, PDB/12/101/04, PDB/12/101/05
Recommendation:	GRANT PLANNING PERMISSION (With Conditions)



1 The Proposal

- 1.1 Planning permission is sought to demolish a garage and car port, and in their place erect a detached chalet bungalow adjacent to no 126 Prittlewell Chase. Permission is also sought to lay out amenity space for the dwelling, lay out parking areas for the dwelling, and alter a vehicular access onto Prittlewell Chase.
- 1.2 The proposed dwelling would have the following approximate areas:

<i>Gross internal floor area (m²)</i>	122
<i>Kitchen (m²)</i>	15.45
<i>Living / dining (m²)</i>	32
<i>Bedroom 1 (m²) – excl. ensuite</i>	11.9
<i>Bedroom 2 (m²)</i>	13
<i>Bedroom 3 (m²)</i>	11.6
<i>Main bathroom (m²)</i>	3.9
<i>Rear/side amenity area (m²)</i>	90

- 1.3 The new dwelling would face onto Prittlewell Chase and would be of a traditional design. Materials to be used in the proposed development would include facing brickwork, painted render to dormer windows, vertical hanging tiles to gables, plain tiles or slates, white upvc windows, oil/stained oak or upvc composite, timber panel fences, and porous block paving sets or bound gravel.
- 1.4 The dwelling would have an amenity space to the rear and two car parking spaces to the front. It would be set in what is currently the curtilage of 42 Highfield Gardens, which is in use as a clinic. The adjoining clinic would retain three parking spaces to the front and side. The vehicular access onto Prittlewell Chase would be moved 7m further west.

2 Site and Surroundings

- 2.1 The application site is located between No. 126 Prittlewell Chase and 42 Highfield Gardens. It also abuts the rear gardens of No's 38 and 40 Highfield Gardens. There is currently a disused garage and car port on part of the site with the remainder being garden and gravel/paving hardstanding area. A clinic also operates from a single storey building to the northwest corner of the site. A low rise rendered wall bounds most of the site. There are two vehicular accesses;

one from Prittlewell Chase, and one from Highfield Gardens.

- 2.2 The site is located within a largely residential area, however Southend High School for Boys and Southend Hospital are located nearby. Dwellings on Prittlewell Chase are a mixture of bungalows, chalet bungalows and two storey dwellings. Dwellings on Highfield Gardens are similarly mixed. Parking is restricted in the surrounding area. Land in the area slopes down towards the south and east.

3 Planning Considerations

- 3.1 The main issues for consideration are the principle of development, design and relationship with adjacent development and the streetscene, any impact on neighbours, living conditions for future occupiers, parking implications, and use of on-site renewables.

4 Appraisal

Principle of Development

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2, CP4 and CP8, Borough Local Plan Policy C11, H5 and SPD1

- 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, CP1, CP4 and CP8. Whilst the NPPF seeks to make the most efficient use of land and the re-use of brownfield land, it excludes private residential rear gardens from the definition of 'brownfield land'. 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 Regarding infill development, the Design and Townscape Guide advises that the size of a site together with an analysis of local character and grain will determine whether sites are suitable for development. Where considered acceptable in principle, the key to successful integration of infill sites into the existing character is to draw strong references from the surrounding buildings such as maintaining the scale, materials, frontage lines and rooflines of the neighbouring properties which reinforce the rhythm and enclosure of the street.
- 4.3 It is considered the proposed development is acceptable in principle as it would result in a new dwelling within a residential area. The land is not in use as a private residential rear garden and as such is not contrary to policy. The acceptability of the development will therefore be determined by detailed

considerations as discussed below.

Design

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2, CP4 and CP8, Borough Local Plan Policy C11, H5 and SPD1

- 4.4 Policy C11 of the BLP states that new buildings and extensions or alterations to existing buildings should be designed to create a satisfactory relationship with their surroundings in respect of form, scale, massing, height, elevational design and materials. Policy H5 of the BLP requires all development within residential streets to be appropriate in its setting by respecting neighbouring development, existing residential amenities, and the overall character of the locality.
- 4.5 The design approach has sought to draw on local character. The building line on the street has been retained and the ridge height would be in keeping with other dwellings on the street. The dwelling would fit in with the established urban grain. The dwelling would have good alignment of fenestration and of eaves with adjoining dwellings, and would be well articulated. Overall the design and layout of the dwelling are considered acceptable and in accordance with policies C11 and H5 of the Borough Local Plan. It is considered appropriate to remove certain permitted development rights to avoid adverse impacts to neighbouring properties.

Impact on Neighbouring Properties

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2, CP4 and CP8, Borough Local Plan Policy C11, H5 and SPD1

- 4.6 Policy H5 of the BLP requires all development within residential streets to be appropriate in its setting by respecting neighbouring development, existing residential amenities, and the overall character of the locality.
- 4.7 It is not considered that the proposed dwelling would result in adverse overshadowing given the orientation of the site and separation to surrounding dwellings. It is not considered that there would be any undue overlooking from the proposed dwelling. No upper level windows are proposed in the western elevation, and it can be conditioned that an upper floor window in the eastern elevation be obscure glazed and non-opening. Whilst a rear dormer window would overlook adjoining rear gardens, such levels of overlooking is to be expected in urban areas. The rear dormer windows would be between approximately 16-20m from the rear elevation of No. 38 (the nearest dwelling affected to the west) and views between the properties would be at an oblique angle. It is not considered that this would give rise to adverse overlooking.

Living Conditions for Future Occupiers

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2, CP4 and CP8, Borough Local Plan Policy C11, H5 and SPD1

- 4.8 There are no internal space standards set out within the Core Strategy, however the NPPF and the Council's Core Strategy set out the Government's aspirations with regards to quality of life and high quality residential environments. In addition, a Draft Development Management Development Plan Document has been prepared with minimum dwelling and room sizes. The proposed dwelling would be in accordance with this guidance, and would provide an acceptable standard of accommodation. An amenity area of adequate size would also be provided.

Traffic and Transport Issues

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2, CP4 and CP8, Borough Local Plan Policy C11, H5 and SPD1

- 4.9 Policy T11 of the BLP states that Council will require the provision of off-street car parking spaces and permission will not normally be granted for any development which would be likely to give rise to additional demand for on-street parking, particularly in residential areas. The EPOA Vehicle Parking Standards state that a maximum of 1.5 spaces is appropriate for a dwelling in an urban location.
- 4.10 Two parking spaces have been provided for the dwelling with sufficient space to manoeuvre vehicles for both the dwelling and clinic. This is considered acceptable. In relation to parking provision for the clinic, it is noted from the original planning permission for this use (Ref. No. 08/00917) that it was conditioned to retain three parking spaces for the clinic to the east of the site. As a result of the proposed dwelling the clinic would still have use of three parking spaces albeit to the north and west of the site. Accordingly it is not considered there would be any adverse parking or traffic impacts.

Use of On Site Renewable Energy Resources

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2, CP4 and CP8, Borough Local Plan Policy C11, H5 and SPD1

- 4.11 Policy KP2 of the DPD1 and the SPD1 require that 10% of the energy needs of a new development should come from on site renewable resources, and also promotes the minimisation of consumption of resources. Whilst details have been provided of sustainable construction methods, no details have been provided of renewable energy generation for the dwelling. However a formal condition could be added to address this requirement and demonstrate if the 10% requirement can be met.

5 Conclusion

- 5.1 The proposed development would not be out of character with, or detrimental to, the character of adjacent properties or the streetscene. The dwelling and amenity space would provide acceptable living conditions. It is not considered there would be any adverse impacts on residential amenity or parking provision and highway movement.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework 2012.
- 6.2 East of England Plan Policy ENV7.
- 6.3 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles), CP1 (Employment Generating Development), CP4 (Environment & Urban Renaissance), and CP8 (Dwelling Provision).
- 6.4 Southend-on-Sea Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations), H6 (Protecting Residential Character), T8 (Traffic Management & Highway Safety) and T11 (Parking Standards).
- 6.5 Supplementary Planning Document 1: Design & Townscape Guide, 2009.

7 Representation Summary

Public Consultation

- 7.1 Seven neighbours notified of the application. A site notice was also displayed outside the site. No responses received at time of writing of report.

Design and Regeneration

- 7.2 This proposal is to build a new chalet on a piece of derelict land to the rear of properties in Highfield Gardens. The land is currently vacant and does not appear to be part of an existing garden. There is no objection in principle to this proposal. The space is large enough to build a chalet facing onto Prittlewell Chase and the proposed chalet design would be in keeping with the neighbouring properties which, in this part of Prittlewell Chase, are a mixture of bungalows and chalets. There is no objection to the detailed design of the building which has good proportions and relates well to the neighbouring dwellings and the clinic building.

The forecourt will be shared with the adjacent clinic. This is an unusual arrangement but has the benefit of allowing a significant part of the boundary wall which has been lost to be reinstated and this is welcomed. This area will need to be landscaped to a high quality both in terms of surfacing and planting. Additional planting more than just the front bed would be desirable. This proposal will have to conform to the Council's sustainability policy which requires new buildings to be sustainably constructed with at least 10% renewable energy. This should be conditioned.

Traffic and Highways

- 7.3 The proposal has provided 2 car spaces which is in accordance with guidance. The existing clinic has retained the 3 car spaces as required with the previous planning permission. The applicant has also demonstrated that vehicles can manoeuvre safely within the site. Therefore there are no highway objections.

Ward Councillor

- 7.4 Cllr. Grimwade has requested that this application go before the Development Control Committee for consideration.

8 Relevant Planning History

- 8.1 Planning permission granted in August 2010 to '*Form vehicular access onto Highfield Gardens*' - 10/01082/FUL.
- 8.2 Planning permission granted in September 2008 to '*Change of use of residential (Class C3) to private medical clinic (Class D1) (Amended Proposal)*' - 08/00917/FUL.

9 Recommendation

Members are recommended to

- 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: PDB/12/101/03, PDB/12/101/02,**

PDB/12/101/01, PDB/12/101/04, PDB/12/101/05.

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

- 03 No development shall take place until samples/details of the materials to be used on the external elevations, hard surfacing and boundary treatment have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

- 04 The car parking space(s) shall be provided in accordance with plan no. PDB/12/101/03 prior to occupation of the dwelling hereby approved and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of the dwelling 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 and turning provision is provided for occupants of the new dwelling(s) and in the interests of residential amenity and highway efficiency and safety, in accordance with East of England Plan 2008 policy T8, DPD1 (Core Strategy) 2007 policy KP2, Borough Local Plan 1994 policy T8 and T11, and SPD1 (Design and Townscape Guide).

- 05 The shared turning area shall be provided in accordance with plan no. PDB/12/101/03 and clearly marked as such prior to occupation of the dwelling hereby approved and shall thereafter be permanently retained for the benefit of the house and adjoining clinic and for no other purpose, including parking, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To ensure that satisfactory off-street car parking and turning provision is provided for occupants of the new dwelling(s) and in the interests of residential amenity and highway efficiency and safety, in accordance with East of England Plan 2008 policy T8, DPD1 (Core

Strategy) 2007 policy KP2, Borough Local Plan 1994 policy T8 and T11, and SPD1 (Design and Townscape Guide).

- 06 The parking spaces and turning area shall be finished with permeable surfacing unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of providing sustainable development in accordance with Policy ENV7 of the East of England Plan, Policies KP2 and CP4 of the Core Strategy (DPD1).

- 07 No development approved by this permission shall take place until Southend Borough Council (as Local Planning Authority and Highway Authority) has approved in writing a full scheme of works (including detailed designs and contract details), and the relevant highways approvals are in place, in relation to the following:-**

Reinstating grass verge on part of vehicle crossover to be made redundant.

Relocation of lamp column.

The development and the associated highway works shall thereafter be undertaken in accordance with the approved details prior to occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainability, accessibility, highways management, efficiency and safety in accordance with East of England Plan 2008 policy SS1, T1, T2, T4 and T8, DPD1 (Core Strategy) 2007 policy KP2, KP3 and CP3, and Borough Local Plan 1994 policy T8.

- 08 No windows shall be formed in the dwellinghouses other than those shown on the approved plan unless otherwise first agreed in writing by the local planning authority. The development shall be permanently retained in accordance with the agreed details.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with East of England Plan 2008 policy SS1, DPD1 (Core Strategy) 2007 policy CP4, Borough Local Plan 1994 policy H5, and SPD1 (Design and Townscape Guide).

- 09 The upper floor window in the east elevation shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the Local Planning Authority. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with East of England Plan 2008 policy SS1, DPD1 (Core Strategy) 2007 policy CP4, Borough Local Plan 1994 policy H5, and SPD1 (Design and Townscape Guide).

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B and C to those Orders.**

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance with Policies C11 and H5 of the Southend on Sea Borough Local Plan.

- 11 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development and implemented in full prior to the first occupation of the dwelling houses. This provision shall be made for the lifetime of the development.**

Reason: In the interests of providing sustainable development in accordance with Policy ENV7 of the East of England Plan, Policies KP2 and CP4 of the Core Strategy (DPD1).

- 12 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority. These details shall include, for example:-**

- i. proposed finished levels or contours;**
- ii. means of enclosure;**
- iii. other vehicle and pedestrian access and circulation areas;**
- iv. hard surfacing materials;**

- v. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- vi. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports.);
- vii. retained historic landscape features and proposals for restoration, where relevant.
- viii. details and numbers of any trees/shrubs to be planted

These works shall be carried out in accordance with the approved details and permanently retained thereafter unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with East of England Plan 2008 policy ENV1 and ENV7, DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C11 and C14, and SPD1 (Design and Townscape Guide). (R27A)

Reason for Approval

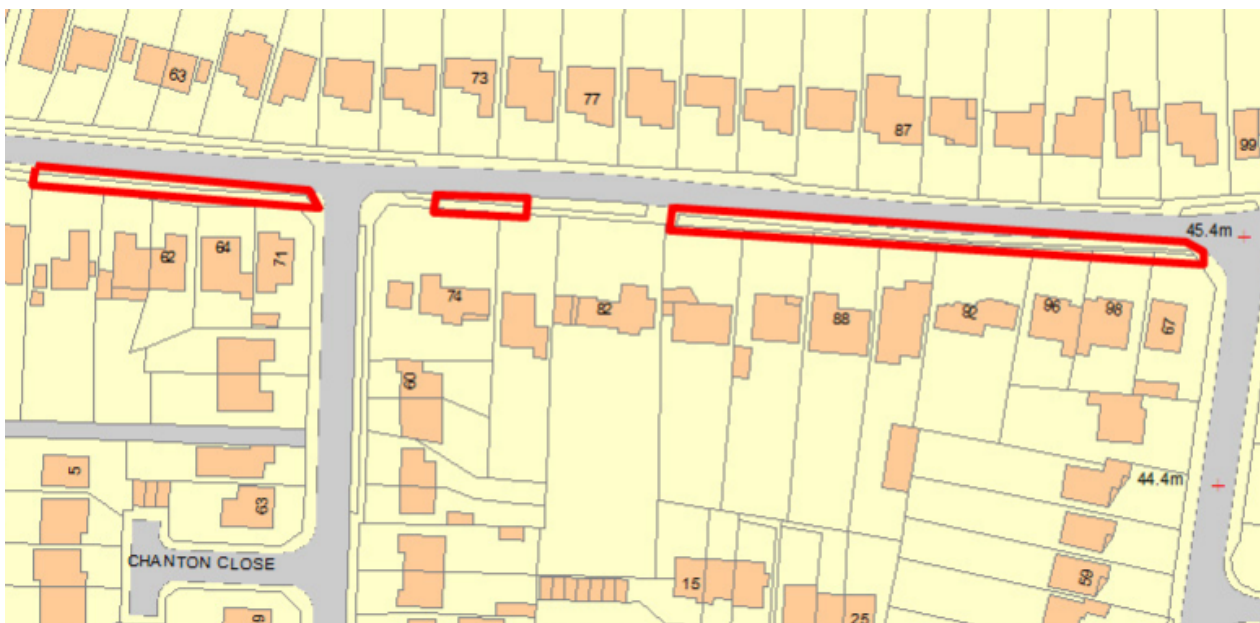
This permission has been granted having regard to the National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy DPD Policies KP2, CP4 and CP8, Policies C11, H5, H6, T8 and T11 of the Southend-on-Sea Borough Local Plan, the principles contained within the Design & Townscape Guide SPD and all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

Informative:

1. Any works that are required within the limits of the highway require the permission of the highway authority and must be carried out under supervision of that authority's staff. The Applicant is therefore advised to contact the authority prior to the commencement of works.
2. If this application is for a new property/properties or for a conversion of an existing property, you will need to have the development officially street named and numbered. The street naming & numbering form is available on the Southend-on-Sea Borough Council's website at www.southend.gov.uk. If you have further queries, please contact the street naming and numbering service (Highway and Traffic Management Services) on 01702 215003 or email: council@southend.gov.uk.

3. You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website http://www.southend.gov.uk/info/200011/building_control for further information.

Reference:	12/01490/TPO
Ward:	Eastwood Park
Proposal:	Prune various Oak and Hornbeam trees on public footpath outside numbers 56-97 Green Lane, 71 Dandies Drive and 67 Nobles Green Road (works to trees covered by tree preservation orders)
Address:	Green Lane, Eastwood, Leigh-on-Sea, Essex
Applicant:	Southend-on-Sea Borough Council
Agent:	N/A
Consultation Expiry:	20.12.13
Expiry Date:	06.01.13
Case Officer:	Louise Cook
Plan numbers:	Plan 1, plan 2 and specification table received on 13 th November 2012
Recommendation:	Delegate to the acting Head of Planning and Transport or the Corporate Director of Enterprise, Tourism and the Environment to GRANT CONSENT FOR WORKS TO TREES subject to the expiry of the publicity period



1 The Proposal

- 1.1 The application relates to 17 individual and two groups of trees located outside numbers 56-97 Green Lane, 71 Dandies Drive and 67 Nobles Green Road. The majority of trees are Oaks with some Hornbeams. The trees are all preserved under TPO references 2-2012 and 2-58A.
- 1.2 The application has been submitted by Southend Borough Council Parks Department.
- 1.3 The works proposed are detailed below:

Tree No. (Refer to plan 1)	Species	Address	Proposed Works
1	Oak	Side of 67 Nobles Green Road	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown.
2	Oak	98 Green Lane	As above
3	Oak	98 Green Lane	As above
4	Oak	96 Green Lane	As above
5	Oak	96 Green Lane	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown and reduce crown spread by 2m over garden.
6	Oak	92 Green Lane	As above
7	Oak	92 Green Lane	As above
10	Oak	84 Green Lane	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown.
12	Oak	60 Green Lane	Reduce encroachment over garden by 2m.
13	Oak	60 Green Lane	Remove epicormic growth
G1	Various Oak	74-82 Green Lane	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown on all trees. Reduce crown of two Oaks outside no. 80 by up to 3m over gardens.
G2	Various Oak and Hornbeam	Side of 71 Dandies Drive and outside 64 Green Lane	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown. Plus crown lift oak outside 64 to 6m to clear BT wires.

Refer to plan 2	Species	Address	Proposed Works
1	Hornbeam	67 Green Lane	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown.
2	Hornbeam	71 Green Lane	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown.
3	Oak	83 Green Lane	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown.
4	Oak	83 Green Lane	Remove basal & epicormic growth, crown lift to 5.1m over road and 4m to remainder of crown.
5	Oak	87 Green Lane	Reduce crown on house side by up to 3m and raise to 6m, reduce remainder of crown by up to 2m and raise to 5.1m to clear road.
6	Oak	87 Green Lane	Reduce crown by up to 3m, raise to 6m on house side, raise remainder of crown by up to 5.1m to clear road.

2 Site and Surroundings

- 2.1 The application relates to a series of trees located along Green Lane between its junctions with Wren Avenue and Nobles Green Road. Due to the street numbering and siting of properties, some of the trees are also located to the north of 71 Dandies Drive and 67 Nobles Green Road.
- 2.2 The majority of the trees to which the application relates are located on the southern side of Green Lane. However, there are six trees located on the northern side of Green Lane outside numbers 67, 71, 83 and 87 Green Lane.
- 2.3 This is a residential area predominantly characterised by detached dwellinghouses on spacious plots. There are a large number of mature trees in this area giving it a strong soft landscaped character.

3 Planning Considerations

- 3.1 The main consideration in the determination of this application is whether the works to the trees will be detrimental to their amenity value.

4 Appraisal

Impact on Trees and Visual Amenities of the Area

National Planning Policy Framework; East of England Plan Policy ENV7; Core Strategy Policies KP2 and CP4; Borough Local Plan Policy C14 and the Design and Townscape Guide, 2009 (SPD1)

- 4.1 Policy C14 of the Borough Local Plan seeks to preserve trees and planted areas which contribute to the townscape of an area. The principle issue relates to the trees' amenity values.
- 4.2 The trees to which this application relates are located to the front of properties on the public footpath. They are large mature species which are prominent features in the streetscene and significantly overhang the highway and front gardens of nearby properties. It is considered that these trees would benefit from being pruned.
- 4.3 It is not considered that the proposed works would be detrimental to the health of the trees or their amenity value within the streetscene.
- 4.4 Therefore, the proposal satisfies Policies KP2 and CP4 of the Southend-on-Sea Core Strategy, Policy C14 of the Southend-on-Sea Borough Local Plan and guidance contained within the Design and Townscape Guide (SPD1).

5 Planning Policy Summary

- 5.1 National Planning Policy Framework, 2012.
- 5.2 East of England Plan Policies SS1 and ENV7.
- 5.3 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance)
- 5.4 Borough Local Plan Policies C14 (Trees, Planted Areas and Landscaping)
- 5.5 SPD1 Design & Townscape Guide, 2009 (SPD1).

6 Representation Summary

Design and Regeneration

- 6.1 No objections.

Trees and Parks

- 6.2 The trees appear healthy and have high visual public amenity. Some lower stem and crown branch growth has gradually extended and is now encroaching over the highway. The proposed works are suitable to allow for the necessary clearance both above the adjacent public highway and to limit the crown extension growth above the adjacent private properties.

7 Public Consultation

7.1 Neighbours notified and a site notice displayed – No letters of representation were received at the time of writing this report.

8 Relevant Planning History

8.1 Various applications have been received to fell trees and for works to trees along Green Lane.

8.2 The following applications have been submitted by Southend Borough Council:

10/02117/TPO: Prune 6 hornbeam and 2 oak trees (works to trees covered by Tree Preservation Order) - Public footpath fronting 64 - 90 Green Lane – Consent granted.

07/00755/TPO: Prune one Hornbeam (Work to a tree covered by a Tree Preservation Order) – Footpath south of 79 Green Lane - Consent granted.

9 Recommendation

Members are recommended to Delegate to the acting Head of Planning and Transport or the Corporate Director of Enterprise, Tourism and the Environment to GRANT CONSENT FOR WORKS TO TREES subject to the expiry of the publicity period and the following conditions:

01. The works covered by this permission shall begin no later than two years from the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in the interests of Policy C14 of the Southend on Sea Borough Local Plan.

02. The works shall be carried out in accordance with BS 3998 (2010) by a suitably qualified person.

Reason: In the interests of visual amenity and to protect the tree, pursuant to Policy C14 of the Southend on Sea Borough Local Plan.

03. The works shall be carried out in accordance with the specification table received on 13th November 2012 and plan numbers 1 and 2.

Reason: In the interests of visual amenity and to protect the trees pursuant to East of England Plan Policies SS1 and ENV7, Core Strategy Policies KP2 and CP4 and Policy C14 of the Southend on Sea Borough Local Plan.

Reason for Approval

Consent has been granted having regard to the National Planning Policy Framework, East of England Plan Policies SS1 and ENV7, Policies KP2 and CP4 of the Core Strategy, Policy C14 of the Southend on Sea Borough Local Plan and all other material considerations. The works accord with the above policy, and there are no circumstances which otherwise would justify refusal.

Reference:	12/01394/FULH
Ward:	Belfairs
Proposal:	Erect single storey side extension and front porch (Amended Proposal)
Address:	251 Woodside, Leigh-On-Sea, Essex, SS9 4ST
Applicant:	Miss Karen Melville
Agent:	Mark Hipsey
Consultation Expiry:	15.11.2012
Expiry Date:	17.12.2012
Case Officer:	Darragh Mc Adam
Plan No's:	2688 04
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to demolish an existing front entrance porch, erect a new glazed front entrance porch, and erect a single storey side extension. The proposed porch would be approximately 2.5m deep, 4.1m wide and 2.5m high. It would have a glazed roof, upvc or powder coated aluminium window and door frames, and face brick walls. The side extension would be approximately 5.1m deep, 2.8m wide, and have a maximum height of 4.6m. It would have a hipped roof and be constructed with face brick and colour washed render, plain tiles, and upvc or powder coated aluminium window and door frames. This extension would form a new kitchen.

2 Site and Surroundings

- 2.1 The application property is a semi-detached bungalow located on the corner of Woodside and Hickling Close. The dwelling has a hipped roof. The front curtilage to the dwelling is partly hard surfaced and used for parking and partly landscaped. There is a small conservatory to the rear of the property and an outbuilding to the side. These would be removed to make way for the proposed extensions.
- 2.2 The property has an average sized rear garden, relative to the surrounding area, which is bounded to the sides by fencing. Land in the area slopes down to the north. The northern boundary of the property with Hickling Close is bounded by a timber fence.
- 2.3 The surrounding area is residential in character. Nearby dwellings are similar in terms of form, massing and style.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, design (including the impact of the proposed works on the character and appearance of the building), and any impact on neighbouring properties (residential amenity).

4 Appraisal

Principle of Development

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C11, H5 and SPD1

- 4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance include Core Strategy DPD Policies KP2 and CP4. 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. Subject to detailed considerations, the proposal is considered acceptable in principle.

Design

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C11, H5 and SPD1

- 4.2 Section 10.2.7 of SPD1 deals specifically with porches. It is stated that it is particularly important that the design of a porch is of an appropriate scale, is well integrated with the parent building, and does not obscure or conflict with existing features such as bay windows. It is also stated that projecting porches are not normally appropriate. The proposed porch's size, design and profile would be in keeping with the original dwelling which is in accordance with Policies C11 and H5 of the Borough Plan and SPD1.
- 4.3 Policy C11 of the Borough Local Plan states that new buildings and extensions or alterations to existing buildings should be designed to create a satisfactory relationship with their surroundings in respect of form, scale, massing, height, elevational design and materials. Policy H5 of the Borough Local Plan requires all development within residential streets to be appropriate in its setting by respecting neighbouring development, existing residential amenities, and the overall character of the locality. Specifically in relation to side extensions, SPD1 requires that in order to avoid side extensions becoming overbearing and dominating the original property, they should be designed to appear subservient to the parent building by ensuring the extension is set back behind the existing building frontage line, and that its design, and in particular the roof, is fully integrated with the existing property. It is considered the side extension would adhere to policy and guidance as it would be set behind the front elevation, have a modest width, and its roof would integrate satisfactorily with the original dwelling. It is not considered that its bulk and massing would adversely detract from the sense of spaciousness at this road junction.

Impact on Neighbouring Properties

National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C11, H5 and SPD1

4.4 It is not considered that there would be any adverse overshadowing to neighbouring properties given the separation distances.

4.5 In terms of overlooking, it is not considered that the proposed works would give rise to any adverse overlooking opportunities given that the extensions would be confined to single storey. It is not considered the extensions would be overbearing to neighbouring properties to the site; the side extension would be sufficiently well separated from neighbouring properties and the porch would be of a modest depth and height.

5 Conclusion

5.1 The proposed works by reason of design, form and profile would not be out of character with or detrimental to the character and the visual amenities of the street scene and adjacent properties.

6 Planning Policy Summary

6.1 National Planning Policy Framework March 2012.

6.2 East of England plan Policy ENV7.

6.3 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles) and CP4 (Environment & Urban Renaissance).

6.4 Southend-on-Sea Borough Local Plan Policies C11 (New Buildings, Extensions and Alterations), and H5 (Residential Design and Layout Considerations).

6.5 Supplementary Planning Document 1: Design & Townscape Guide, 2009.

7 Representation Summary

Public Consultation

7.1 Seven neighbours notified of the application. One response was received to state no objection to the proposed works as it would be nice to look over a bungalow that has been revitalised and is pleasing to the eye.

8 Relevant Planning History

- 8.1 Planning permission refused in October 2012 to '*Demolish front entrance porch, erect new glazed front entrance porch and erect single storey side extension*' - 12/01076/FULH.

9 Recommendation

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

01 The development hereby permitted shall begin not later than three years from the date of this decision. (C01A)

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 2688 04. (C01D)

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval. (R01D)

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. (C23D)

Reason: In the interests of visual amenity in accordance with East of England Plan 2008 policy ENV7, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide). (R23DA)

Reason for Approval:

This permission has been granted having regard to the National Planning Policy Framework 2012, East of England Plan Policy ENV7, Core Strategy DPD1 Policies KP2 and CP4, Policies C11 and H5 of the Southend-on-Sea Borough Local Plan, the principles contained within the Design & Townscape Guide SPD1 and all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

Informative:

You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website http://www.southend.gov.uk/info/200011/building_control for further information.