

Public Document Pack  
SOUTHEND-ON-SEA CITY COUNCIL

**Development Control Committee**

Date: Wednesday, 27th July, 2022

Time: 2.00 pm

Place: Council Chamber - Civic Suite

Contact: Tim Row - Principal Democratic Services Officer

Email: [committeesection@southend.gov.uk](mailto:committeesection@southend.gov.uk)

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**TO: The Chairman & Members of the Development Control Committee:**  
Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), M Berry, K Buck, A Dear, M Dent, F Evans, D Garston, S Habermel, D Jarvis, A Jones, C Mulroney, M Sadza, I Shead, A Thompson, C Walker and R Woodley

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# Public Document Pack

## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 6th April, 2022**  
**Place: Council Chamber - Civic Suite**

# 3

**Present:** Councillor N Ward (Chair)  
Councillors A Dear (Vice-Chair), D Cowan, M Dent, F Evans,  
D Garne, S Habermel, D Jarvis, A Jones, D McGlone, K Mitchell,  
C Mulroney, A Thompson, S Wakefield and C Walker  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** Councillor A Line  
K Waters, P Keyes, S Mouratidis, M Warren and T Row

**Start/End Time:** 2.00 - 3.30 pm

#### **892 Apologies for Absence**

Apologies for absence were received from Councillors D Garston (substitute: Councillor McGlone) and Buck (no substitute).

#### **893 Declarations of Interest**

The following interests were declared at the meeting:

(i) Councillor Cowan – Minute No. 863 (Application Ref. No. 21/02034/OUT – Land Adjacent, 1 Smallholdings, Eastwoodbury Lane) – Non-pecuniary interest: Has been in extensive correspondence with residents about the application;

(ii) Councillor Line – Minute No. 865 (Application Ref. No. 20/00098/UNAU\_B – 369 Westborough Road, Westcliff on Sea) – Non-pecuniary interest: Has spoken with the applicant about the matter;

(iii) Councillor McGlone – Minute No. 863 (Application Ref. No. 21/02034/OUT – Land Adjacent, 1 Smallholdings, Eastwoodbury Lane) – Non-pecuniary interest: Has been in correspondence with residents about the application;

(iv) Councillor Mulroney – Minute No. 864 (Application Ref. No. 22/00236/FULH – 11B New Road, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council and the Leigh Society, non-participant in planning; and

(v) Councillor Thompson – Minute No. 864 (Application Ref. No. 22/00236/FULH – 11B New Road, Leigh on Sea) – Non-pecuniary interest: Had been lobbied by residents.

#### **894 Minutes of the meeting held on Wednesday 1st December 2021**

Resolved:-

That the Minutes of the meeting held on Wednesday, 1<sup>st</sup> December 2021 be received, confirmed as a correct record and signed.

**895 Minutes of the meeting held on Wednesday 5th January 2022**

Resolved:-

That the Minutes of the meeting held on Wednesday, 5<sup>th</sup> January 2022 be received, confirmed as a correct record and signed.

**896 Minutes of the meeting held on Wednesday 9th February 2022**

Resolved:-

That the Minutes of the meeting held on Wednesday, 9<sup>th</sup> February 2022 be received, confirmed as a correct record and signed.

**897 Minutes of the Meeting held on Wednesday, 2nd March, 2022**

Resolved:-

That the Minutes of the meeting held on Wednesday, 2<sup>nd</sup> March 2022 be received, confirmed as a correct record and signed.

**898 Supplementary Report**

The Committee received and noted a supplementary report by the Executive Director (Growth and Housing) that provided additional information on the items referred to elsewhere on the Agenda.

**899 21/02034/OUT - Land Adjacent, 1 Smallholdings, Eastwoodbury Lane (St Laurence Ward)**

**Proposal: Erect nine dwellinghouses with associated landscaping and car parking (Outline)**

**Applicant: Millen**

**Agent: N/A**

Mr Peck, a local resident, attended the meeting and spoke as an objector to the application. Mr Lowry attended the meeting remotely via MS Teams and responded on behalf of the applicants.

Resolved:-

That OUTLINE planning permission be GRANTED subject to the following conditions:

General conditions

01 Details of the appearance, scale, and landscaping (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 under the reserved matters. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted

shall begin not later than 2 (two) years from the date of approval of the last of the reserved matters to be 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 details mentioned.

02 The development shall be carried out in accordance with the approved plans: Location Plan; SEOS001 Rev 1; SEOS004.

Reason: To ensure the development is carried out in accordance with the development plan.

#### Design related conditions

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence, other than for groundworks and site preparation works, unless and until full details of the materials to be used for all the external surfaces of the proposed buildings at the site including facing materials, roof detail, windows, doors, balustrading, fascia and balconies have been submitted to and approved in writing by the Local Planning Authority. The works must then be carried out in full accordance with the approved details before the dwellings hereby approved are first occupied.

Reason: To safeguard character and appearance of the area and the visual amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the dwellinghouses hereby permitted shall not exceed 8.2m in height.

Reason: To safeguard the character and appearance of the area and the visual amenities of neighbouring occupiers plus aviation safety in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

#### Construction related conditions

05 No development shall take place, including any site preparation works, unless and until a Construction Management Plan to include Noise and Dust Mitigation Strategies has been submitted to, and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to in full throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust, dirt and noise during construction

- vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.
- vii) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.
- viii) details of the duration and location of any noisy activities.

Reason: This pre-commencement condition is required in the interests of the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

06 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

#### Landscaping related conditions

07 No development above ground level shall be undertaken unless and until details of existing and proposed site levels at and surrounding the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and completed at the levels shown on the approved drawing and shall not exceed the highest level of land adjacent to the application site.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

08 Notwithstanding the details shown on the plans hereby approved, no development shall take place, other than ground and site preparation works, unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the site.

The submitted hard and soft landscaping schemes shall include full details of the number, size and location of the trees and shrubs to be planted together with measures for their protection whilst being established and a planting specification, details of the treatment of all hard and soft surfaces, including any earthworks to be carried and all means of enclosing the site, including boundaries within the site.

Prior to first occupation of the dwellings hereby approved, the approved hard landscaping scheme shall be implemented and completed in full accordance with the details approved pursuant to this condition. Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, the approved soft landscaping scheme shall be implemented and completed in full accordance with the details approved under the provisions of this condition.

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its replacement, if any tree existing or planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

Reason: In the interests of visual amenity, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

#### Ecological related conditions

09 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not commence unless and until the biodiversity mitigation measures outlined within the Reptile Survey (by Hybrid Ecology Ltd. dated September 2021) which includes mitigation in relation to reptiles, badgers and their habitats have been carried out in full. A timescale for the implementation of these measures shall first be submitted to the Local Planning Authority and approved in writing pursuant to this condition. The measures shall be implemented in accordance with the approved timescale and retained as approved thereafter.

Reason: This pre-commencement condition is required in the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

10 Prior to first occupation of the dwellings hereby approved, the biodiversity enhancement measures outlined within the Design and Access Statement (or alternative details which have previously been submitted and approved in writing by the Local Planning Authority under the provisions of this condition) shall be implemented and completed in full. These measures shall be retained for the lifetime of the development.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

11 Tree removal works shall not take place between March and August and shall only be carried out (including which trees will be removed) in accordance with the recommendations contained in the Tree Survey and Arboricultural Impact Assessment V1.1 (ref no. 22\_5837\_02\_42) by ROAVR Environmental Ltd.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

12 No development shall take place on site unless and until details of tree protection measures for the trees to be retained on site, have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall be carried out in full accordance with the approved tree protection measures throughout the construction phase of the development.

Reason: This pre-commencement condition is needed to safeguard the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

#### Highways related conditions

13 The development hereby approved shall not be first occupied unless and until 18 on site car parking spaces (2no. for each dwelling) have been provided and made available for use at the site in full accordance with drawing SEOS001 Rev 1, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. At least one of the parking spaces for each approved residential unit, shall be fitted with an active electric vehicle charging point. The parking spaces shall be permanently maintained thereafter solely for the parking of occupiers of and visitors to the development.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the guidance in the Southend Design and Townscape Guide (2009) and the Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021).

14 The development hereby approved shall not be first occupied or brought into first use unless and until full details (including elevations) of the covered and secure cycle parking to serve the new dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved cycle storage details and the cycle storage shall be provided and made available for use prior to the first occupation of the dwellings hereby approved.

Reason: To ensure that adequate cycle parking is provided to serve the residential development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Plan (2015).

#### Waste storage related conditions

15 The residential dwellings hereby approved shall not be first occupied unless and until full details (including elevations) of the refuse and recycling stores have been submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling stores shall be provided in accordance with the approved plans and details and shall be made available for use prior to the first occupation of the dwelling to which they relate and shall be retained as such for the lifetime of the development.



Reason: To ensure that the development provides adequate refuse and recycling facilities in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

#### Drainage related conditions

16 No drainage infrastructure associated with this consent shall be undertaken at this site unless and until full details of the drainage infrastructure and a drainage strategy have been submitted to and approved in writing by the Local Planning Authority. The strategy submitted shall apply the sustainable drainage principles and the sustainable drainage hierarchy. Where more sustainable methods of drainage are discounted clear evidence and reasoning for this shall be included within the strategy submitted. The approved drainage infrastructure and strategy shall be implemented in full accordance with the approved scheme prior to the first occupation of the development hereby approved and be retained as such for the lifetime of the development.

Reason: To ensure satisfactory drainage of the site in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM14.

#### Sustainability related conditions

17 Prior to construction of the development hereby approved above ground floor slab level 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. No building in the scheme shall be occupied until and unless it has been implemented in accordance with the details approved under this condition. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development and ensuring a high quality of design in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

18 Prior to occupation of the development hereby approved water efficiency design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be installed in the development hereby approved and be retained for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Councils Design and Townscape Guide (2009).

19 The development hereby approved shall be carried out in a manner to ensure that the dwellings fully comply with the Technical Housing Standards – Nationally

Described Space Standards (2015) and with Building Regulation M4(2) 'accessible and adaptable dwellings' before they are brought into use and first occupied.

Reason: To ensure provision of high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM8 and Design and Townscape Guide (2009).

Neighbour amenity safeguarding related conditions

20 Prior to the occupation of each dwelling hereby approved, obscure glazing shall be installed in accordance with an obscure glazing strategy for the site which shall have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The submitted strategy shall include details of which plots on site and which windows on each plot require obscure glazing. The openings that are identified as needing to be glazed in obscure glass, shall only be so with the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the room or area served by the window. 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 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM8 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the National Design Guide (2021) and Southend-on-Sea Design and Townscape Guide (2009).

21 No external lighting shall be installed on the site subject of this permission unless it is in accordance with the details and specifications of a Lighting Strategy which has previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. All lighting shall be retained on site in accordance with the approved scheme for the lifetime of the development.

Reason: In the interest of the residential amenity of future occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the National Design Guide (2021) and Southend-on-Sea Design and Townscape Guide (2009).

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any order revising or re-enacting that Order with or without modification, no development shall be carried out on the new dwellinghouses within Schedule 2, Part 1, Classes A, AA, B, D, E or F of that Order without the receipt of express planning permission.

Reason: To safeguard the character and appearance of the area and in the interest of the residential amenity of the adjoining residents in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

Informatives:

01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The amount of levy due will be calculated at the time a reserved matters application is submitted. Further information about CIL can be found on the [www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.

03 Please note that you are required to apply to the Highways Authority for consent to have a vehicular crossover installed on Eastwoodbury Lane and that the private access road for this development will be expected to support the weight of refuse freighters in accordance with the Council's Waste Storage, Collection and Management Guide for New Developments (2019).

04 The applicant is advised that refuse stores should not be prominently located within the development. As such it is recommended that the refuse stores are not located to the front of the dwellings.

05 No waste as part of the development shall be burnt on site.

06 Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority. Any crane applications should be directed to [sam.petrie@southendairport.com](mailto:sam.petrie@southendairport.com) / 01702 538521.

07 The applicant is advised to consider installation of Automatic Water Suppression Systems (AWSS) within the new dwellings.

**900 22/00236/FULH - 11B New Road, Leigh-on-sea (Leigh Ward)**

**Proposal: Replace existing wooden sash windows with UPVC windows to all elevations (retrospective)**

**Applicant: Mr M Good and Ms C Harper**

**Agent: Mr Thomas Sharman of Smart Planning Ltd**

Resolved:-

1. That planning permission be REFUSED for the following reason:

01. The replacement windows, by reason of their materials and detailed design are considered to be detrimental to the historic character and significance of the existing property and the wider Leigh Conservation Area. The identified harm to the conservation area is less than substantial, albeit significant, and any public benefits arising from the development do not outweigh the identified harm. The development is contrary to the National Planning Policy Framework (2021), Policies KP2 and CP4 of Core Strategy (2007), Policies DM1 and DM5 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

2. That ENFORCEMENT ACTION be AUTHORISED to require from anyone with an interest in the land (the site) to:

- (a) remove the unauthorised windows UPVC; and
- (b) remove from site all materials resulting from compliance with (a) above.

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the Local Planning Authority must ensure a reasonable time for compliance. In this case a compliance period of six (6) months is considered reasonable for the removal of the unauthorised windows, considering that planning permission is required for the installation of new appropriate windows.

**901 20/00098/UCOU\_B - 369 Westborough Road, Westcliff-on-Sea  
(Westborough Ward)**

**Breach of planning control: Use of the rear part of the building as a residential unit**

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED to Members are recommended to AUTHORISE ENFORCEMENT ACTION to require from anyone with an interest in the land (the site) to:

- (a) cease the residential use of the rear part of the building on site;
- (b) remove all kitchen appliances from the ground floor of the rear part of the building on site;
- (c) remove all bathroom facilities from the first floor of the rear part of the building on site;
- (d) remove all facilities that facilitate the use of the rear part of the building on site as a residential unit; and
- (e) remove from site all materials and debris resulting from compliance with requirements (a), (b), (c) and (d) above.

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 6 months is considered reasonable for the above works.

**902 19/00190/UNAU\_B - 18 Parkgate, Westcliff-on-Sea (Milton Ward)**

**Breach of planning control: Replacement of timber windows with UPVC windows in a Conservation Area**

Resolved:-

That ENFORCEMENT ACTION be AUTHORISED Members are recommended to AUTHORISE ENFORCEMENT ACTION to require from anyone with an interest in the land (the site) to:

- (a) remove the unauthorised UPVC windows; and
- (b) remove from site all materials and debris resulting from compliance with (a) above.

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of six (6) months is considered reasonable for the removal of the unauthorised windows, considering that planning permission is required for the installation of new appropriate windows.

**903 Vote of Thanks**

The Committee thanked the Chair for the kind, yet firm, and reasonable way in which he had chaired the meetings of the municipal year.

**Chair:** \_\_\_\_\_

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# Public Document Pack

## SOUTHEND-ON-SEA CITY COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 1st June, 2022**  
**Place: Council Chamber - Civic Suite**

# 4

**Present:** Councillor N Ward (Chair)  
Councillors M Berry, A Dear, K Buck, M Dent, F Evans, D Garston,  
D Jarvis, A Jones, C Mulrone, M Sadza, I Shead, A Thompson,  
C Walker, \*L Burton and \*N Folkard

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillor T Cowdrey  
K Waters, C Galforg, O Hart, P Keyes, S Mouratidis, M Warren,  
G Gilbert, Ms A Greenwood and R Harris

**Start/End Time:** 2.00 - 4.40 pm

#### 19 Apologies for Absence

Apologies for absence were received from Councillors Borton (substitute: Cllr Burton), Habermel (substitute: Cllr Folkard) and Woodley (no substitute).

#### 20 Declarations of Interest

The following declarations of interest were made:

a) Cllr Ward – 22/00425/FUL (The Peter Boat Inn, 27 High Street) – Non-pecuniary interest - The owner of the application is known to him;

b) Cllr Buck – 21/02457/FUL (222 Southchurch Road, Southend-on-Sea) – Disqualifying Non-pecuniary interest: The architect is well known to him and is the consulting architect for one of his clients (withdrew);

c) Cllr Dent – 21/02457/FUL (222 Southchurch Road, Southend-on-Sea) – Non-pecuniary interest: Has spoken to the objectors and applicant regarding the application;

d) Cllr Mulrone – 22/00614/FUL (55 Broadway, Leigh-on-Sea) – Non-pecuniary interest: Member of Leigh Society and Leigh Town Council;

e) Councillors Buck, D Garston, Walker and A Jones – 22/00459/BC3 (3 Norfolk Avenue, Leigh-on-Sea) – Non-pecuniary interests: Members of the Traffic Regulations Working Party concerning PVX applications;

#### 21 Supplementary Report

The Committee received and noted a supplementary report by the Executive Director (Growth and Housing) that provided additional information on the items referred to elsewhere on the Agenda.

**22 21/01887/DOV5 - Land Between Barge Pier Road and Ness Road (Shoeburyness)**

**Proposal: Modification of planning obligation (Section 106 agreement) dated 26<sup>th</sup> February 2021 pursuant to application 20/01227/OUTM to amend the charge provisions in relation to the affordable housing.**

**Applicant: Devonshires Solicitors LLP**

Resolved:

Delegated to the Director of Planning or Service Manager for Development Control to AGREE A MODIFICATION OF THE PLANNING OBLIGATION dated 26<sup>th</sup> February 2021 pursuant to planning permission ref. 20/01227/OUTM.

**23 22/00459/BC3 - 3 Norfolk Avenue (Leigh-on-Sea) (Leigh Ward)**

**Proposal: Layout hardstanding to front and form vehicle crossover onto Norfolk Avenue for disabled access.**

**Applicant: Mr Dave Halladay**

**Agent: Mr Dave Halladay of Southend Borough Council**

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no 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 solely in accordance with the following approved plans: Location plan, Existing site plan, 1996/01.

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

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

01 You are advised that as the proposed alterations to your property do not result in new floorspace and the development benefits from a Minor Development



Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

03 The applicant is advised that they are required to apply to the Highways Authority for separate consent to have a vehicular crossover installed.

**24 21/02457/FUL - 222 Southchurch Road, Southend-on-Sea (Kursaal Ward)**

**Proposal: Change of use from dwellinghouse (Use Class C3) to 10-bedroom HMO (Use Class Sui Generis) (Part-Retrospective) raise roof form to rear projection and install new windows (amended plan).**

**Applicant: Atonia Homes Limited**

**Agenda: Mr Paul Seager of APS Design Associates Ltd**

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years from the date of the decision.

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

02 The development shall only be undertaken in accordance with the following approved plans: 01 Site location plan, 01 Existing, and 03 revision A Proposed.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

04 Prior to first occupation of the development as hereby approved, details of how waste is to be stored on site, how materials for recycling will be stored separately and how waste management for the development will provide for the collection of general refuse and re-usable and recyclable waste shall be submitted to and

approved in writing by the Local Planning Authority. Waste management at the site shall be carried out in accordance with the approved strategy.

Reason: In the interest of achieving sustainable development as referred to in the NPPF (2021) and in accordance with Policy KP2 of the Core Strategy (December 2007) and Policy DM2 of the Development Management Document (July 2015).

05 The development hereby approved shall not be occupied until and unless secure covered cycle storage for at least ten (10) cycles has been provided on site in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority. The agreed details shall be provided and made available for use by the development's occupiers and their visitors, prior to first occupation of the development, and shall be retained thereafter for the lifetime of the development.

Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2021), Policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2007), Policy DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

06 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 and implemented in full prior to the first occupation of the dwellings. 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 (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

07 The development hereby approved shall incorporate water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting before it is occupied.

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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).

08 Notwithstanding the provisions of the Town and Country Planning Act 1990 (as amended) the building, the accommodation in which is being altered under the provision of this permission, shall not at any time be adapted to enable formation of more than ten (10) bedrooms and the property shall not be occupied by more than ten (10) people at any one time.

Reason: To ensure the use hereby approved would offer acceptable living conditions for its occupiers in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM8.

09 Prior to the first occupation of any HMO unit, details of Residential Travel Packs shall be submitted to and approved in writing by the local planning authority. The approved travel packs shall then be provided to each HMO unit within 1 month of first occupation.

Reason: In the interests of sustainability in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

Informatives:

1 You are advised that as the development equates to less than 100 sq m of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)) for further information.

2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

3 The Local Planning Authority has acted positively and proactively in determining this application, by assessing the proposal against all material planning considerations, including planning policies and any representations that may have been received. Planning permission has been granted subject to conditions as the proposal was found to be compliant with the objectives of planning policies and guidance and there were no material considerations to justify reaching a different conclusion. A detailed analysis of the proposal is set out in a report on the application prepared by officers.

4 Future occupiers will not be eligible for a town centre or residential parking permits.

**25 22/00299/FUL - 54 The Ridgeway, Westcliff-on-Sea (Chalkwell Ward)**

**Proposal: Erect replacement outbuilding at rear incorporating bike store, relocate existing office space into outbuilding and form additional floorspace to shop and replace existing steps to side with ramp.**

**Applicant: Mr Mehmet Hassain**

**Agent: Mr Colin Stone of Stone me Design Ltd**

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

1 The development hereby permitted shall begin no later than three years of the date of this decision.

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 following approved plans: 1705-15a; 1705-16a

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

3 Before the development hereby approved is first used the materials used on the external surfaces of the development must match those used on the external surfaces of the existing building. This applies unless differences are shown on submitted plans.

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 the National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1, and advice contained in the Southend-on Sea Design and Townscape Guide (2009).

4 The dry storage area of the outbuilding hereby permitted shall not be used at any time other than for purposes wholly ancillary to the commercial operation of the ground floor business unit known as 54 The Ridgeway.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Southend-on-Sea Design and Townscape Guide (2009).

5 Before any external lighting is installed in association with the outbuilding hereby permitted details of its location, design and specification shall have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed solely in accordance with the approved details.

Reason: In the interests of the amenities of the area and nearby residents, in accordance with Policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

6 No plant equipment or machinery shall be installed or operated at the site unless a noise impact assessment (conducted out by a competent person) has previously been carried out, submitted to and approved in writing by the Local Planning Authority.

The assessment must be made using the appropriate standards and methodology for the noise sources and the relevant best practice. The plant equipment shall thereafter be implemented in full accordance with the details and mitigation provided in the approved Noise Impact Assessment before it is first brought into use and shall be maintained as such in perpetuity thereafter.

Reason: In the interest of the residential amenity of future occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

7 Hours of works associated with this permission shall only be 8am - 6pm Monday to Friday, 8am - 1pm Saturday. No works shall be carried out on Sundays or Bank or Public Holidays.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and the Southend Design and Townscape Guide (2009).

8 The windows proposed within the development hereby approved 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 the internal finished floor level of the room or area served before the development is occupied and shall be retained as such in perpetuity thereafter. 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: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Southend-on-Sea Design and Townscape Guide (2009)

9 Waste produced in association with the commercial operation of 54 The Ridgeway shall only be stored on the land known as '54 The Ridgeway' edged red on the approved location plan [Drawing No. 16A] and at no other location.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2, CP3 and CP4 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015)

#### Informative

1 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations

2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

#### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### 26 **22/00425/FUL - The Peter Boat Inn, 27 High Street (Leigh Ward)**

**Proposal: Demolish existing outbuilding to west end of site and erect new bin store, extend existing millboard decking to south side of building, form new limestone patio to west side of building, resurface and reconfigure existing flexible car parking/external seating area and extend existing vehicle crossover onto High Street (Amended Proposal).**

**Applicant: East Anglia Pubs**

**Agent: Stone Me Ltd**

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

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 1266-2049a, 1266-2050b, 1266-2051b, 1266-2052e, 1266-2055a.

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

03 The materials to be used on the external surfaces of the bin store hereby approved shall be as detailed on plan reference 1266-2055a including matt black painted timber shiplap cladding for the walls, matt black painted timber brace and ledge doors, matt black painted timber fascia and dark grey fibreglass flat roof; the materials for the decked area hereby approved to the south of the building

shall match the existing decking in this location; the materials for the new paving area hereby approved to the west of the building shall match the existing black limestone paving in this area; the amended car park hereby approved shall be finished in tarmac with the spaces marked out with embedded block paving as detailed on plan reference 1266-2052e before the development hereby approved is brought into use.

Reason: To safeguard character and appearance of the building surrounding Leigh Old Town Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) advice contained within the National Design Guide (2021) Southend-on-Sea Design and Townscape Guide (2009) and the Leigh Old Town Conservation Area Appraisal (2021).

04 The amended car parking layout hereby approved shall not be brought into use unless and until the amended vehicular access to High Street as shown on plan reference 1266-2-52e has been provided and made available for use at the site. The vehicular access shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the site.

Reason: In the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

05 Construction Hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

01 You are advised that as the proposed extension(s) equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to

recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the city.

03 The applicant will be required to apply to highways to construct the vehicle crossover and to reinstate the redundant vehicular crossovers back to pavement. Please contact martinwarren@southend.gov.uk to arrange these works.

04 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

**27 22/00607/FULH - 36 The Drive, Westcliff-on-Sea (Chalkwell Ward)**

**Proposal: Raise ridge height, erect roof extension to rear to form habitable accommodation in roofspace, erect single storey side and rear extension, install canopy to rear at ground floor and balcony to rear at second floor, alter elevations.**

**Applicant: Mr and Mrs J Spokoini**

**Agent: Metson Architects Ltd**

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years from the date of the 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 only in accordance with the following approved plans: 2106-TP-01-C, 2106-X-0, 2106-TP-10.

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing dwelling or be in accordance with those detailed on drawing no 2106-TP-01-C.



Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

04 The roofs of the single storey extensions hereby approved shall not be used as balconies, roof gardens or similar amenity areas or for any other similar purpose unless express planning permission has previously been obtained. The roofs can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

05 The windows and rooflights in the side elevations of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the rooms or area served by the window(s) prior to the first use or occupation of the development hereby permitted and retained as such thereafter. 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 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

06 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the rear balcony hereby granted planning permission shall not be constructed unless and until plans and other appropriate details have previously been submitted to and approved in writing by the Local Planning Authority which specify the size, design, obscurity, materials and location of privacy screens to be fixed to the flank elevation of the balcony. Before the development hereby approved is occupied, the privacy screens shall be installed in full accordance with the details and specifications approved pursuant to this condition and shall be permanently retained as such thereafter.

Reason: In the interests of the residential amenity of future occupiers and adjoining residents and the character and appearance of the area and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Southend-on-Sea Design and Townscape Guide (2009).

#### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National

Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### Informatives

1 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)) for further details about CIL.

2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.

#### 28 **22/00614/FUL - 55 Broadway, Leigh-on-Sea (Leigh Ward)**

**Proposal: Alter shopfront and install new extraction flue system and bin store to rear.**

**Applicant: Mr Abdelhamid Oukili**

**Agent: S K Architects**

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

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 732-P01-Rev A, 732-P03B- Rev G.

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

03 The replacement shopfront within the development hereby approved including the bifold doors including stallriser panel detail, fanlights, relocated door and fascia shall only be finished in painted timber. Prior to first operation of the rear flue the following shall have been completed at the site:

a) the flue shall have been spray painted to reasonably match the colour of the host building or in accordance with details of any other external treatment which have previously been submitted to and approved in writing by the Local Planning Authority under the terms of this condition,

- b) the screen balustrading shall have been erected in accordance with the details shown on drawing number 732-P03B – Rev G and
- c) the new shopfront and fascia shall have been completed in accordance with the details on drawing 732-P03B- Rev G

Reason: To safeguard the visual amenities of the conservation area, including the weight attached as part of a balanced assessment taking account of the benefits to the building and Conservation Area attributed to the new shopfront and fascia which is all in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policies DM1 and DM5 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009), the National Design Guide (2021) and Leigh Cliff Conservation Area Appraisal (2021).

04 Prior to first operation of the extraction flue system hereby approved, the noise mitigation measures as detailed in the Noise Impact Assessment Report - Kitchen Extraction System 55 Broadway, Leigh-On-Sea SA9 1PE for Picante Leigh-On-Sea by Sound Licensing Limited and dated 27 April 2022 (revision 1) shall be implemented, installed by competent persons and completed at the site in full accordance with those mitigation measure details. Additionally, prior to first operation of the development hereby approved, a post completion noise survey must be undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in the post- completion testing report. If the mitigation measures tested in the post-completion report prove to be insufficient, details of additional noise mitigation measures (where necessary to ensure the appropriate noise levels can be met), shall be submitted to and approved in writing by the Local Authority and installed and tested thereafter at the site prior to operation of the flue extraction system. The mitigation measures as approved shall be retained for the lifetime of the development.

Reason: To ensure the resulting noise from the flue extraction system would not be detrimental to living conditions of neighbouring and future occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

05. The bifold doors within the shopfront hereby approved shall be closed between 22.00 and 09.00 hours Mondays to Sundays.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers and to protect the character and amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

06 Prior to first operation of the rear flue hereby approved, the commercial refuse store, as shown on the plan reference 732-P03B- Rev G, shall be provided at the site and made available for use. This refuse store shall be retained for the lifetime of the development

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety

and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM5 and DM15 of the Development Management Document (2015).

07 Construction Hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

08 There shall be no depositing of refuse into, or collection of refuse from, the bin store hereby approved outside the hours of 08:00 and 19:00 on any day.

Reason: In order to protect the amenities of occupiers of surrounding occupiers in accordance with policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

01 You are advised that as the proposed development equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.

03 The applicant is advised that any takeaway function associated with any restaurant use of the application site within Class E (Business) of the Use Class Order must remain ancillary to that main restaurant function. If the takeaway element is judged to be more than ancillary, then separate express planning permission will be required for this change of use.

04 The applicant is reminded that the development hereby approved will have an impact on the area of flat roof proposed as an amenity terrace to the first floor flat

in the residential scheme approved in 2021 reference 21/02206/FUL. This aspect of the residential scheme will therefore require amendment and will be considered on its individual merits – this amendment must be sought through a separate application.

05 The applicant is advised that separate advertisement consent is required for any new signage and planning permission is likely to be required for any externally mounted lighting fixtures.

06 Prior to any alterations to the existing building an appropriate Asbestos survey of the buildings should be undertaken, and a scheme implemented to remove and safely dispose of any asbestos-containing materials in accordance with the Control of Asbestos Regulations 2012 and the applicant's/developer's Waste duty of care.

**29 22/00633/FUL - Rose Martha Court, 64 Leigh Road (Chalkwell Ward)**

**Proposal: Enlarged windows to side and rear elevations (retrospective)**

**Applicant: Runwood Homes**

**Agent: Mr Barry Mullen of Connect Space**

Resolved:

PLANNING PERMISSION GRANTED subject to the following conditions:

01 The development hereby permitted shall be retained in accordance with the following approved plans: PA01, PA02, PA02A, PA03.

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

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

Reason: 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 the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and advice in the Southend-on-Sea Design and Townscape Guide (2009).

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

## Informative

1 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.

### 30 **22/00704/FULH - 12 Ewan Close, Leigh-on-Sea (West Leigh Ward)**

**Proposal: Raise ridge height, erect hip to gable roof extension to sides and gable extension to front, erect dormer to rear with juliette balcony, erect single storey rear and front extensions and first floor side extension, alter elevations (Amended Proposal).**

**Applicant: Mr and Mrs Speedie**

**Agent: Mr Jonathan Puplett of Whaleback Planning and Design**

Resolved:

PLANNING PERMISSION GRANTED Subject to the following conditions:

01 The development hereby permitted shall begin no 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: (22) 02/20 EX01; (22) 02/20 PL02.A; (22) 02/20 PL02 RevA

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

03 All new work to the outside of the extensions hereby approved 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 approved plans.

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 the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

04 The flat roof of the single storey extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the Core Strategy (2007) Policies KP2 and CP4, the Development Management Document (2015) Policies DM1 and DM3 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

05 The additional first and second floor side windows in both flank elevations associated with the development hereby approved must be permanently obscure-glazed (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and non-opening, unless the parts of the window which can be opened are more than 1.7metres above the finished floor level of the room in which the windows are installed and shall be retained as such for the lifetime of the development.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### Informatives

1 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development would benefit from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge would be payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.

2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.

**Chair:** \_\_\_\_\_

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**DEVELOPMENT CONTROL COMMITTEE**

**AGENDA: 27<sup>th</sup> July 2022**

<b>WARD</b>	<b>APP/REF NO.</b>	<b>ADDRESS</b>
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<b>Main Plans Report</b>		
<b>Chalkwell</b>	22/01034/FUL	Ailsa House 64 - 66 Genesta Road
<b>Milton</b>	22/00702/FUL	38A Burdett Avenue Westcliff-on-sea
<b>Chalkwell</b>	22/00841/FUL	Brambles Care Home 22 Cliff Road
<b>Chalkwell</b>	22/01046/FUL	32 Cobham Road Westcliff-on-sea
<b>Blenheim Park</b>	22/00722/FULH	2 Silversea Drive Westcliff-on-sea
<b>Chalkwell</b>	22/00825/FULH	16 Galton Road Westcliff-on-sea

## DEVELOPMENT CONTROL COMMITTEE

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## DEVELOPMENT CONTROL COMMITTEE

### INTRODUCTION

- (i) **Recommendations in capitals at the end of each report are those of the Deputy Chief Executive and Executive Director (Growth & Housing), are not the decision of the Committee and are subject to Member consideration.**
- (ii) All plans have been considered in the context of the Borough Council's Environmental Charter. An assessment of the environmental implications of development proposals is inherent in the development control process and implicit in the reports.
- (iii) Reports will not necessarily be dealt with in the order in which they are printed.
- (iv) The following abbreviations are used in the reports: -

CIL	-	Community Infrastructure Levy
DAS	-	Design & Access Statement
DEFRA	-	Department of Environment, Food and Rural Affairs
DPD	-	Development Plan Document
EA	-	Environmental Agency
EPOA	-	Essex Planning Officer's Association
JAAP	-	Southend Airport and Environs Joint Area Action Plan
MHCLG	-	Ministry of Housing, Communities and Local Government
NDG	-	National Design Guide
NDSS	-	Nationally Described Space Standards
NPPF	-	National Planning Policy Framework
PPG	-	National Planning Practice Guidance
RAMS	-	Recreation disturbance Avoidance and Mitigation Strategy
SCAAP	-	Southend Central Area Action Plan
SPD	-	Supplementary Planning Document
SSSI	-	Sites of Special Scientific Interest. A national designation. SSSIs are the country's very best wildlife and geological sites.
SPA	-	Special Protection Area. An area designated for special protection under the terms of the European Community Directive on the Conservation of Wild Birds.
Ramsar Site	-	Describes sites that meet the criteria for inclusion in the list of Wetlands of International Importance under the Ramsar Convention. (Named after a town in Iran, the Ramsar Convention is concerned with the protection of wetlands, especially those important for migratory birds)

## DEVELOPMENT CONTROL COMMITTEE

### **Background Papers**

- (i) Planning applications and supporting documents and plans
- (ii) Application worksheets and supporting papers
- (iii) Non-exempt contents of property files
- (iv) Consultation and publicity responses
- (v) NPPF and PPG including the NDG
- (vi) NDSS
- (vii) Core Strategy SPD
- (viii) Development Management DPD
- (ix) London Southend Airport & Environs JAAP
- (x) SCAAP
- (xi) Design and Townscape Guide
- (xii) Technical Housing Standards Policy Transition Statement
- (xiii) Waste Storage, Collection and Management Guide for New Developments
- (xiv) Essex Coast RAMS SPD
- (xv) CIL Charging Schedule
- (xvi) Southend Electric Vehicles Charging Infrastructure SPD

**NB** Other letters and papers not taken into account in preparing this report but received subsequently will be reported to the Committee either orally or in a supplementary report.

## DEVELOPMENT CONTROL COMMITTEE

### Use Classes

**(Generally in force from 1st September 2020)**

Class B1	Business
Class B2	General industrial
Class B8	Storage or distribution
Class C1	Hotels
Class C2	Residential institutions
Class C2A	Secure residential institutions
Class C3	Dwellinghouses
Class C4	Houses in multiple occupation
Class E	Commercial, Business and Service
Class F.1	Learning and non-residential institutions
Class F.2	Local community
Sui Generis	A use on its own, for which any change of use will require planning permission.

### Deleted Use Classes

**(Limited effect on applications for prior approval and other permitted development rights until 31st July 2021)**

Class A1	Shops
Class A2	Financial and professional services
Class A3	Restaurants and cafes
Class A4	Drinking establishments
Class A5	Hot food takeaways
Class D1	Non-residential institutions
Class D2	Assembly and leisure

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<b>Reference:</b>	22/01034/FUL	<b>5</b>
<b>Application Type:</b>	Full Application	
<b>Ward:</b>	Chalkwell	
<b>Proposal:</b>	Convert residential care home (Class C2) to create six self-contained flats (Class C3), install dormers to rear/sides, layout parking and bin storage to front and alter elevations	
<b>Address:</b>	Ailsa House, 64 - 66 Genesta Road, Westcliff-on-Sea, Essex, SS0 8DB	
<b>Applicant:</b>	Rajesh and Pooja Nair	
<b>Agent:</b>	Knight Gratrix Architects	
<b>Consultation Expiry:</b>	28.07.2022	
<b>Expiry Date:</b>	29.07.2022	
<b>Case Officer:</b>	Oliver Hart	
<b>Plan Nos:</b>	<b>010B; 11E; 015D</b>	
<b>Supporting Documents:</b>	<b>Justification Statement</b>	
<b>Recommendation:</b>	<p><b>DELEGATE to the Director for Planning or the Development Control Service Manager to grant planning permission subject to the conditions set out in the main report provided any additional representations received up to the end of 28 July 2022 do not raise any new considerations which have not been addressed within the report. Should further representations be received up to that date which raise new considerations not already addressed within this report the application is to be brought back to Development Control Committee for determination.</b></p>	



## 1 Site and Surroundings

- 1.1 The application relates to a vacant pair of semi-detached two storey buildings on the north side of Genesta Road at its transition to Kings Road continuing westward. They were most recently used as a single 15-bedroom care home. The site is within a residential area characterised by large semi-detached dwellings, many of which have been sub-divided into flats.
- 1.2 It is situated within its own curtilage with a vehicular access from Genesta Road providing off street parking for 4no. vehicles. The site frontage is finished entirely in hard standing and this is an established feature at the site. An unmade and non-adopted vehicular accessway which has been included within the site edged red has its access point from Genesta Road. Some planting to the west of the site's front curtilage comprises small trees approx.2-3m in height.
- 1.3 The site itself has no specific allocation within the Development Management Document's Proposals Map

## 2 The Proposal

- 2.1 The application proposes the conversion of the care home into 6 self-contained residential flats; three at ground floor, two at first floor and following the erection of a roof extension to rear, the provision of a sixth flat within the enlarged roof space. The dimensions of the proposed flats are:
  - Flat 01 2b/3p 63sqm  
Bedroom 1; 13.2sqm Bedroom 2; 7.6sqm
  - Flat 02 2b/3p 65sqm  
Bedroom 1; 11.5sqm Bedroom 2; 7.5sqm



- Flat 03 3b/5p 101sqm  
Bedroom 1; 17.6sqm Bedroom 2; 16.7sqm Bedroom 3; 8.5sqm
- Flat 04 3b/5p 97sqm  
Bedroom 1; 14sqm Bedroom 2; 11.5sqm Bedroom 3; 7.3sqm
- Flat 05 3b/5p 101sqm  
Bedroom 1; 14.8sqm Bedroom 2; 11.9sqm Bedroom 3; 10.3sqm
- Flat 06 2b/3p 70sqm  
Bedroom 1; 15.9sqm Bedroom 2; 9sqm

2.2 The three ground floor flats would have individual private amenity areas enclosed by 1.8m high boundary fencing. A communal amenity space would also be provided to the rear of the building.

2.3 Refuse storage is proposed along the western flank boundary of the application site. Cycle storage is proposed within the communal area to the rear of the site. The area to the front of the site would be partially soft landscaped and 6 parking spaces (one per flat) would be laid out to the front of the building in two separate areas utilising existing crossovers. Details of soft landscaping have not been provided.

2.4 Limited external changes are proposed comprising: removal of the ground floor conservatory to the west flank boundary, installation of four roof lights to rear, installation of a new window to the front gable to match an existing opening, installation of four new windows to the ground floor west flank elevation and the installation of a new window to the rear elevation at ground floor.

### **3 Relevant Planning History**

3.1 11/00470/FUL- Hipped to gable roof extension with dormer to rear to form habitable accommodation in the loftspace, erect part single/part two storey side and rear extension and new porch to front - Refused

3.2 08/00823/FUL- Erect part single/part two storey rear extension and single storey side extension - Refused

3.3 05/01281/FUL- Erect single storey extension and first floor extension at rear (amended proposal) - Granted

3.4 04/00295/FUL- Erect first floor rear extension with external staircase to be used ancillary to care home - Refused

3.5 03/01373/FUL- Erect single storey side extension - Granted

3.6 00/00974/FUL- Demolish garage, erect single storey extension to rear of residential care home (class C2) (amended proposal) - Granted

## 4 Consultation Responses

### Public Consultation

4.1 Councillor Folkard has called the application in for consideration by the Development Control Committee.

4.2 Twenty-two neighbours were notified and a site notice was displayed. At the time of report preparation three letters of objection had been received. These are summarised below. Re-consultation has been undertaken through a second round of notification letters and a fresh site notice display following changes to the proposal including incorporation of the unmade side access into the site edged red plus a redesign of the proposed roof extension. That consultation period has not yet expired and in particular the site notice expiry date is not until one day after the date of this Committee meeting. These circumstances are reflected in the wording of the recommendation at Section 9 of this report.

- Insufficient parking
- Lack of parking would exacerbate existing parking stress

Officer Comments: The concerns in the above representations are noted and where they refer to material planning considerations they have been taken into account in the assessment of the application, but they have not been found to represent reasons justifying refusal of planning permission on those grounds in the circumstances of this case.

### Environmental Health

4.3 No objections subject to the imposition of a construction hours and refuse and recycling condition.

### Highways

4.4 No objections.

### Adult Social Care

4.5 No objection.

## 5 Planning Policy Summary

5.1 National Planning Policy Framework (NPPF) (2021)

5.2 Planning Practice Guidance and National Design Guide (2021)

5.3 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision) and CP6 (Community Infrastructure).

5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards) DM9 (Specialist Residential Accommodation) and Policy DM15 (Sustainable Transport Management).

- 5.5 Southend-on-Sea Design & Townscape Guide (2009).
- 5.6 RAMS (Essex Coast Recreational disturbance Avoidance Mitigation Strategy) SPD (2020)
- 5.7 Community Infrastructure Levy Charging Schedule (2015).
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.9 Electric Vehicle Charging Infrastructure for new development (2021)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of the development including the loss of the care home and change to Class C3 residential use, design and impact on the character of the area, living conditions for future occupiers, impact on residential amenity, any traffic and transport issues, sustainability and CIL (Community Infrastructure Levy) and RAMS considerations.

## **7 Appraisal**

### **Principle of Development:**

- 7.1 Government guidance contained within the National Planning Policy Framework encourages effective use of land in particular previously developed land (para.119).
- 7.2 Policies KP1 and KP2 of the Core Strategy seek to promote sustainable development, and Policy KP2 seeks to direct the siting of development through a sequential approach, minimising the use of 'greenfield' land. The proposal would re-use previously developed land, consistent with the surrounding residential character.
- 7.3 Policy CP8 of the Core Strategy identifies that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough. Policy CP8 also expects 80% of residential development to be provided on previously developed land.
- 7.4 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the Borough. Similarly, the Council's Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the Borough. The South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprised of a greater proportion of one-bed units and smaller properties a consequence of which is that there is a lower percentage of accommodation of a suitable size for families.

- 7.5 Policy CP6 states that new development should demonstrate that it will not jeopardise the Borough's ability to improve the education attainment, health and well-being of local residents and visitors to Southend. Policy DM9 states that the Council supports independent living and avoid an over-provision of residential care, together with improvement of existing provision.
- 7.6 The Council's Adult Social Care service raised no objection to the proposed loss of the care home following a sustained period of low occupancy and demand at the site and rising operating costs. The development would occupy previously developed land within the built-up area, in flood zone 1. This is therefore a sequentially preferable type of location for residential development. Moreover, the proposal would provide three units of family sized accommodation for which there is an identified need in the City.
- 7.7 On this basis, it is considered that the proposal is acceptable as a matter of broad principle, subject to detailed considerations assessed below.

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

- 7.8 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.9 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm.
- 7.10 The proposed development relates to the extension and conversion of the building and would not result in a greater coverage of the site. A limited number of external changes are proposed which are located mainly to the rear of the building. These include the erection of a pitch roofed extension to the rear roofslope, the installation of four roof lights to the rear, installation of a new window to the front gable to match an existing opening, installation of four new windows to the ground floor west flank elevation and the installation of a new window to the rear elevation at ground floor.
- 7.11 The rear roof extension proposed is considered to be of a suitable size, scale and design such that they are considered to appear suitably subservient and integrated with respect to the main rear roof slope. Moreover, only glimpsed views would be possible from Kings Road such that its Impact in the streetscene would be limited.
- 7.12 The other alterations would integrate satisfactorily with the existing building and would not result in any material harm to the character and appearance of the site, the streetscene, or wider surrounding area.

- 7.13 The proposal would result in the loss of 3no. trees to the western part of the site to facilitate the additional two parking spaces. The application site is not in a conservation area nor are the trees protected by a Tree Preservation Order (TPO). The amenity value of the trees is also considered to be limited. A degree of soft landscaping is proposed to the front garden area which is considered to offset some of the resultant visual impact following their loss. Subject to details of landscaping, no significant harm would be caused so no objection is raised on this basis.
- 7.14 Refuse and cycle storage facilities for the whole development are shown to the western boundary (refuse) and communal rear amenity space (cycle store). It is considered these are set sufficiently away from the public highway and, subject to details including elevations to be submitted and approved, no objection is raised to their proposed siting.
- 7.15 The development is therefore acceptable and policy compliant in these respects.

### **Impact on Residential Amenity**

- 7.16 Paragraph 343 of The Design and Townscape Guide (2009), under the heading of “Alterations and Additions to Existing Residential Buildings” states, amongst other criteria, that extensions and alterations must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management Document also states that development should “*Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.*”
- 7.17 The proposed conversion of the care home to residential dwellings and the other relatively minor external alterations in the front and rear elevations would not have a detrimental impact on the amenity of neighbouring residential properties in any relevant regard. The proposed changes in the west facing elevation, notably the provision of four additional windows at ground floor would not result in materially different impacts on the neighbouring occupiers on the western side of Kings Road than those that already exist, seeing as these would be in the broad location of the conservatory to be removed. The changes to the rear elevation include the removal of a conservatory and the installation of four rooflights and the erection of a rear roof extension which would not project beyond the existing confines of the roof slope. It is not considered that these elements would result in materially different impacts on the neighbouring occupiers in Kings Road to the west, or Genesta Road to the east, to those that already exist or which would be significantly harmful to amenity in their own right. Whilst rooflights are proposed to either flank roof slope of the rear roof extension, their elevated position is such that it would preclude harmful views to neighbouring properties.
- 7.18 In terms of noise and disturbance, the former care home had 18 bedrooms with commensurate staffing. The design capacity of the proposed six flats would be for up to 24 people with an additional two off street parking spaces.

The patterns and levels of activity would vary but given that the site is separated from neighbouring dwellings, on balance it is considered that the proposal would not result in additional noise and disturbance to a degree that would be significantly harmful to amenity or would warrant refusal of the application on these grounds.

7.19 The proposal is therefore acceptable and policy compliant in the above regards.

**Standard of Accommodation:**

7.20 Paragraph 17 of the NPPF states that “*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:

- Minimum property size for a 2 bedroom, 3 person flat over 1 storey is 61 sqm (1 storey dwelling).
- Minimum property size for a 3 bedroom, 5 person flat over 1 storey is 86 sqm (1 storey dwelling).
- Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5sqm for a single bedroom with a minimum width of 2.15m; and 11.5sqm for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
- Floorspace with a head height of less than 1.5m should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

Weight should also be given to the content of policy DM8 which sets out standards in addition to the national standards including the provision of a storage cupboards, private outdoor amenity space, safe cycle storage and the provision of refuse facilities

7.21 The proposed flats would have dimensions as set out above in paragraphs 2.2 of this report that, bar bedroom 3 of flat 04 (which would fall some 0.2sqm below the required 7.5sqm for consideration as a single bedroom), would comply with the abovementioned standards and would provide adequate living conditions for future occupants in terms of outlook, daylight and sunlight and ventilation. Whilst a less positive aspect of the scheme, the slight deficiency of bedroom 03 (some 0.2sqm) is considered minor in the overall context of the application, and as part of a balanced assessment overall is not considered to result in a significantly harmful impact on the living conditions for future occupiers of this unit.

- 7.22 The main living areas of Flats 01 and 03 to the front of the building would have an outlook over landscaped areas and proposed car parking areas. This is not a positive aspect of the proposal. On balance, it is considered that these factors in themselves would not be significantly harmful, nor would they warrant refusal of the application on these grounds as part of a balanced assessment overall.
- 7.23 The Design and Townscape Guide (paragraph 78) states: *“New development and public space should be easy to understand to enable the users to find their way around. In particular both pedestrian and vehicular entrances must be easily identified and visible from the public highway. Buildings and landscaping should be used to make the routes attractive, recognisable and distinctive to assist orientation”*. The Design and Townscape guidance also advises that the primary entrance should be provided in street facing elevations. The entrances to the building would be via existing entrances in the front elevation which would be acceptable.
- 7.24 The new six flats would be either two or three bedroomed. All of the three-bedroom flats would be capable of occupation by up to 5 persons. The remaining flats would be capable of occupation by up to 3 persons. Private amenity space is proposed for the ground floor flats 1, 2 & 3 although the configuration proposed does not suitably preclude overlooking of ground floor habitable room windows. A condition can be imposed requiring a landscaping to mitigate the impacts to prevent any harmful overlooking.
- 7.25 A 75sqm rear communal amenity space would be accessed via a side accessway to the western boundary some 29m deep. Whilst the access arrangement is a less positive aspect of the scheme, the extent of communal amenity space is considered acceptable for the whole development. On this basis, the issue of access in itself would not warrant refusal of the application on these grounds. An existing modest balcony area will be retained to serve first floor flat 05 which is further weighed into the balanced assessment of future occupiers’ living conditions.
- 7.26 Facilities for refuse storage are shown on the submitted plans to the west of the site, some 8m away from the public highway which is positive aspect of the proposal. Subject to a condition requiring elevation details, this element of the proposal is acceptable.
- 7.27 Internal noise matters would fall under the separate remit of the Building Regulations.
- 7.28 By reason of being a conversion it is considered that it is not reasonable for the applicant to be required to demonstrate that the development would accord with Part M4(2) of the Building Regulations.
- 7.29 It is considered, on balance, that the living conditions created for future occupiers would be acceptable and policy compliant subject to the described conditions.

## **Highways and Transport Issues:**

- 7.30 Policy DM15 states that each flat at the site should be served by one parking space. Policy DM15 also states that “Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/ or where the rigid application of these standards would have a clear detrimental impact on local character and context.” The existing site has four off street parking spaces to the front of the building. The space standards for C2 uses including care homes are 1 space per resident staff + 1 space per 3 bed spaces/dwelling units. As the premises is presently vacant, the previous levels of staffing are not known. Whilst expressed as a maximum parking requirement, it is considered on the information available (that the previous use operated as a 15 bedroom care) it would generate a notional “minimum” parking requirement of 5 spaces.
- 7.31 It is proposed to utilise an existing vehicular access to the west of the site to increase the number of on-site parking spaces to six to serve this development. Whilst not in ownership by the applicant, title deeds have been provided to demonstrate the application site has a legal Right of Way over this land. Such provision meets the relevant parking standard (1 space per flat) so is acceptable and policy compliant in its own right. Furthermore, the site is within walking distance to public transport facilities including Westcliff Station and amenities available in Hamlet Court Road. No objection is raised on parking or highway safety grounds. Highways have not objected
- 7.32 Facilities for cycle storage are shown on the submitted plans to the rear of the building and this could be provided in an acceptable manner which would be accessible to all occupants.
- 7.33 In line with the council's EV charging policy for new dwellings, a condition will also be attached requiring all on-site parking spaces be fitted with EV charging points.
- 7.34 Subject to such conditions, the proposal would be acceptable and policy compliant in the above regards.

## **Sustainability**

- 7.35 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” and that “at least 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)”.
- 7.36 No details have been submitted to demonstrate how this proposal would provide 10% of the energy needs however there is space to provide this, e.g. PV cells on the roof slopes. This can be secured by condition.



- 7.37 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst limited details have been submitted for consideration at this time, this can be dealt with by a condition.

### **Other Matters**

#### **Equality and Diversity**

- 7.38 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

#### **Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS)**

- 7.39 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS). It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The RAMS Supplementary Planning Document (SPD), which was adopted by Full Council on 29th October 2020, requires that a tariff of £127.71 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement. The applicant has made this payment and therefore the ecological implications of the site can be considered acceptable and policy compliant.

#### **Community Infrastructure Levy**

- 7.40 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 576 sqm, which may equate to a CIL charge of approximately £ 14,710 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the 'in-use building' test, as set out in the

CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. In principle, the loss of the care home and the conversion of the building to form new dwellings in this location is appropriate. It is considered that the alterations would satisfactorily maintain the character and appearance of the host building and the surrounding area. It is considered that the development does not cause material harm to the amenities of neighbouring residents or the safety of the highway and provides adequate amenities for future occupiers. This proposal creates new housing. Therefore, if any harm were identified it would be necessary to demonstrate that in reaching the decision an appropriate balancing exercise has been undertaken considering the benefits of the proposal and any harm. The Council has a deficit in housing land supply so the tilted balance in favour of sustainable development should be applied when determining the application as relevant. The test set out by the *National Planning Policy Framework* is whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when considered against the policies of the *Framework* taken as a whole. No such impacts have been found and this application is recommended for approval subject to conditions. It is recommended that planning permission is granted.

## **9 Recommendation**

**DELEGATE to the Director for Planning or the Development Control Service Manager to grant planning permission subject to the conditions set out in the main report provided any additional representations received up to the end of 28 July 2022 do not raise any new considerations which have not been addressed within the report. Should further representations be received up to that date which raise new considerations not already addressed within this report the application is to be brought back to Development Control Committee for determination.**

- 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: 010B; 11E; 015D**

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

- 03 Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances**

and water recycling systems shall be installed and made available for use prior to the first occupation of the development hereby approved and retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Policy KP2 of the Southend-on-Sea Core Strategy (2007), Policy DM2 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 04 Prior to the first occupation of the development hereby approved full details of refuse, recycling and cycle facilities (including elevations) at the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development hereby approved, refuse, recycling and cycling facilities shall be provided and made available for use at the site in accordance with the approved details and retained in perpetuity thereafter for that use.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Southend-on-Sea Design and Townscape Guide (2009).

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

Reason: 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 the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and the advice in the National Design Guide (Rev 2021) and the Southend-on-Sea Design and Townscape Guide (2009).

- 06 Prior to the first occupation of the dwellings hereby approved, full details of both hard and soft landscape works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. The details submitted shall include, but not limited to:-

i. means of enclosure of the site including any gates or boundary fencing including the separation of the ground floor private amenity areas serving

- flats 01, 02 and 03; to suitably prevent overlooking;
- ii. car parking layouts;
  - iii. details of soft landscaping to prevent overlooking into ground floor areas from use of the parking spaces;
  - iv. other vehicle and pedestrian access and circulation areas;
  - v. hard surfacing materials;
  - vi. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
  - vii. details of measures to enhance biodiversity within the site;

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 the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

- 07 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 08 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 occupation of the development hereby approved and implemented in full prior to the first occupation of the development. 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 (2007) and Development Management Document (2015) Policy DM2.

- 09 Prior to the first occupation of the residential units hereby approved, no less than six car parking spaces shall be provided and made available for use on site by occupiers of the new flats as shown on drawing no. 011E. All of the resident parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the flats. The car parking spaces shall be retained solely for use by occupiers and visitors to the approved development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

#### Informative

01. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

02. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

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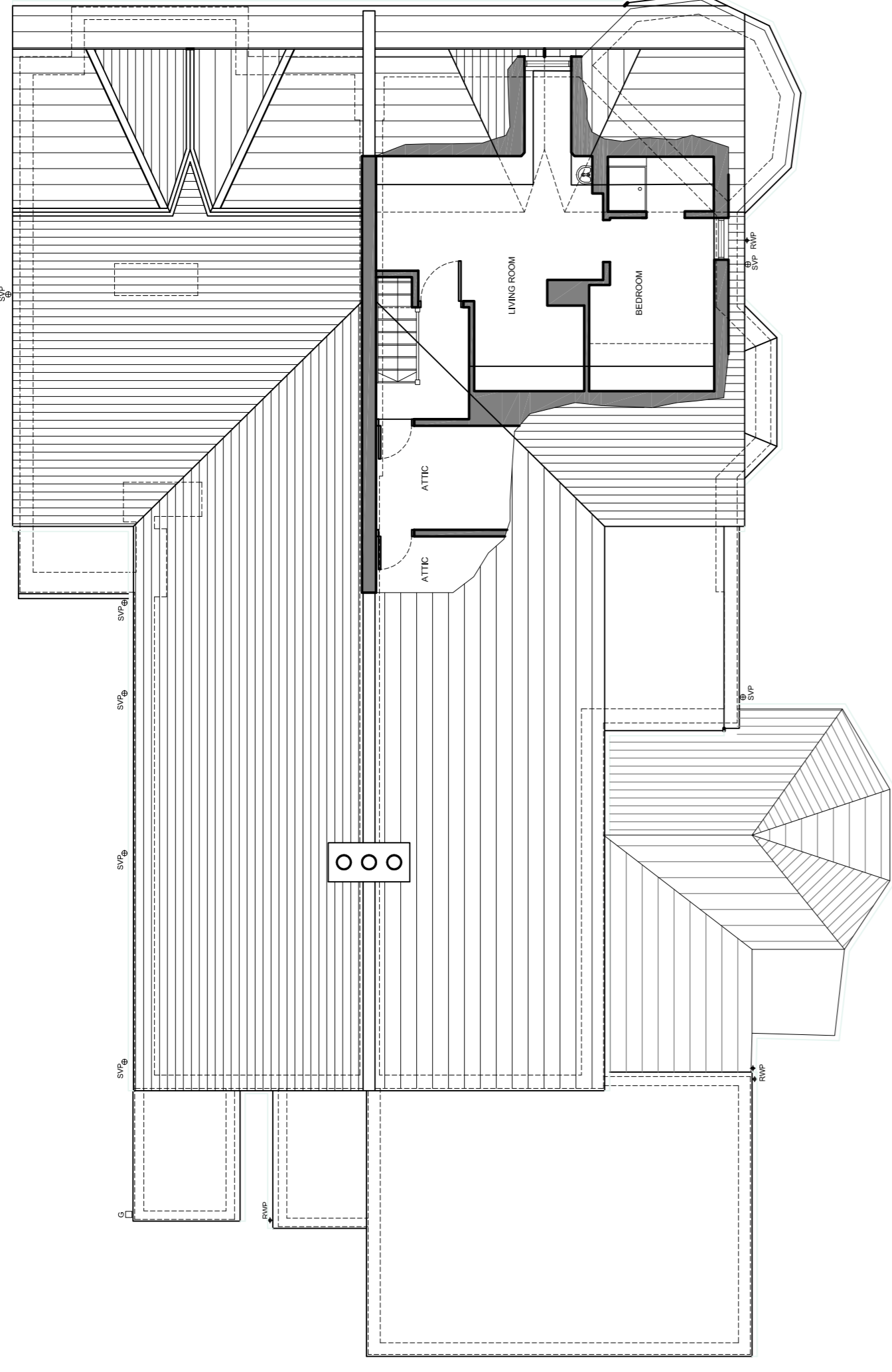
It is the contractor's responsibility to ensure compliance with the Building Regulations. It is the contractor's responsibility to check all dimensions on site, any discrepancy to be reported immediately.

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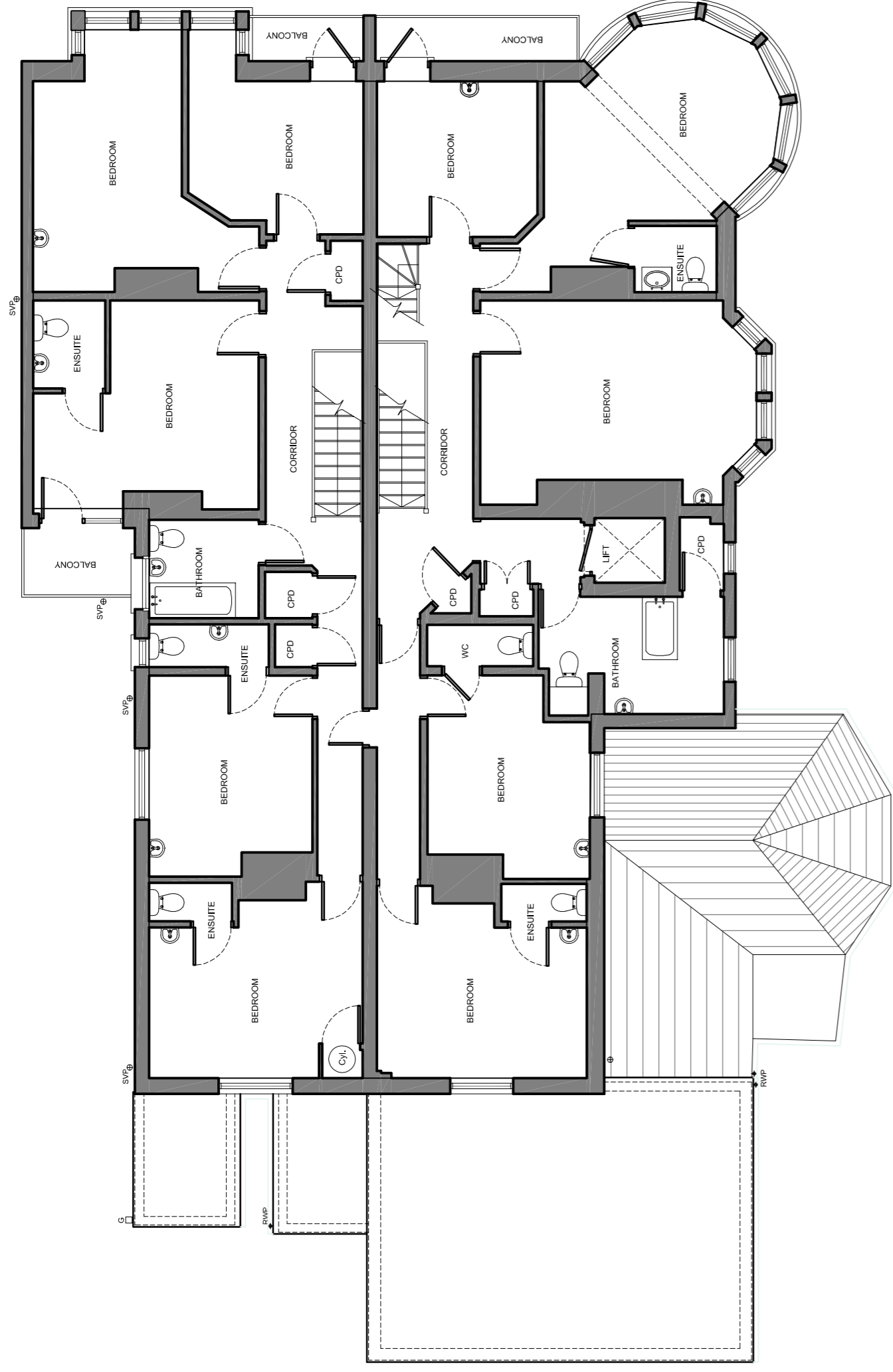
The Author is not responsible for any changes to the drawings as implemented on site without prior approval in writing.

Revision	Date
A	Planning information added 13.11.20
B	Existing tree positions confirmed 05.07.20



ROOF SPACE PLAN 1:100

EXISTING PLANS



FIRST FLOOR PLAN 1:100



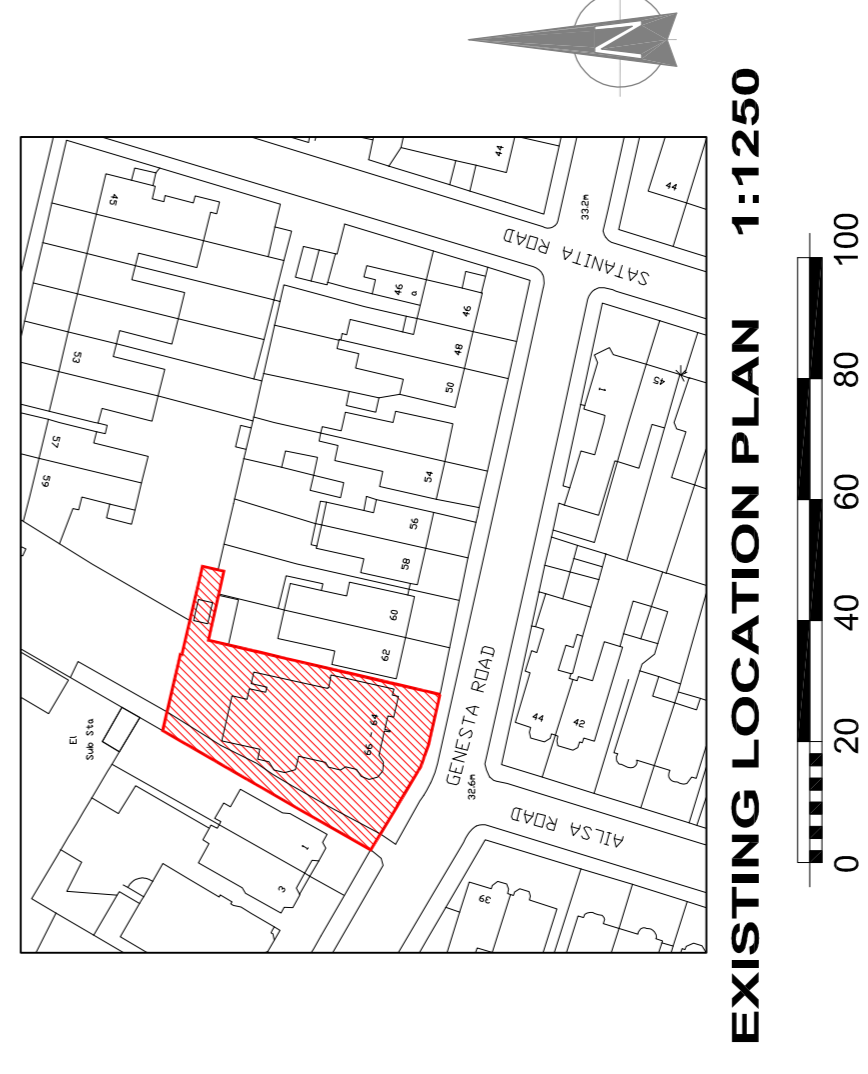
GROUND FLOOR PLAN 1:100



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t 01702 715517  
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w www.knightgratrix.com

**Client**  
Mr R Nair  
**Project**  
Alisa House  
**Description**  
Residential Redevelopment  
Existing Plans

Status	Drawn	Date
Planning	nr	09.09.20
Scale	1:100	
Job number	1489	
Revision	010	
		B



EXISTING LOCATION PLAN 1:1250

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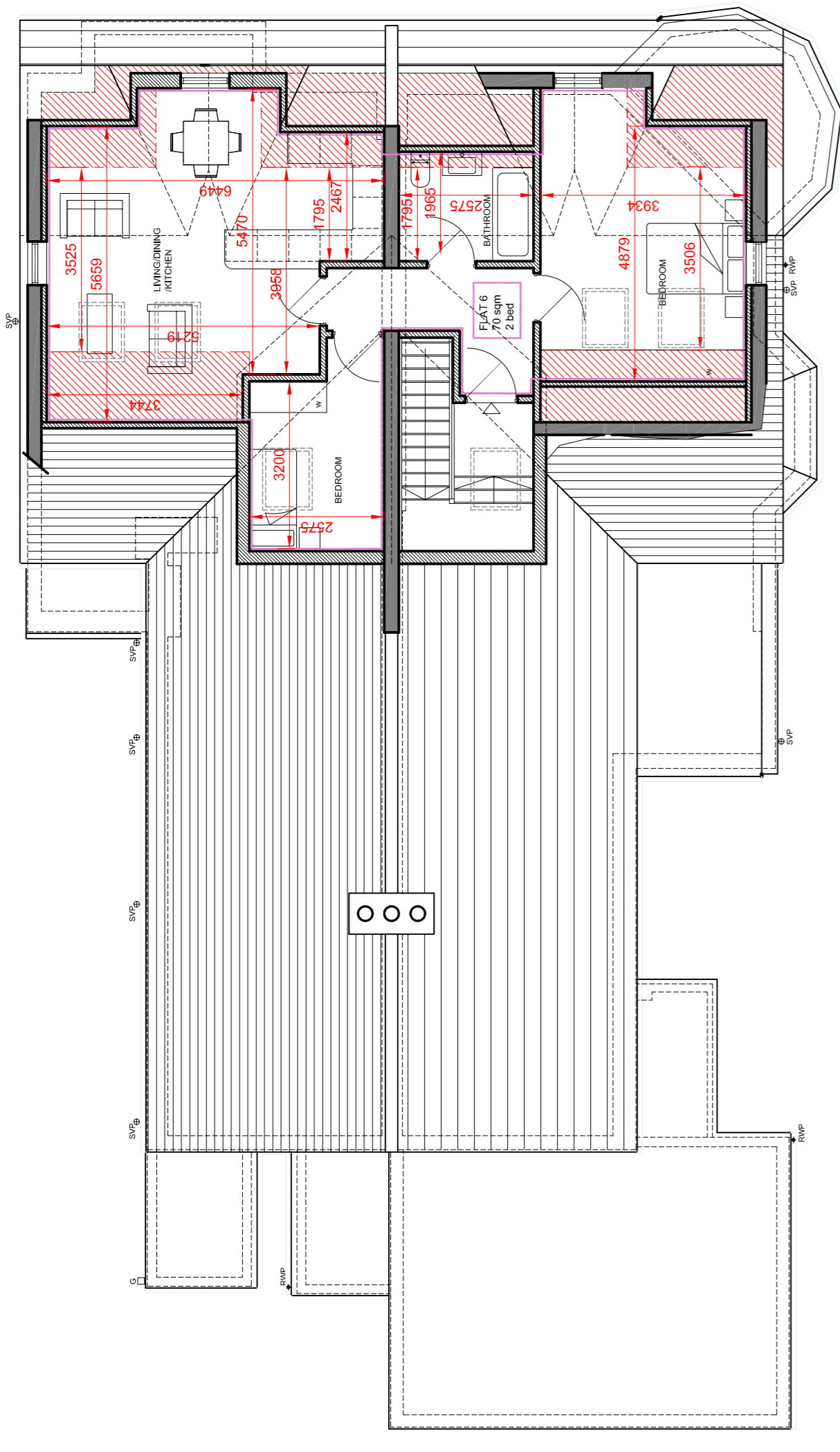
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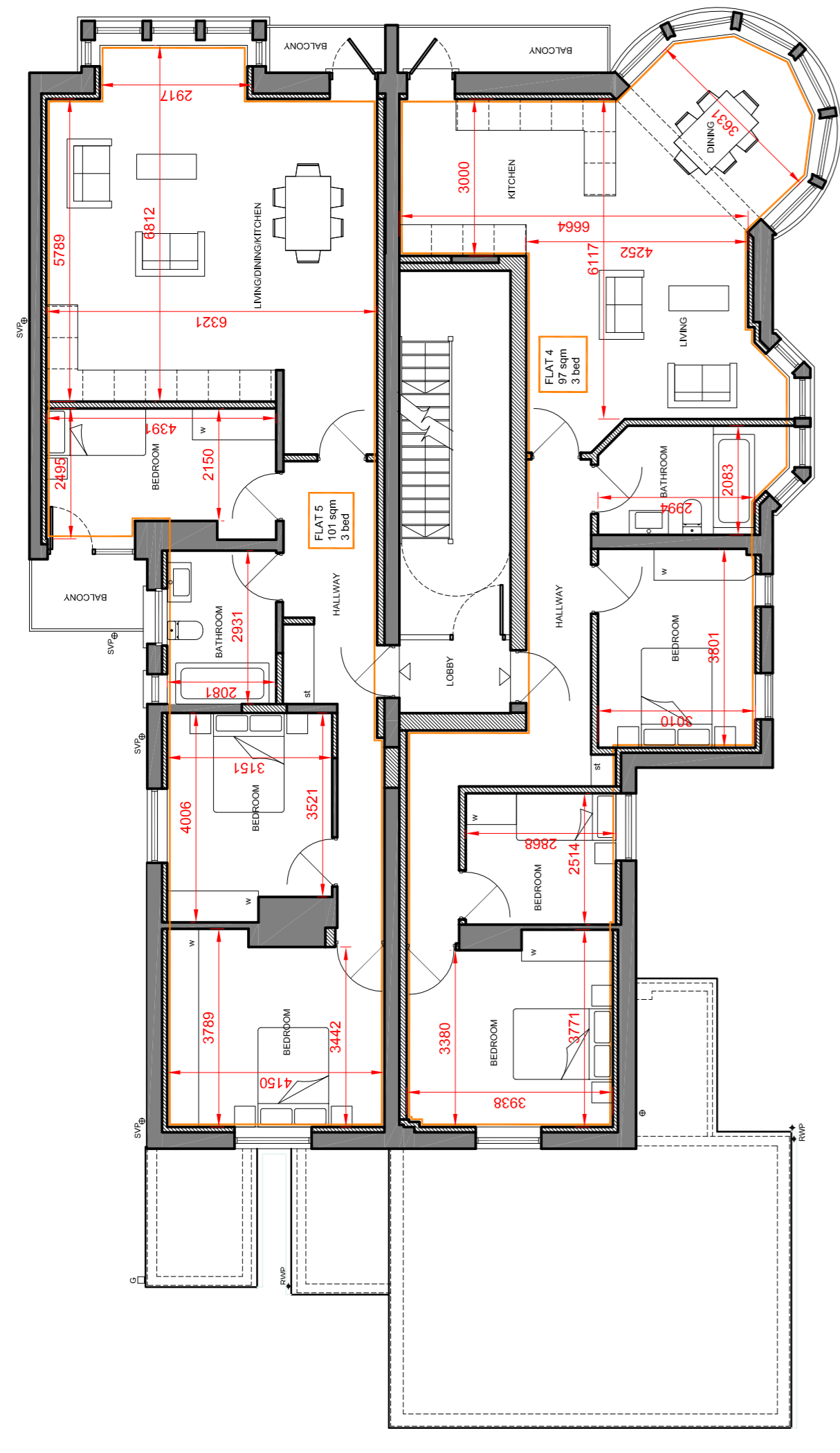
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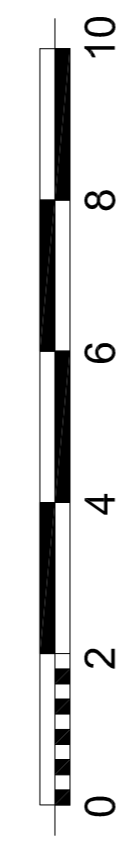
Revision	Date
A. Amended following client meeting	20.10.20
B. Planning information added	13.11.20
C. General amendments	03.03.22
D. Amended to suit planning comments	16.06.22
E. Amended rear former design	05.07.22



**SECOND FLOOR PLAN 1:100**  
 areas below 6ft head height



**FIRST FLOOR PLAN 1:100**



**PROPOSED PLANS**

**ACCOMMODATION SCHEDULE**

	2 beds	3 beds
Ground Floor	2	1
First Floor	0	2
Second Floor	1	0
Totals	3	3
		6



**GROUND FLOOR PLAN 1:100**

**PROPOSED BLOCK PLAN 1:500**



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 630-634 london road  
 westcliff on sea  
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 s-s0 9hw  
 t 01702 715517  
 e mail@knightgratrix.com  
 w www.knightgratrix.com

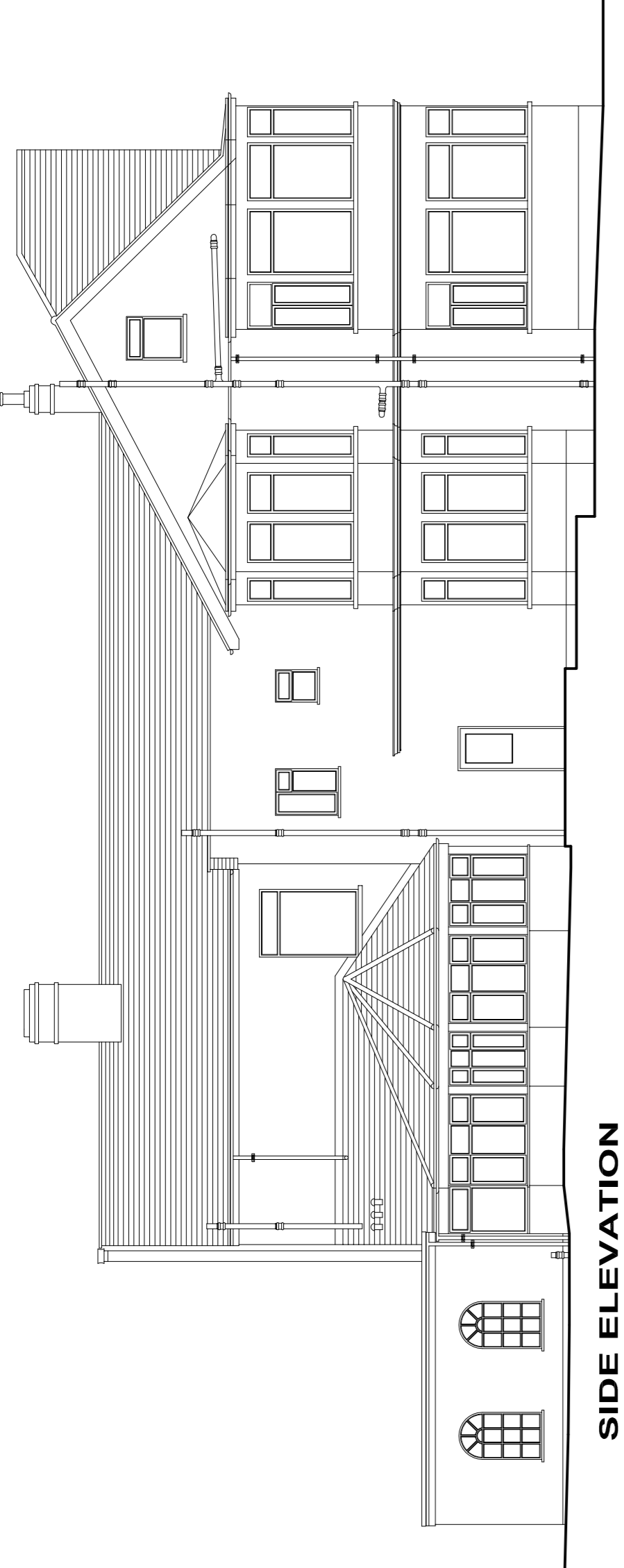
**Client:** Mr R Nair  
**Project:** Alisa House  
**Description:** Residential Redevelopment  
**Proposed Plans**

Stage	Scale	Drawn	Date
Planning	1:100	nr	09.09.20
Job number	1489	Drawing no.	011
Revision			E

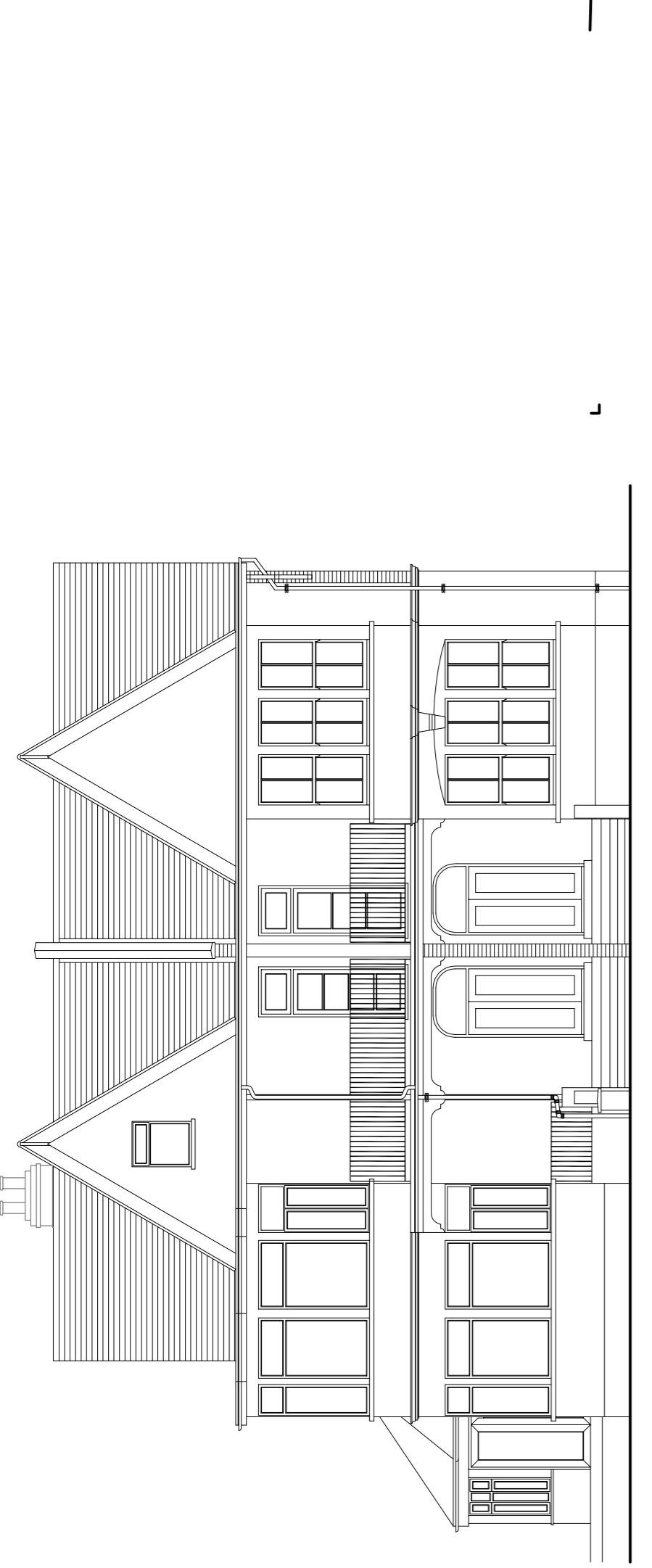
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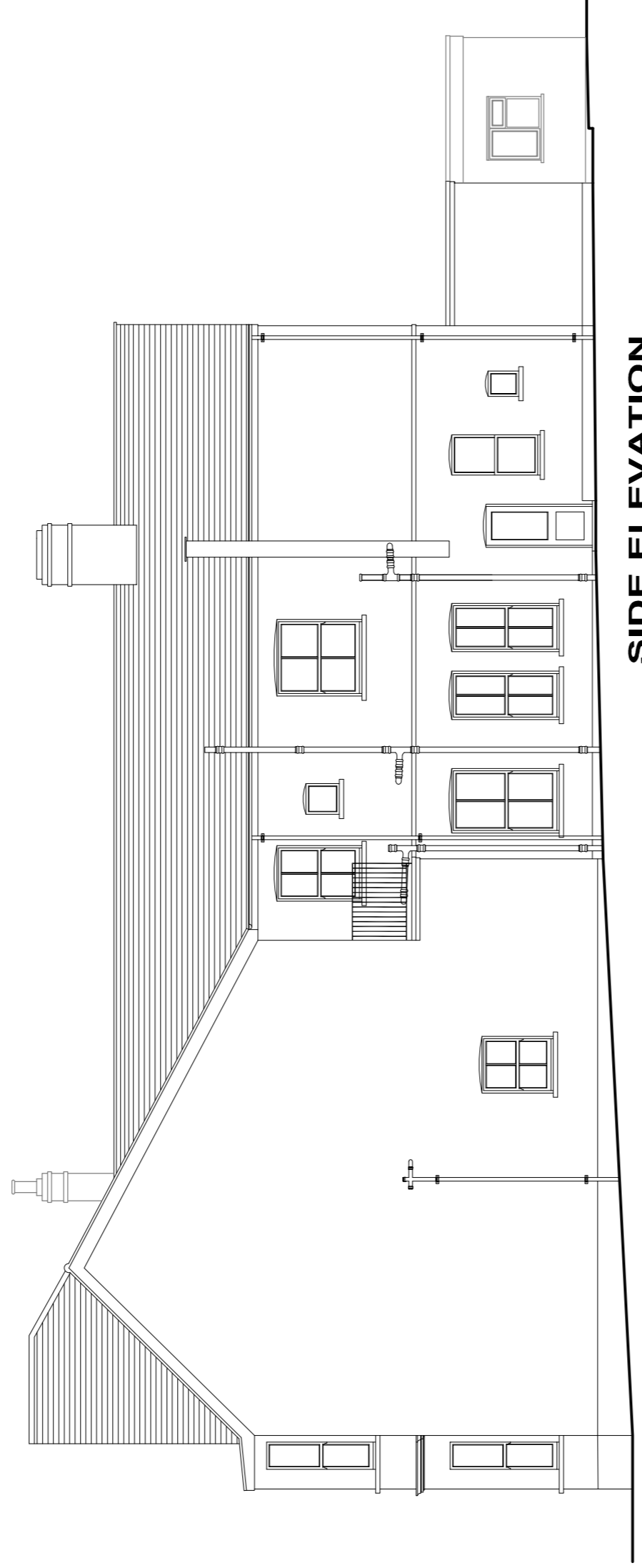
Revision	Date
A. Minor amendments	03.03.22
B. Minor amendments	06.05.22
C. Amended to suit planner comments	16.06.22
D. Amended rear dormer design	05.07.22



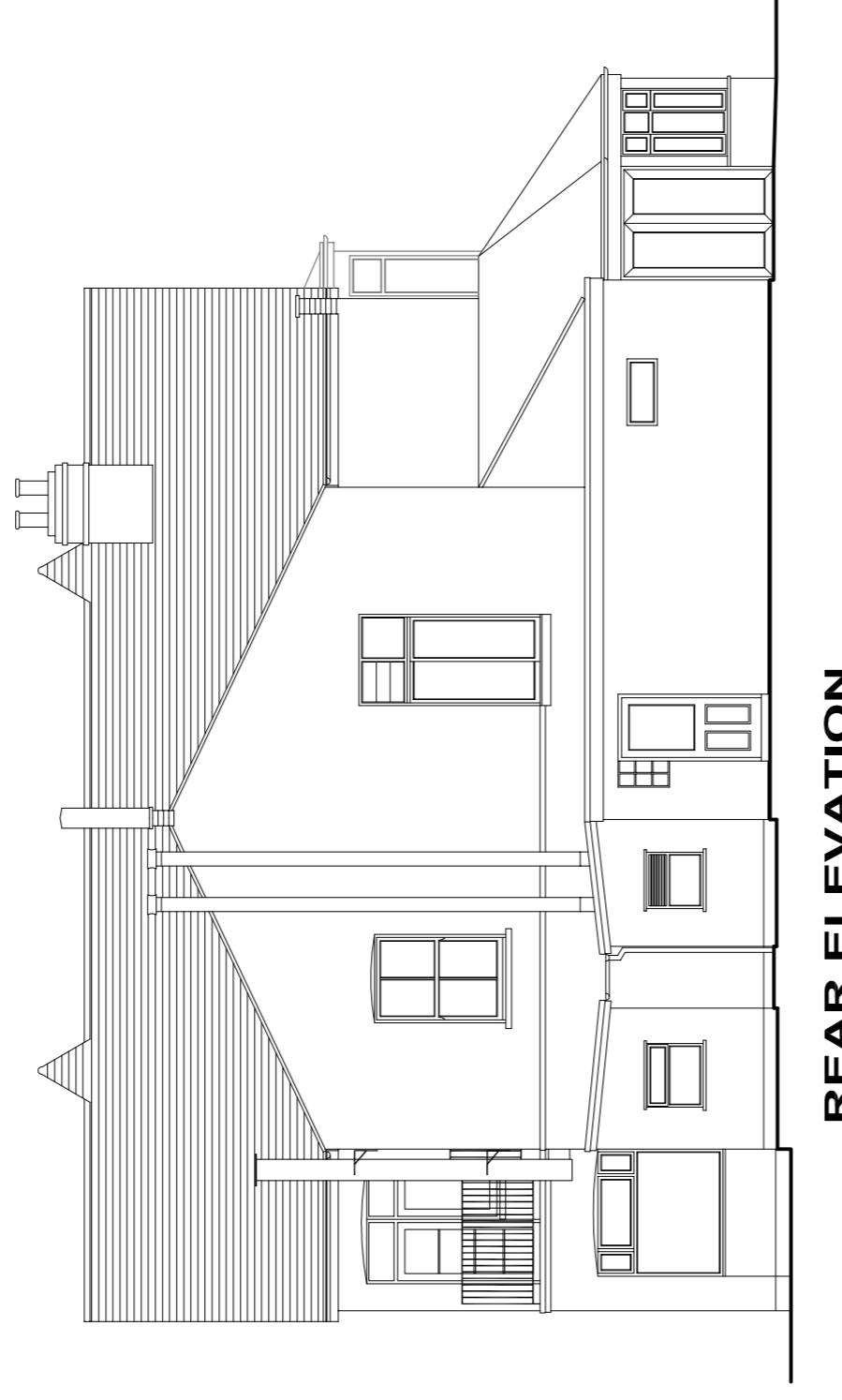
**EXISTING FRONT ELEVATION**



**PROPOSED FRONT ELEVATION**

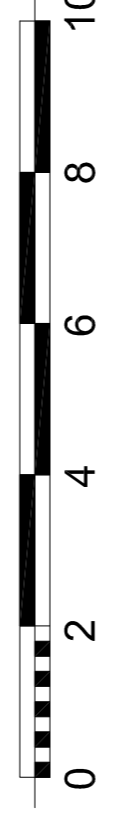


**EXISTING SIDE ELEVATION**

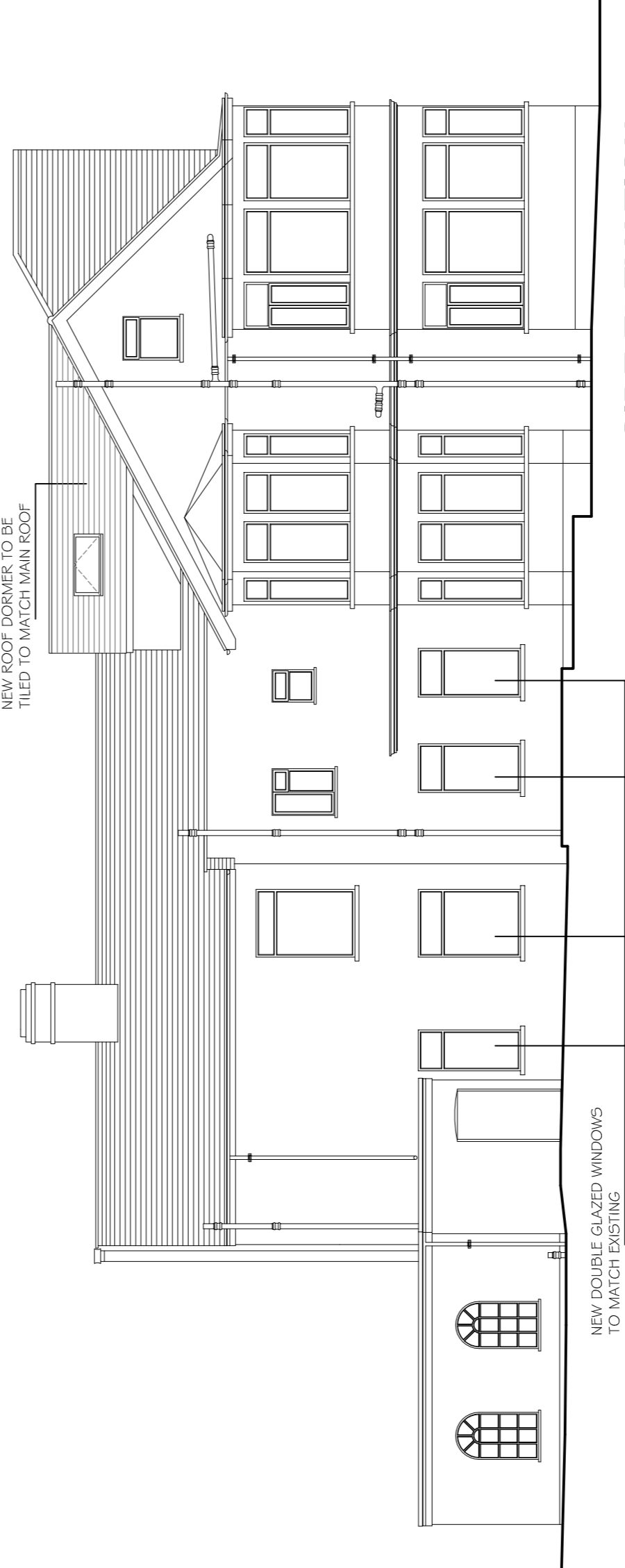


**PROPOSED SIDE ELEVATION**

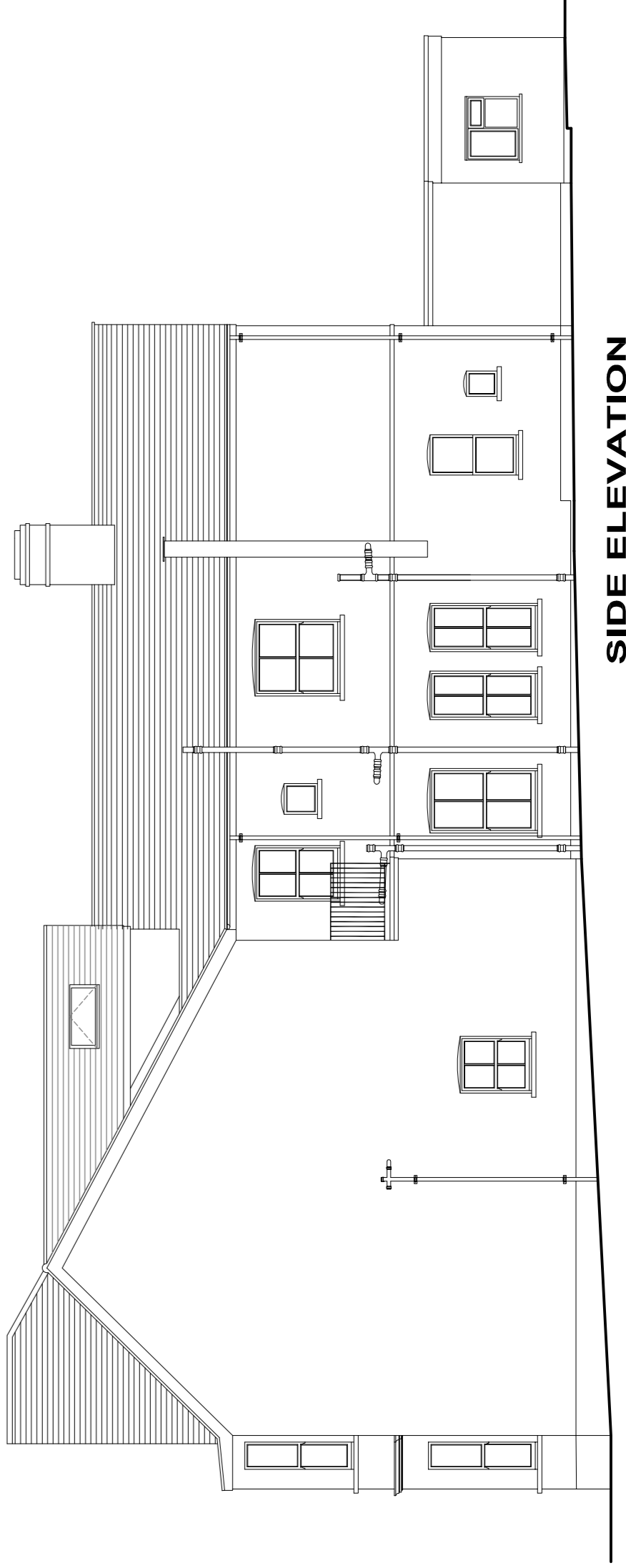
**EXISTING ELEVATIONS  
 PROPOSED ELEVATIONS**



**EXISTING FRONT ELEVATION**



**PROPOSED FRONT ELEVATION**



**EXISTING REAR ELEVATION**



**PROPOSED REAR ELEVATION**



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 e mail@knightgratrix.com  
 w www.knightgratrix.com

**Client:** Mr R Nair  
**Project:** Alisa House  
**Description:** Residential Redevelopment Existing & Proposed Elevations

Sheet	Scale	Drawn	Date
Planning	1:100	nr	13.11.20
Job number	1489	Drawn by	015
Revision		Revision	D

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# Ailsa House

View to application site





GENESTA ROAD

Ailsa House  
Residential Care Home



View to accessway leading to rear of site

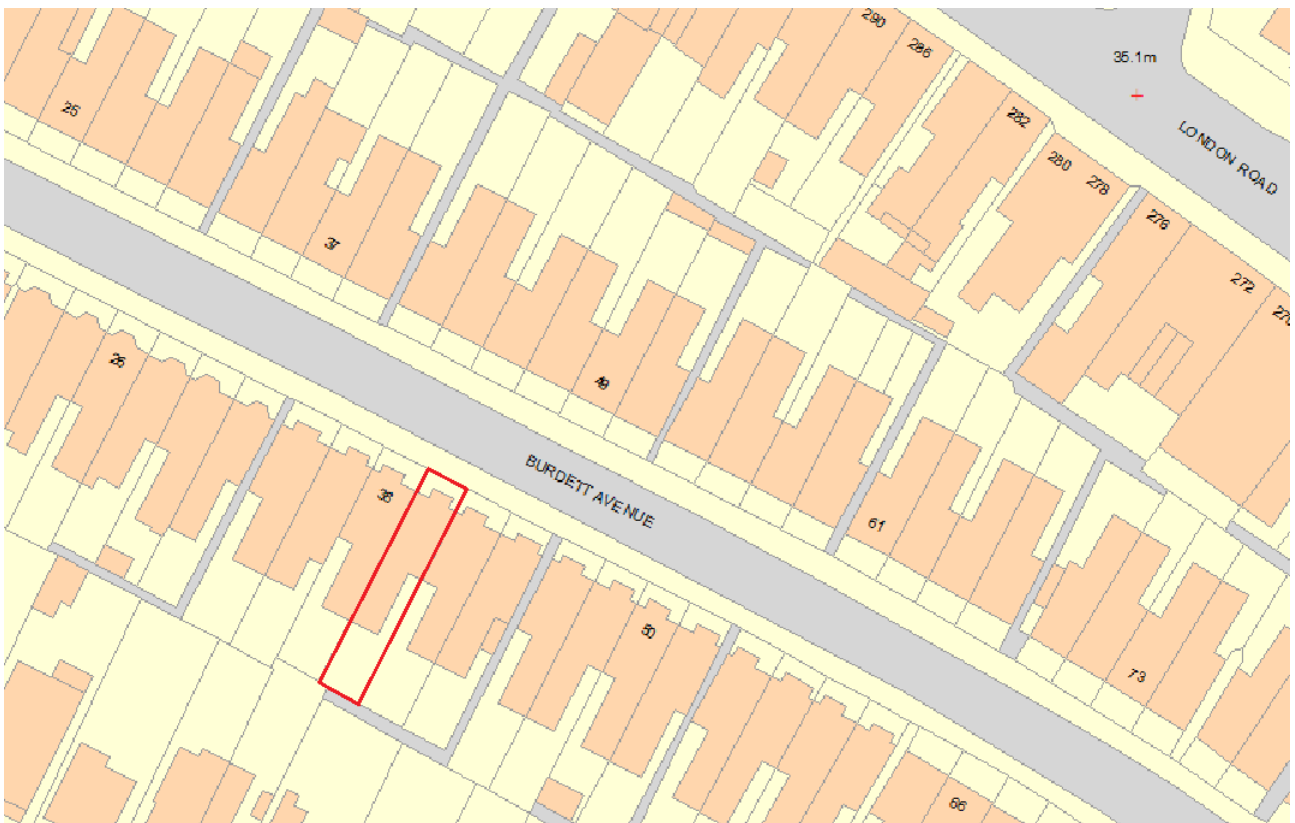








<b>Reference:</b>	22/00702/FUL	<h1>6</h1>
<b>Application Type:</b>	Full Application	
<b>Ward:</b>	Milton	
<b>Proposal:</b>	Replace existing balcony and stairs to rear first floor flat	
<b>Address:</b>	38A Burdett Avenue, Westcliff-on-Sea, Essex, SS0 7JW	
<b>Applicant:</b>	Mr Giles Gilbert	
<b>Agent:</b>	Not applicable	
<b>Consultation Expiry:</b>	8th July 2022	
<b>Expiry Date:</b>	28th July 2022	
<b>Case Officer:</b>	Hayley Thompson	
<b>Plan Nos:</b>	<b>2022/05/38aBA Sheet 01 of 03, Sheet 02 of 03, Sheet 03 of 03</b>	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION subject to conditions</b>	



## **1 Site and Surroundings**

- 1.1 The application site is located on the south side of Burdett Avenue and is occupied by a mid-terraced dwelling that has been converted into two flats. The surrounding area is residential in nature with two-storey terraced dwellings of similar scale, form and design. Some dwellings in Burdett Avenue have been converted into flats with some examples of external staircases in the wider area. The site is not within a conservation area or subject to any site-specific planning policy designations.

## **2 The Proposal**

- 2.1 The application seeks planning permission to replace an existing timber balcony and staircase to the rear, that serve a first floor flat.
- 2.2 The proposed balcony would measure 1.1m deep, 3.45m wide and would be situated 2.98m above existing ground level.
- 2.3 The proposed balcony measures the same width and height as that existing but would be an additional 0.12m in depth. The proposed replacement staircase would not be as steep and therefore would extend further into the rear garden than the existing staircase.
- 2.4 The stair and balcony would be timber.
- 2.5 This application comes to Development Control Committee because the applicant is an employee of Southend-on-Sea City Council.

## **3 Relevant Planning History**

- 3.1 None.

## **4 Representation Summary**

### **Essex County Fire and Rescue Service**

- 4.1 No objection.

### **Public Consultation**

- 4.2 14 neighbouring properties were notified of the application by letter and no letters of representation have been received.

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2021)
- 5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance)
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management)
- 5.5 Southend-on Sea Design & Townscape Guide (2009)

5.6 Community Infrastructure Levy (CIL) Charging Schedule (2015)

## 6 Appraisal

### Principle of Development

6.1 The principle of altering an existing dwelling is considered acceptable and policy compliant, subject to the proposal appropriately addressing the relevant detailed planning considerations.

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

6.2 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

6.3 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm.

6.4 Policy DM1 of the Development Management Document states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*. Policy DM3 of the Development Management Document states that alterations and additions to a building will be expected to make a positive contribution to the character of the original building.

6.5 According to Policy KP2 of Core Strategy, new development should *“respect the character and scale of the existing neighbourhood where appropriate”*. Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.

6.6 The proposal is consistent with the former staircase and landing platform in terms of size, scale and design/materials, with a minimal increase in depth of the balcony and deeper staircase. It has a landing platform at the top, to allow for access to the steps. This would be a stair of functional design for the purposes of access and egress from the existing door at the back of the first floor flat.

6.7 It is considered that the scale and character of the proposed balcony and stair would respect the established characteristics of the site and surroundings. As such it is considered that the design, size, siting and scale of the development proposed are such that it would not result in any significant harm to the character and appearance of the site, the streetscene and the area more widely. The proposal is therefore considered to be acceptable and policy compliant in this regard.

## **Amenity Impacts**

- 6.8 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 6.9 The proposed platform is limited in size such that it allows for access to the rear garden from the flat, rather than creating a sitting out space. It is therefore considered that the proposal would not cause any significant harm to the amenities of surrounding neighbours.
- 6.10 Overall, it is considered that the design, size, siting and scale of the development proposed are such that it would not result in any significant harm to the amenities of the site, neighbouring occupiers or wider area in any regard. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts.

## **Other Matters**

- 6.11 The proposed development is not found to result in any significant parking or highways impacts, it is therefore acceptable and policy compliant in these regards.
- 6.12 The development is not liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended).

## **Equality and Diversity Issues**

- 6.13 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

## **Conclusion**

- 6.14 For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is granted subject to conditions.

## **7 Recommendation**

### **GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 The development hereby permitted shall begin no later than three years from the date of the 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 only in accordance with the following approved plans: 2022/05/38aBA Sheet 01 of 03, Sheet 02 of 03, Sheet 03 of 03.**

**Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).**

**Positive and Proactive Statement:**

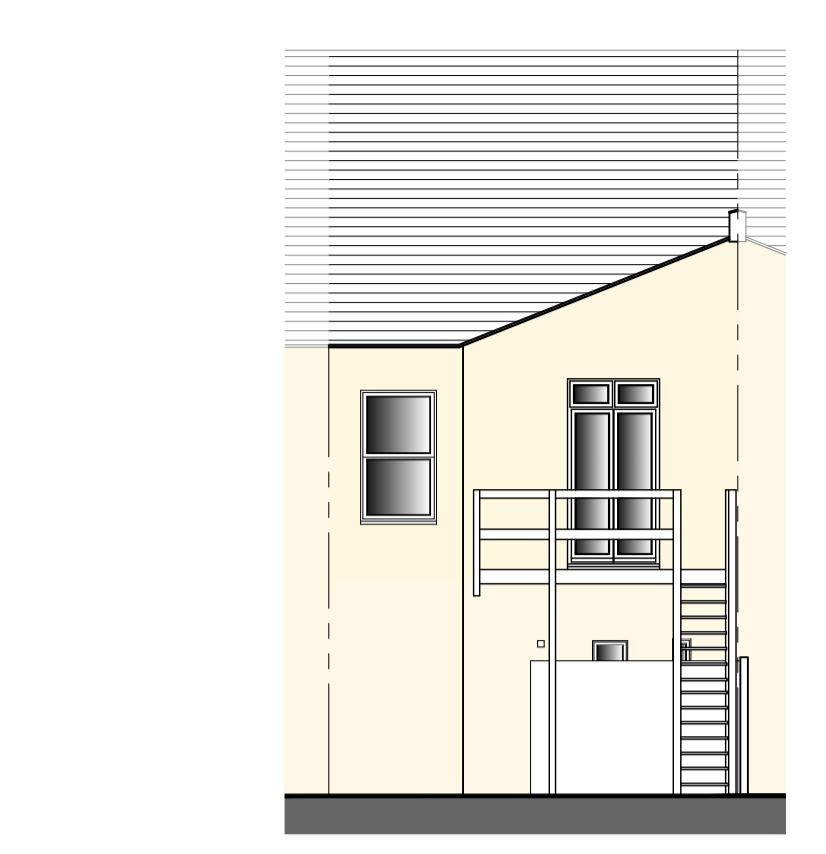
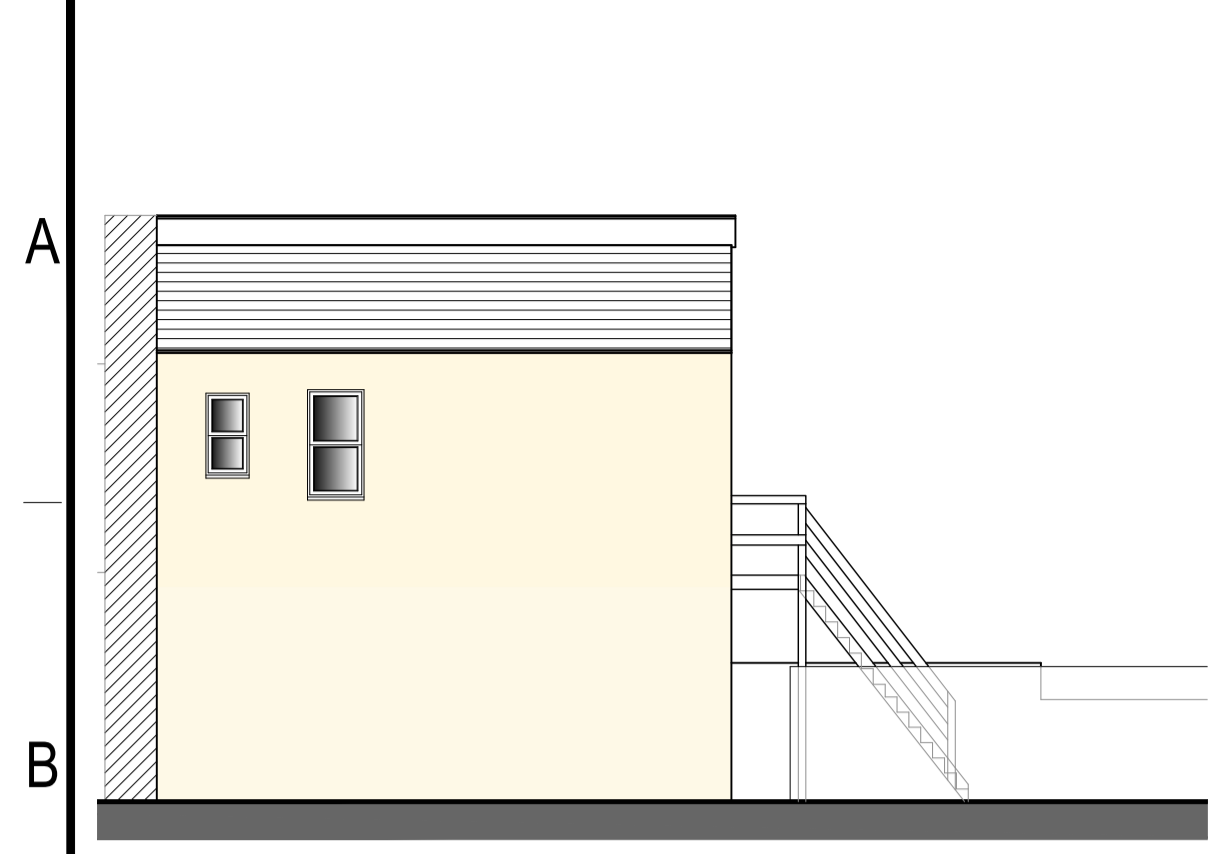
**The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.**

**Informatives:**

- 1 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)) for further details about CIL.**
- 2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.**

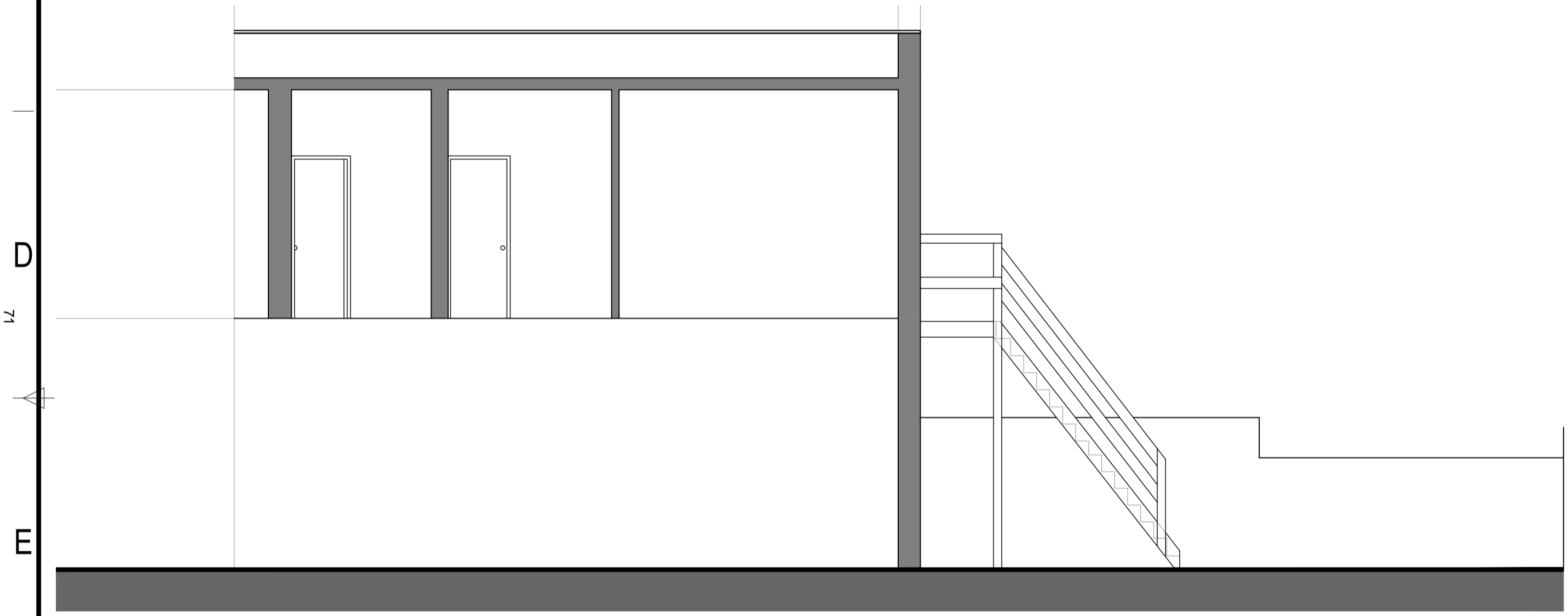
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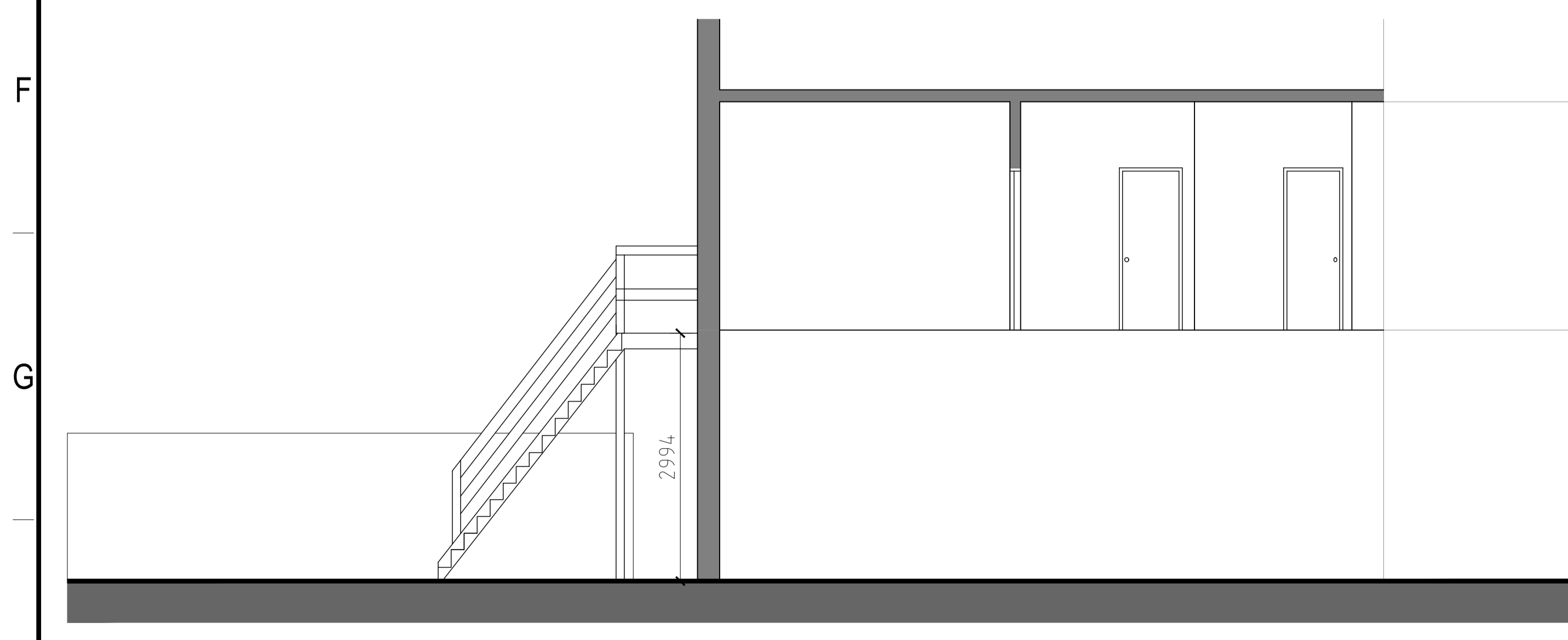


01 Existing Side Elevation 1:100

02 Existing Rear Elevation 1:100

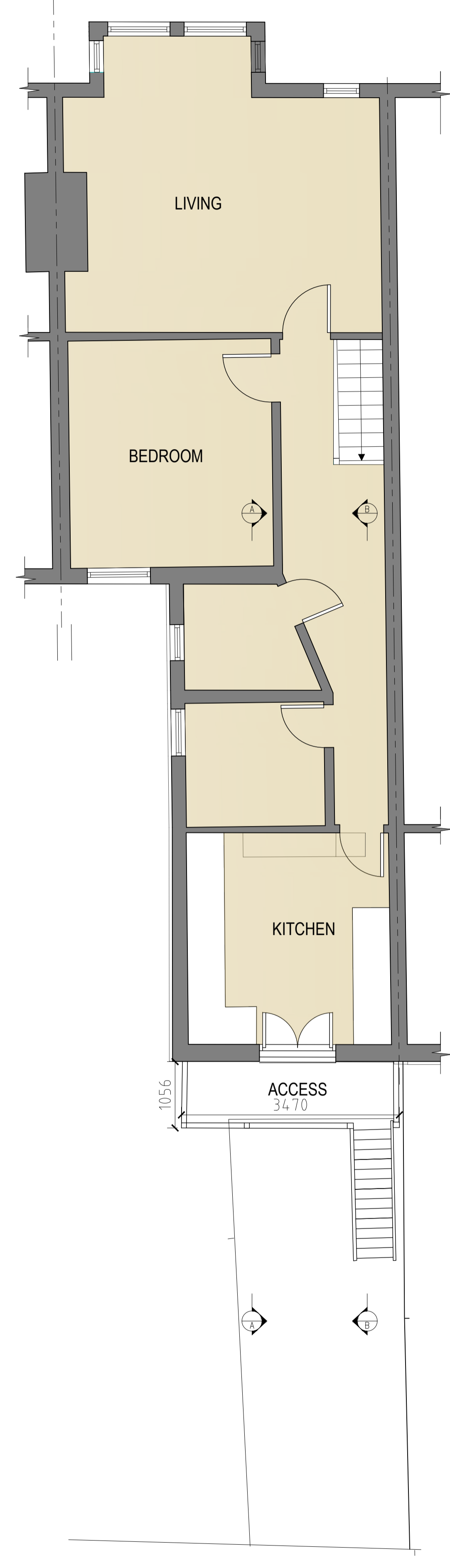


03 Existing Section A-A 1:50

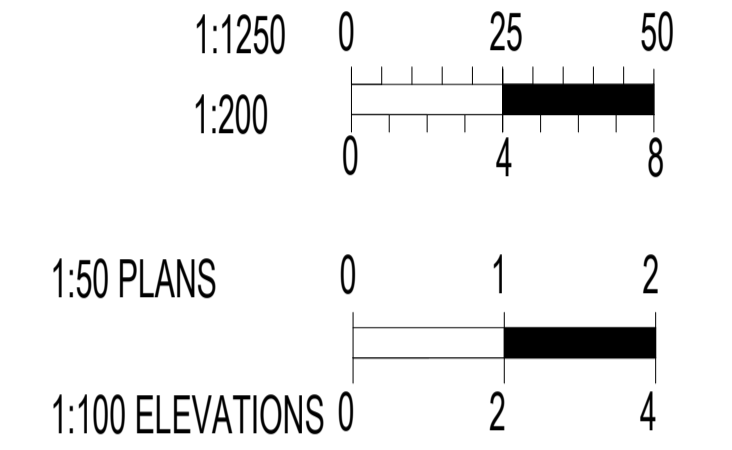


04 Existing Section B-B 1:50

05 Existing Site Plan 1:50



**Health and Safety Legislation.**  
**Construction (Design & Management), Regulations 2015**  
 The client should make themselves aware of their duties and responsibilities under the Construction (Design & Management) Regulations 2015 including making suitable arrangements to ensure that, throughout the planning, design and construction of a project, adequate consideration is given to the health, safety and welfare of all those affected and involved in the construction work. The client should ensure that all relevant pre-construction information is provided as soon as practicable to the designer and contractor (including the principal contractor) who is bidding for work on the project or has already been appointed. DSB Property Designs Ltd will be appointed 'designer' for the pre-construction phase of the project to prepare drawings, design details and specifications for the submission of town planning and/or building regulation applications only. Domestic client duties will automatically pass to the contractor or principal contractor during the construction phase of the works, and these are general duties to manage health and safety of the site and works which a contractor already has a duty to discharge. These drawings form our part of the health and safety file under CDM 2015, we are not involved with the construction phase of the project therefore. Our involvement as Principle designer has now ended and the client must pass these documents to the Principle Contractor and appoint them in writing to carry out their duties under CDM 2015. Note that a project is notifiable to the HSE if the construction work on a construction site is scheduled to last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project or it exceeds 500 person days. These drawings are compiled on the sole basis that the works will be undertaken by a competent Contractor experienced in the nature of the works shown hereon. ALL required temporary works to undertake the proposals shown hereon are the responsibility of the Contractor.  
 These drawings are not a step by step instruction guide and in some cases changes may be required. Any deviations from the drawings must first be agreed with Building control. Where our involvement is required this must be instructed in writing and will be charged at our standard rate.  
 We suggest an Asbestos survey is carried out and where any Asbestos is found seek the appropriate advise. Any asbestos must be dealt with by an approved licensed contractor only.



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REV / REVISION NOTE	REVISION DATE	BY
DWG REF 2022/05/38aBA	SHEET 01 of 03	
SCALE 1:50/1:100/1:1250	DRAWN DATE JAN22	
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PROJECT: -  
 EXTERNAL STAIRCASE

SITE ADDRESS:-  
 38a Burdett Avenue  
 Westcliff-on-Sea  
 Essex  
 SS0 0JW

CLIENT: -  
 Mr Giles Gilbert

**SMARTER PLANNING CHAMPION**

**partner LABC**

**WALL KEY: -**

[Solid Grey]	Existing stud/ block
[Dark Grey]	Existing solid walls
[Hatched]	Block walls
[Dotted]	Stud walls
[Light Grey]	Existing cavity walls
[Diagonal Hatched]	Proposed walls

**Engineer**  
**Planning** [Red Box]

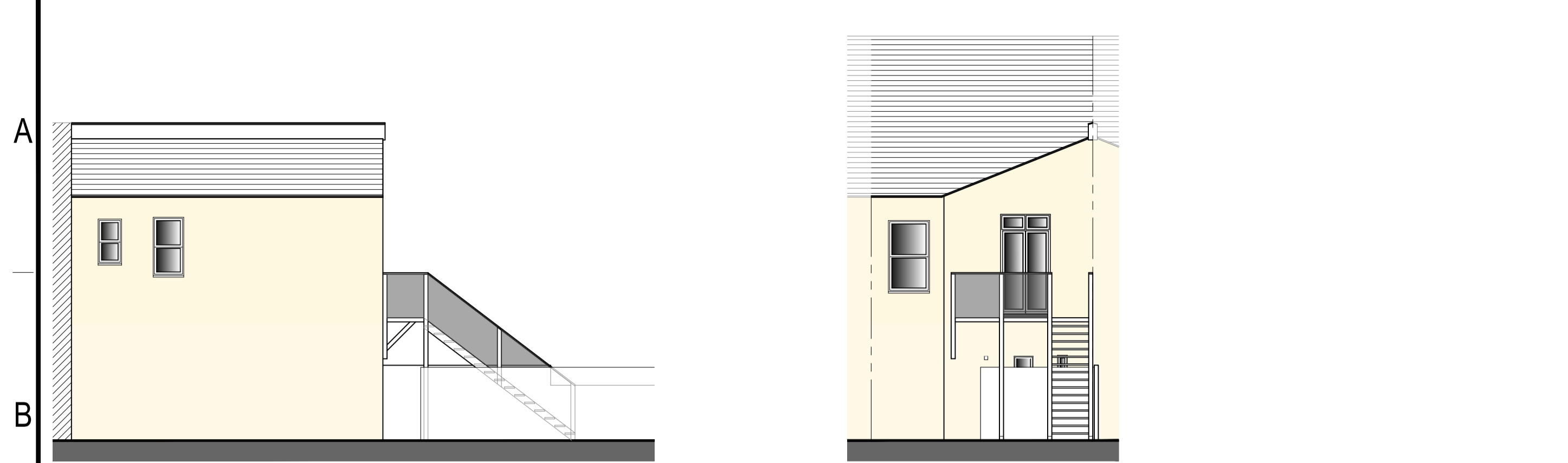
**Bldg Regs**

**Construction**

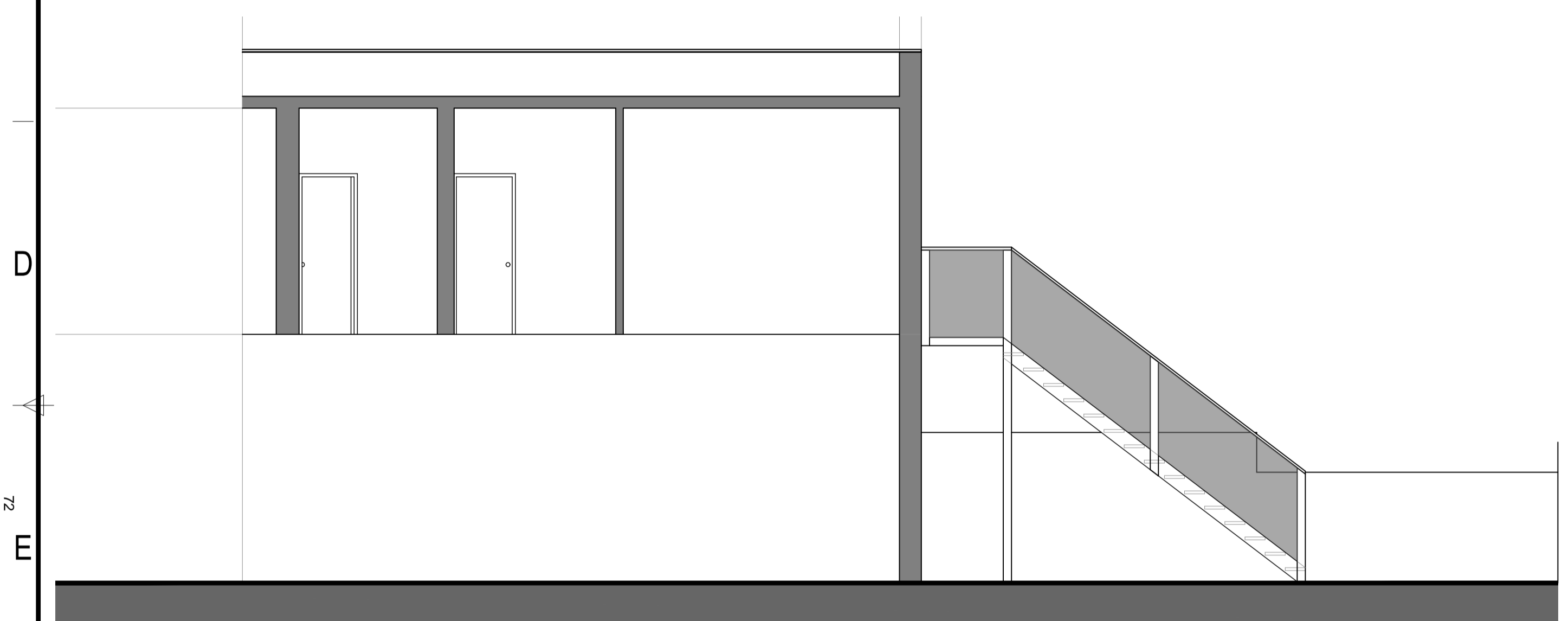
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 3) PVC Windows and Doors  
 4) PVC Rainwater Goods  
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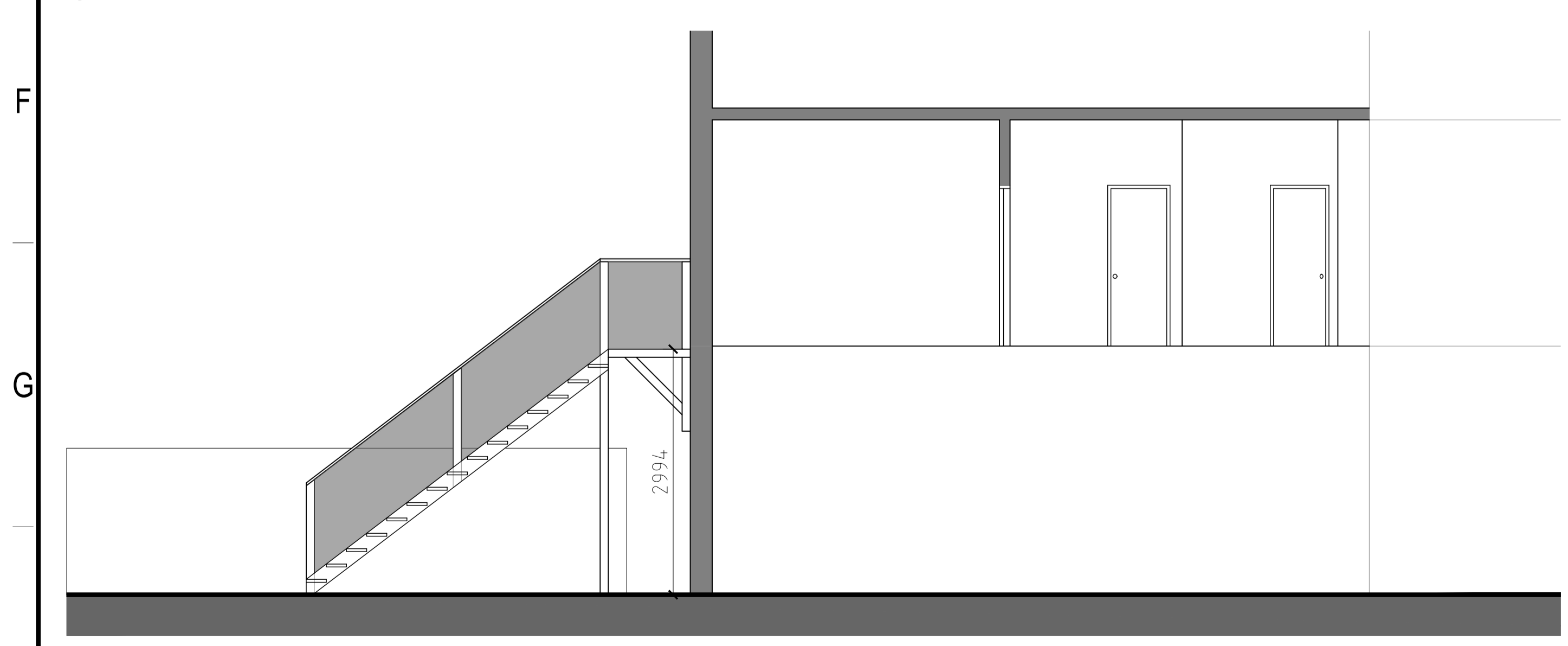
01 Existing Plans  
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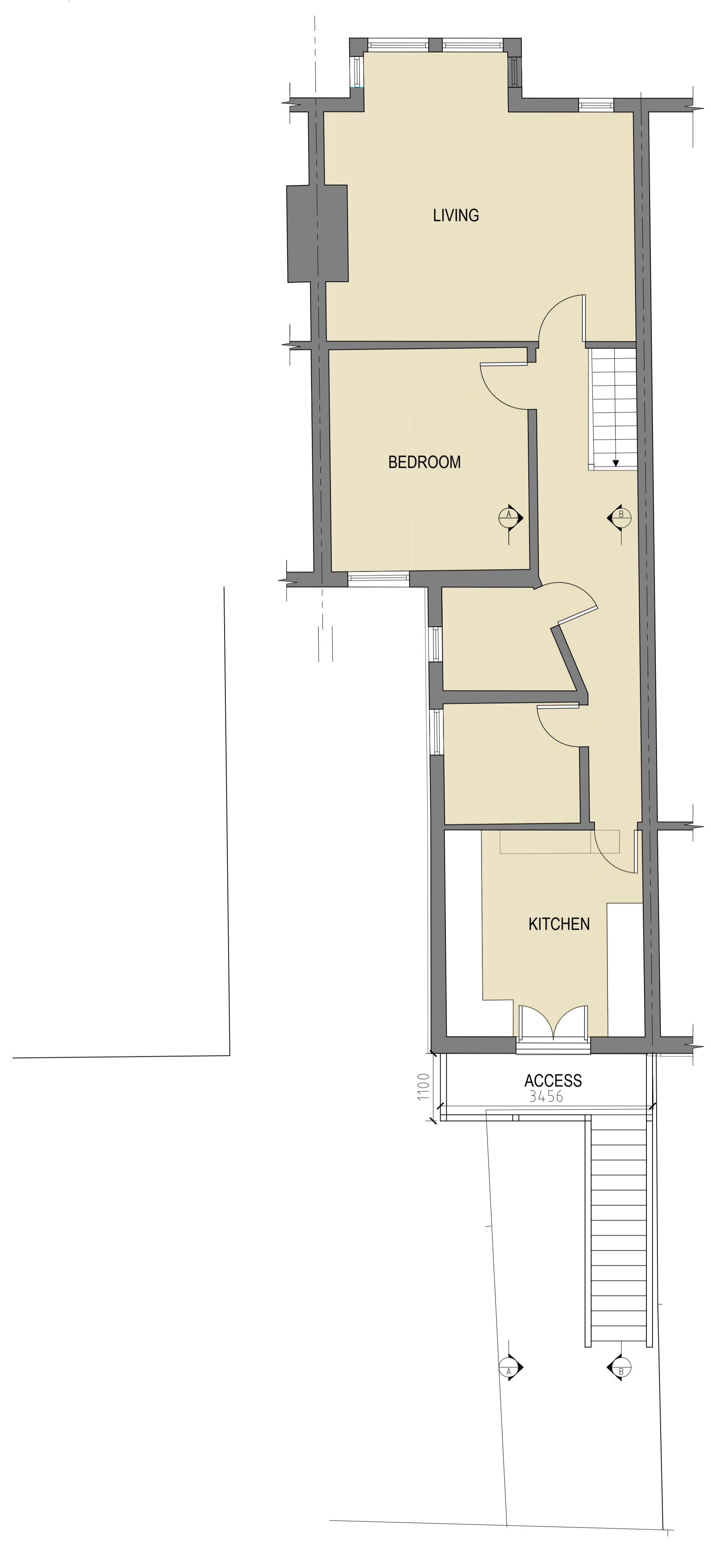
06 Proposed Side Elevation 1:100  
 07 Proposed Rear Elevation 1:100



08 Proposed Section A-A 1:50

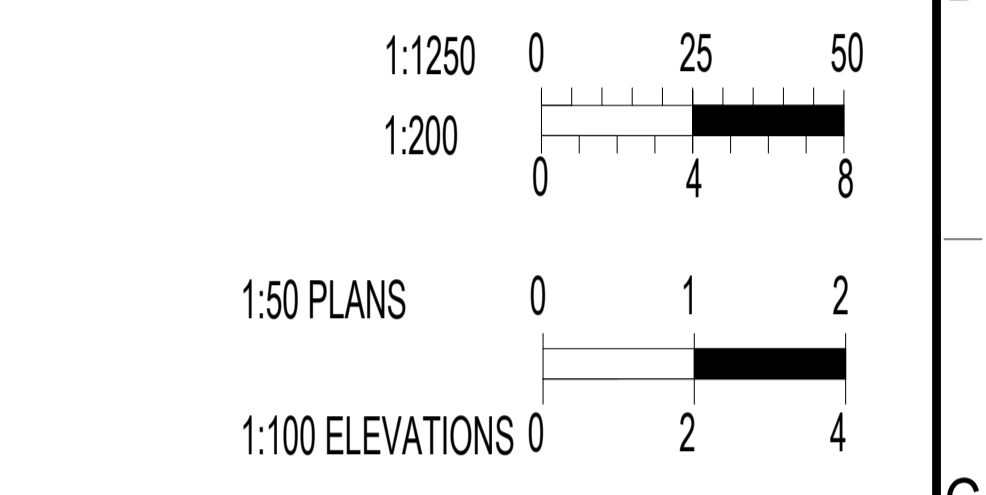


09 Proposed Section B-B 1:50



10 Proposed Site Plan 1:50

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 Construction (Design & Management), Regulations 2015  
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 These drawings are not a step by step instruction guide and in some cases changes may be required. Any deviations from the drawings must first be agreed with Building control. Where our involvement is required this must be instructed in writing and will be charged at our standard rate.  
 We suggest an Asbestos survey is carried out and where any Asbestos is found seek the appropriate advise. Any asbestos must be dealt with by an approved licensed contractor only.



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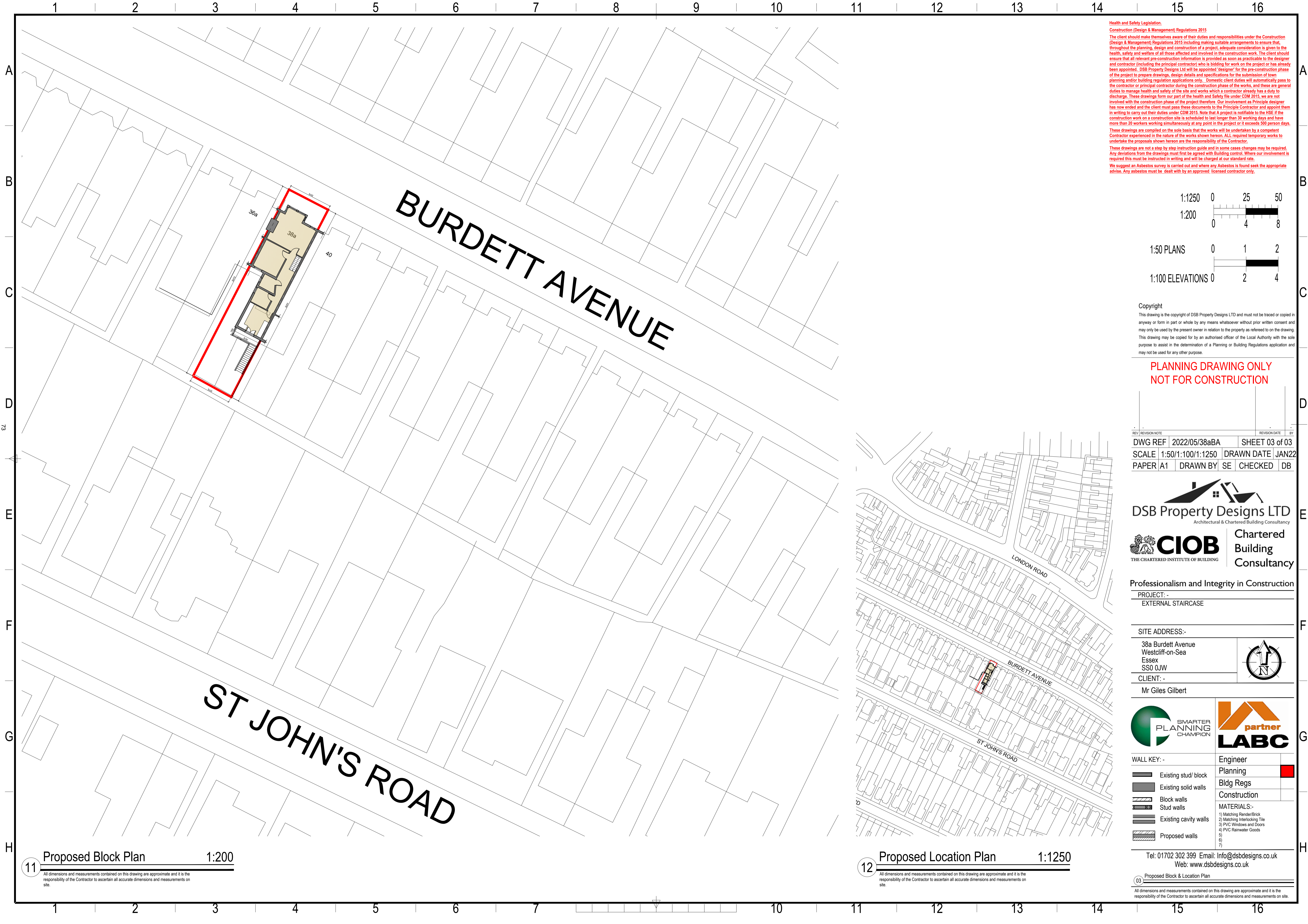
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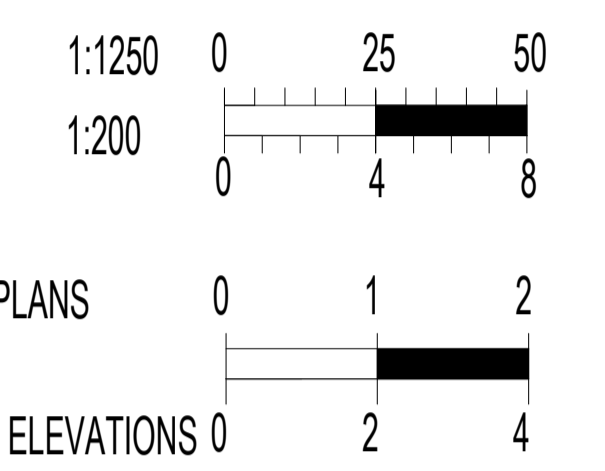
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02 Proposed Plans  
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**11 Proposed Block Plan 1:200**  
 All dimensions and measurements contained on this drawing are approximate and it is the responsibility of the Contractor to ascertain all accurate dimensions and measurements on site.

**12 Proposed Location Plan 1:1250**  
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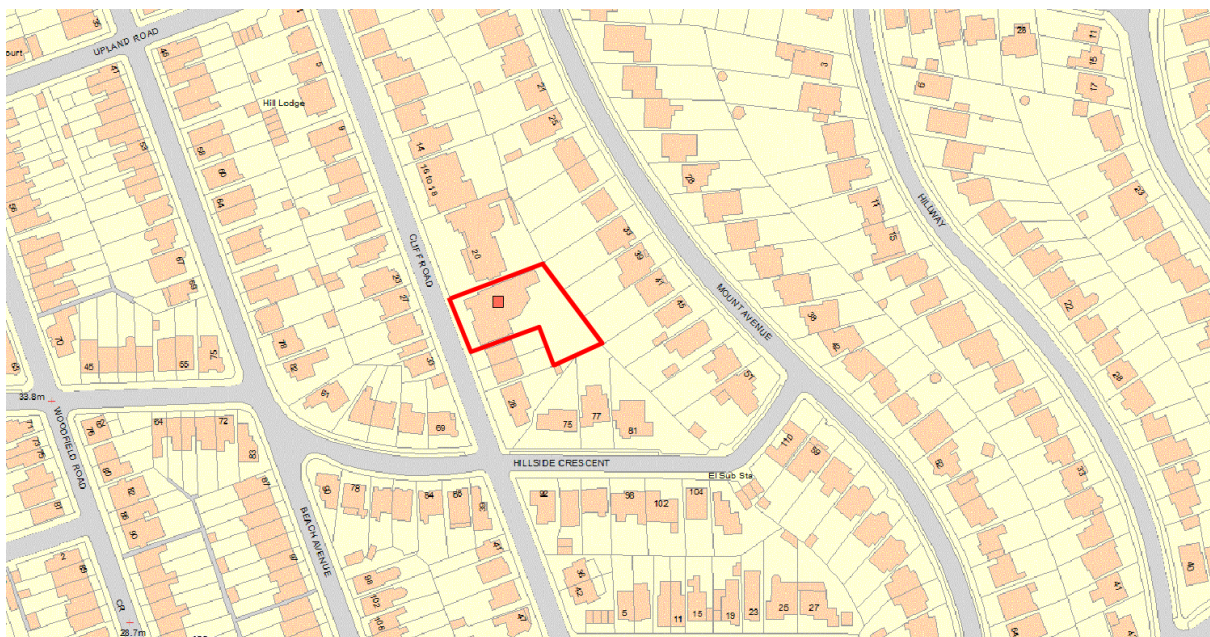
**03 Proposed Block & Location Plan**  
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<b>Reference:</b>	22/00841/FUL	<h1>7</h1>
<b>Application Type:</b>	Full Application	
<b>Ward:</b>	Chalkwell	
<b>Proposal:</b>	Convert existing residential home (Class C2) into 9no. self-contained residential units (Class C3) with associated parking	
<b>Address:</b>	Brambles Care Home, 22 Cliff Road, Leigh-on-Sea, Essex, SS9 1HJ	
<b>Applicant:</b>	Mr Ken Kandola	
<b>Agent:</b>	Mr Gary Cumberland of Form Architecture Ltd.	
<b>Consultation Expiry:</b>	24.05.2022	
<b>Expiry Date:</b>	29.07.2022	
<b>Case Officer:</b>	Oliver Hart	
<b>Plan Nos:</b>	1838/01A; 1838/02A; 1838/03A; 1838/04A	
<b>Supporting Documents:</b>	Design and Access Statement; Transport Note (WIE18925.101.R.1.2.3); Justification Statement	
<b>Recommendation:</b>	GRANT PLANNING PERMISSION subject to conditions	



## **1 Site and Surroundings**

- 1.1 The application site is occupied by a four-storey detached property on the eastern side of Cliff Road. The building is used as a care home with 26 rooms, the majority of which benefit from an en-suite WC. The ground floor contains communal facilities. There is an internal lift that serves the ground, first and second floors. The buildings frontage is a hard surfaced and used for parking for five vehicles. .To the rear is a large communal amenity space. Existing refuse storage is located to the northern flank of the application site. Land levels slope downwards from north to south across the site.
- 1.2 The wider surrounding area is residential in character. The site itself has no specific allocation within the Development Management Document's Proposals Map and is not subject to any planning policy designations.

## **2 The Proposal**

- 2.1 The application proposes the conversion of the care home into nine self-contained residential units; one flat at lower ground floor, four units at ground floor including two maisonettes, two at first floor and two at second floor. The dimensions of the proposed flats are:
- Unit 1 1b/2p 59sqm; Bedroom 1; 12sqm
  - Unit 2 2b/3p 61sqm; Bedroom 1; 13sqm Bedroom 2; 10sqm
  - Unit 3 1b/2p (Maisonette) 59sqm; Bedroom 1; 14sqm
  - Unit 4 2b/4p 85sqm; Bedroom 1; 17sqm Bedroom 2; 14sqm
  - Unit 5 3b/6p (Maisonette) 186sqm; Bedroom 1; 14.8sqm Bedroom 2; 11.9sqm Bedroom 3; 10.3sqm
  - Unit 6 2b/3p 74sqm; Bedroom 1; 15sqm Bedroom 2; 8sqm
  - Unit 7 3b/6p 118sqm; Bedroom 1; 15sqm Bedroom 2; 14sqm Bedroom 3; 15sqm
  - Unit 8 2b/3p 76sqm; Bedroom 1; 16sqm; Bedroom 2; 10sqm
  - Unit 9 3b/5p 112sqm; Bedroom 1; 16sqm Bedroom 2; 12sqm Bedroom 3; 10sqm
- 2.2 Units 2 and 4 at ground floor would be served by their own individual private amenity areas some 18sqm and 22sqm respectively. Unit 6 at first floor would be served by a reinstated balcony feature some 7.5sqm in area. A communal amenity space would also be provided to the rear of the building some 562sqm in area.



- 2.3 Refuse storage is proposed along the northern flank boundary of the application site. Cycle storage is proposed within the communal area to the rear of the site. The area to the front of the site would be retained for parking, with an additional space (six in total) proposed to the southern flank boundary, utilising existing crossovers.
- 2.4 The change of use concerns significant internal revisions to the layout. Limited external changes are proposed comprising a new rooflight to the front elevation, removal of an existing wheelchair access ramp and the existing ground floor conservatory to the rear, erection of new terrace areas serving units 2 and 4 and a new sliding door serving the living/dining/kitchen area serving unit 1. A balcony would be re-instated at first floor serving unit 6.

### **3 Relevant Planning History**

- 3.1 22/01093/TPO- Reduce 2 Oak Trees (T1 and T2) to rear by 3m and general maintenance (Works to a tree covered by a Tree Preservation Order)- Granted
- 3.2 16/00732/TPO- Prune one Oak tree to rear (Works to a tree covered by a tree preservation order)- Granted
- 3.3 15/00444/FUL- Demolish existing conservatories and external staircase, erect replacement conservatory and external staircase to rear, dormers to front, side and rear elevations and alter roof to form additional accommodation, layout hardstanding at lower ground level rear- Granted

### **4 Consultation Responses**

#### **Public Consultation**

- 4.1 Twenty-three neighbours were notified, and a site notice was displayed. Thirteen letters of objection from twelve addresses have been received. These are summarised below:
- Concerns about impact on residential amenity
  - Noise, disturbance and privacy concerns from use of the terraces/balcony.
  - Noise and disturbance concerns from general increase in number of occupants of the building and use of communal rear garden.
  - Lack of parking would exacerbate existing parking stress.
  - Concerns with the data contained within the Transport Note submitted
  - Concern about future of existing residents.
  - Concerns about devaluation of neighbouring properties.
  - Impact on facilities such as sewerage, Wi-Fi etc.

Officer Comments: The concerns in the above representations are noted and where they refer to material planning considerations they have been taken into account in the assessment of the application, but they have not been found to represent reasons justifying refusal of planning permission on those grounds in the circumstances of this case.

## **Environmental Health**

- 4.2 No objections subject to the imposition of a construction hours and refuse and recycling condition.

### **Highways**

- 4.3 There are no highway objections to this proposal.

## **Adult Social Care**

- 4.4 No objection.

## **Call-in**

- 4.5 The application has been referred the Council's Development Control Committee by Councillor Folkard.

## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework (NPPF) (2021)

- 5.2 Planning Practice Guidance and National Design Guide (2021)

- 5.3 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision) and CP6 (Community Infrastructure).

- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards) DM9 (Specialist Residential Accommodation) and Policy DM15 (Sustainable Transport Management).

- 5.5 Southend-on-Sea Design and Townscape Guide (2009).

- 5.6 Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) SPD (2020)

- 5.7 Community Infrastructure Levy (CIL) Charging Schedule (2015).

- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)

- 5.9 Electric Vehicle Charging Infrastructure for new development (2021)

- 5.10 Technical Housing Standards – Nationally Described Space Standards (2015)

- 5.11 Technical Housing Standards Policy Transition Statement (2015)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of the development including the loss of the care home and change to Class C3 residential use, design and impact on the character of the area, living conditions for future occupiers, impact on residential amenity, any traffic and transport issues, sustainability and CIL (Community Infrastructure Levy) and RAMS considerations.

## **7 Appraisal**

### **Principle of Development:**

- 7.1 Government guidance contained within the National Planning Policy Framework encourages effective use of land in particular previously developed land (para.119).
- 7.2 Policies KP1 and KP2 of the Core Strategy seek to promote sustainable development, and Policy KP2 seeks to direct the siting of development through a sequential approach, minimising the use of 'greenfield' land. The proposal would re-use previously developed land, consistent with the surrounding residential character.
- 7.3 Policy CP8 of the Core Strategy identifies that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend City, providing approximately 40% of the additional housing that is required to meet the needs of the City. Policy CP8 also expects 80% of residential development to be provided on previously developed land.
- 7.4 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the City. Similarly, the Council's Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the City. The South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprised of a greater proportion of one-bed units and smaller properties a consequence of which is that there is a lower percentage of accommodation of a suitable size for families.
- 7.5 Policy CP6 states that new development should demonstrate that it will not jeopardise the City's ability to improve the education attainment, health and well-being of local residents and visitors to Southend. Policy DM9 states that the Council supports independent living and avoid an over-provision of residential care, together with improvement of existing provision.
- 7.6 The Council's Adult Social Care service raised no objection to the proposed loss of the care home following a sustained period of low occupancy and demand at the site and rising operating costs. The development would occupy previously developed land within the built-up area, in flood zone 1. This is therefore a sequentially preferable type of location for residential development. Moreover, the proposal would provide three units of family sized accommodation for which there is an identified need in the City.

- 7.7 On this basis, it is considered that the proposal is acceptable as a matter of broad principle, subject to detailed considerations assessed below.

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

- 7.8 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.9 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm.
- 7.10 The proposed development relates to the conversion and external alteration of the building and would not result in a greater coverage of the site. A limited number of external changes are proposed which are located mainly to the rear of the building. These include a new rooflight to the front elevation, removal of an existing wheelchair access ramp and the existing ground floor conservatory to the rear, erection of terrace areas serving units 2 and 4 and a new sliding door serving the living/dining/kitchen area of unit 1. A balcony appears to be re-instated at first floor serving unit 6.
- 7.11 These alterations are limited in their scope and are considered to integrate satisfactorily with the existing building and would not result in any material harm to the character and appearance of the site, the streetscene, or wider surrounding area.
- 7.12 Refuse and cycle storage facilities for the whole development are shown to the northern flank boundary (refuse) and communal rear amenity space (cycle store). It is considered these are set sufficiently away from the public highway and, subject to details including elevations to be submitted and approved, no objection is raised to their proposed siting.
- 7.13 The development is therefore acceptable and policy compliant in these respects.

### **Impact on Residential Amenity**

- 7.14 Paragraph 343 of The Design and Townscape Guide (2009), under the heading of "Alterations and Additions to Existing Residential Buildings" states, amongst other criteria, that extensions and alterations must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management Document also states that development should "*Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.*"

- 7.15 The proposed conversion of the care home to residential dwellings relies predominantly on internal alterations. The exterior changes which include the removal of an existing wheelchair access ramp and conservatory addition, as well as the provision of a new opening serving unit 1 and rooflight to the front elevation are not considered to result in materially different impacts on the neighbouring occupiers than those that already exist. None of the changes would be significantly harmful to amenity in their own right or collectively.
- 7.16 The proposed addition of ground floor terrace areas and re-instatement of a first-floor balcony area do however have the potential to result in materially different impacts on the neighbouring occupiers to the south along Cliff Road on account of their elevated position and orientation facing toward the rear gardens of those neighbouring properties south.
- 7.17 With regards to the first-floor balcony, due regard is had to historical imagery which demonstrates a balcony feature in this location has been an established feature for some time.

Image 1- site photo from a 2015 planning application clearly shows a first-floor balcony in the same position and of almost identical dimension.



- 7.18 Moreover, a separation of some 11m would be retained from the shared boundary with No.24 Cliff Road and some 16m from the rear of No.24 itself. Having regard to its established nature and the separations involved, such a feature is not considered to result in a significant degree of overlooking or unacceptable loss of privacy.
- 7.19 With regards to the proposed terraces, regard is had to the presence of existing ground, first and second floor rear and side windows at the application and surrounding properties such that it is reasoned that a degree of overlooking is characteristic of the rear garden scene. In addition, having regard to the separations involved and orientation of the terraces relative to neighbouring habitable accommodation (particularly the unit 4 terrace which would be precluded from direct views of the rear elevation of No.24 Cliff Road to the south following the existing pattern of development), it is not considered the proposal would give rise to a significantly harmful degree of overlooking over and above the existing situation.

- 7.20 In terms of noise and disturbance, the former care home had 26 bedrooms with commensurate staffing. The design capacity of the proposed 9 flats would be for up to 34 people with an additional off-street parking space. The patterns and levels of activity would vary but given that the site is separated from neighbouring dwellings and noting the significant levels of capacity at present, it is considered that the proposal would not result in additional noise and disturbance to a degree that would be significantly harmful to amenity or would warrant refusal of the application on these grounds.
- 7.21 The proposal is therefore acceptable and policy compliant in the above regards.

**Standard of Accommodation:**

- 7.22 Paragraph 17 of the NPPF states that “*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:

Table 1: Minimum Technical Housing Standards

<b>Property type</b>	<b>Minimum property size</b>
1 bedroom, 2-person flat over 1 storey	50sqm
1 bedroom, 2-person flat over 2 storeys	58sqm
2-bedroom, 3-person flat over 1 storey	61 sqm
2-bedroom, 4-person flat over 1 storey	70sqm
3-bedroom, 5-person flat over 1 storey	86 sqm
3-bedroom, 6-person flat over 1 storey	95 sqm
3-bedroom, 6-person flat over 2 storeys	102 sqm
Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5sqm for a single bedroom with a minimum width of 2.15m; and 11.5sqm for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.	
Floorspace with a head height of less than 1.5m should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.	
A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area	
Weight should also be given to the content of policy DM8 which sets out standards in addition to the national standards including the provision of a storage cupboards, private outdoor amenity space, safe cycle storage and the provision of refuse facilities	

- 7.23 The proposed flats would have dimensions as set out above in paragraphs 2.2 of this report that would comply with the abovementioned standards.

- 7.24 Bedroom 1 of Unit 3 and the living and bedroom (3) areas of Unit 5 would have an outlook over proposed car parking areas. This is not a positive aspect of the proposal however, it is considered that these factors in themselves would not be significantly harmful, nor would they warrant refusal of the application on these grounds as part of an overall assessment of the amenities provided by these units. The other units would provide adequate living conditions for future occupants in terms of outlook, daylight and sunlight and ventilation.
- 7.25 The Design and Townscape Guide (paragraph 78) states: *“New development and public space should be easy to understand to enable the users to find their way around. In particular both pedestrian and vehicular entrances must be easily identified and visible from the public highway. Buildings and landscaping should be used to make the routes attractive, recognisable and distinctive to assist orientation”*. The Design and Townscape guidance also advises that the primary entrance should be provided in street facing elevations. The entrances to the building would be via existing entrances in the front elevation which would be acceptable.
- 7.26 The three-bedroom flats (Units 5, 7 & 9) constitute family-sized accommodation. The remaining flats would be capable of occupation by up to 3 persons. Private amenity space is proposed for the ground floor units 2 & 4 and for the first-floor unit 6. The absence of private amenity space for the family sized accommodation is a negative aspect of the scheme although a rear communal amenity space some 562sqm in area would be available for use by all units and would be accessed predominantly via a side accessway to the northern boundary. It is noted Unit 5 would have direct access from its kitchen/dining area.
- 7.27 Whilst the arrangement for access to external amenity space is a less positive aspect of the scheme, on balance, the significant extent of communal amenity space is considered acceptable for the whole development. On this basis, the issue of access in itself would not warrant refusal of the application on these grounds.
- 7.28 The configuration proposed does not suitably preclude overlooking of lower ground floor habitable room windows serving Units 1 and 5. A condition can however be imposed requiring a landscaping scheme to mitigate the impacts to prevent any harmful overlooking.
- 7.29 Facilities for refuse storage are shown on the submitted plans to the north of the site, away from the public highway. Two 1100L Eurobins are shown. The Waste Storage, Collection and Management Guide for New Developments recommends Four 1100L Eurobins for the number of units proposed (two for general waste and two for recycling). Whilst the arrangement shown falls short of this requirement, it is considered there remains sufficient space within the wider application site to accommodate this additional provision. Subject to a condition requiring refuse and recycling details, this element of the proposal is acceptable.
- 7.30 Internal noise matters would fall under the separate remit of the Building Regulations.

- 7.31 By reason of being a conversion it is considered that it is not reasonable for the applicant to be required to demonstrate that the development would accord with Part M4(2) of the Building Regulations.
- 7.32 For the reason outlined above, it has not been demonstrated that the proposal could offer acceptable living conditions for all future occupants. The proposal is therefore unacceptable and contrary to the above noted policy guidance.

### **Highways and Transport Issues:**

- 7.33 Policy DM15 states that each flat at the site should be served by one parking space. Policy DM15 also states that "Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/or where the rigid application of these standards would have a clear detrimental impact on local character and context." The existing site has five off street parking spaces to the front of the building. The space standards for C2 uses including care homes are 1 space per resident staff + 1 space per 3 bed spaces/dwelling units. This would generate a notional minimum parking requirement of 8.6 car parking spaces (26 bed capacity divided by 3). The existing arrangement falls short of this requirement.
- 7.34 It is proposed to utilise an existing vehicular access to increase the number of on-site parking spaces to six to serve this development. Whilst the proposed development fails to meet the policy requirement, the site benefits from being in a sustainable location with regard to public transport with good links in close proximity. The applicant has provided a robust transport assessment which has included a detailed parking survey this has demonstrated that there is parking capacity within the surrounding area. On this basis and noting the existing deficiency against the parking standards and that the development results in a net additional one parking space, it is not considered that the proposal will have a significantly detrimental impact on the local highway network.
- 7.35 No objection is raised on parking or highway safety grounds. Highways have not objected
- 7.36 Facilities for cycle storage are shown on the submitted plans to the rear of the building and this could be provided in an acceptable manner which would be accessible to all occupants.
- 7.37 In line with the council's EV charging policy for new dwellings, a condition has also been recommended requiring all on-site parking spaces be fitted with EV charging points.
- 7.38 Subject to such conditions, the proposal would be acceptable and policy compliant in the above regards.



## **Sustainability**

- 7.39 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” and that “at least 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)”.
- 7.40 No details have been submitted to demonstrate how this proposal would provide 10% of the energy needs however there is space to provide this, e.g. PV cells on the roof slopes. This can be secured by condition.
- 7.41 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst limited details have been submitted for consideration at this time, this can be dealt with by a condition.

## **Equality and Diversity**

- 7.42 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

## **Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS)**

- 7.43 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS). It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The RAMS Supplementary Planning Document (SPD), which was adopted by Full Council on 29th October 2020, requires that a tariff of £137.71 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement. The applicant has made this this payment and therefore the ecological implications of the site can be considered acceptable and policy compliant.

## Community Infrastructure Levy

- 7.44 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 953sqm, which may equate to a CIL charge of approximately £ 73,014.46 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the 'in-use building' test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

## 8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. In principle, the loss of the care home and the conversion of the building to form new dwellings in this location is appropriate. It is considered that the alterations would satisfactorily maintain the character and appearance of the host building and the surrounding area. It is considered that the development does not cause material harm to the amenities of neighbouring residents or the safety of the highway and provides adequate amenities for future occupiers.
- 8.2 This proposal creates new housing. Therefore, if any harm were identified it would be necessary to demonstrate that in reaching the decision an appropriate balancing exercise has been undertaken considering the benefits of the proposal and any harm. The Council has a deficit in housing land supply so the tilted balance in favour of sustainable development should be applied when determining the application as relevant. The test set out by the National Planning Policy Framework is whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when considered against the policies of the *Framework* taken as a whole. No such impacts have been found and this application is recommended for approval subject to conditions. It is recommended that planning permission is granted.

## 9 Recommendation

### 9.1 GRANT PLANNING PERMISSION subject to conditions :

#### *General Conditions*

- 01 **The development hereby permitted shall begin no 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: 1838/01A; 1838/02A; 1838/03A; 1838/04A**

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

*Design and character related conditions*

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

**Reason: 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 the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and the advice in the National Design Guide (Rev 2021) and the Southend-on-Sea Design and Townscape Guide (2009).**

- 04 Prior to the first occupation of the dwellings hereby approved, full details of both hard and soft landscape works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. The details submitted shall include, but not limited to:-**

- i. means of enclosure of the site including any gates or boundary fencing including the separation of the ground floor private amenity areas to suitably prevent overlooking;**
- ii. car parking layouts;**
- iii. details of soft landscaping to prevent overlooking into ground floor areas from use of the parking spaces;**
- iv. other vehicle and pedestrian access and circulation areas;**
- v. hard surfacing materials;**
- vi. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification**
- vii. details of measures to enhance biodiversity within the site;**

**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 the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).**

*Energy and water sustainability*

- 05** 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 occupation of the development hereby approved and implemented in full prior to the first occupation of the development. 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 (2007) and Development Management Document (2015) Policy DM2.

- 06** Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems shall be installed and made available for use prior to the first occupation of the development hereby approved and retained in perpetuity.

**Reason:** To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Policy KP2 of the Southend-on-Sea Core Strategy (2007), Policy DM2 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

*Highways and bin storage*

- 07** Prior to the first occupation of the residential units hereby approved, no less than six car parking spaces shall be provided and made available for use on site by occupiers of the new flats as shown on drawing no. 1838/03A. All of the resident parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the flats. The car parking spaces shall be retained solely for use by occupiers and visitors to the approved development in perpetuity.

**Reason:** To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy CP3 of the Core Strategy (2007), Policy DM15 of the Development Management Document (2015) and the Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021)

- 08** Notwithstanding the details submitted and otherwise hereby approved full details (including elevations) shall be submitted to and approved in writing by the Local Planning Authority under the provisions of this condition identifying the provision of refuse and recycling storage in line with the Waste Storage, Collection and Management Guide for New Developments (2019) and at least one covered and secure cycle parking per residential unit for the approved development at the site before the development is occupied.

The approved refuse and recycling store and covered and secure cycle store facilities shall be provided in full and made available for use by the residential occupants of the dwelling prior to the first occupation of the residential units hereby approved and shall be retained as such in perpetuity.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate refuse storage and cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Southend-on-Sea Design and Townscape Guide (2009).

*Protection of neighbouring occupiers' residential amenity*

**09 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time Sundays or Bank Holidays.**

Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

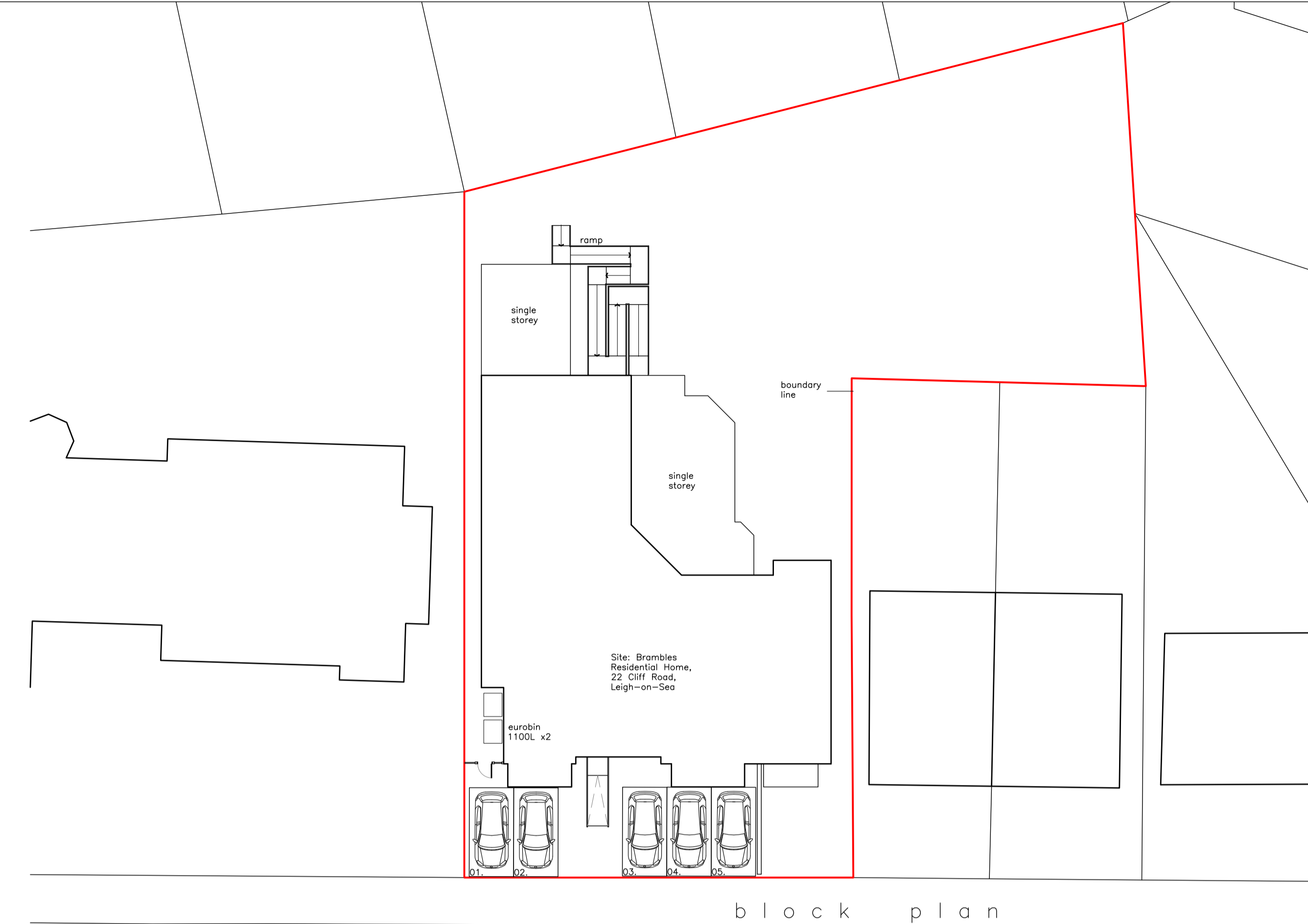
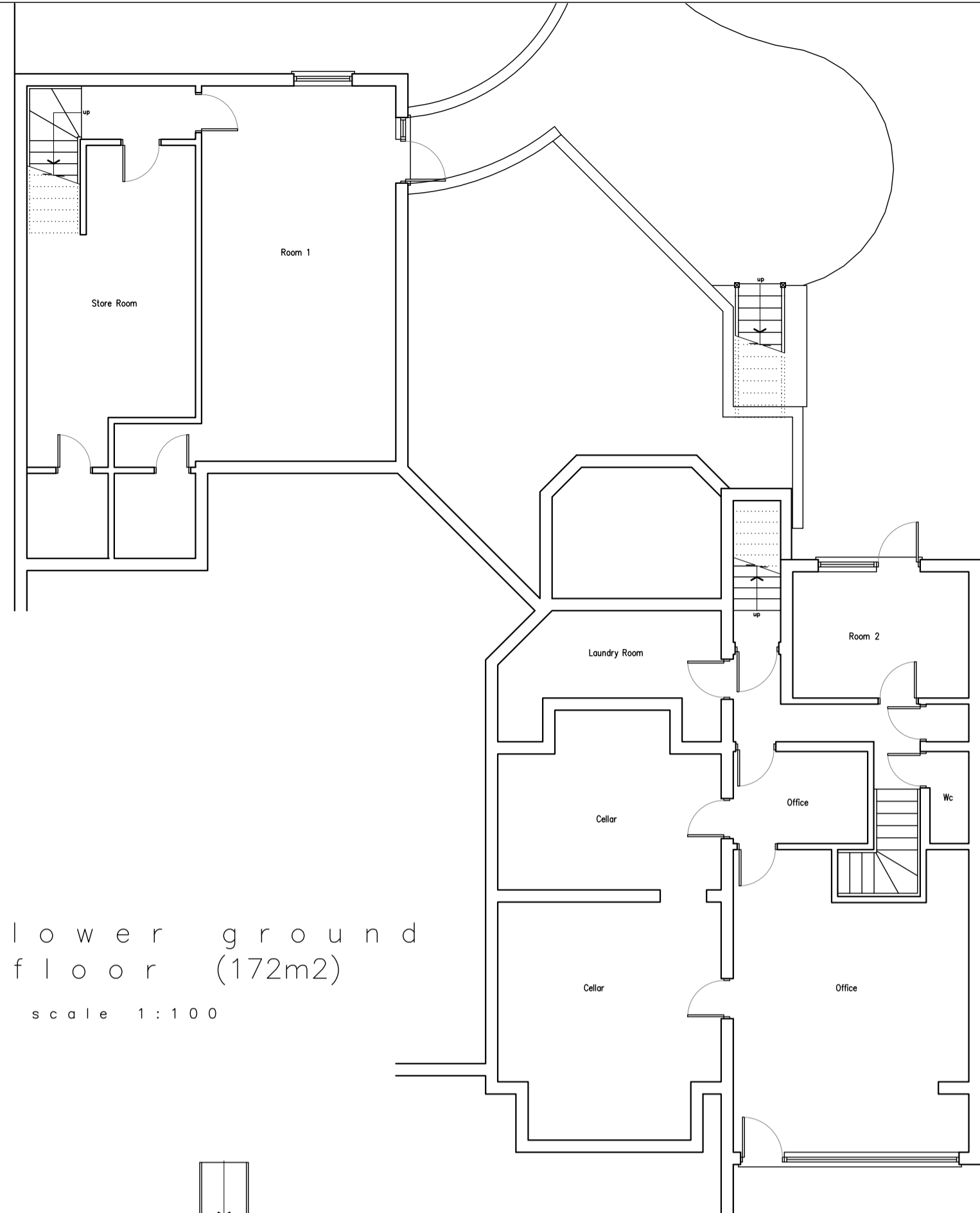
#### **Informatives**

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the city.

## **Positive and Proactive Statement**

**The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.**



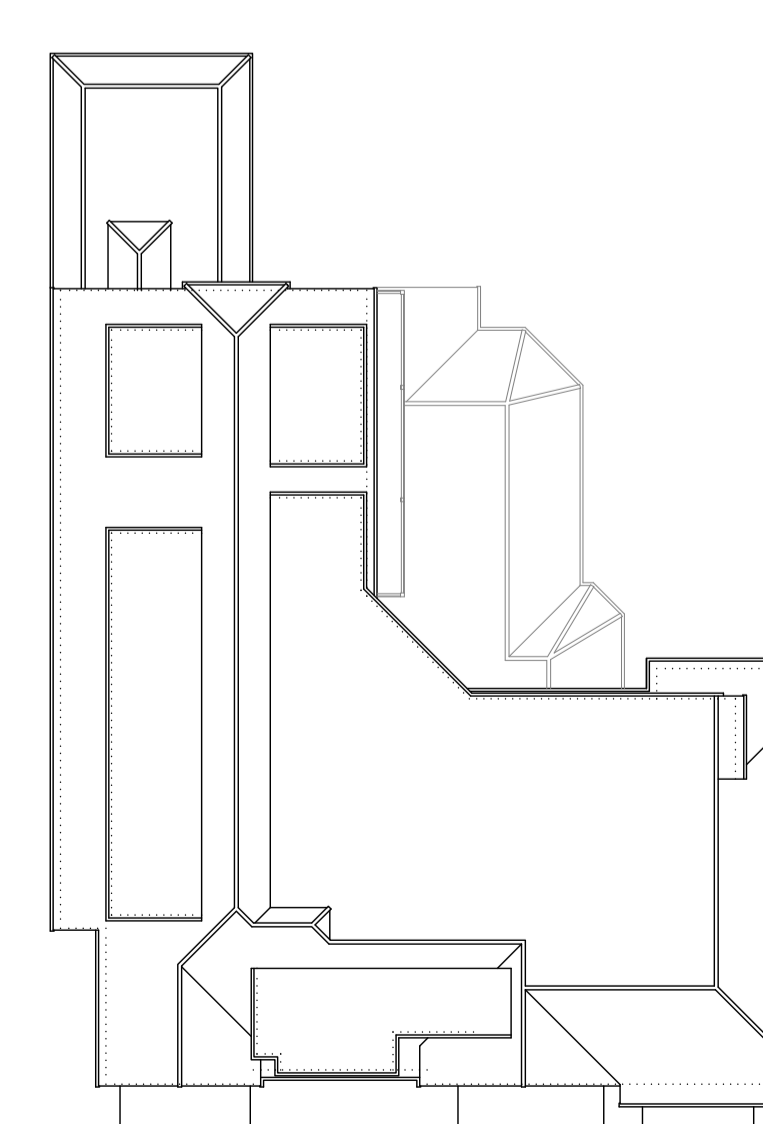
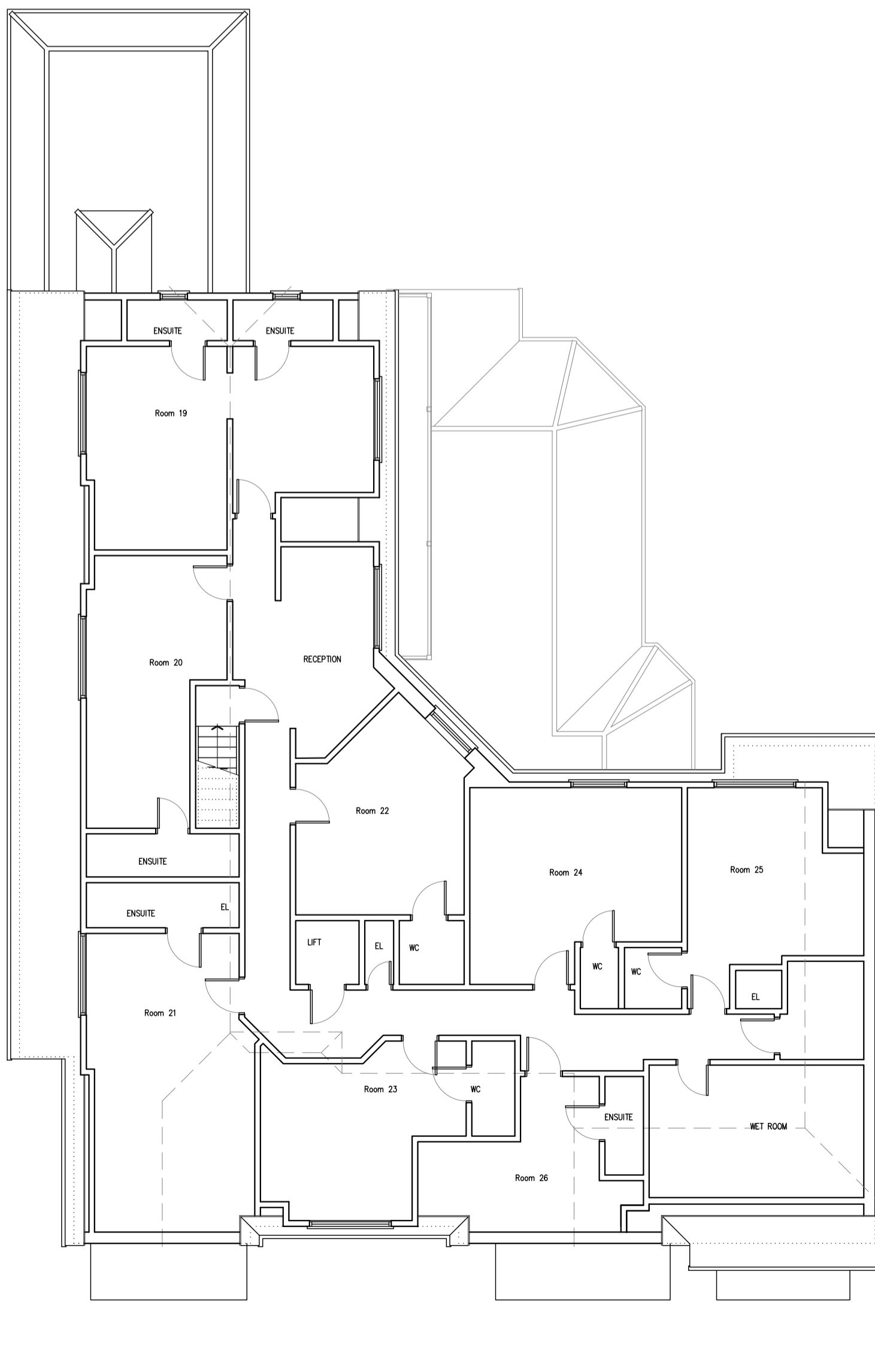
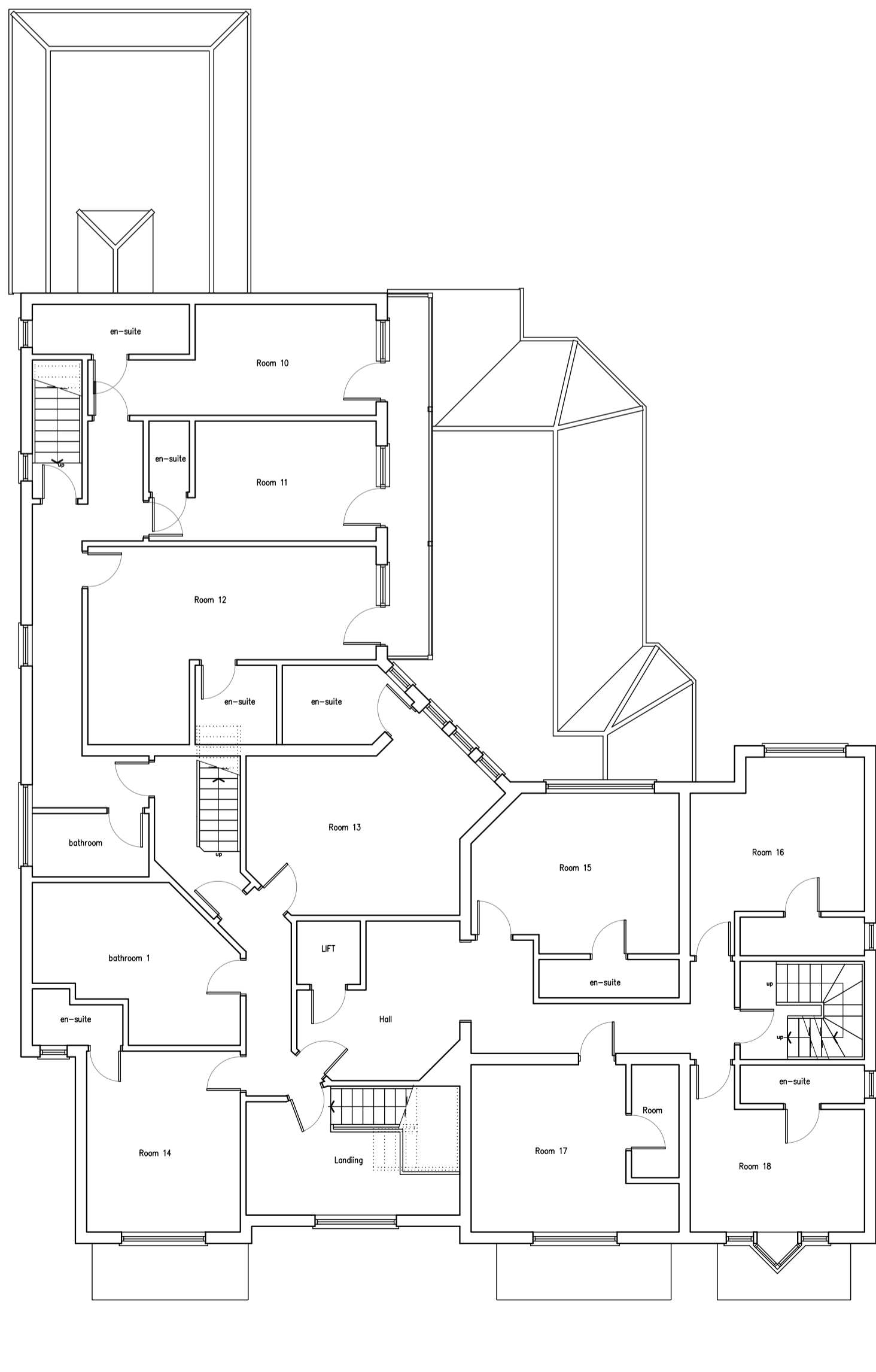
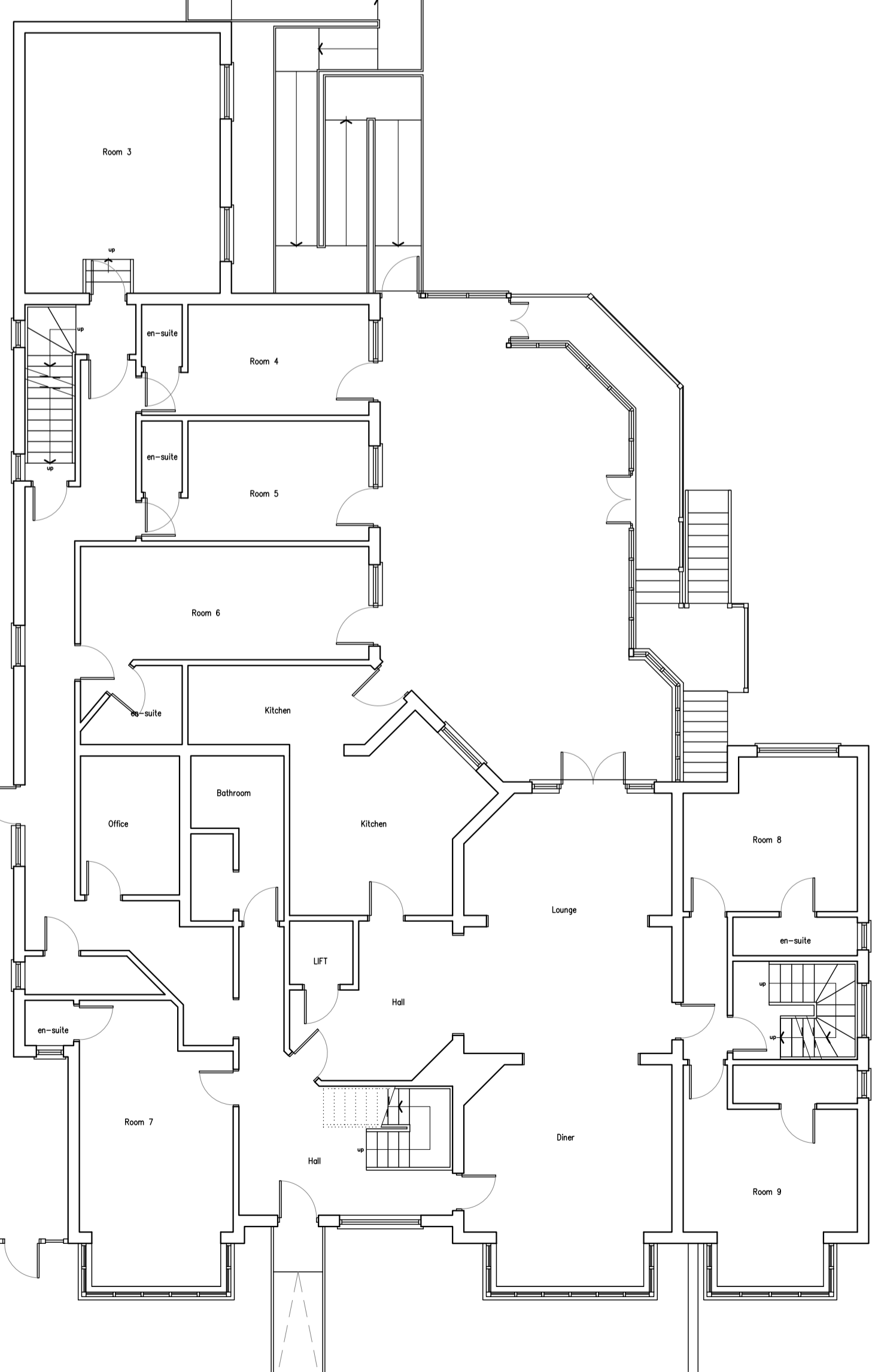
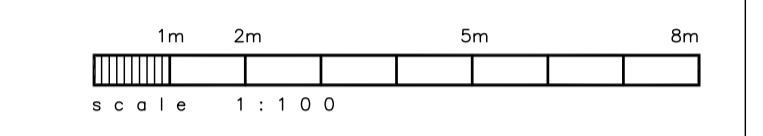
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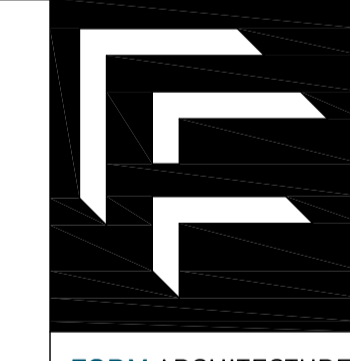
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Revisions

No.	Date	Detail
A	July22	Ramp indicated



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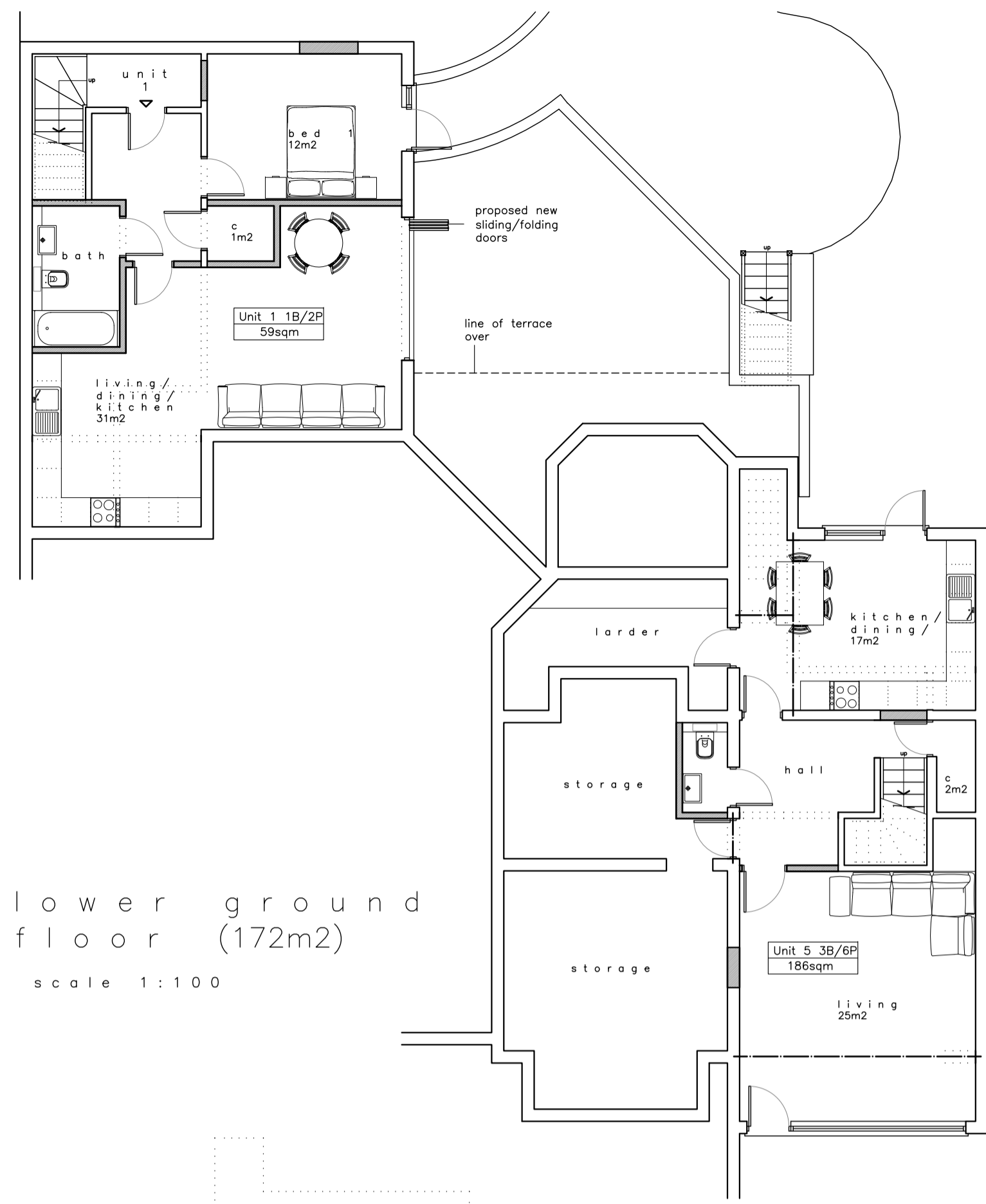
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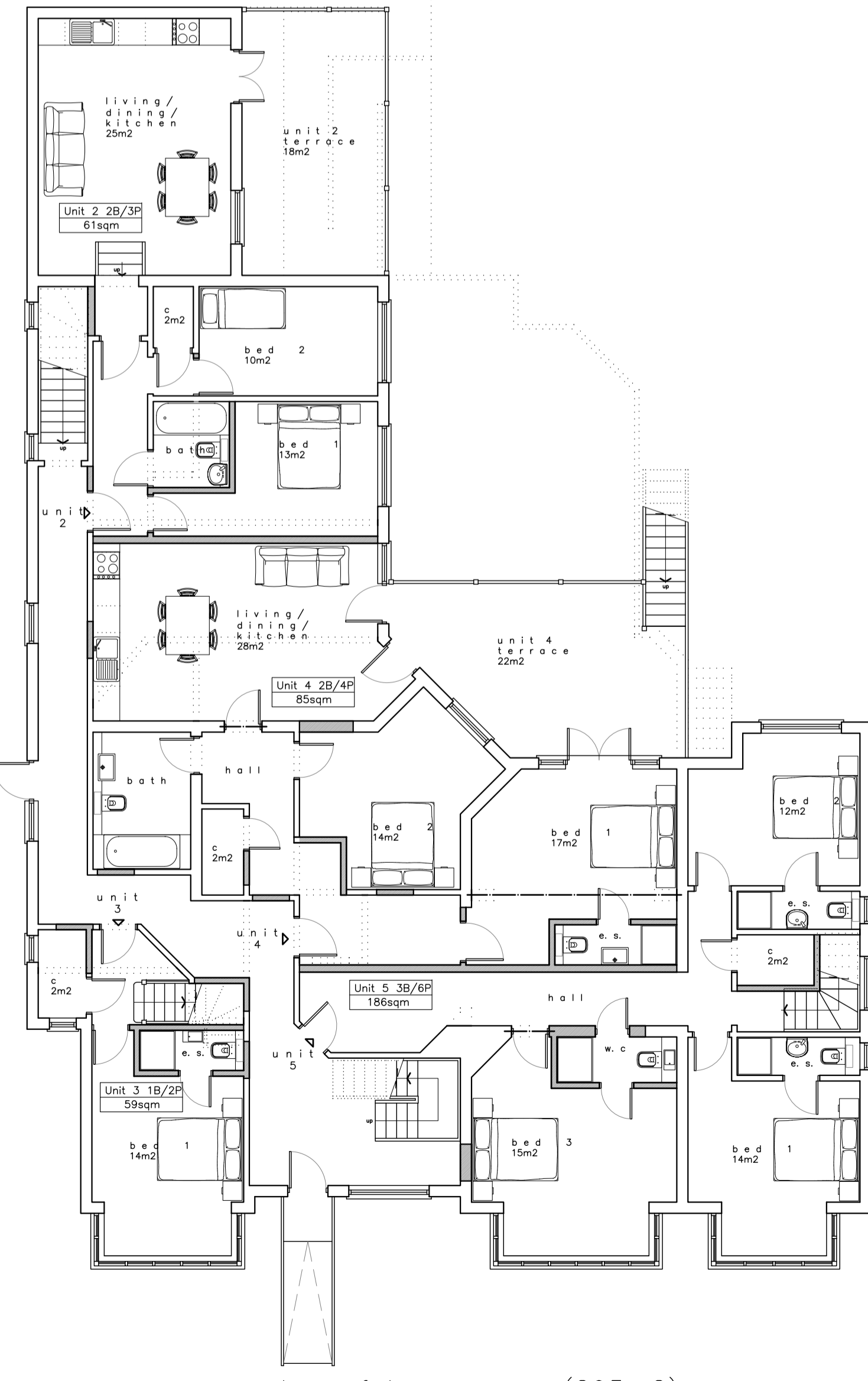
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project	Brambles Residential Home 22 Cliff Road Leigh-on-Sea SS9 1HJ		
detail	Residential Conversion Existing Site Location Plan, Block Plan & Floor Plans		
scale	1/200 & 1/100 @ A1		
date	Jan2022	drawn	checked tf gc
drawing no.	1838/01	revision	A

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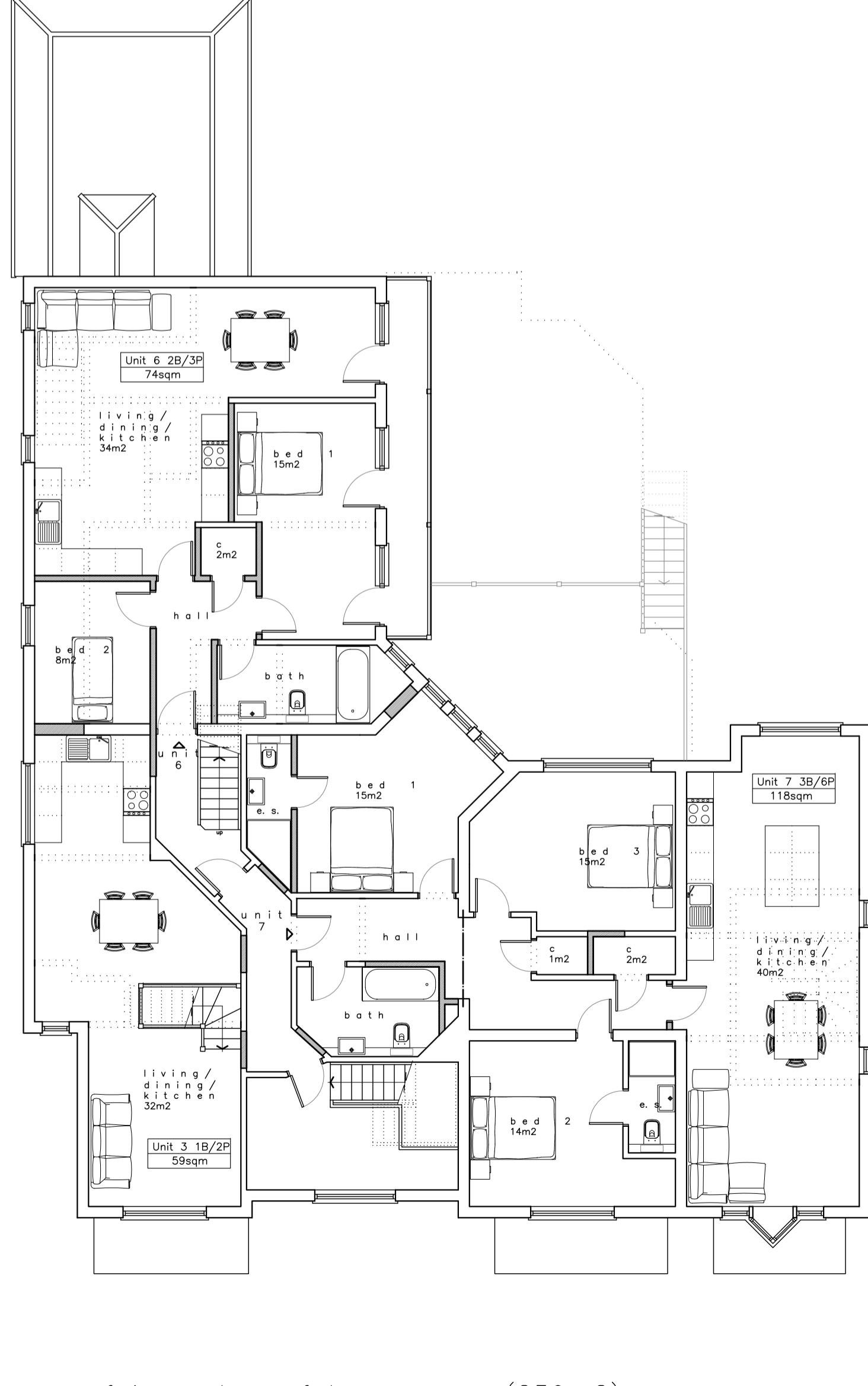




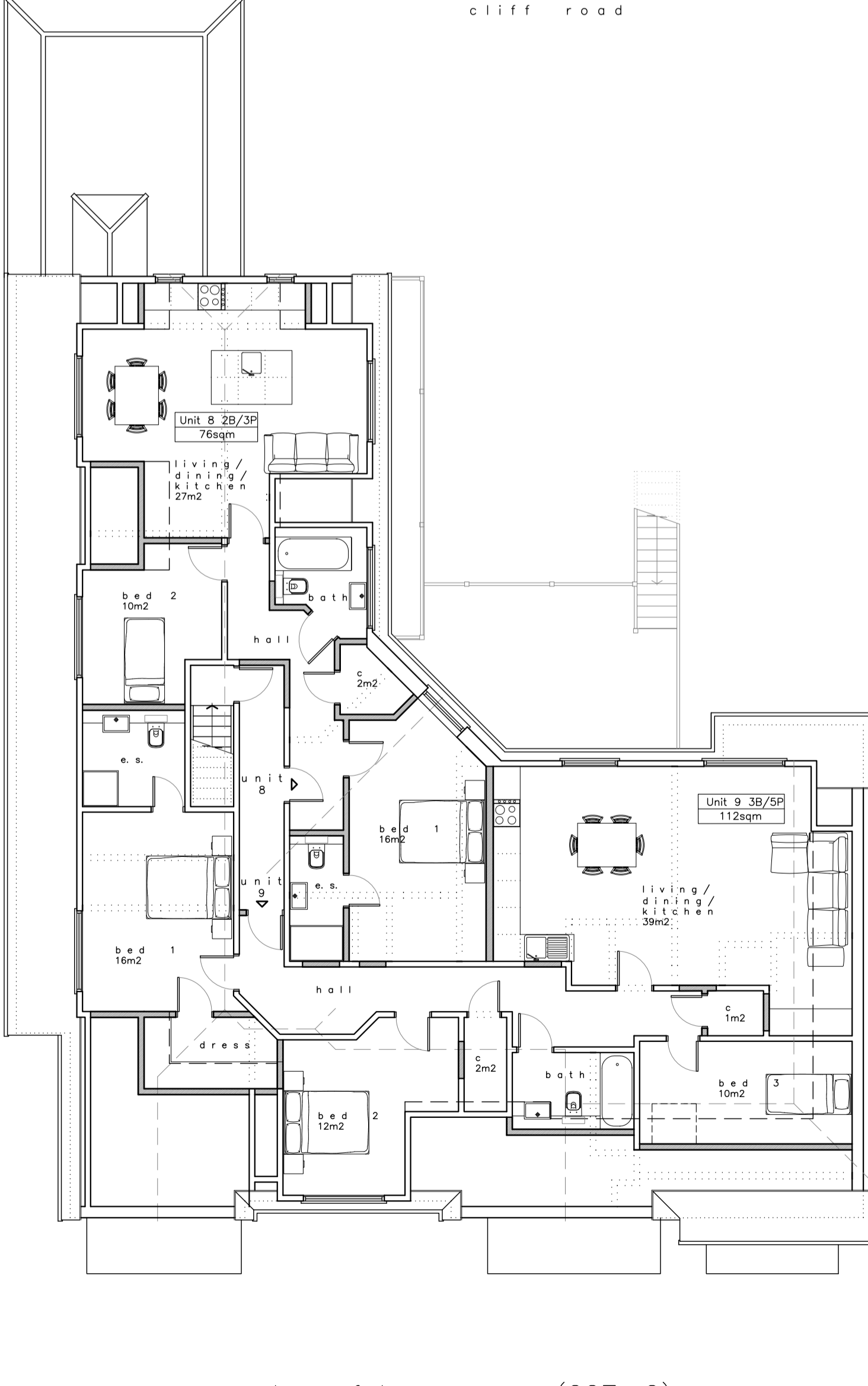
lower ground floor (172m<sup>2</sup>)  
scale 1:100



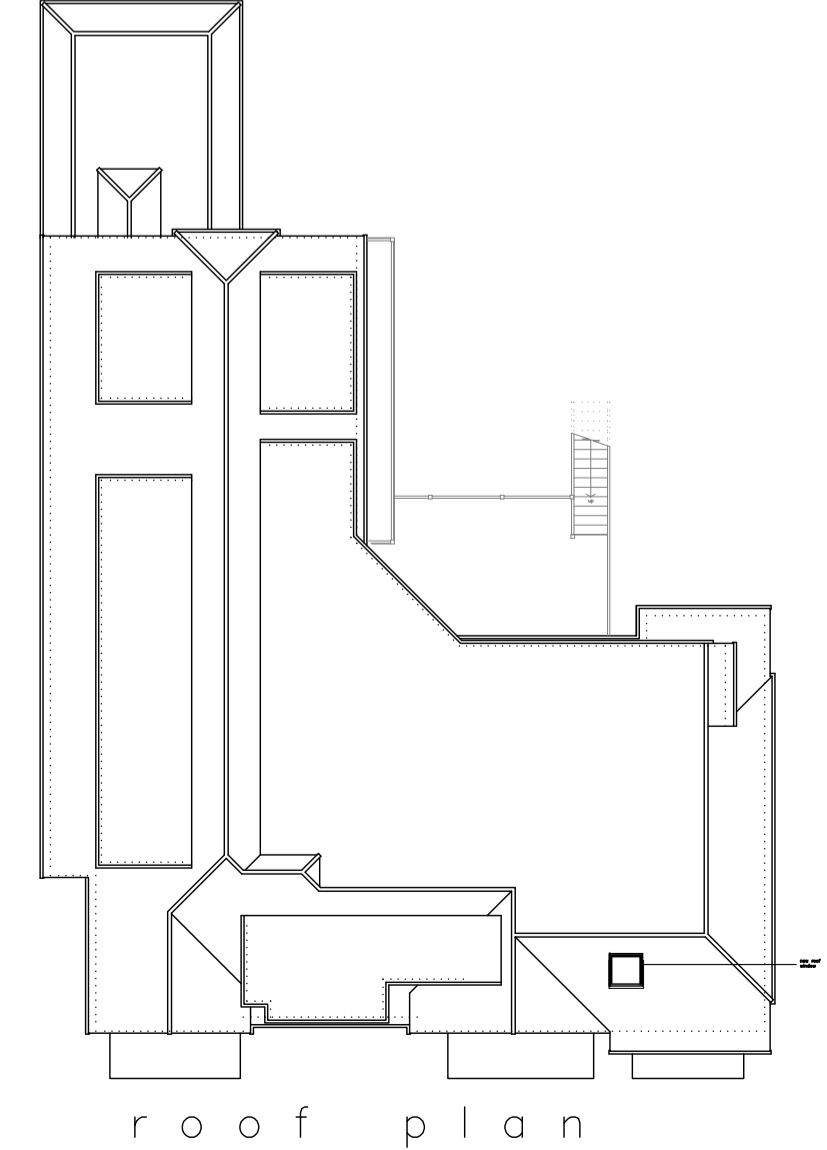
ground floor (295m<sup>2</sup>)  
scale 1:100



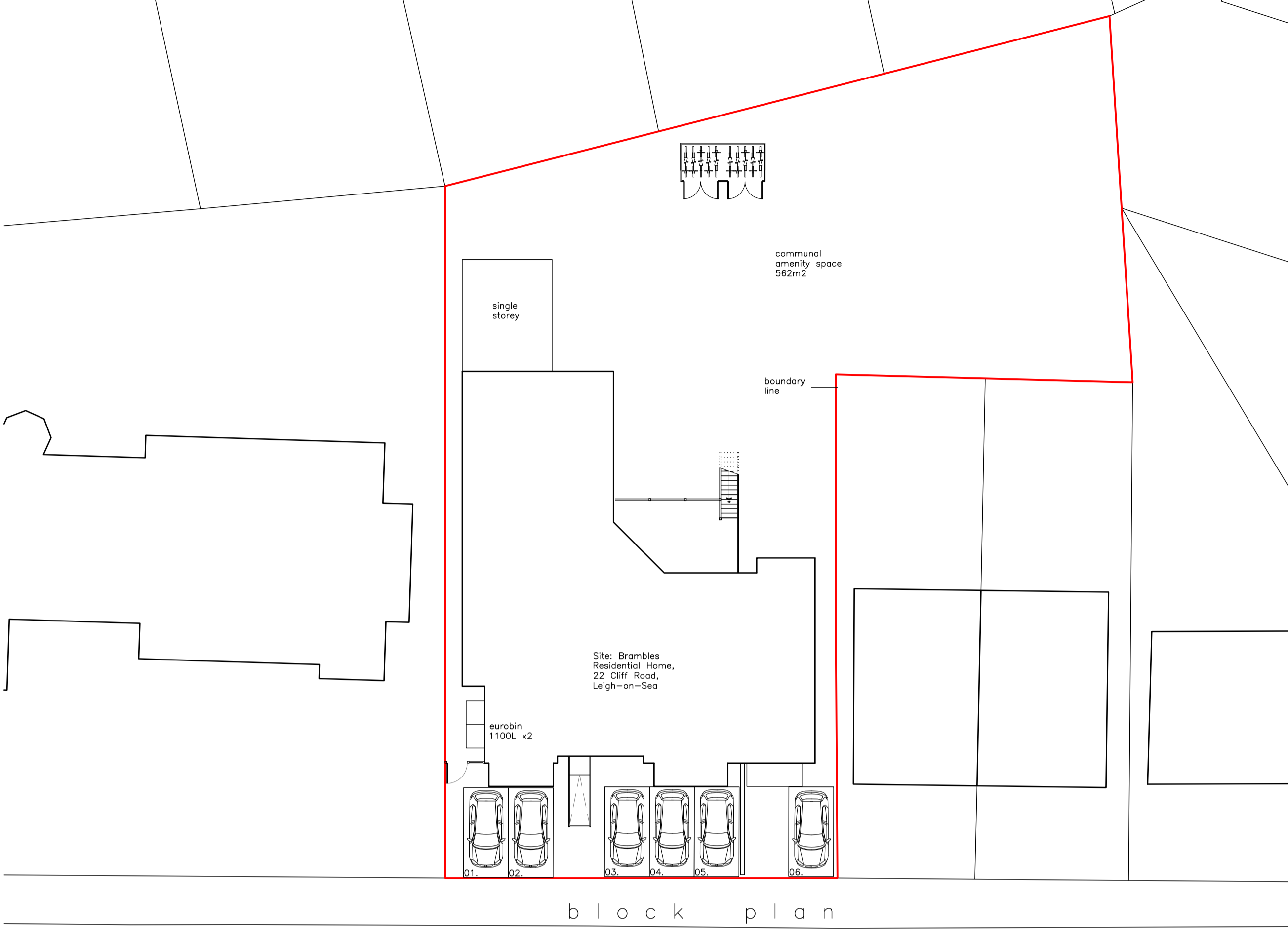
first floor (259m<sup>2</sup>)  
scale 1:100



second floor (227m<sup>2</sup>)  
scale 1:100



roof plan  
scale 1:200

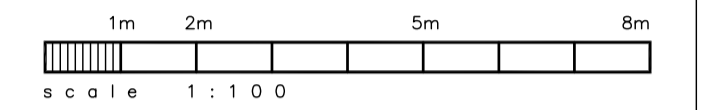


block plan  
scale 1:200

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Revisions

No.	Date	Detail
A	July22	Terrace amended



Schedule of areas

EXISTING		
Lower Ground Floor	-	185m <sup>2</sup>
Ground Floor	-	295m <sup>2</sup>
First Floor	-	259m <sup>2</sup>
Second Floor	-	201m <sup>2</sup>
PROPOSED		
Lower Ground Floor	-	185m <sup>2</sup>
01	1b/2p	59m <sup>2</sup>
02	2b/3p	61m <sup>2</sup>
03	1b/2p	59m <sup>2</sup>
04	2b/4p	85m <sup>2</sup>
05	3b/6p	186m <sup>2</sup>
First Floor	-	259m <sup>2</sup>
06	2b/3p	74m <sup>2</sup>
07	3b/6p	118m <sup>2</sup>
Second Floor	-	201m <sup>2</sup>
08	2b/3p	76m <sup>2</sup>
09	3b/5p	112m <sup>2</sup>
Total		
	1 bedroom	2
	2 bedroom	4
	3 bedroom	3
Total Units		9

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FORM ARCHITECTURE

client	Mr K Kandola		
project	Brambles Residential Home 22 Cliff Road Leigh-on-Sea SS9 1HJ		
detail	Residential Conversion Proposed, Block Plan & Floor Plans  9 Flat Scheme		
scale	1/200 & 1/100 @ A1		
date	Jan2022	drawn	checked gc
drawing no.	1838/03	revision	A

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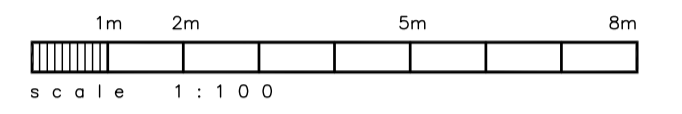
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Revisions

No.	Date	Detail
A	July22	Ramp indicated



front elevation  
scale 1:100



side elevation  
scale 1:100

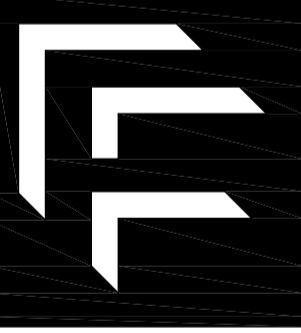


rear elevation  
scale 1:100



side elevation  
scale 1:100

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client	Mr K Kandola
project	Brambles Residential Home 22 Cliff Road Leigh-on-Sea SS9 1HJ
detail	Residential Conversion Existing Elevations

scale	1/100 @ A1	
date	Jan2022	checked gc
drawing no.	1838/02	revision A
	drawn tf	

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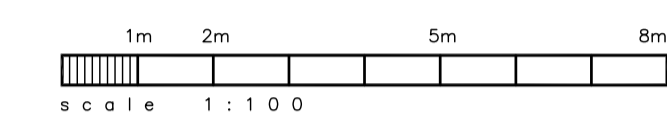
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Revisions

No.	Date	Detail
A	July22	Terrace reduced



front elevation  
scale 1:100

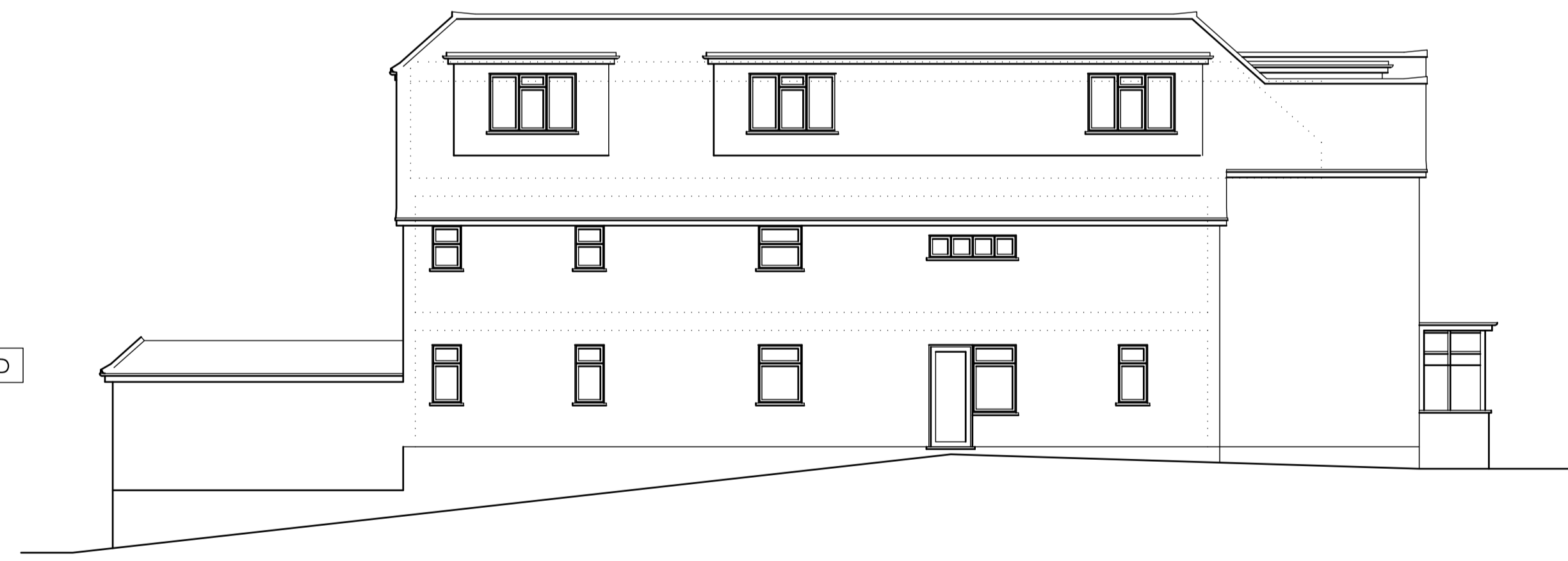


side elevation  
scale 1:100



rear elevation  
scale 1:100

ELEVATIONS UNCHANGED



side elevation  
scale 1:100

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FORM ARCHITECTURE

client	Mr K Kandola	
project	Brambles Residential Home 22 Cliff Road Leigh-on-Sea SS9 1HJ	
detail	Residential Conversion Proposed Elevations	

scale	1/100 @ A1	
date	Jan2022	checked gc
drawing no.	1838/04	revision A
	drawn tf	

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# Brambles Care Home



102

BRAMBLES

EN21 TK0

JKH04 AKV

RM4 4YS

EAB5 ELN







Bedroom entrance at unit 1 –  
sliding doors serving main  
living area would be  
positioned further under



Wheelchair ramp to be removed







108

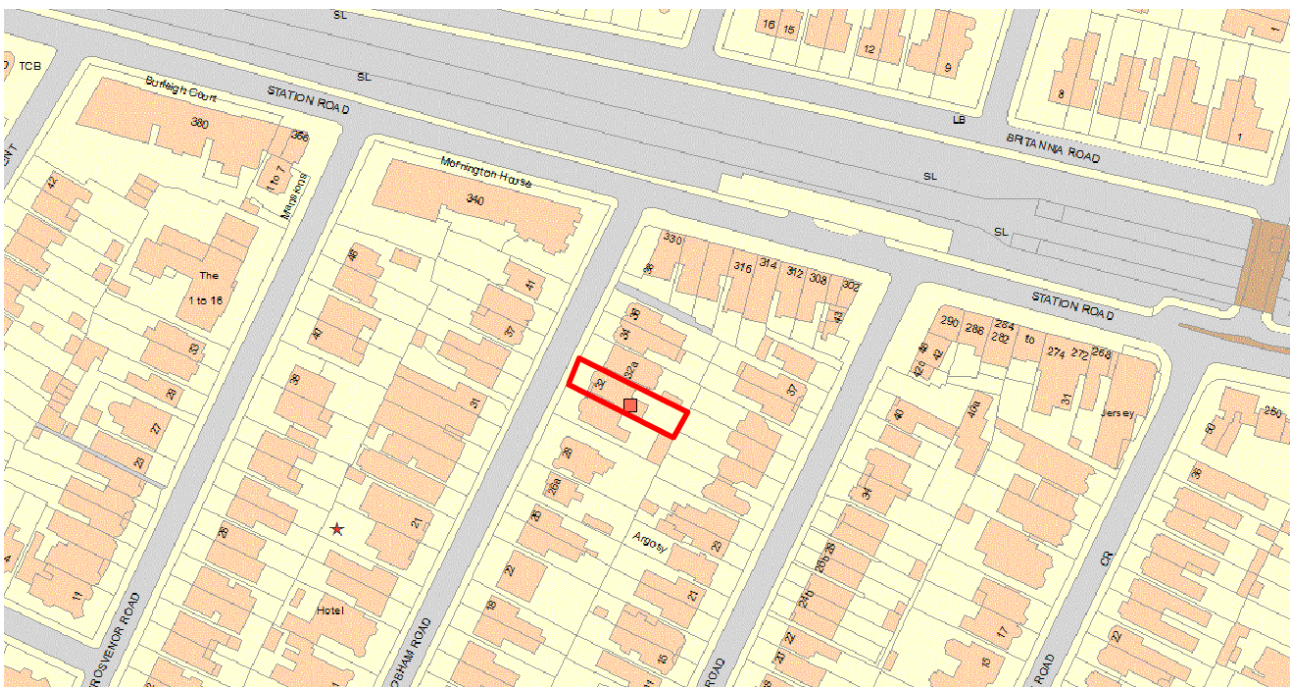




View from existing landing  
south to 24 Cliff Road



<b>Reference:</b>	22/01046/FUL	<h1>8</h1>
<b>Application Type:</b>	Full Application	
<b>Ward:</b>	Chalkwell	
<b>Proposal:</b>	Convert existing dwelling house into 3no. self-contained flats, install rooflights, enlarge existing crossover, layout parking, cycle and bin storage	
<b>Address:</b>	32 Cobham Road, Westcliff-on-Sea, Essex, SS0 8EA	
<b>Applicant:</b>	Engel	
<b>Agent:</b>	Mr Stern of SAM Planning services	
<b>Consultation Expiry:</b>	06.07.2022	
<b>Expiry Date:</b>	29.07.2022	
<b>Case Officer:</b>	Oliver Hart	
<b>Plan Nos:</b>	EX-L001D; EX-P001D; EX-P002D (Existing - First Floor); EX-P002D (Existing -Loft Plan); EX-P003D; EX-E001D; EX-E002D; EX-E003D; EX-S001D; EX-S002D; PR-L001F; PR-P001F; PR-P002F; PR-P003F; PR-P004F; PR-E001F; PR-E002F; PR-E003F; PR-S001F; PR-S002F	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b> subject to conditions	



## **Site and Surroundings**

- 1.1. The application site is located on the eastern side of Cobham Road and is occupied by a two-storey, detached dwellinghouse with habitable loft space. The frontage is presently hardsurfaced and used for parking 2no. vehicles, served by an existing dropped kerb from Cobham Road.
- 1.2. The area is residential in nature. Many neighbouring properties have been subdivided into flats. The site is not subject of any site-specific planning policy designations. The area immediately to the rear of the site is within The Leas Conservation Area.

## **2. The Proposal**

- 2.1. Planning permission is sought for the conversion of the existing 4-bed dwellinghouse to 3no. self-contained residential units. The proposed ground floor flat (Flat 1) would accommodate three bedrooms with up to six bed spaces, the first floor flat (Flat 2) would accommodate two bedrooms with three bed spaces and the upper unit (spread over two floors), would accommodate one bedroom with two bed spaces. Other alterations include the enlargement of the existing dropped kerb from Cobham Road from 4m to 5m and the installation of 5no. roof lights.
- 2.2. As part of the proposal, a portion of the rear garden would be given over to private use by the ground floor flat (approximately 42sqm). A communal amenity area to the rear of the site is shown measuring some 73sqm. Access would be provided via an existing side access.
- 2.3. Waste and cycle storage is shown to the rear of the site, within the communal amenity area. No details of renewable energy provision are provided. During the course of this application amended plans have been submitted showing alternative arrangements for the rear amenity space and the location of cycle and waste storage.

## **3. Relevant Planning History**

- 3.1. 20/00131/GPDE- Erect single storey rear extension, projecting 4.5m beyond the existing rear wall of the dwelling, 2.5m high to eaves and with a maximum height of 3m- Refused
- 3.2. 19/02241/GPDE- Erect single storey rear extension, projecting 6m beyond the existing rear wall of the dwelling, 2.5m and 3m high to eaves and with a maximum height of 3m (Amended Proposal)- Refused
- 3.3. 19/01992/GPDE- Erect single storey rear extension, projecting 6m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3m- Refused
- 3.4. 19/01966/CLP- Dormer extension to sides and rear (Lawful development certificate-proposed)- Granted
- 3.5. 05/01515/FUL- Convert three flats into single dwellinghouse- Granted

## Representation Summary

### Call-in

- 3.6. Cllr Folkard called-in this application for determination by the Development Control Committee.

### Public Consultation

- 3.7. 20no. neighbouring properties were consulted and a site notice was displayed. Objecting comments from three interested parties have been received and are summarised as follows:

- Harm to the amenities of neighbouring occupiers.
- Loss of family home.
- Waste storage should be sited within the rear garden.
- Parking concerns.
- Privacy concerns from use of side access.
- Concerns of size of amenity space and impact on mental health.
- Concerns regarding noise and nuisance as a result of additional residents in the area.
- Uncertainty about the proposed use of an existing outbuilding.
- Concerns of overcrowding.

[Officer Comment: The comments have been taken into consideration and those relevant to planning matters raised are discussed in the relevant sections of the report. The objecting points raised by the representations are not found to represent justifiable reasons for recommending refusal of the planning application in the circumstances of this case. The outbuilding referenced is to the rear of No.30 Cobham Road; there is no existing outbuilding on the application site.]

### Highways

- 3.8. No objections.

### Environmental Health

- 3.9. No objections subject to conditions relating to construction hours and refuse and recycling storage.

## 4. Planning Policy Summary

- 4.1. The National Planning Policy Framework (NPPF) (2021)
- 4.2. Planning Practice Guidance (PPG) – National Design Guide (NDG) (2021)
- 4.3. Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance), CP8 (Dwelling Provision).
- 4.4. Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM5 (Southend-on-Sea's Historic Environment), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM15 (Sustainable Transport Management).

- 4.5. Southend-on-Sea Design & Townscape Guide (2009)
- 4.6. Technical Housing Standards – Nationally Described Space Standards (2015)
- 4.7. Technical Housing Standards Policy Transition Statement (2015)
- 4.8. Waste Storage, Collection and Management Guide for New Developments (2019)
- 4.9. Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)
- 4.10. Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 4.11. Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021)
- 4.12. The Southend on Sea Vehicle Crossing Policy and Application Guidance (2021)

## **5. Planning Considerations**

- 5.1. The main considerations in relation to this application include the principle of the development, the design and impact on the character and appearance of the area, the residential amenity for future and neighbouring occupiers, traffic and parking implications, energy and water use sustainability, refuse and recycling storage, ecology and mitigation for impact on designated sites and CIL.

## **6. Appraisal**

### **Principle of Development**

#### Physical alterations

- 6.1. The principle of the physical alterations to the building and wider application site are acceptable as the planning system generally supports improvements to existing buildings.

#### Change of use to three flats

- 6.2. Paragraph 119 of the NPPF states: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other users, while safeguarding and improving the environment and ensuring safe and healthy living conditions." Furthermore, the NPPF requires development to boost the supply of housing by delivering a wide choice of high-quality homes.
- 6.3. The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the Borough. Similarly, the Council's Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the Borough. The HDT and 5YHLS carry some weight in favour of the principle of the development given the proposed creation of two additional units.

- 6.4. Policy CP8 of the Core Strategy states that the Council will: “[...] 2. resist development proposals that involve the loss of existing valuable residential resources, having regard to the limited land resources in the Borough, the need to safeguard an adequate stock of single family dwellinghouses and to protect the character of residential areas”.
- 6.5. The proposal would result in the loss of a 4-bed dwellinghouse. This type of housing is considered to be a resource for the City. The South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprising a greater proportion of one-bed units and smaller properties, a consequence of which is that there is a lower percentage of accommodation of a suitable size for families.
- 6.6. The proposed ground floor flat, as a potential 3-bed 6-person unit, would remain suitable for family occupation. The proposal would therefore safeguard an adequate stock of family sized dwellings in addition to providing a net increase in housing. Although it is not a determinative factor in its own right it is noted that the property was previously occupied as three flats.
- 6.7. Overall, having regard to the retention of family sized accommodation and the provision of two additional residential units on the site, the principle of the proposed development is therefore acceptable. Other material planning considerations are discussed in the following sections of the report.

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

- 6.8. Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that: “the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”
- 6.9. The proposed alterations to the existing building, which relate only to a limited enlargement of an existing dropped kerb (by 1m) and installation of additional rooflights, would not significantly harm the character and appearance of the site or the wider area having regard to the prevalence of both features in the immediate vicinity.
- 6.10. No objection is also raised to the formation of refuse/recycling and cycle stores within the rear garden area, away from public views. The proposal would not impact the significance of the nearby conservation area.
- 6.11. Subject to conditions to secure appropriate soft and hard landscaping, including the boundary treatments on the site, the proposal is acceptable and in line with policy in the above regards.

### **Standard of Accommodation and Living Conditions for Future Occupiers**

- 6.12. Delivering high quality homes is a key objective of the NPPF. Policy DM3 of the Development Management Document states that proposals should be resisted where they create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents.

6.13. All new homes are required to meet the Nationally Described Space Standards (NDSS) in terms of floorspace, bedroom size and storage size. The required size for the type of unit proposed and the minimum standards for bedrooms are shown on the following table. The relevant dimensions of the proposed scheme are also shown on the table below:

**Table 1: Space Standards and Proposed Dimensions**

	Area (m <sup>2</sup> )	Bedroom 1	Bedroom 2	Bedroom 3	Storage area (m <sup>2</sup> )
Standard for two-storey 1 bed 2 person	58	11.5m <sup>2</sup> Wmin=2.75m	N/A	N/A	1.5
Standard for One-storey 2 bed 3 person	61	11.5m <sup>2</sup> Wmin=2.75m	7.5m <sup>2</sup> Wmin=2.15m	N/A	2
Standard for One-storey 3 bed 6 person	95	11.5m <sup>2</sup> Wmin=2.75m	11.5m <sup>2</sup> Wmin=2.75m	11.5m <sup>2</sup> Wmin=2.75m	2.5
<b>Proposed Two-storey 1 bed 2 person (Flat 3)</b>	<b>64</b>	<b>11.5m<sup>2</sup> Wmin = 3.6m</b>	<b>N/A</b>	<b>N/A</b>	<b>4.5</b>
<b>Proposed One-storey 2 bed 3 person</b>	<b>61</b>	<b>12m<sup>2</sup> Wmin=3.1m</b>	<b>8m<sup>2</sup> Wmin=2.7m</b>	<b>N/A</b>	<b>Approx. 2.5</b>
<b>Proposed One-storey 3 bed 6 person</b>	<b>104</b>	<b>13m<sup>2</sup> Wmin=3.3m</b>	<b>12.5m<sup>2</sup> Wmin=3m</b>	<b>12.3m<sup>2</sup> Wmin=3m</b>	<b>4.7</b>

6.14. The table shows that the proposed dwellings would meet the overall minimum size standards required by the NDSS. All habitable rooms would receive adequate daylight and sunlight.

6.15. The main living area of the ground floor flat to the front of the building would have an outlook over proposed car parking area. Whilst this is not a positive aspect of the proposal, it is considered that this deficiency, which is a historic arrangement, in itself would not warrant refusal of the application such that a specific reason for refusal on these grounds could be justified. All habitable rooms are considered to have acceptable outlook.

6.16. The rear amenity space is proposed to be subdivided, with the ground floor flat having direct access out to its own private amenity area which measures some 42sqm. Flats 2 and 3 would benefit from a shared amenity area of some 73sqm. Whilst there would be no direct access for the upper floor flats the rear amenity space is considered to be of acceptable quantity and quality for all the proposed dwellings.

6.17. Given that the proposal is for a conversion of an existing building, the policy requirement is that the proposal is no less compliant with Building Regulation M4(1) when compared to the existing property. The proposal would be in line with policy in this regard.

- 6.18. Overall, it is considered that the proposal would not result in substandard accommodation for future occupiers and would not be detrimental to their living conditions. The proposal is, therefore, subject to conditions, acceptable and policy compliant in the above regards.

### **Impact on Residential Amenity**

- 6.19. Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: “having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.”
- 6.20. Given that the proposal would not alter the built form on site and the additional openings proposed are to either flank roof slope, it is not considered that the proposed development would significantly harm the residential amenity of any neighbour in relation to privacy, overlooking, outlook, sense of enclosure/overbearing relationship, daylight and sunlight. This is subject to a condition requiring the rooflights to be non-openable and obscured glazed up to a height of 1.7m above finished floor levels. The amount of proposed works is limited and mainly internal.
- 6.21. Whilst there is potential for some inter-looking of neighbouring habitable room windows to the front of the ground floor flat at No.30 (south) when occupants access/egress the property, this is considered to be fleeting and is not considered to be so significantly harmful so as to justify refusal of the proposal on this basis alone.
- 6.22. The intensification of the use of the site could result in more people being at the property and this might cause some additional noise in general. Given the level of off-street parking and noting that the site is within a built-up area it is considered that sound transmission matters are adequately addressed by the building regulations and environmental health legislation in this instance. It is considered that the potential for any increased disturbance is unlikely to cause significant harm to the amenities of nearby occupiers to an extent that would justify the refusal of the application on those grounds.
- 6.23. The proposal would be acceptable and in line with policy in the above regards.

### **Traffic and Transportation Issues**

- 6.24. Policy DM15 of the Development Management Document states: “Development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner”. The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards.
- 6.25. Policy DM15 of the Development Management Document requires one parking space per flat but states that more flexibility will be given dependant on how sustainable the location is in terms of access to public transport. Two parking spaces are proposed therefore representing an under delivery of 1 parking space. Regard however is had to the sustainable location of the site near services and facilities (along Hamlet Court Road) and public transport, notably Westcliff station.

The Highways Team have raised no objections to the arrangement proposed such that it is considered that the parking requirement can be applied flexibly in this instance.

- 6.26. The proposed enlargement of the existing vehicular crossover would be in accordance with the dimensions outlined in the Council's Vehicle Crossover Policy (2021). The Highways Team have raised no objection. The applicant will be required to apply for separate highways consent to construct the vehicle crossover. An informative will be added as a reminder.
- 6.27. Facilities for cycle storage are shown on the submitted plans to the rear of the building and this could be provided in an acceptable manner which would be accessible to all occupants. In line with the council's recently adopted EV charging schedule for new dwellings, a condition is also recommended requiring all resident parking spaces be fitted with EV charging points.
- 6.28. Subject to such conditions, the proposal would be acceptable and policy compliant in the above regards.

### **Refuse and Recycling Storage**

- 6.29. Waste storage facilities of adequate quantum are shown on the proposed plans. It is considered these are set sufficiently away from the public highway and neighbouring habitable rooms. Subject to details including elevations to be submitted and approved, no objection is raised in this regard.

### **Energy and Water Sustainability**

- 6.30. Policy KP2 of the Core Strategy requires that: "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)". Policy DM2 of the Development Management Document states that: "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions". This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.
- 6.31. No information has been provided regarding proposed renewable energy to demonstrate how the proposal meets the 10% policy requirement. However, it is considered that the requirement for renewable energy and restrictions on water usage are recommended to be controlled with conditions provided any such externally mounted technologies respect the character and appearance of the area. This aspect of the proposal is therefore considered to be acceptable and policy compliant in this regard, subject to conditions.

### **Ecology - Essex Coast RAMS**

- 6.32. The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast RAMS. It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation.



Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The Essex Coast RAMS SPD, which was adopted by Full Council on 29 October 2020, requires that a tariff of £127.71 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement.

- 6.33. The applicant has paid the relevant tariff. The development offers suitable mitigation of the in-combination effect of the net increase of two dwellings on habitats and species. The development is acceptable and in line with policies in this regard.

### **Equality and Diversity**

- 6.34. The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

### **Community Infrastructure Levy (CIL)**

- 6.35. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. However, the development the subject of this application is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). It is not development for CIL purposes as defined in CIL Regulation 6 ('Meaning of "development"').

## **7. Conclusion**

- 7.1. Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local and national policies and guidance.
- 7.2. This proposal creates new housing. Therefore if any harm is identified, including in those areas for judgement identified within this report's analysis of the proposal, it would be necessary to demonstrate that in reaching the decision an appropriate balancing exercise has been undertaken considering the benefits of the proposal and any such harm. The Council has a deficit in housing land supply so the tilted balance in favour of sustainable development should be applied when determining the application as relevant. The test set out by the NPPF is whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when considered against the policies of the NPPF taken as a whole.

The proposal would make a contribution to the housing needs of the borough which must be given increased weight in the planning balance, albeit the weight to be attached to this would not be so significant in this instance in view of the number of units involved. As there are no other material planning considerations which would justify reaching a different conclusion, this application is recommended for approval.

## **8. Recommendation**

### **8.1. MEMBERS ARE RECOMMENDED TO GRANT PLANNING PERMISSION subject to the following conditions:**

#### *General Conditions*

- 1. The development hereby permitted shall begin no 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.**

- 2. The development hereby approved shall be carried out solely in accordance with the approved plans: EX-L001D; EX-P001D; EX-P002D (Existing - First Floor); EX-P002D (Existing -Loft Plan); EX-P003D; EX-E001D; EX-E002D; EX-E003D; EX-S001D; EX-S002D; PR-L001F; PR-P001F; PR-P002F; PR-P003F; PR-P004F; PR-E001F; PR-E002F; PR-E003F; PR-S001F; PR-S002F**

**Reason: To ensure the development is carried out in accordance with the development plan.**

#### *Design and character related conditions*

- 3. The residential units hereby approved shall not be occupied unless and until full details of both hard and soft landscaping works to be carried out at the site have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development. The details submitted shall include, but not limited to:-**

- i. means of enclosure and boundary treatment for the site plus internal boundaries within the site including any gates or boundary fencing;**
- ii. hard surfacing materials;**
- iii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification;**
- iv. details of measures to enhance biodiversity within the site.**

**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 under the provisions of this condition.**

**Reason:** In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping are implemented pursuant to Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007).

4. **Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.**

**Reason:** To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

*Protection of neighbouring occupiers' residential amenity*

5. **The proposed rooflights to the north and south facing roof slopes shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except where they are a minimum of 1.7 metres above internal finished floor level of the room or area served by the rooflight and shall remain as such in perpetuity. 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 on the Pilkington scale.**

**Reason:** To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

*Highways and bin storage*

6. **The car parking spaces shown on approved plan PR-P001D shall be provided and made available for use at the site prior to the first occupation of the development hereby approved. Both of the resident parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the residential units hereby approved. The car parking spaces shall thereafter be permanently retained only for the parking of vehicles of the occupiers and visitors to the residential units hereby approved.**

**Reason:** To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the guidance in the Southend Design and Townscape Guide (2009) and the Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021)

7. **Notwithstanding the details submitted and otherwise hereby approved full details (including elevations) shall be submitted to and approved in writing by the Local Planning Authority under the provisions of this condition identifying the provision of refuse and recycling storage in line with the Waste Storage, Collection and Management Guide for New Developments (2019) and at least one covered and secure cycle parking per residential unit for the approved development at the site before the development is occupied. The approved refuse and recycling store and covered and secure cycle store facilities shall be provided in full and made available for use by the residential occupants of the dwelling prior to the first occupation of the residential units hereby approved and shall be retained as such in perpetuity.**

**Reason: To ensure the provision of adequate cycle, refuse and recycling storage in accordance with Policies DM3, DM8 and DM15 of Development Management Document (2015) and guidance contained in the Waste Storage, Collection and Management Guide for New Developments (2019).**

*Energy and water sustainability*

8. **A scheme detailing how at least 10% of the total energy needs of the development hereby approved will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority pursuant to this condition and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development and in accordance with the agreed details.**

**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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).**

9. **Prior to first occupation of the development hereby approved water efficiency design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be installed in the development hereby approved and be retained in perpetuity thereafter.**

**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 (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Design and Townscape Guide (2009).**

## **Positive and Proactive Statement**

**The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.**

### **Informatives:**

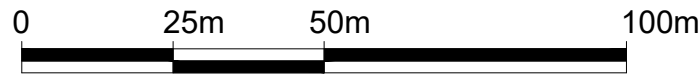
- 1. Please note that the development the subject of this application is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). It is not development for CIL purposes as defined in CIL Regulation 6 ("Meaning of "development"). Further details on CIL matters can be found on the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).**
- 2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.**
- 3. Please note that you are required to apply to the Highways Authority for consent to enlarge an existing vehicular crossover installed on Cobham Road.**

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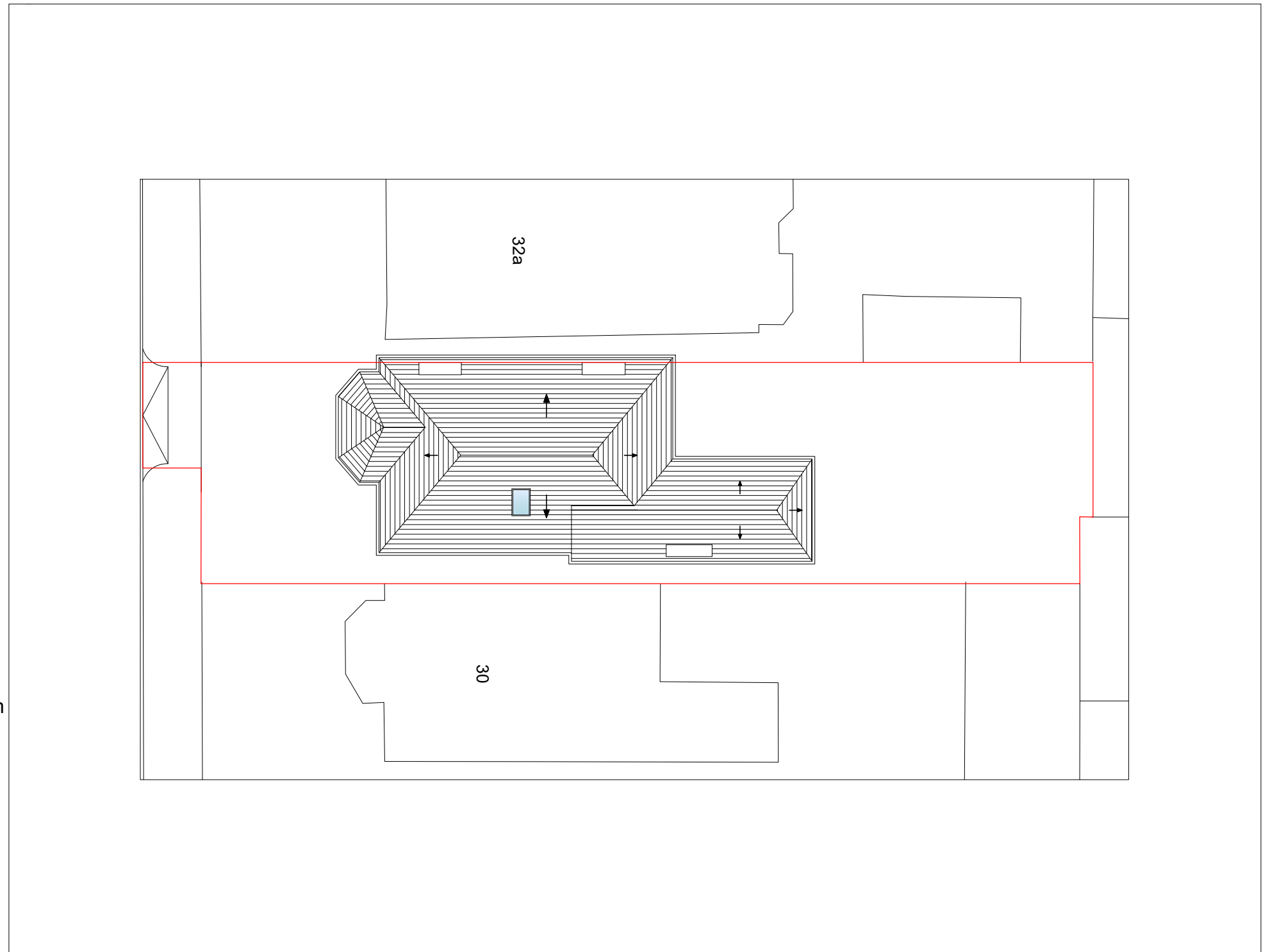
OS Map



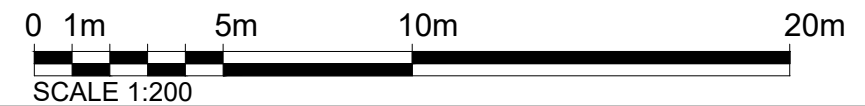
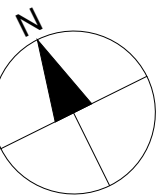
SCALE 1:1250



Property Boundary



Location Plan



SCALE 1:200

Notes.  
Contractors must verify all dimensions at the site before commencing any work.  
No construction work before Building Control approval and structural engineer confirmation.  
Any discrepancies to be reported to Gridline. All drawings are to be read in conjunction with all relevant drawings and specifications.

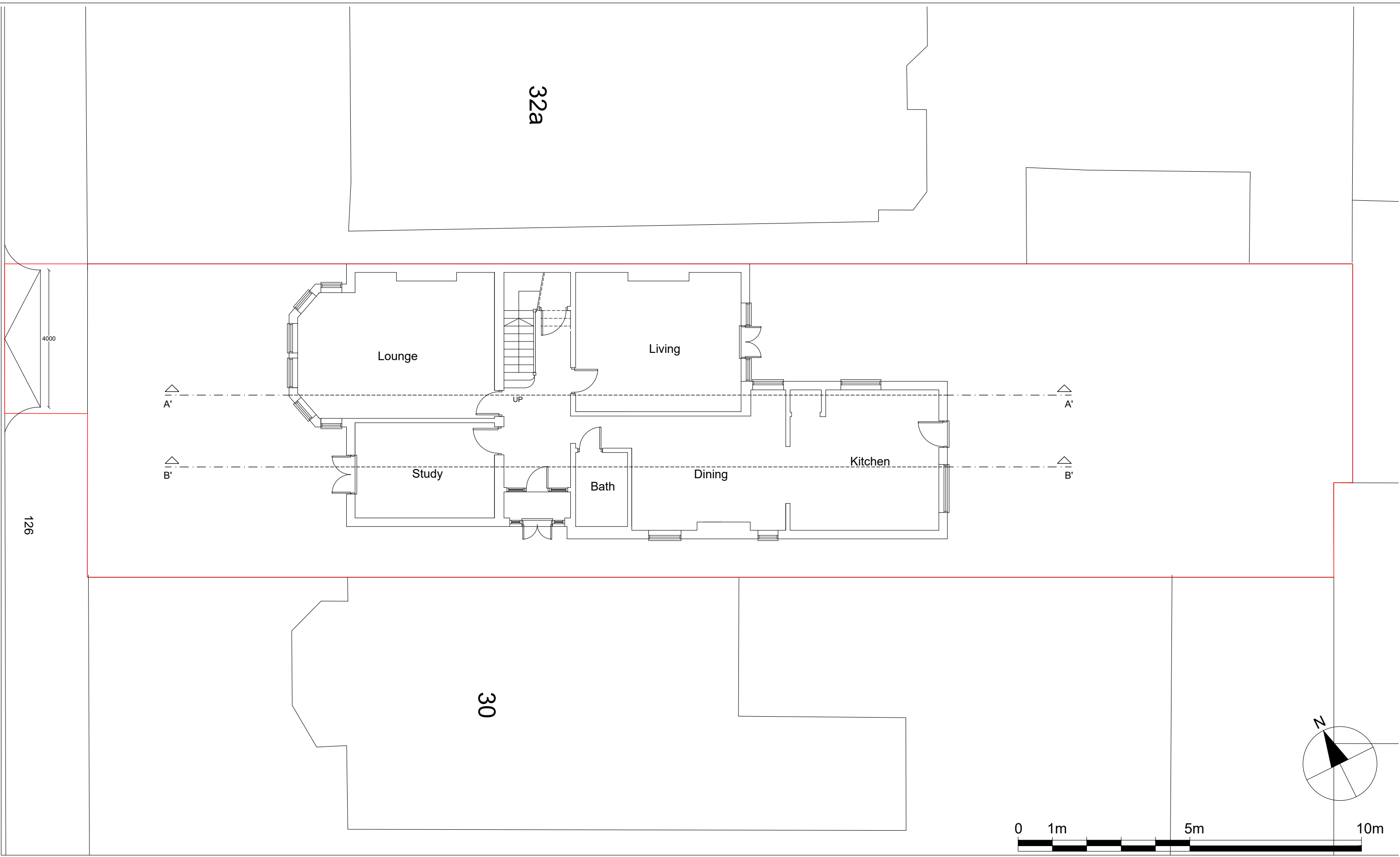
**Project No.S**

REV	DATE	DESCRIPTION	BY	CH
A	May 2022	Add 2 road names onto the location plan.	Chaya	
D	July 2022	<ul style="list-style-type: none"> <li>Annotate outbuilding on Side Elevation 2</li> </ul>	Chaya	

<b>PROJECT TITLE</b> 32 Cobham Rd Westcliff-on-Sea SS0 8EA	
<b>DATE</b> April 2022	<b>Project No.</b> 5255

<b>DRAWING TITLE</b> Existing - OS Map- Location Plan		
<b>CLIENT</b> Mr. Engel		
<b>DRAWING No.</b> EX-L001	<b>SCALE @ A3</b> 1:1250 / 1:200	<b>Drawn by:</b> Chaya

PLANNING SERVICES  
Unit 9b, The High Cross  
Centre, Fountayne Rd,  
N15 4BE  
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**Project No.S**

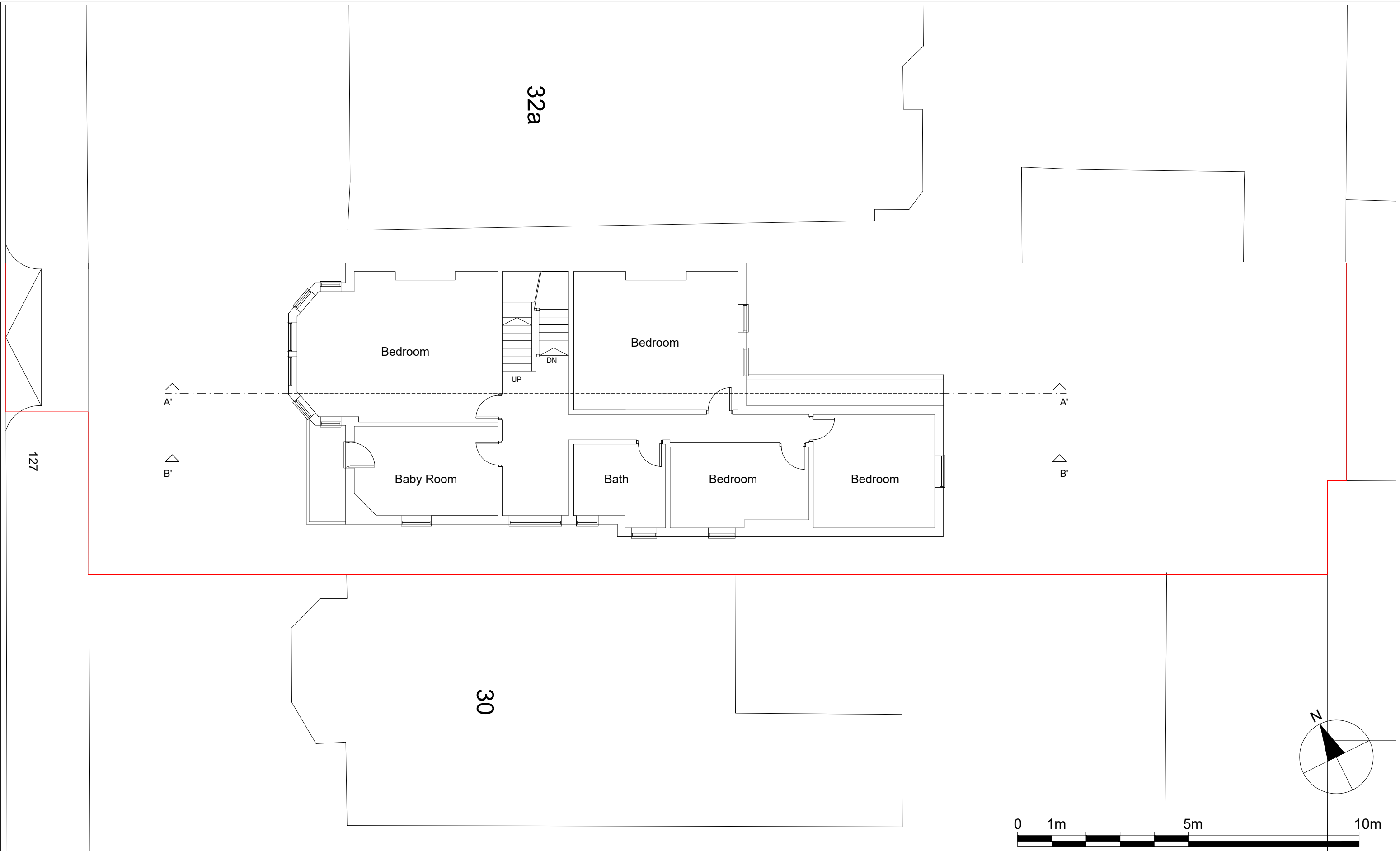
REV	DATE	DESCRIPTION	BY	CH
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D	July 2022	<ul style="list-style-type: none"> <li>Annotate outbuilding on Side Elevation 2</li> </ul>	Chaya	

<b>PROJECT TITLE</b>	
32 Cobham Rd Westcliff-on-Sea SS0 8EA	
<b>DATE</b>	<b>Project No.</b>
April 2022	5255

<b>DRAWING TITLE</b>		
Existing - Ground Floor		
<b>CLIENT</b>		
Mr. Engel		
<b>DRAWING No.</b>	<b>SCALE @ A3</b>	<b>Drawn by:</b>
EX-P001	1:100	Chaya

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**PROJECT TITLE**

32 Cobham Rd  
Westcliff-on-Sea SS0 8EA

<b>DATE</b>	<b>Project No.</b>
April 2022	5255

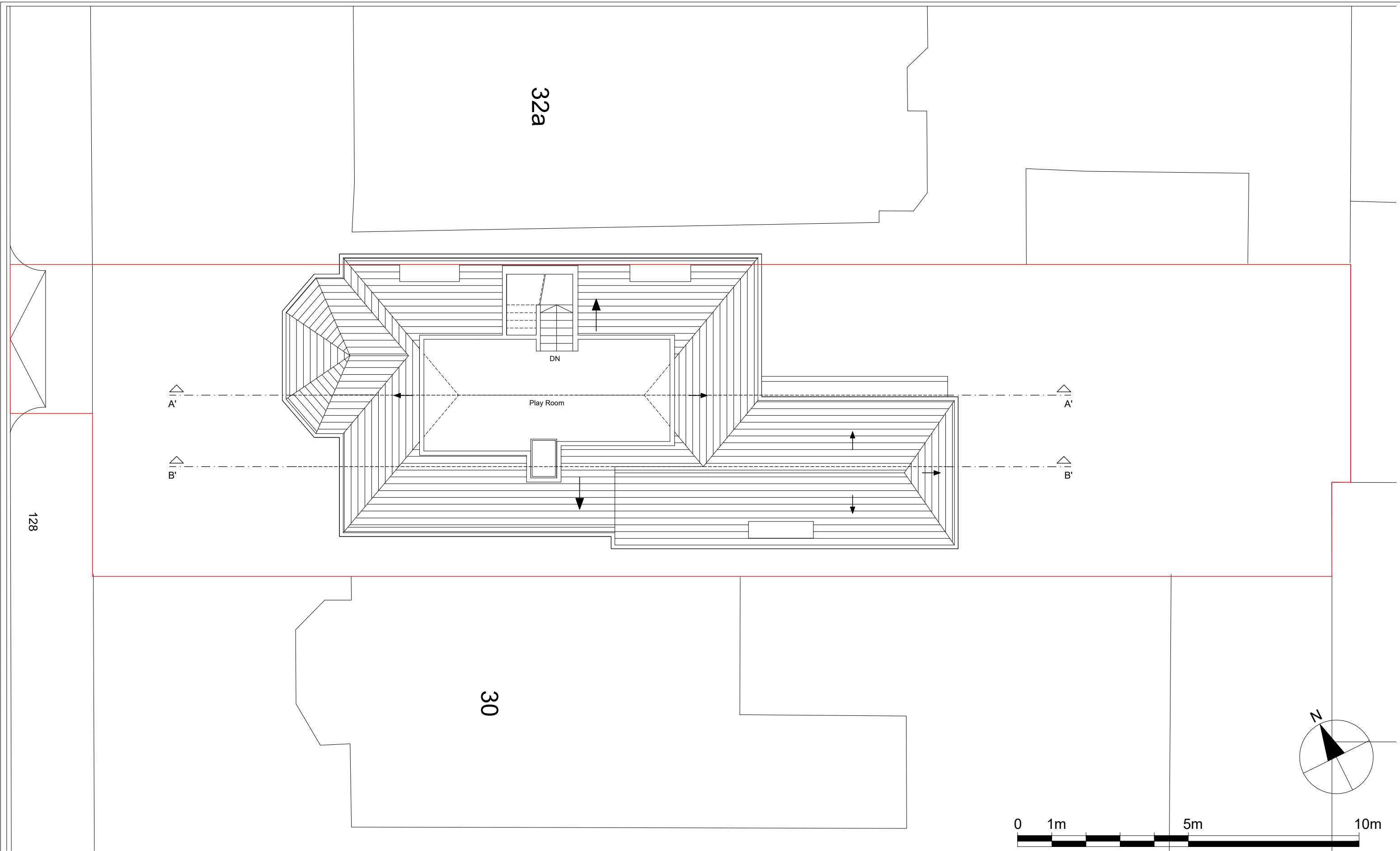
**DRAWING TITLE**

Existing - First Floor

**CLIENT**  
Mr. Engel

<b>DRAWING No.</b>	<b>SCALE @ A3</b>	<b>Drawn by:</b>
EX-P002	1:100	Chaya

PLANNING SERVICES  
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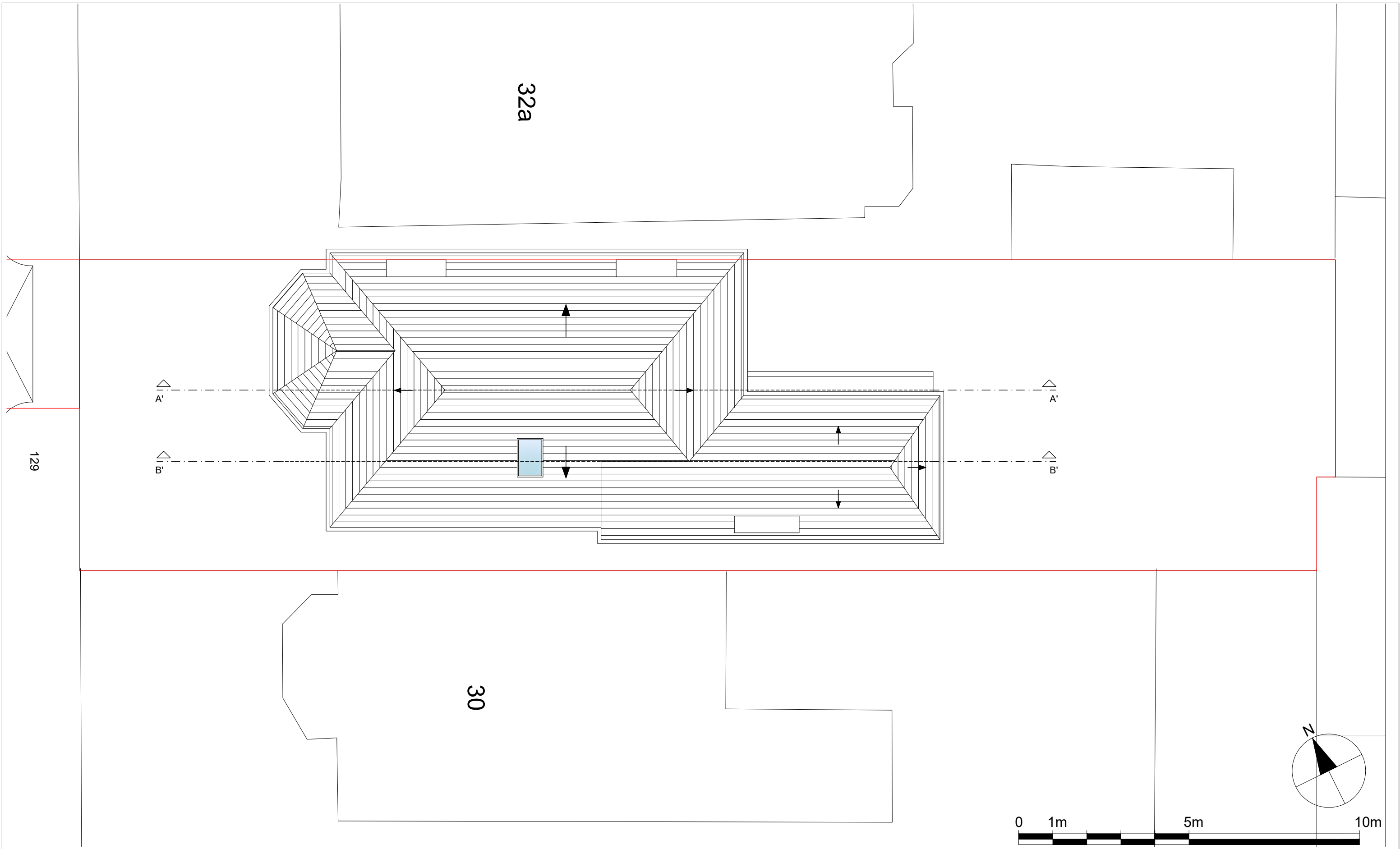
**PROJECT TITLE**

32 Cobham Rd  
Westcliff-on-Sea SS0 8EA  
DATE April 2022  
Project No. 5255

**DRAWING TITLE**

Existing - Loft Plan  
**CLIENT**  
Mr. Engel  
DRAWING No. EX-P002  
SCALE @ A3 1:100  
Drawn by: Chaya

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**PROJECT TITLE**

32 Cobham Rd  
Westcliff-on-Sea SS0 8EA  
DATE April 2022  
Project No. 5255

**DRAWING TITLE**

Existing - Roof Plan  
**CLIENT**  
Mr. Engel  
DRAWING No. EX-P003  
SCALE @ A3 1:100  
Drawn by: Chaya

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### Front Elevation

### Rear Elevation

130



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#### PROJECT TITLE

32 Cobham Rd  
Westcliff-on-Sea SS0 8EA

DATE	Project No.
April 2022	5255

#### DRAWING TITLE

Existing-Front/Rear Elevation  
CLIENT  
Mr. Engel

DRAWING No.	SCALE @ A3	Drawn by:
EX-E001	1:100	Chaya





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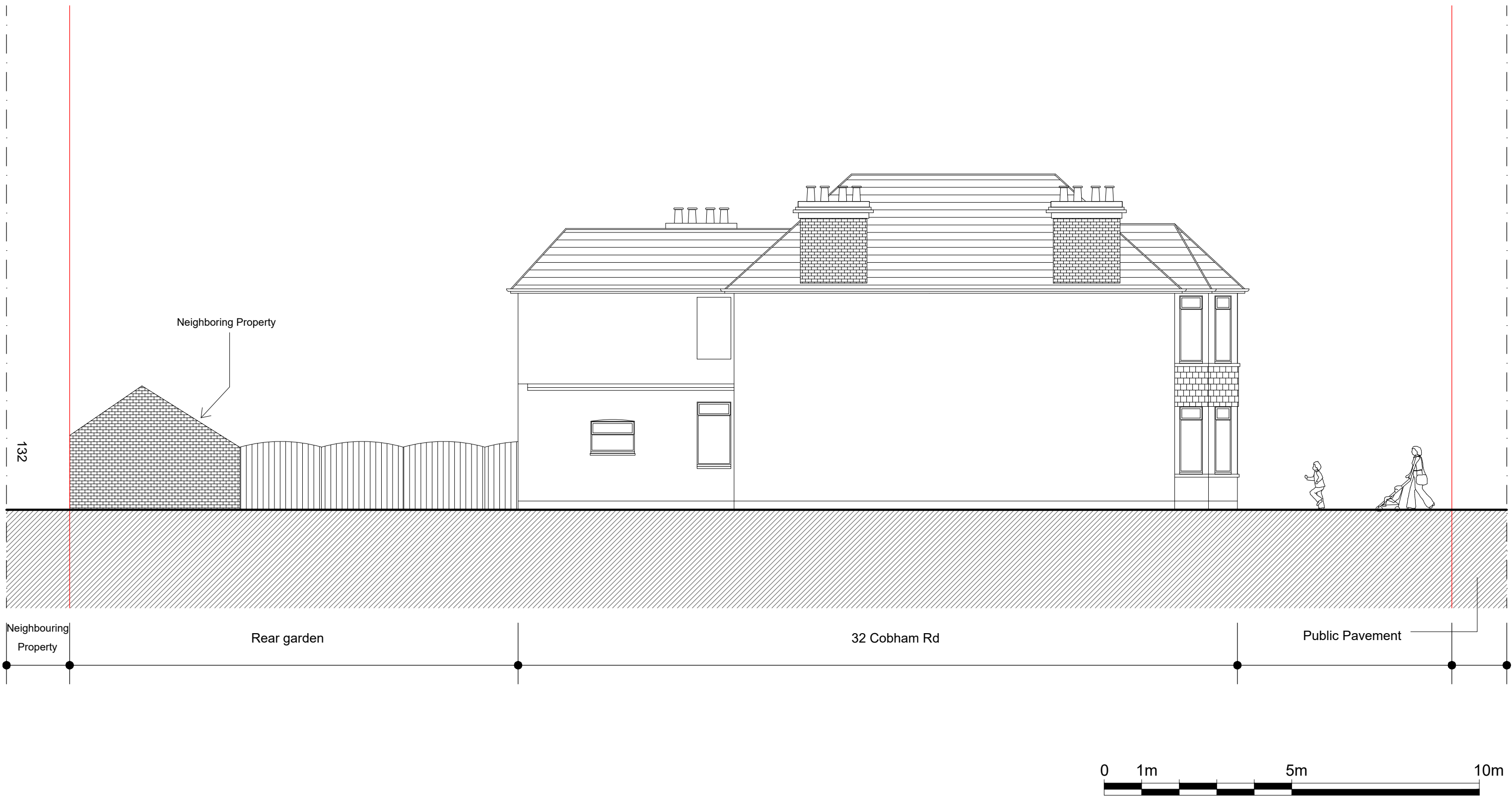
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32 Cobham Rd Westcliff-on-Sea SS0 8EA	
<b>DATE</b>	<b>Project No.</b>
April 2022	5255

<b>DRAWING TITLE</b>		
Existing - Side Elevation-1		
<b>CLIENT</b>		
Mr. Engel		
<b>DRAWING No.</b>	<b>SCALE @ A3</b>	<b>Drawn by:</b>
EX-E002	1:100	Chaya

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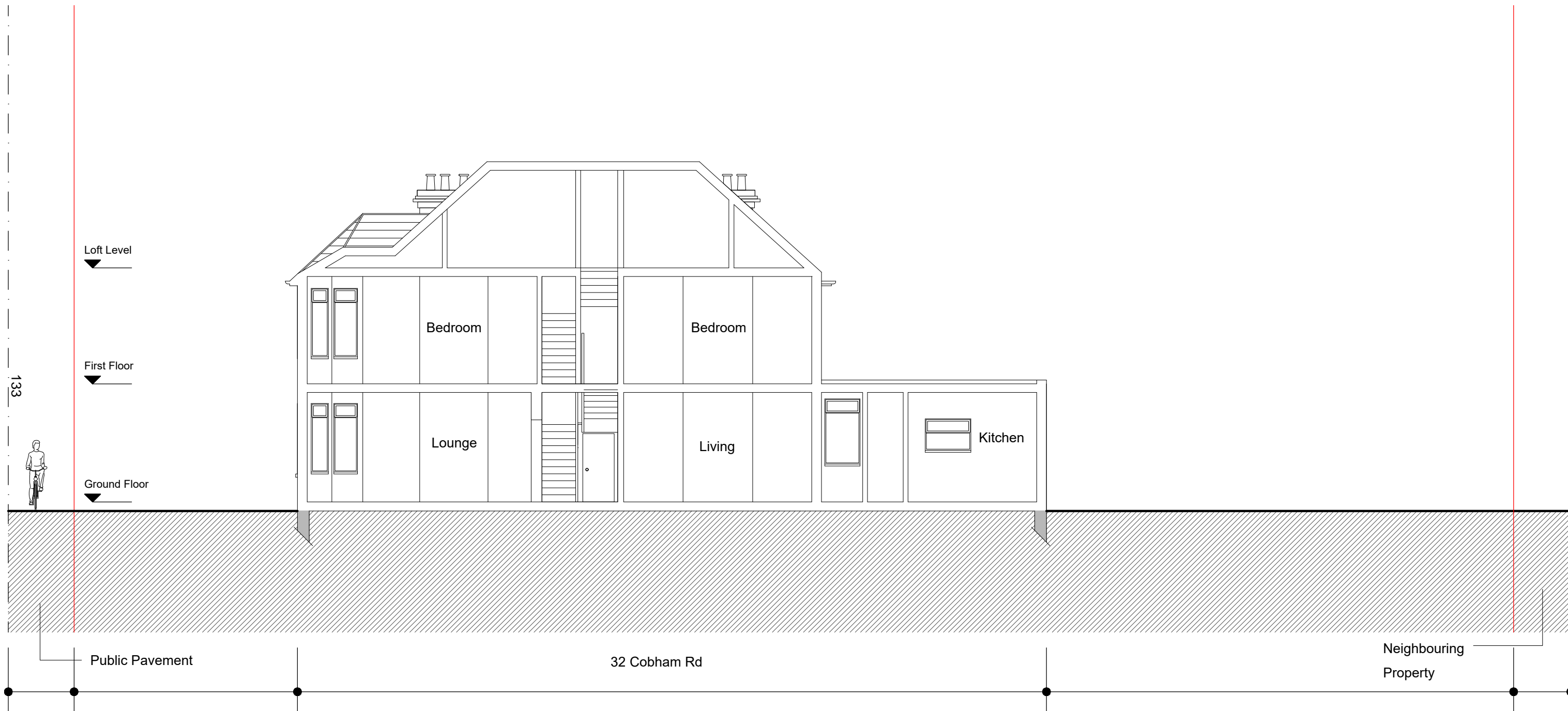
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32 Cobham Rd Westcliff-on-Sea SS0 8EA	
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<b>DRAWING TITLE</b>		
Existing - Side Elevation 2		
<b>CLIENT</b>		
Mr. Engel		
<b>DRAWING No.</b>	<b>SCALE @ A3</b>	<b>Drawn by:</b>
EX-E003	1:100	Chaya

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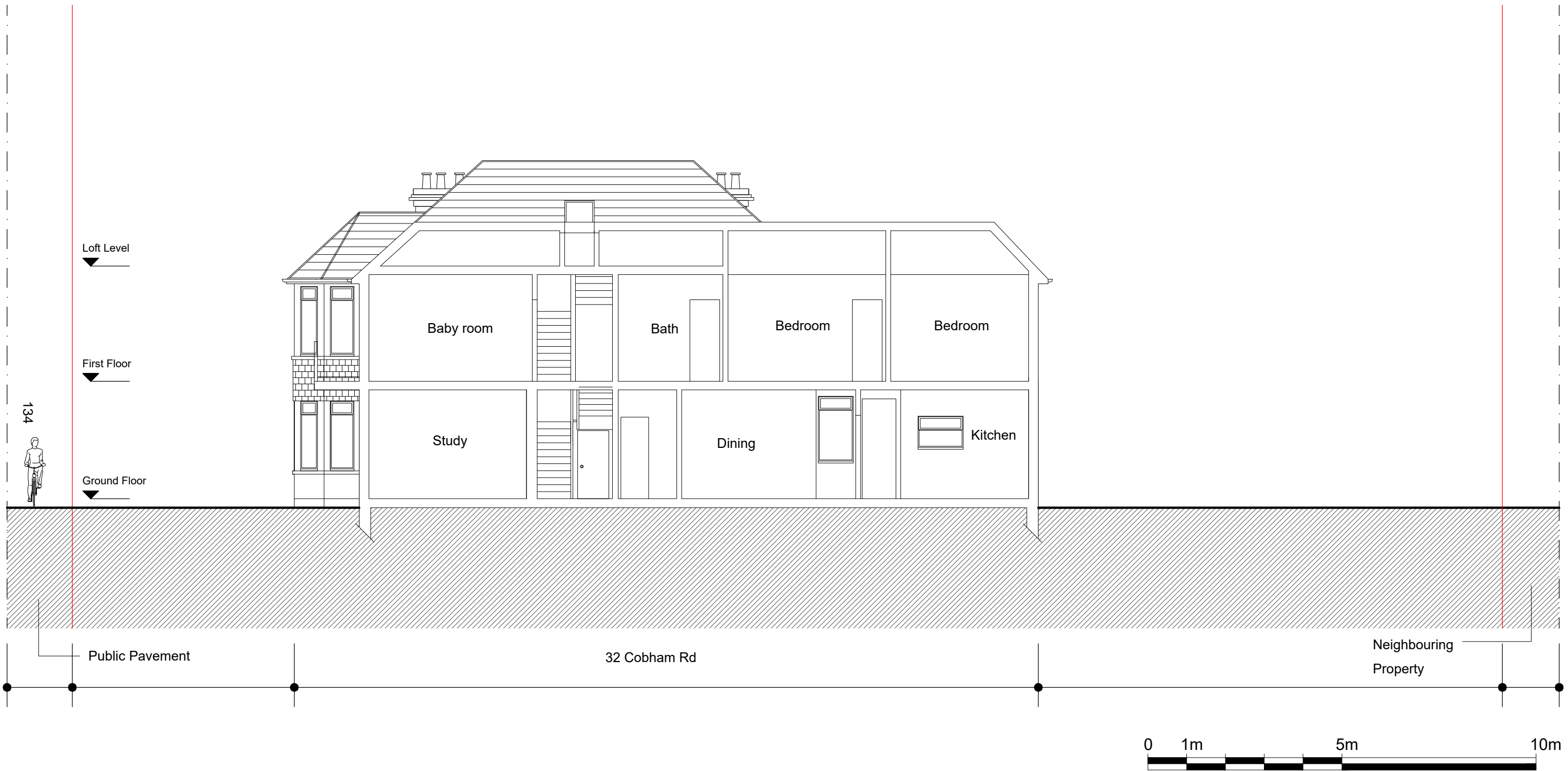
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PROJECT TITLE	
32 Cobham Rd Westcliff-on-Sea SS0 8EA	
DATE	Project No.
April 2022	5255

DRAWING TITLE		
Existing - Section AA'		
CLIENT Mr. Engel		
DRAWING No.	SCALE @ A3	Drawn by:
EX-S001	1:100	Chaya

**S&M**  
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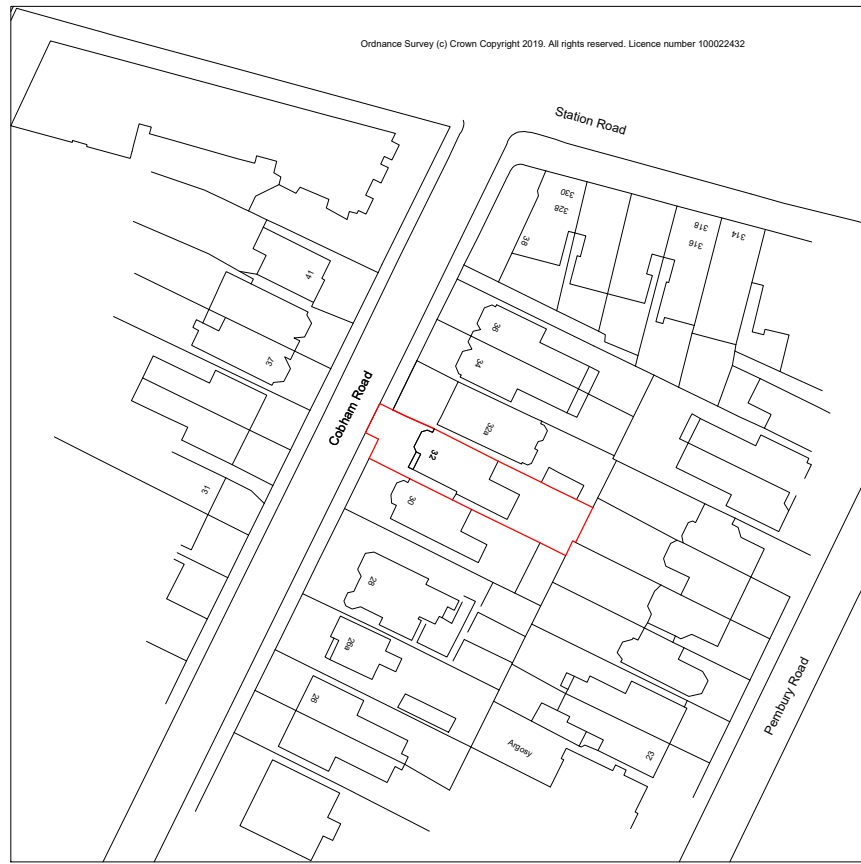
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PROJECT TITLE	
32 Cobham Rd Westcliff-on-Sea SS0 8EA	
DATE	Project No.
April 2022	5255

DRAWING TITLE		
Existing - Section BB'		
CLIENT Mr. Engel		
DRAWING No.	SCALE @ A3	Drawn by:
EX-S002	1:100	Chaya

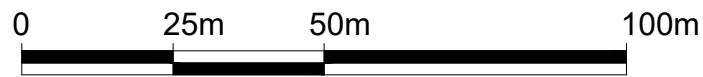
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135

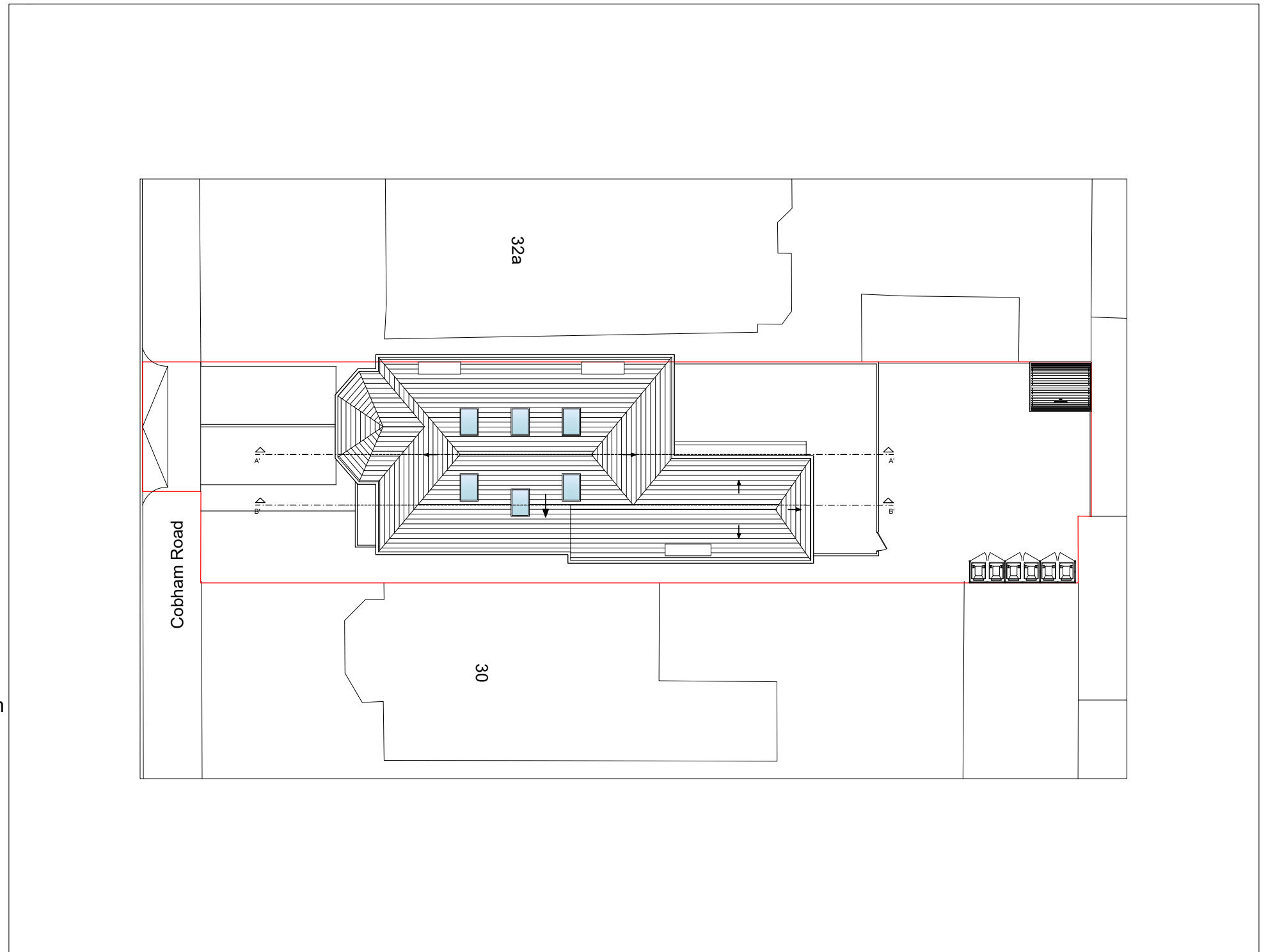
OS Map



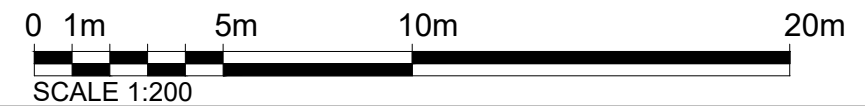
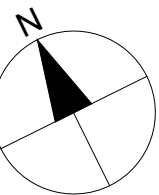
SCALE 1:1250



Property Boundary



Location Plan



SCALE 1:200

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**PROJECT TITLE**  
32 Cobham Rd  
Westcliff-on-Sea SS0 8EA

**DATE**  
April 2022

**Project No.**  
5255

**DRAWING TITLE**  
Proposed - OS Map- Location

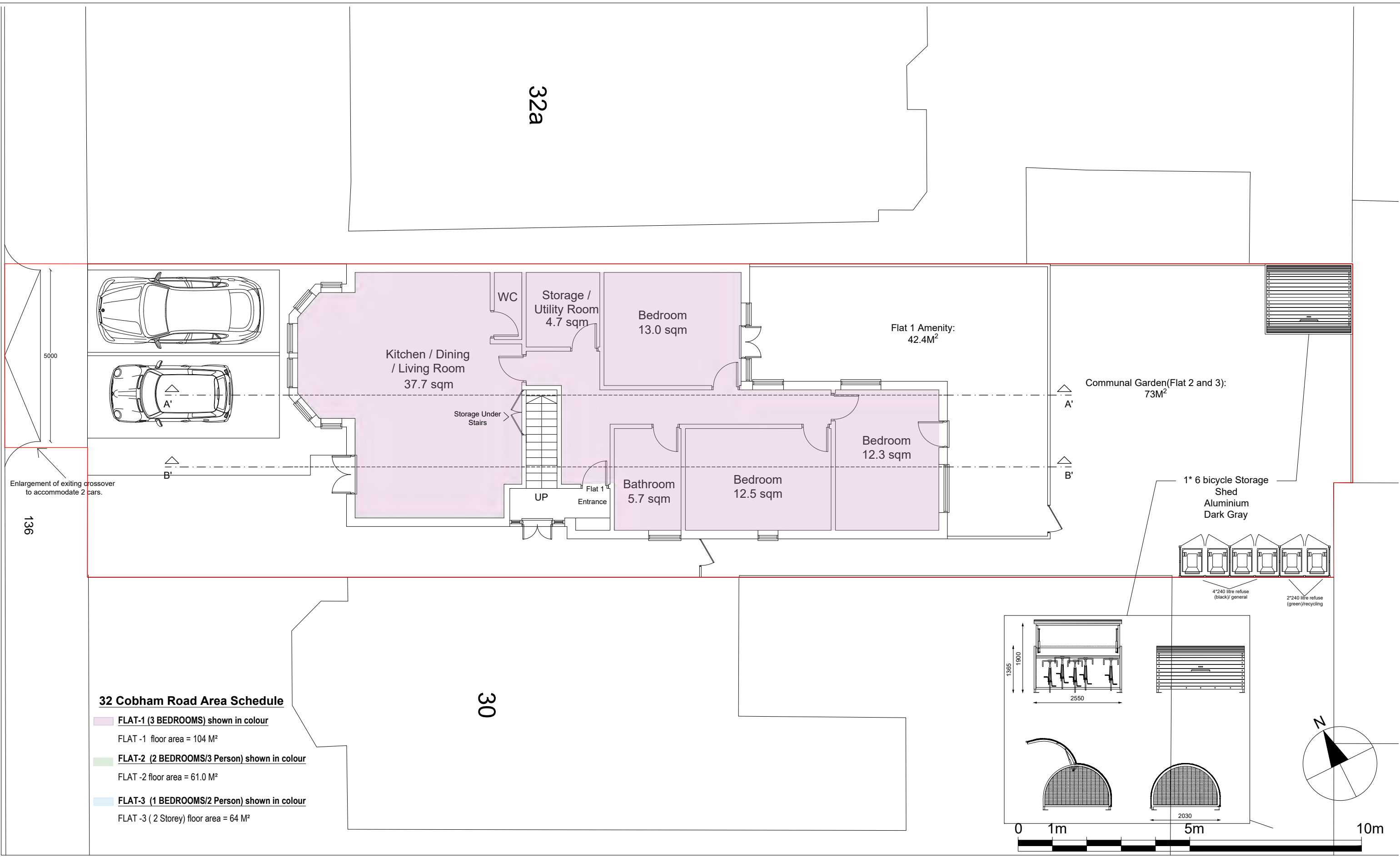
**CLIENT**  
Mr. Engel

**DRAWING No.**  
PR-L001

**SCALE @ A3**  
1:1250 / 1:200

**Drawn by:**  
Chaya





**32 Cobham Road Area Schedule**

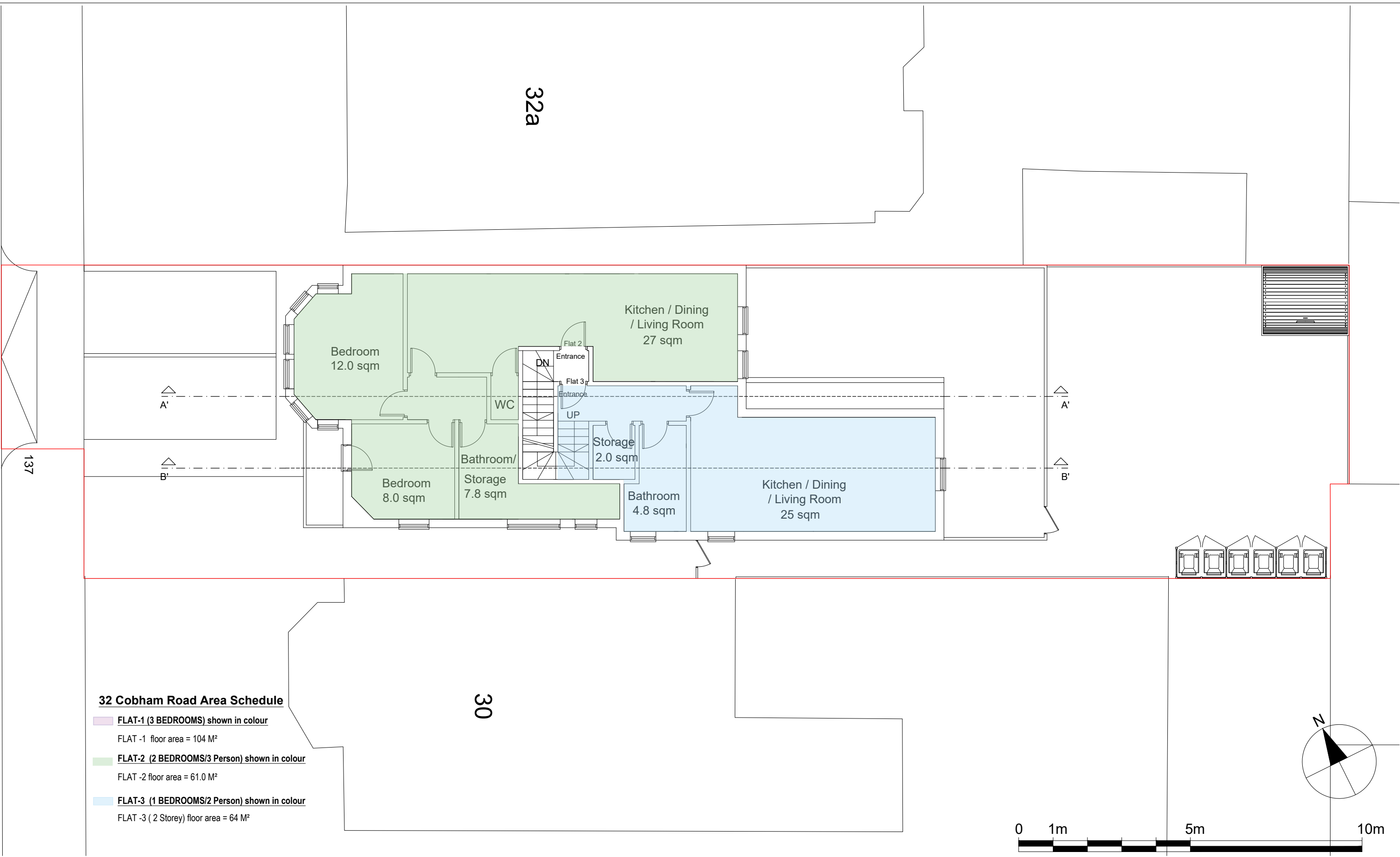
- FLAT-1 (3 BEDROOMS) shown in colour**  
FLAT -1 floor area = 104 M<sup>2</sup>
- FLAT-2 (2 BEDROOMS/3 Person) shown in colour**  
FLAT -2 floor area = 61.0 M<sup>2</sup>
- FLAT-3 (1 BEDROOMS/2 Person) shown in colour**  
FLAT -3 ( 2 Storey) floor area = 64 M<sup>2</sup>

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32 Cobham Rd Westcliff-on-Sea SS0 8EA	
<b>DATE</b>	<b>Project No.</b>
April 2022	5255

<b>DRAWING TITLE</b>		
Proposed - Ground Floor		
<b>CLIENT</b>		
Mr. Engel		
<b>DRAWING No.</b>	<b>SCALE @ A3</b>	<b>Drawn by:</b>
PR-P001	1:100	Chaya



**32 Cobham Road Area Schedule**

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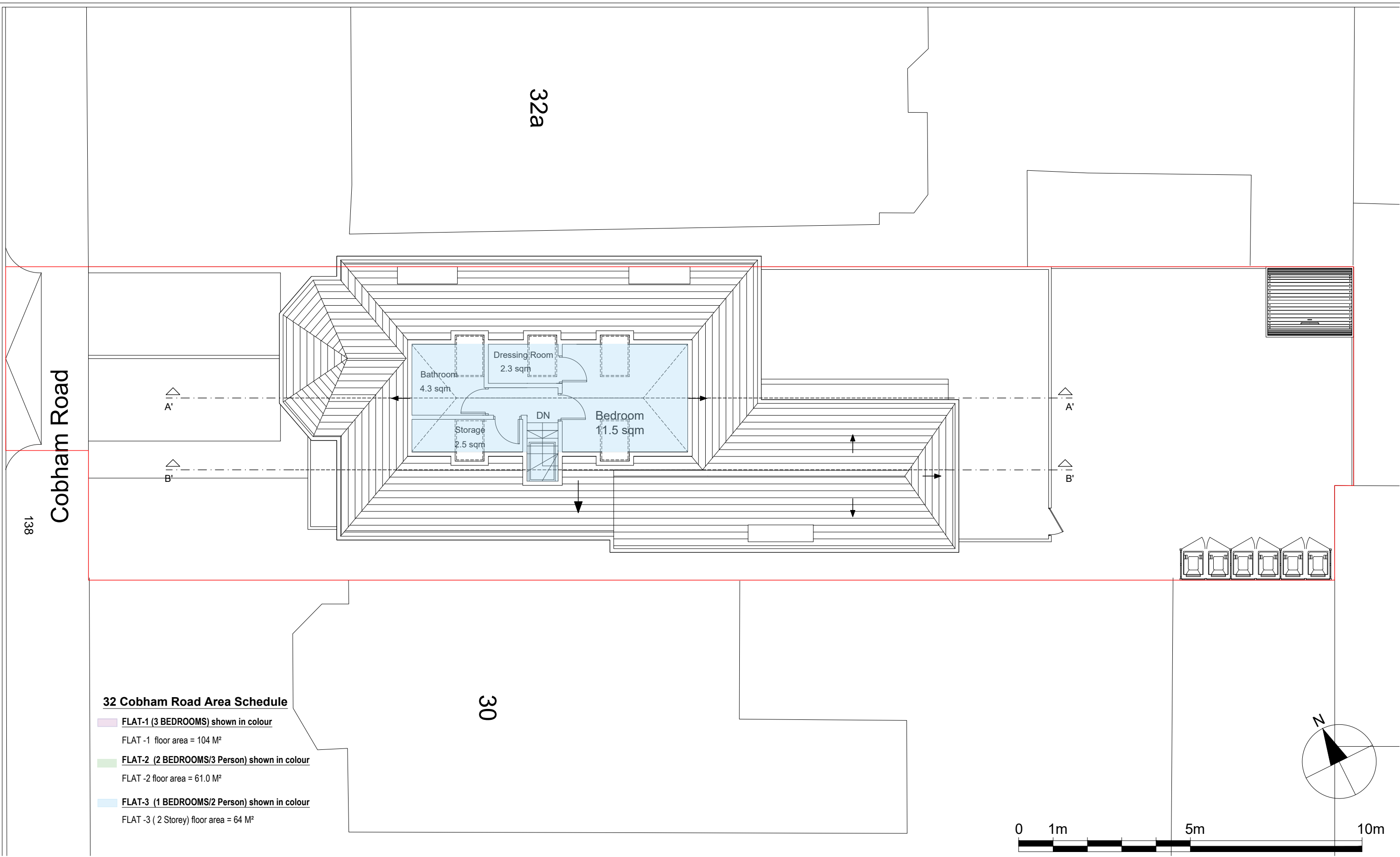
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32 Cobham Rd Westcliff-on-Sea SS0 8EA	
<b>DATE</b>	<b>Project No.</b>
April 2022	5255

<b>DRAWING TITLE</b>		
Proposed - First Floor		
<b>CLIENT</b>		
Mr. Engel		
<b>DRAWING No.</b>	<b>SCALE @ A3</b>	<b>Drawn by:</b>
PR-P002	1:100	Chaya

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**32 Cobham Road Area Schedule**

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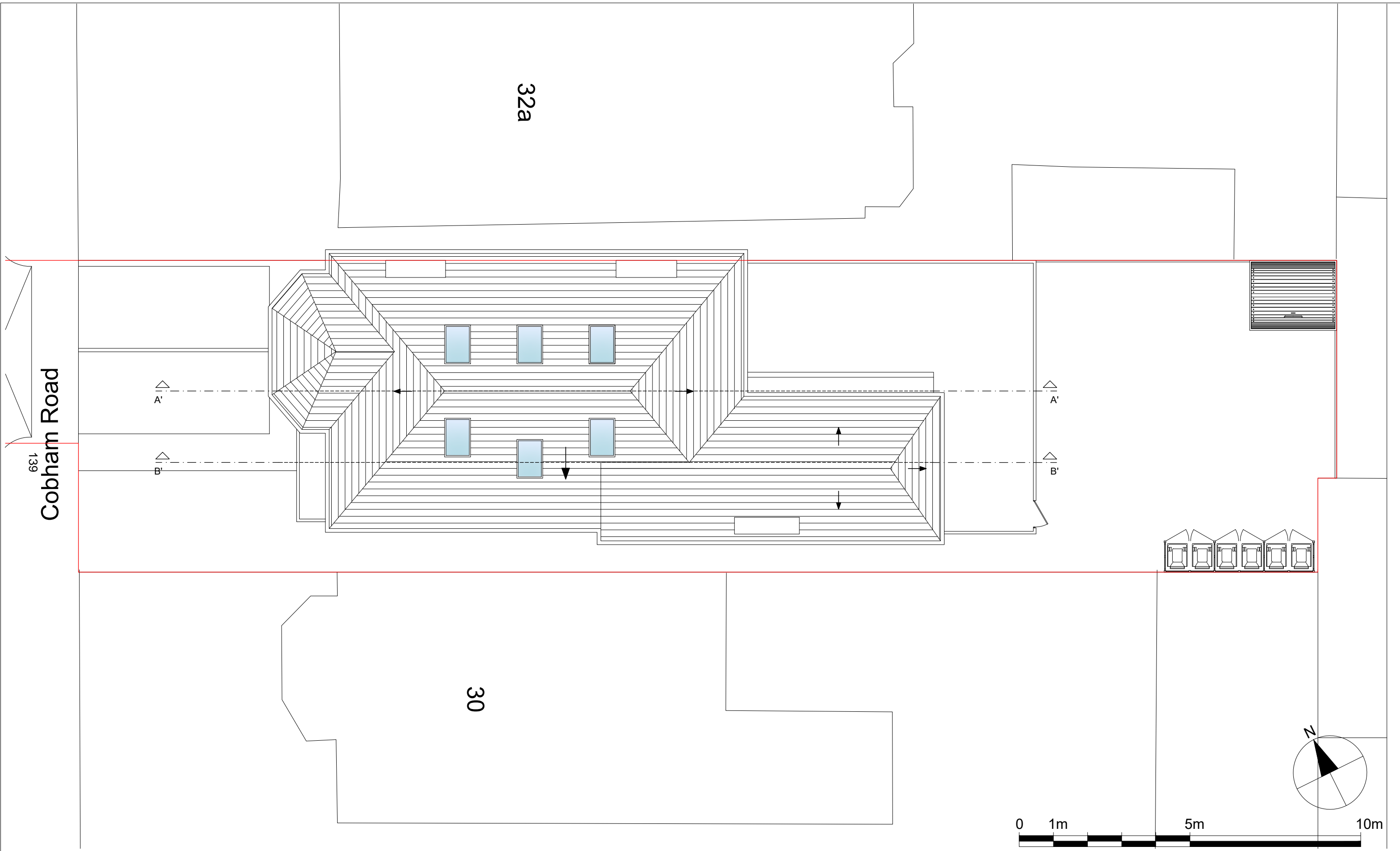
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<b>PROJECT TITLE</b> 32 Cobham Rd Westcliff-on-Sea SS0 8EA	
<b>DATE</b> April 2022	<b>Project No.</b> 5255

<b>DRAWING TITLE</b> Proposed - Loft Plan		
<b>CLIENT</b> Mr. Engel		
<b>DRAWING No.</b> PR-P003	<b>SCALE @ A3</b> 1:100	<b>Drawn by:</b> Chaya

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**PROJECT TITLE**  
32 Cobham Rd  
Westcliff-on-Sea SS0 8EA

**DATE** April 2022  
**Project No.** 5255

**DRAWING TITLE**  
Proposed- Roof Plan

**CLIENT**  
Mr. Engel  
**DRAWING No.** PR-P004  
**SCALE @ A3** 1:100  
**Drawn by:** Chaya



### Front Elevation

### Rear Elevation

140



Notes.  
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PROJECT TITLE	
32 Cobham Rd Westcliff-on-Sea SS0 8EA	
DATE	Project No.
April 2022	5255

DRAWING TITLE		
Proposed-Front/Rear Elevation		
CLIENT Mr. Engel		
DRAWING No.	SCALE @ A3	Drawn by:
PR-E001	1:100	Chaya

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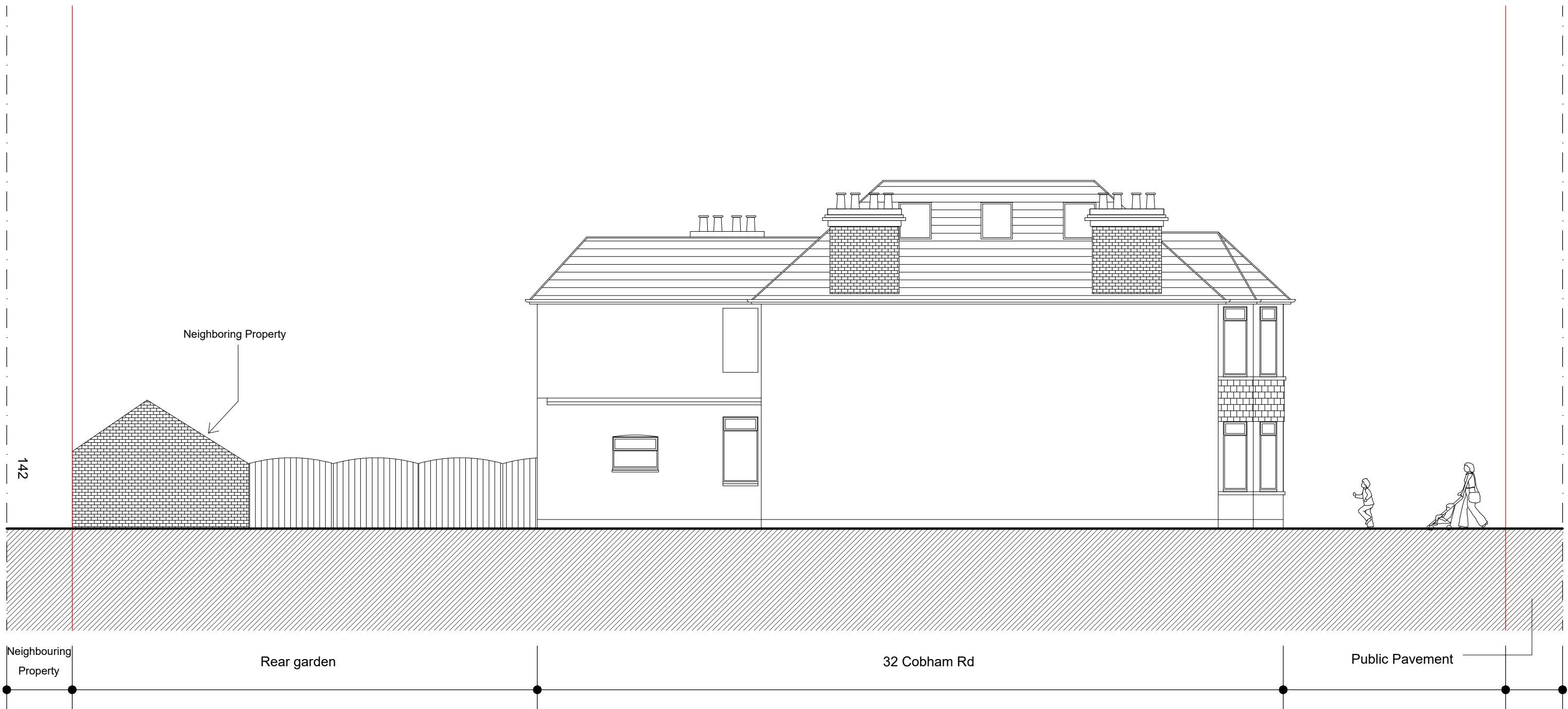
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April 2022	5255

<b>DRAWING TITLE</b>		
Proposed - Side Elevation-1		
<b>CLIENT</b>		
Mr. Engel		
<b>DRAWING No.</b>	<b>SCALE @ A3</b>	<b>Drawn by:</b>
PR-E002	1:100	Chaya

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32 Cobham Rd  
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**Project No.** 5255

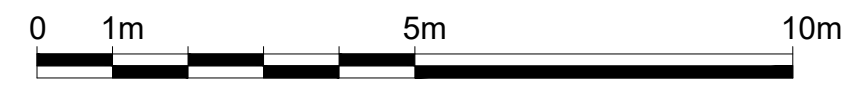
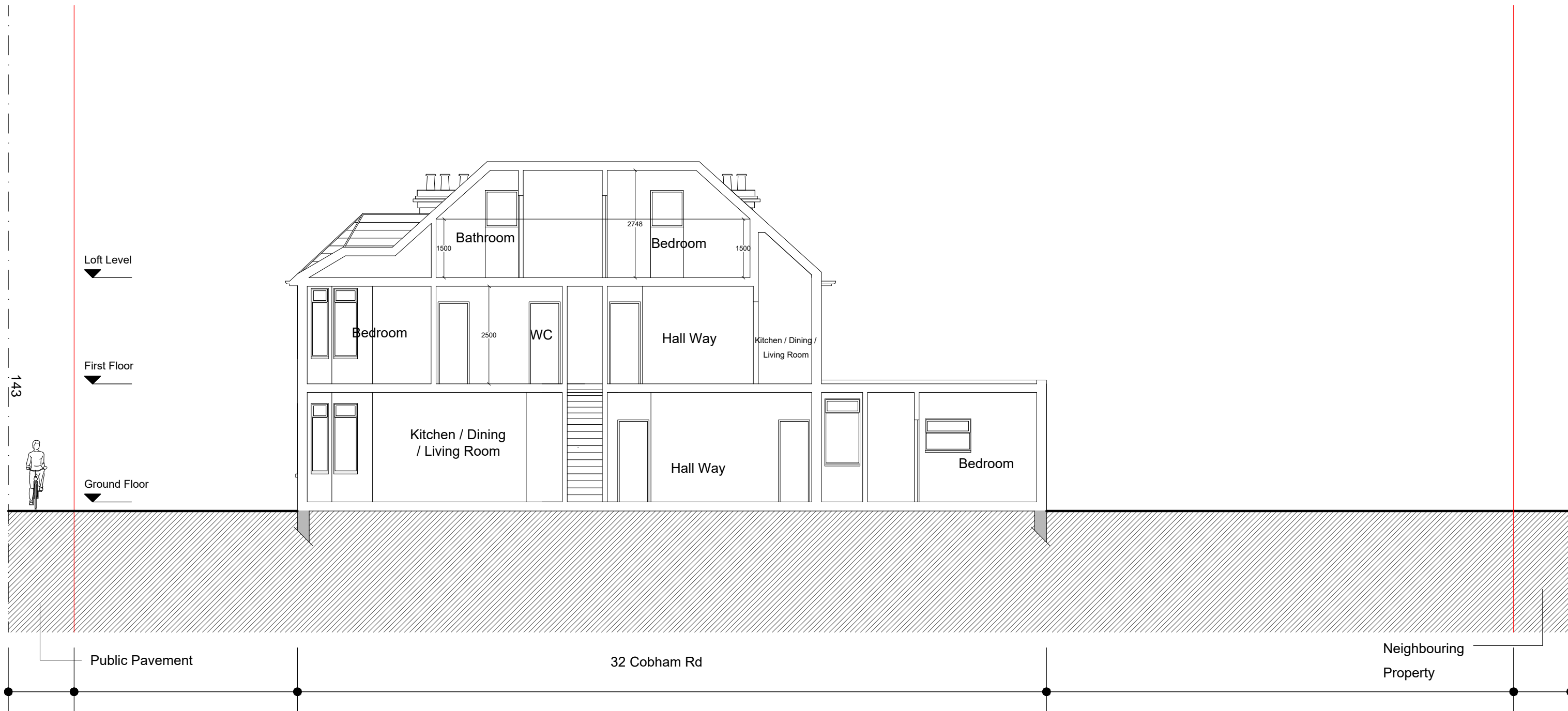
**DRAWING TITLE**  
Proposed - Side Elevation 2

**CLIENT**  
Mr. Engel

**DRAWING No.** PR-E003  
**SCALE @ A3** 1:100  
**Drawn by:** Chaya







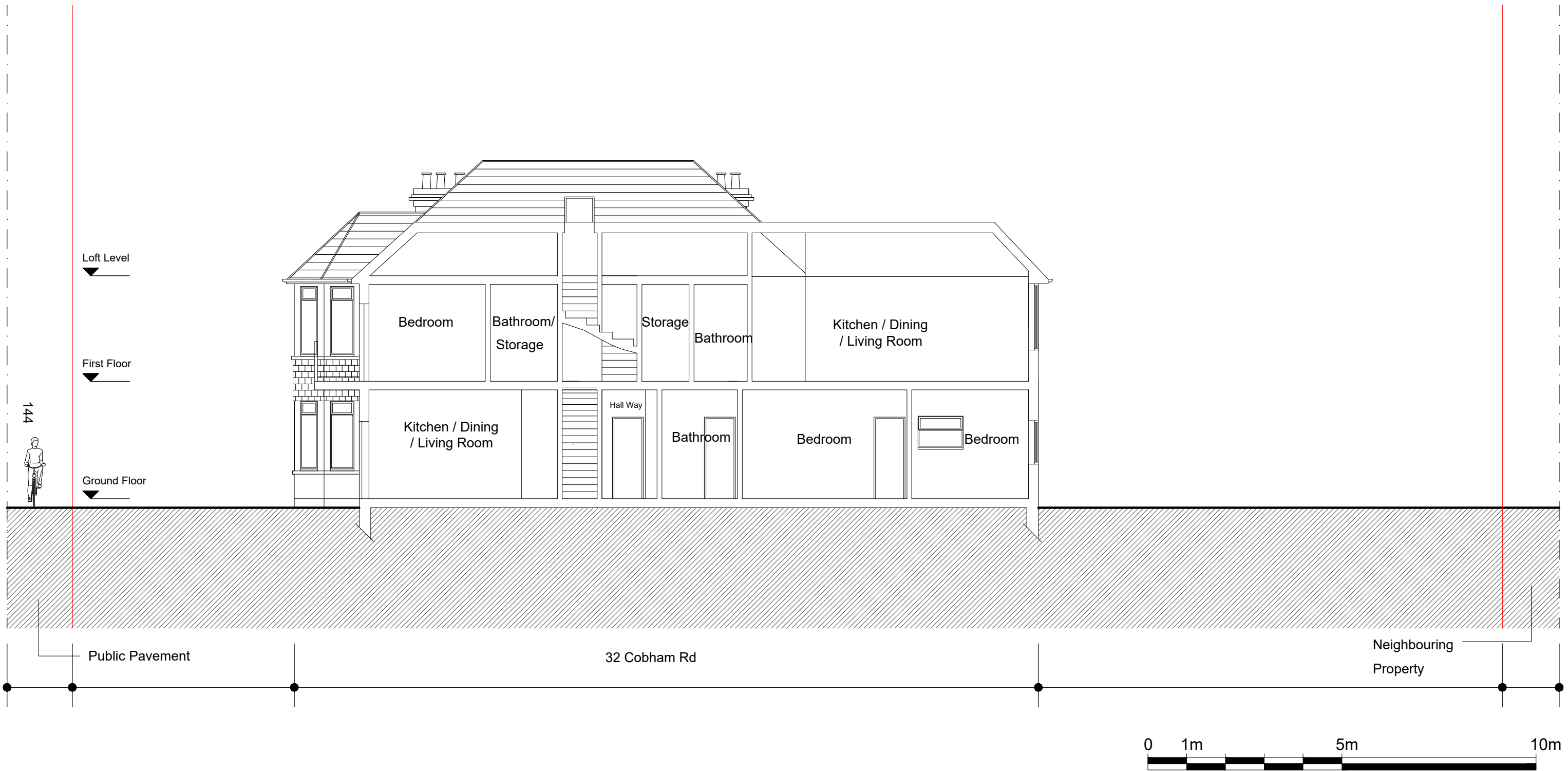
Notes.  
Contractors must verify all dimensions at the site before commencing any work.  
No construction work before Building Control approval and structural engineer confirmation.  
Any discrepancies to be reported to Gridline. All drawings are to be read in conjunction with all relevant drawings and specifications.

Project No.S					
REV	DATE	DESCRIPTION	BY	CH	
A	May 2022	Add 2 road names onto the location plan.	Chaya		
B	June 2022	<ul style="list-style-type: none"> <li>Private garden for the GF flats and communal for the FF &amp; SF flats.</li> <li>Enlargement of the crossover to 4.88m wide.</li> <li>Refuse storage to be placed within the respective rear garden areas.</li> </ul>	Chaya		
F	July 2022	Annotate outbuilding on Side Elevation 2	Chaya		

PROJECT TITLE	
32 Cobham Rd Westcliff-on-Sea SS0 8EA	
DATE	Project No.
April 2022	5255

DRAWING TITLE		
Proposed - Section AA'		
CLIENT Mr. Engel		
DRAWING No.	SCALE @ A3	Drawn by:
PR-S001	1:100	Chaya

PLANNING SERVICES  
Unit 9b, The High Cross  
Centre, Fountayne Rd,  
N15 4BE  
TEL: 020 8802 3480  
[www.samplanning.co.uk](http://www.samplanning.co.uk)



Notes.  
Contractors must verify all dimensions at the site before commencing any work.  
No construction work before Building Control approval and structural engineer confirmation.  
Any discrepancies to be reported to Gridline. All drawings are to be read in conjunction with all relevant drawings and specifications.

Project No.S				
REV	DATE	DESCRIPTION	BY	CH
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F	July 2022	Annotate outbuilding on Side Elevation 2	Chaya	

PROJECT TITLE	
32 Cobham Rd Westcliff-on-Sea SS0 8EA	
DATE	Project No.
April 2022	5255

DRAWING TITLE		
Proposed - Section BB'		
CLIENT Mr. Engel		
DRAWING No.	SCALE @ A3	Drawn by:
PR-S002	1:100	Chaya

PLANNING SERVICES  
Unit 9b, The High Cross  
Centre, Fountayne Rd,  
N15 4BE  
TEL: 020 8802 3480  
[www.samplanning.co.uk](http://www.samplanning.co.uk)

32 Cobham Road



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32A

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ED57JZ

ZETEC  
1.9







148



150



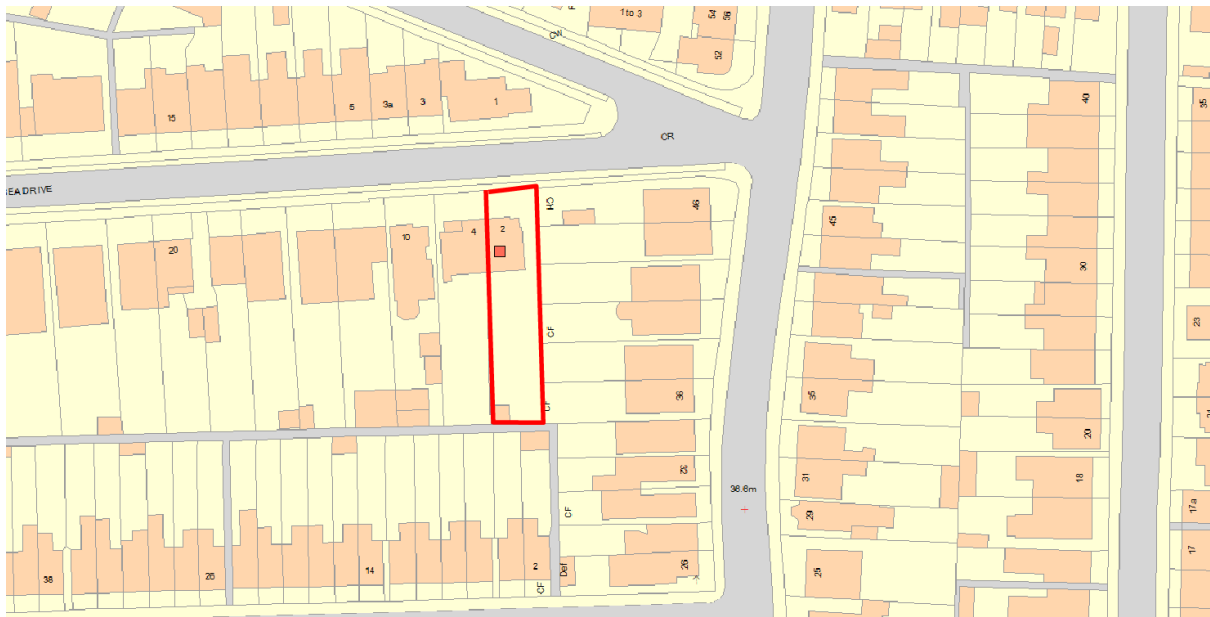




151

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<b>Reference:</b>	22/00722/FULH	<h1>9</h1>
<b>Application type:</b>	Full Application - Householder	
<b>Ward:</b>	Blenheim Park	
<b>Proposal:</b>	Hipped to gable roof extension with dormer to rear to form habitable accommodation in the loftspace, erect part single/part two storey side and rear extension and new porch to front	
<b>Address:</b>	2 Silversea Drive, Westcliff-on-Sea, Essex, SS0 9XE	
<b>Applicant:</b>	Ms Horseman	
<b>Agent:</b>	Mr Alan Gloyne of ABG Architecture Ltd.	
<b>Consultation Expiry:</b>	21.07.2022	
<b>Expiry Date:</b>	29.07.2022	
<b>Case Officer:</b>	Oliver Hart	
<b>Plan Nos:</b>	<b>114-P01; 114-P02C; 114P03C</b>	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION subject to conditions</b>	



## **1 Site and Surroundings**

- 1.1 The application site is occupied by a semi-detached dwellinghouse on the south side of Silversea Drive.
- 1.2 The surrounding area is characterised predominantly by semi-detached and terraced dwellinghouses of similar size, scale and design to the application dwelling. A number of neighbouring properties have additions and alterations, inclusive of rear dormers and part single/part two storey rear extensions.
- 1.3 The application site is not located within a conservation area or subject to any site-specific planning policy designations.

## **2 The Proposal**

- 2.1 The application seeks planning permission to erect a hipped to gable roof extension with a dormer to the rear to form habitable accommodation in the loftspace, to construct a single storey side extension, a part single/part two-storey rear extension and a new porch to the front.
- 2.2 The dormer would be flat roofed, some 2.95m in maximum height, 3.3m deep and 6.5m wide. Finishing exterior materials are shown as timber cladding to the dormer cheeks.
- 2.3 The single storey side extension would have a dummy parapet roof to the front, some 3.6m in maximum height, 2.75m high to eaves, and a flat roof to the rear, some 3.1m high. It would measure some 12.5m in total depth, projecting 4.7m beyond the main rear wall and 2.5m from the side wall. The single storey element of the proposal would wrap around the rear of the dwelling continuing the flat roofed arrangement and would extend the full width of the dwelling. Finishing exterior materials are shown as render and roof tiles to match the existing dwelling.
- 2.4 Following receipt of amended plans sought during the course of the application, the first-floor rear element of the proposal would be pitch roofed and positioned to the easternmost side of the application dwelling, 3.5m in maximum depth, 7.7m in maximum height and 4.5m wide. Finishing exterior materials are shown as render to match the existing dwelling.
- 2.5 The proposed front porch would have a mono-pitched roof some 3.6m in maximum height, 2.75m high to eaves, 2.25m wide and would project a maximum 1.85m forward of the host dwelling.
- 2.6 The application is presented to Development Control Committee as the applicant is an employee of the council.

## **3 Relevant Planning History**

- 3.1 21/01624/CLP- Hip to gable roof extension, dormer to rear to form habitable accommodation in roofspace, part single/part two storey rear extension, single storey side extension, alter elevations (Lawful development certificate-proposed)-Refused

- 3.2 21/02142/CLP- Hip to gable roof extension, dormer to rear to form habitable accommodation in roofspace, part single/part two storey rear extension, single storey side extension, alter elevations (Lawful development certificate-proposed) (Amended Proposal)- Refused

## **4 Representation Summary**

### **Public Consultation**

- 4.1 Seventeen (17) neighbours were notified of the application. Two representations from one household have been received. Summary of comments:

1. Overlooking and loss of privacy concerns
2. Extensions are over-scaled and not in keeping with the surrounding area.

Officer comment: The representations have been taken into consideration and the relevant planning matters raised are discussed in subsequent sections of the report. The objecting points raised by the representations have been taken into account in the assessment of the proposal but are not found to represent justifiable reasons for recommending refusal in the circumstances of this case.

## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework (NPPF) (2021).
- 5.2 National Design Guide (2021)
- 5.3 Core Strategy (2007): KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance).
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management).
- 5.5 Southend-on-Sea Design & Townscape Guide (2009).
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule (2015)

## **6 Planning Considerations**

- 6.1 The proposal would not increase the need for parking nor reduce the current off-site parking provision. The key considerations in relation to this application are the principle of the development, design and impact on the character of the streetscene, impact on residential amenity and CIL contributions.

## **7 Appraisal**

### **Principle of Development**

- 7.1 The dwelling is located within a residential area and an extension or alteration to it is considered acceptable in principle. Other material planning considerations are discussed below.

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

- 7.2 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.3 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm.
- 7.4 The proposed hip to gable roof enlargement would unbalance the relationship between the application dwelling and its semi-detached pair. This is a negative aspect of the proposal. However, the character of this road is mixed and having regard to the varied design of neighbouring properties and the presence of comparable roof enlargements in the immediate vicinity, the proposed gabling of the roof is considered to be of an acceptable form and design.
- 7.5 The size and scale of the rear dormer is significant however, it would be set in from the eaves, ridge and flanks. Dormers of comparable size and scale are also noted in the immediate vicinity including to the west, along Silversea Drive. Weighed into the balance also is the conformity of the dormer with regards to its size, scale and siting with permitted development criteria. On this basis and on balance, the proposed dormer is considered acceptable with regards to its design and character impacts.
- 7.6 The proposed single storey side and rear extensions are considered to be of an acceptable form and design with a complementary roof form and materials that match the existing dwelling such that the extension would appear suitably integrated. The size and scale of the extension would maintain subservience to the size and scale of the host dwelling.
- 7.7 The first-floor rear element of the development is located in an area which is not exposed to significant public vistas. Nevertheless, the pitched roof form and design of the extension are considered to be appropriate in its context, noting similar development to the rear of properties to the west of the site. Subject to conditions to ensure use of matching materials, the first-floor rear extension does not significantly harm the character and appearance of the site and the surrounding area.
- 7.8 No objection is raised to the proposed porch element to the front elevation which is considered to appear as a suitably subservient and well-integrated addition that would maintain the character and appearance of the dwelling and the wider streetscene to an acceptable degree.
- 7.9 Taking into account the above, the proposal is unacceptable and contrary to policy in those regards.

## **Impact on Residential Amenity.**

- 7.10 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 7.11 The application property is attached by 4 Silversea Drive (to the west) and bounded by the rears of Nos. 36 and 46 Southbourne Grove to the east.
- 7.12 Having regard to the containment of the dormer within the existing rear roof slope, the position of the proposed gable (to the east) and the separations involved to the rears of those dwellings along Southbourne Grove, it is not considered the proposed roof additions/alterations would give rise to any significant harm to the amenity of occupants of any neighbouring addresses by way of material loss of light, outlook or an undue increased sense of enclosure.
- 7.13 The rear dormer provides potential for some overlooking of rear gardens of adjoining neighbouring properties however, there is already an existing degree of upper floor overlooking at present which is representative of the levels of amenity generally enjoyed in this rear garden environment. The dormer has a Juliet style balcony inset to the room it serves. On this basis, it is not considered that the proposed dormer would give rise to a material increase in overlooking or loss of privacy to these neighbouring properties materially beyond existing levels, nor to an unacceptable degree.
- 7.14 The proposed single storey rear extension would project a maximum 3.7m beyond the rear elevation of No.4. Whilst the single storey element is positioned along the shared boundary, this projection is considered modest and noting, the single storey nature of the extension, it is not considered to give rise to any significantly harmful impacts on neighbour amenity in any regard. The first-floor element would project some 3.5m beyond the rear elevation of this neighbour. A 2.25m separation would be retained between the first-floor extension and No.4. Regard is also had to the modest eaves height of the first-floor element and the south-facing nature of neighbouring rear windows such that a notional 45-degree guideline taken from the neighbours' rear windows would not be breached. It is therefore considered that this element of the proposal would not result in a significant loss of light or outlook, nor an issue of overbearing or undue sense of enclosure for the occupants.
- 7.15 The modest size and scale of the front porch together with its separations to neighbouring habitable accommodation are such that this element of the proposal would not give rise to any significantly harmful amenity impacts on the neighbouring occupants in any relevant regard.
- 7.16 It is considered that the design, size, siting and scale of the development proposed are such that it would not result in any significant harm to the amenities of the site, neighbouring occupiers or wider area in any regard. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts.

## **Community Infrastructure Levy**

- 7.17 The proposed development equates to less than 100sqm of new floorspace. As such, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and no charge is payable.

## **Equality and Diversity Issues**

- 7.18 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

## **8 Conclusion**

- 8.1 For the reasons outlined above, the proposal is found to be unacceptable and contrary to the relevant planning policies and guidance. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is refused.

## **9 Recommendation**

**GRANT PLANNING Subject to the following conditions;**

- 01 The development hereby permitted shall begin no 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: 114-P01; 114-P02C; 114P03C**

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

- 03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing dwelling. This applies unless differences are shown on submitted plans.**

**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 the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM1, and advice contained in the Southend-on-Sea Design and Townscape Guide (2009).**



- 04** The flat roof of the single storey extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.

**Reason:** To protect the privacy and environment of people in neighbouring residential properties, in accordance with the Core Strategy (2007) policies KP2 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

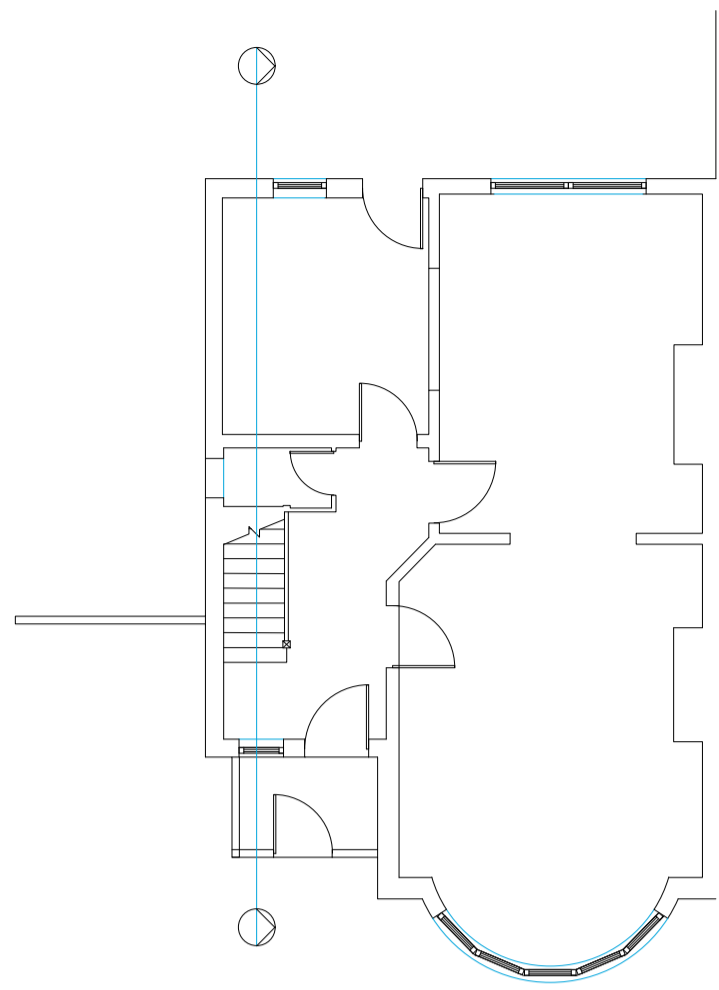
#### **Positive and Proactive Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

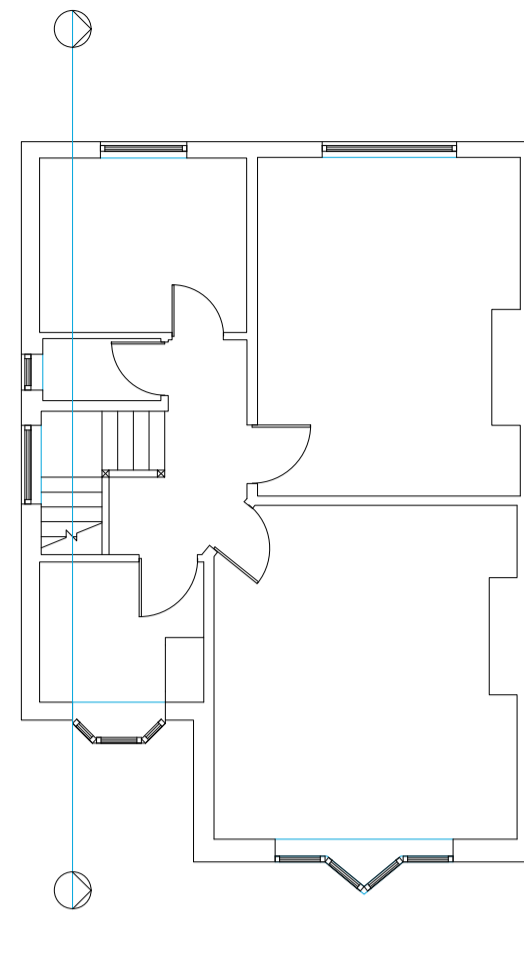
#### **Informatives**

- 1** You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development would benefit from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge would be payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.
- 2** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

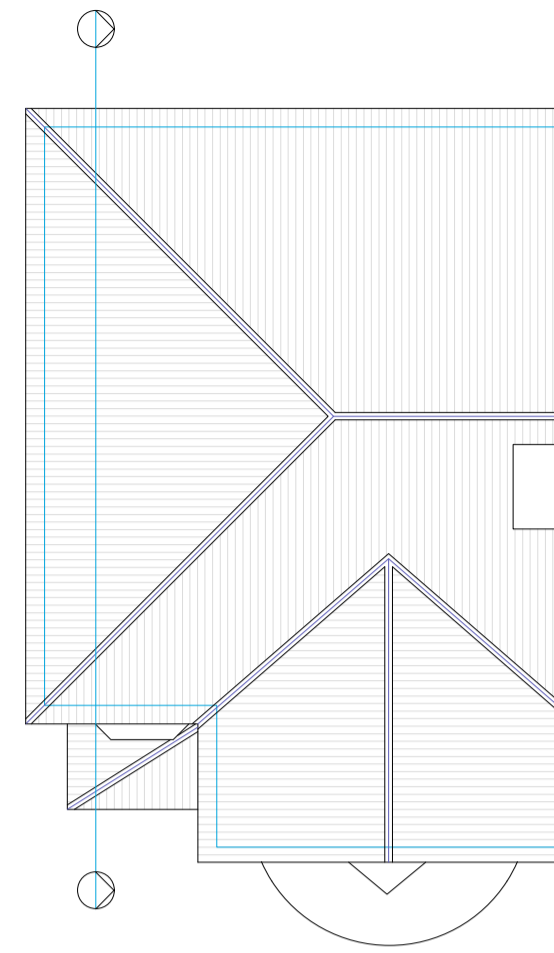
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Existing Ground Floor Plan 1:100



Existing First Floor Plan 1:100



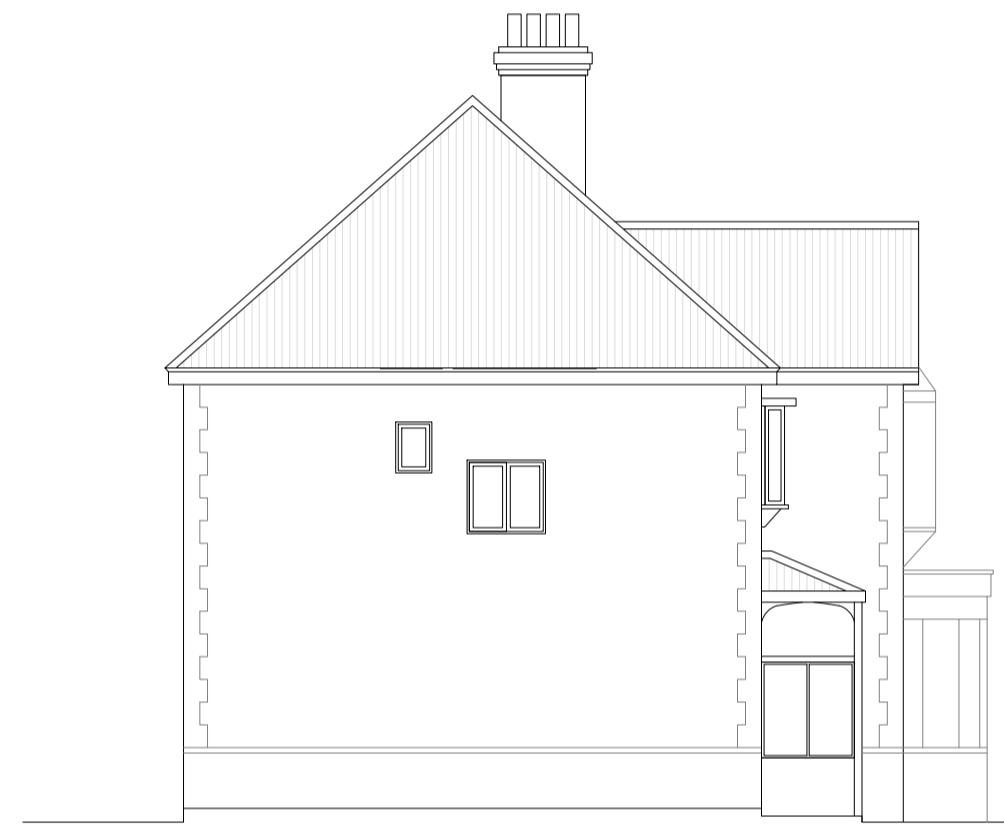
Existing Roof Plan 1:100



Existing Site Location Plan 1:1250



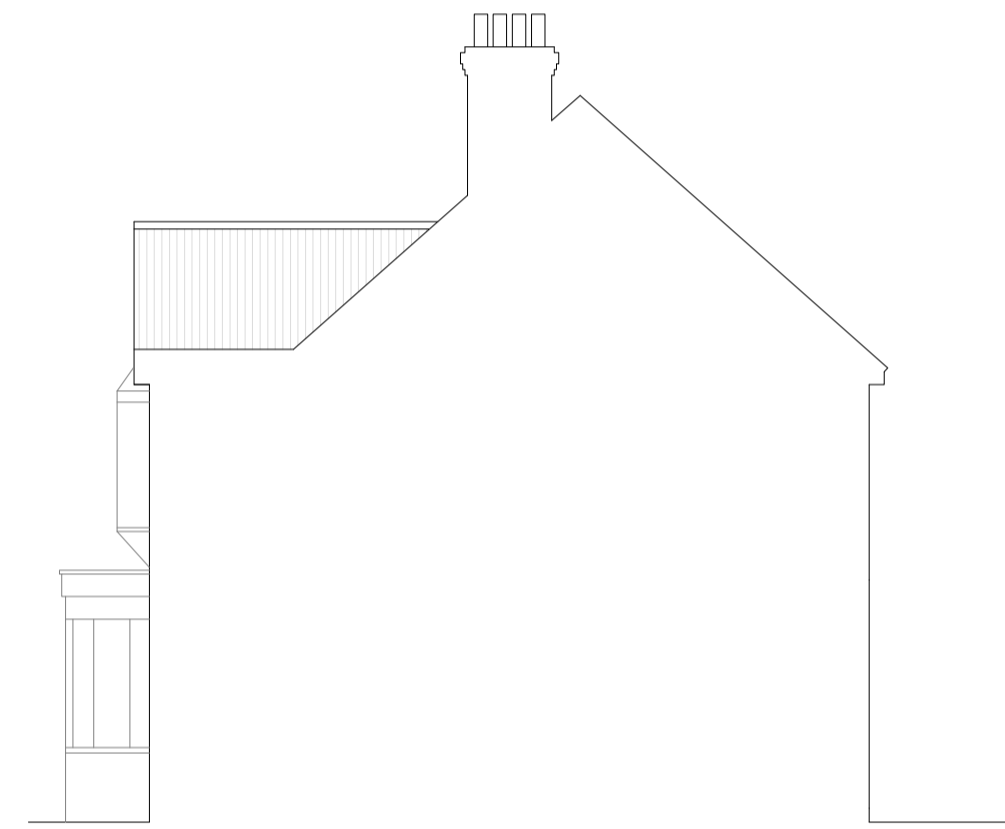
Existing Front Elevation 1:100



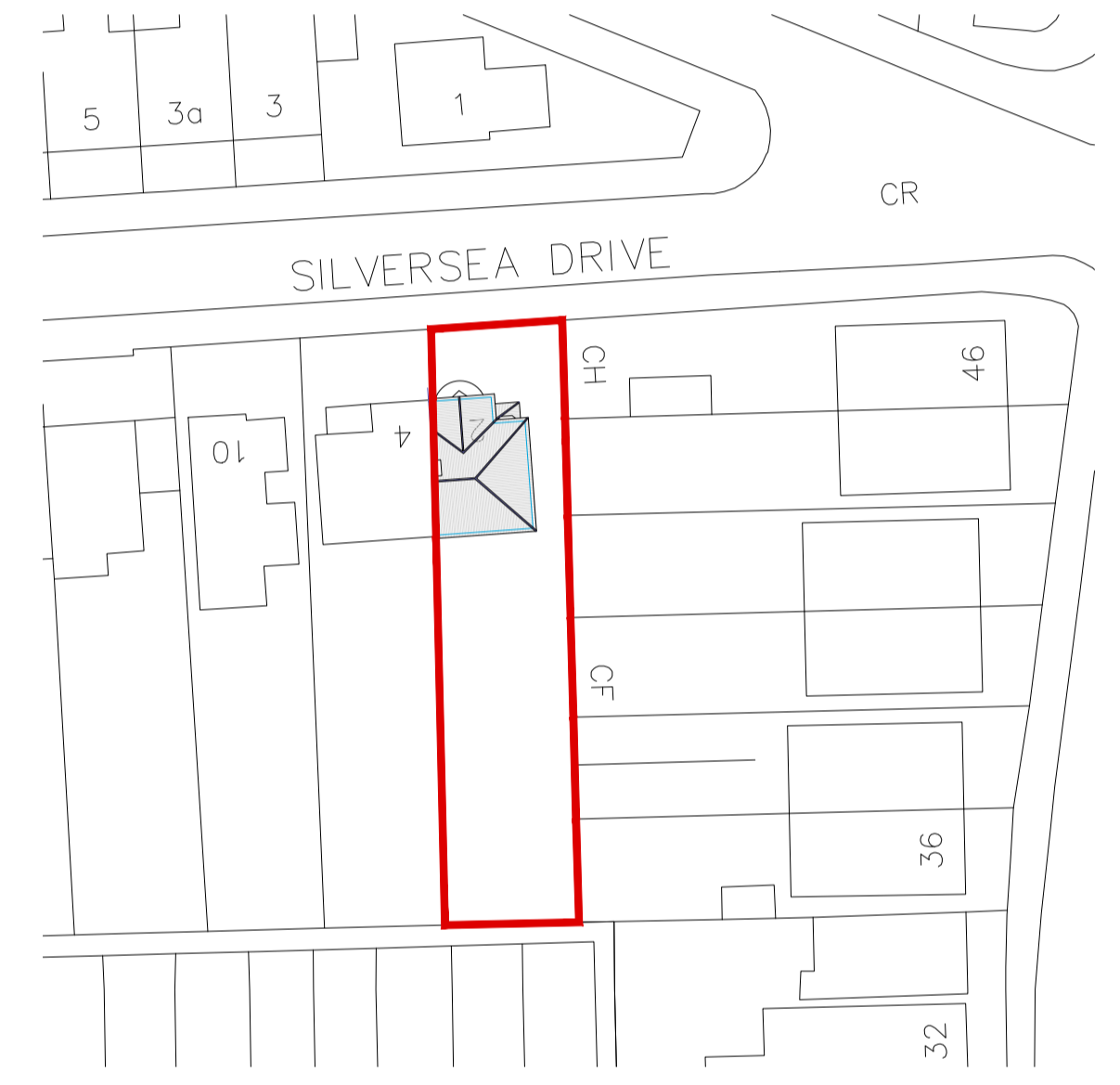
Existing East Elevation 1:100



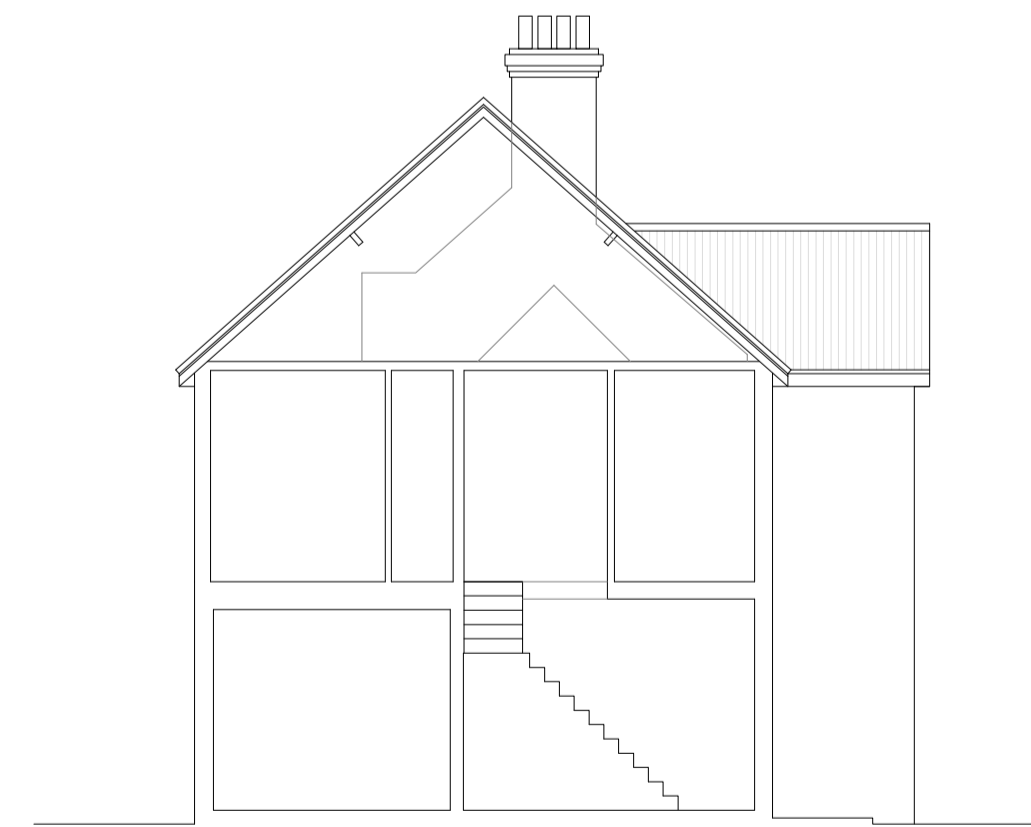
Existing Rear Elevation 1:100



Existing West Elevation 1:100



Existing Block Plan 1:500



Existing Section 1:100

Notes:

Rev	Comment	By	Date
-	Production of drawings	ABG	08/12/2020

Stage:  
Planning

Client:  
Mr and Mrs Horseman

Project:  
2  
Silversea Drive  
Westcliff-on-Sea  
Essex  
SS0 9XE

Drawing Title:  
Existing

Drawing no: 114PQ1      Revision: -

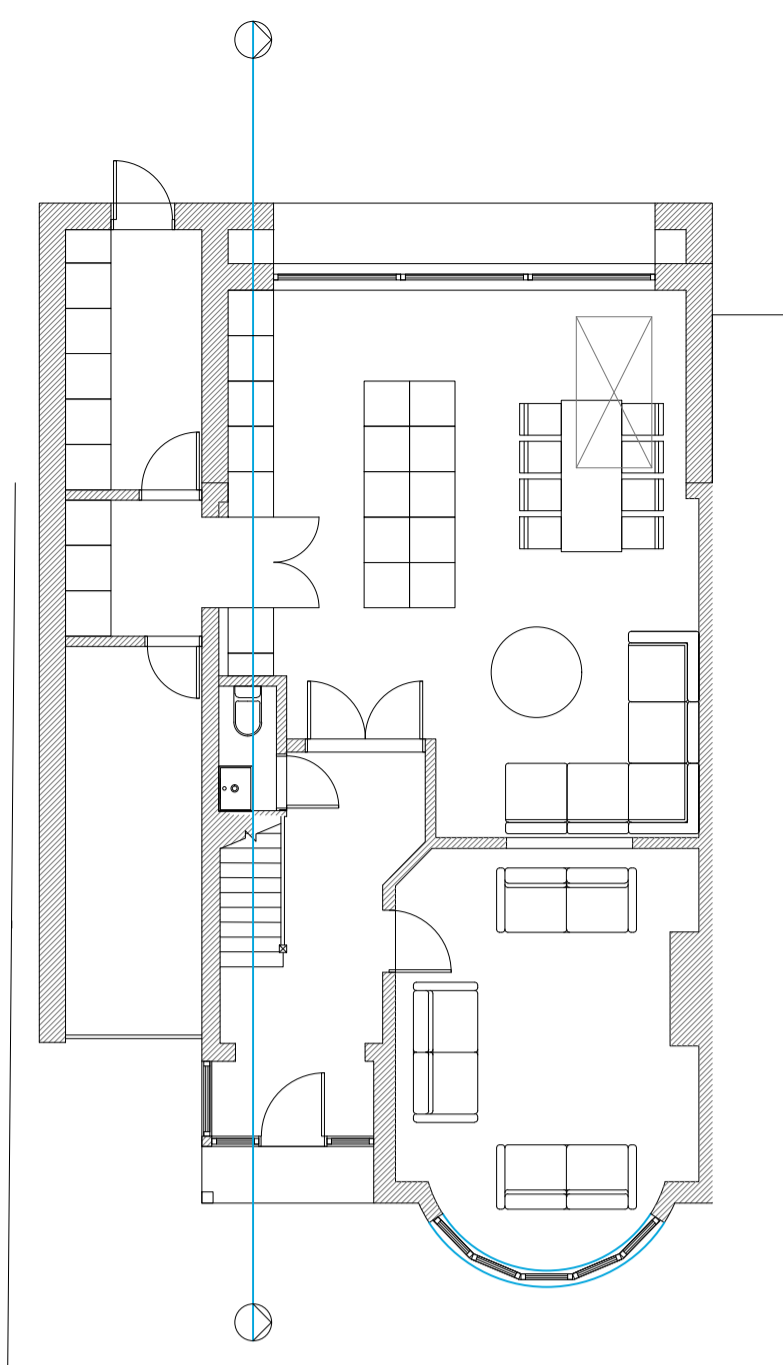
Project no: 114      Drawn by: ABG

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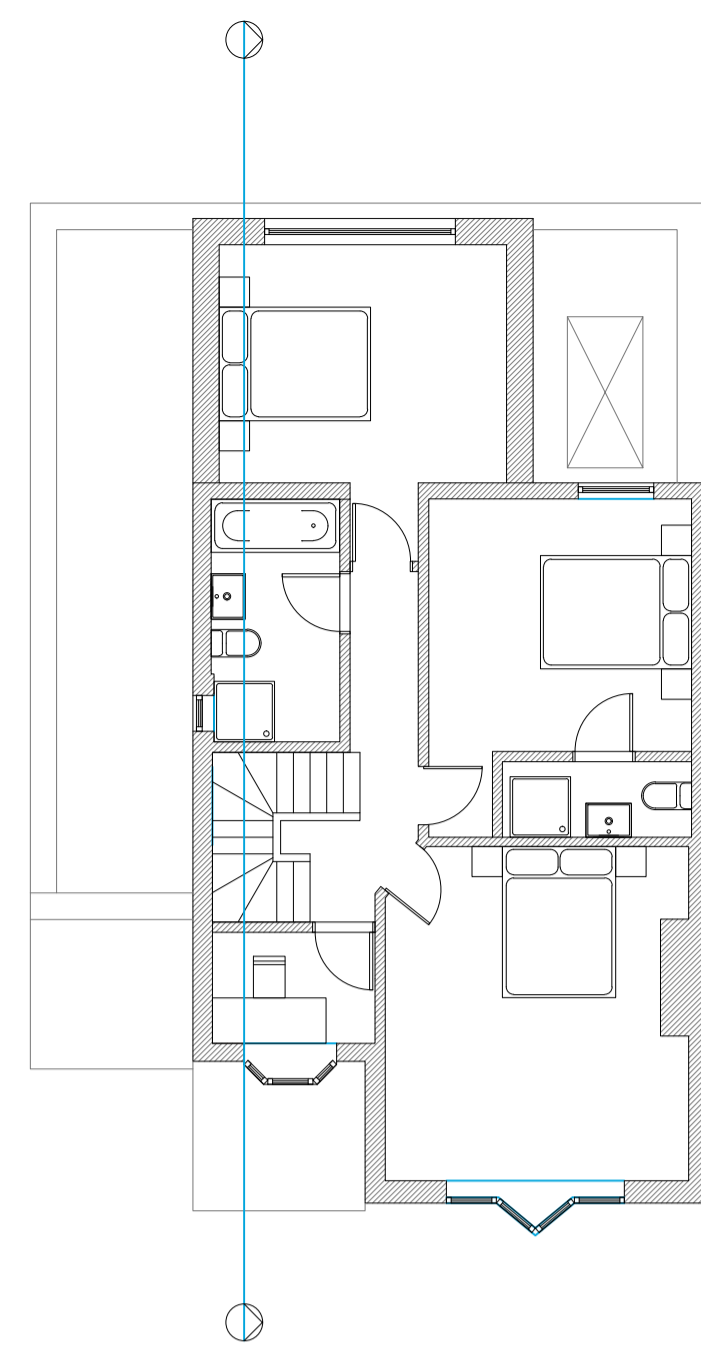
**ABG ARCHITECTURE LTD**  
8A Nelson Road  
Leigh-on-Sea  
SS9 3HU  
Tel 07739 165 192

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All dimensions on this drawing for guidance purposes only. All dimensions must be checked onsite.  
This information is subject to Building Control requirements and the requirements of all relevant statutory authorities and service providers.  
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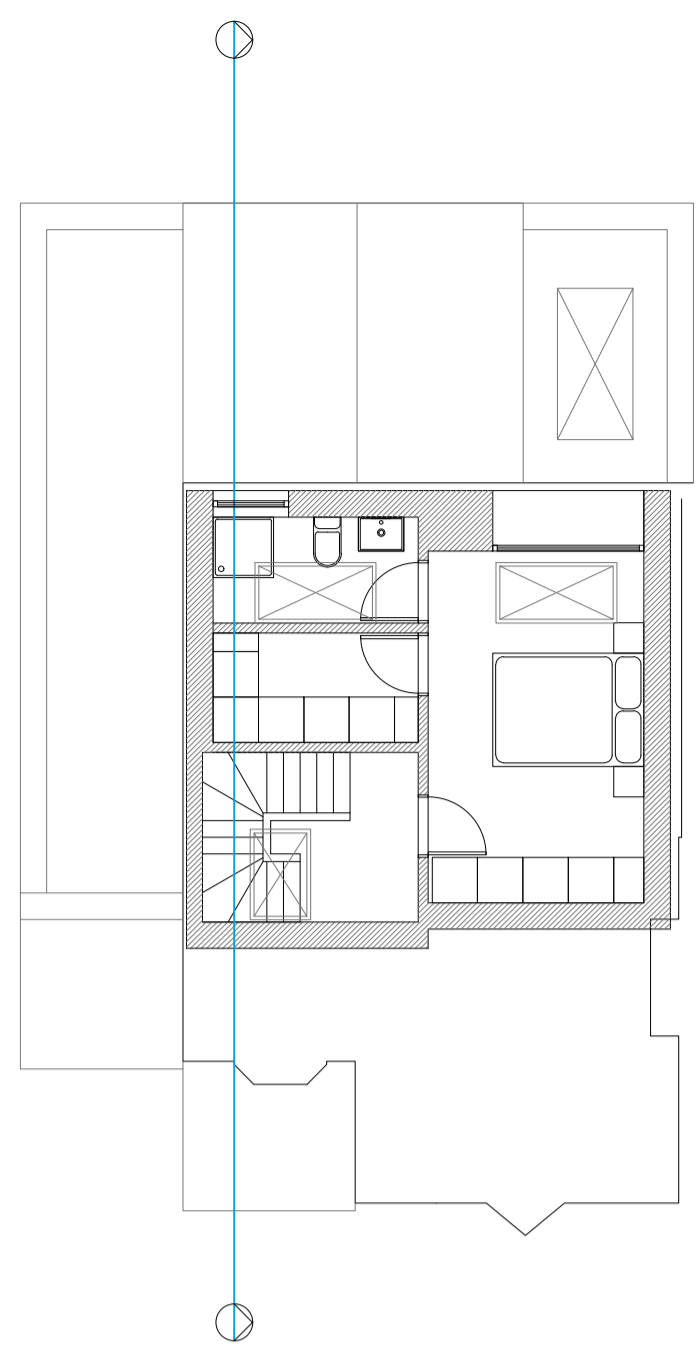
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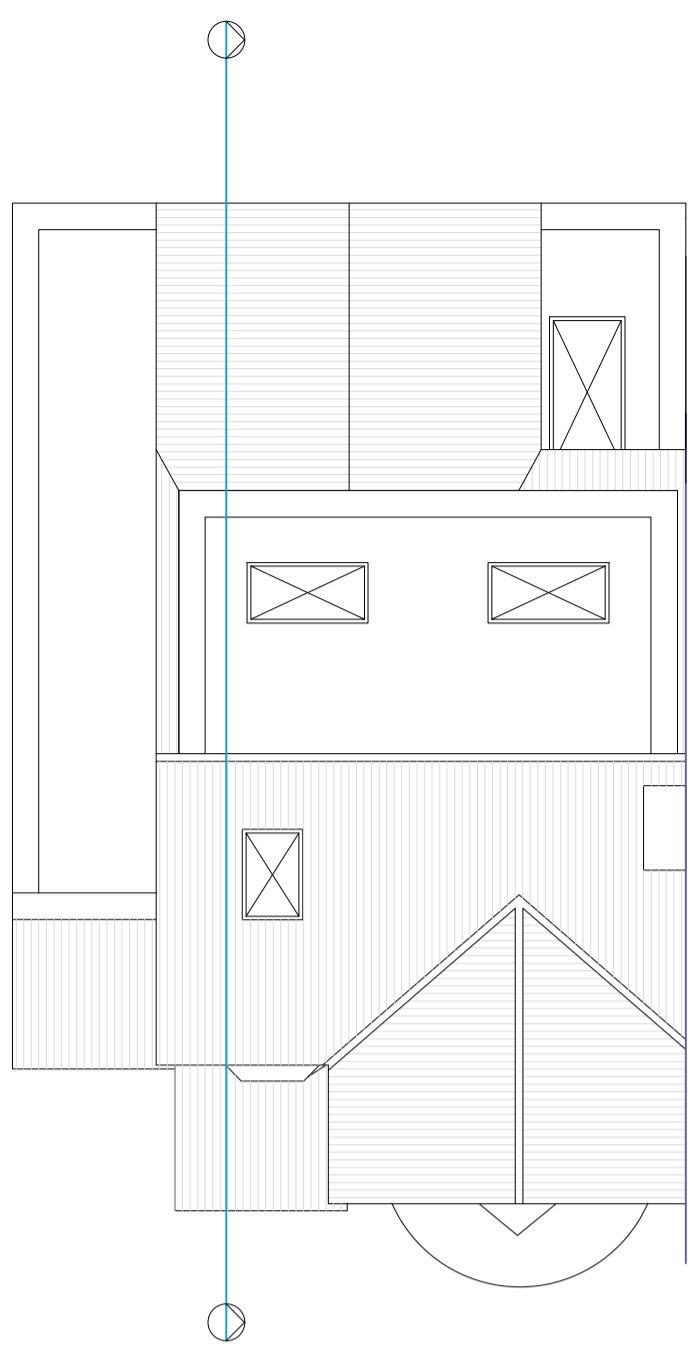
Proposed Ground Floor Plan 1:100



Proposed First Floor Plan 1:100



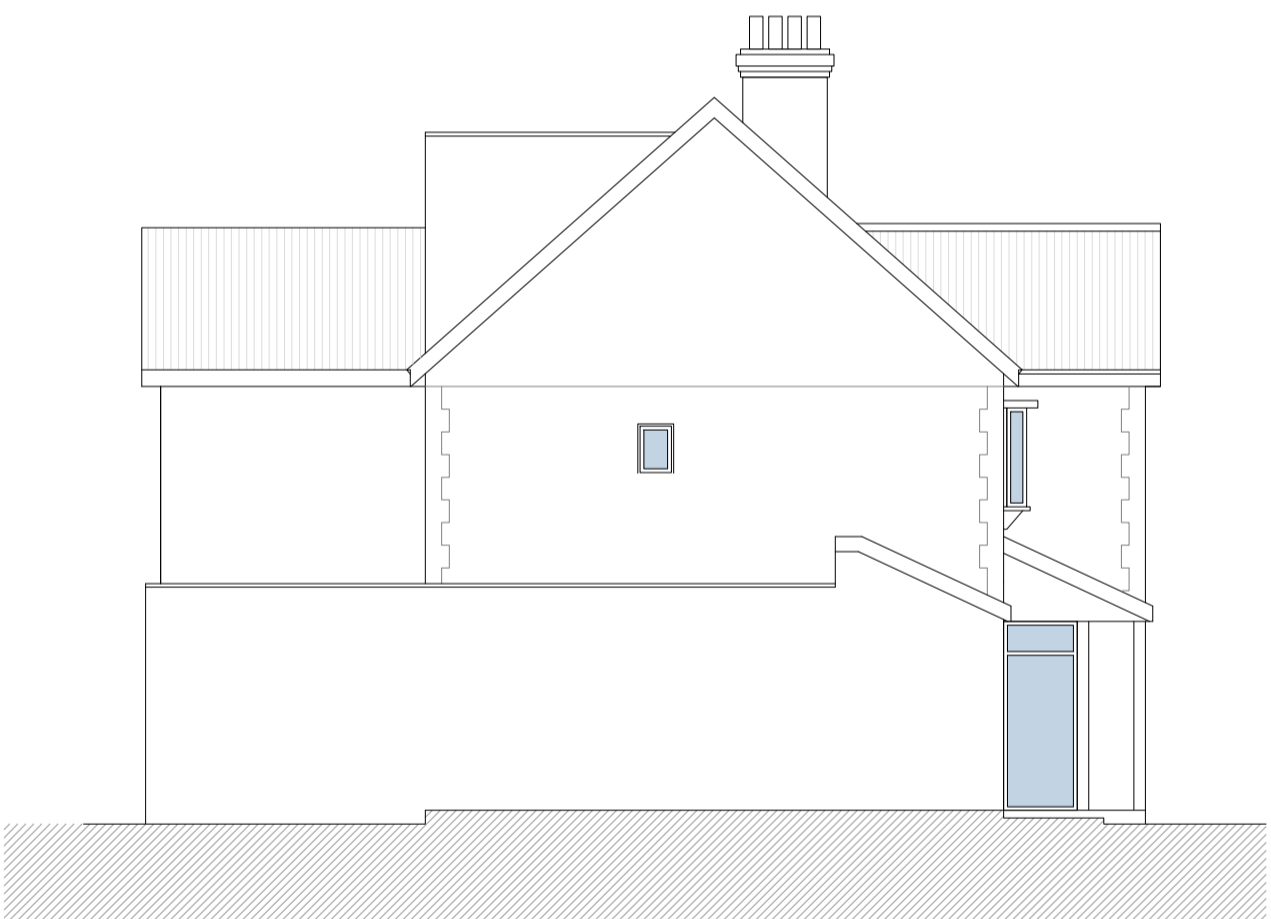
Proposed Second Floor Plan 1:100



Proposed Roof Plan 1:100



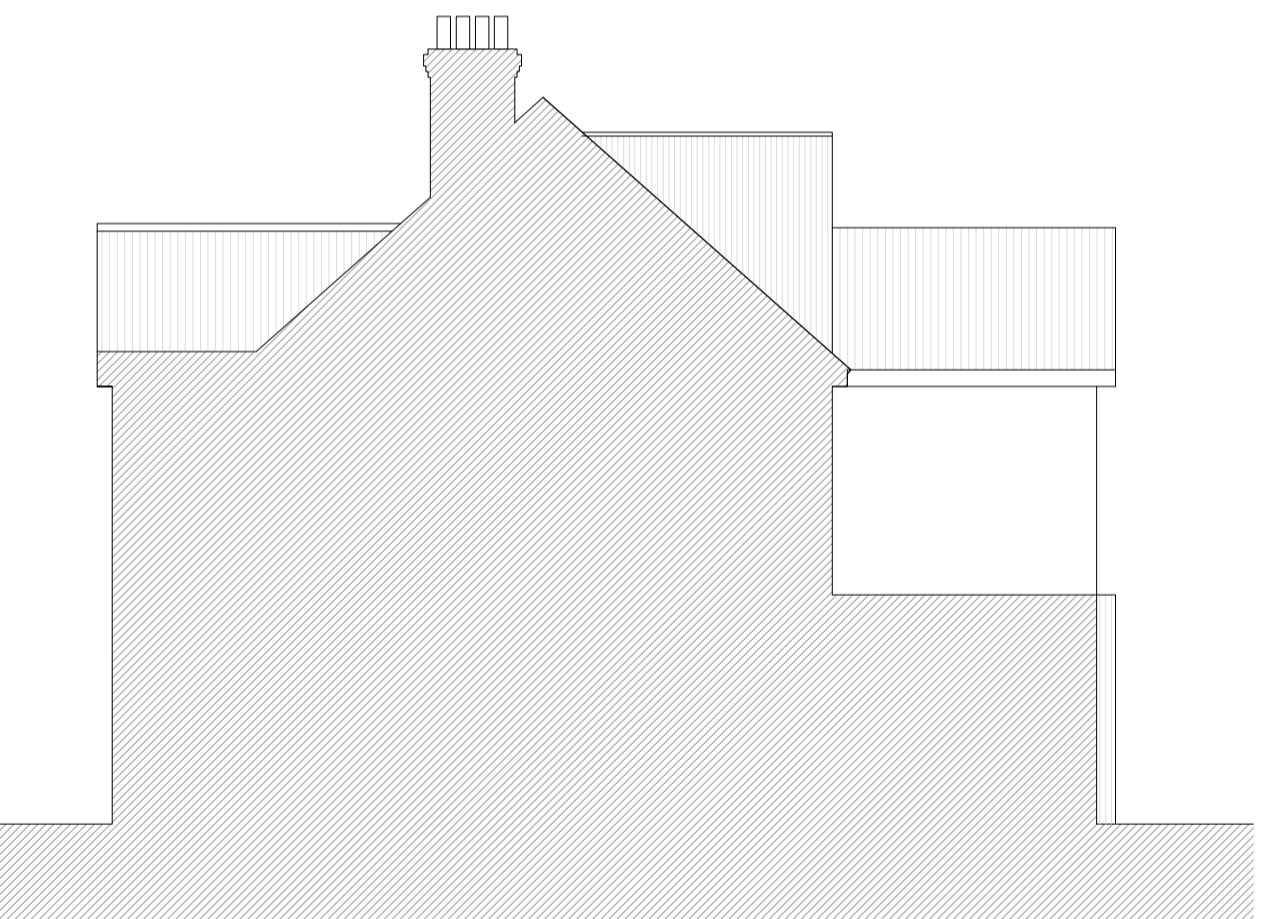
Proposed Front Elevation 1:100



Proposed East Elevation 1:100



Proposed Rear Elevation 1:100



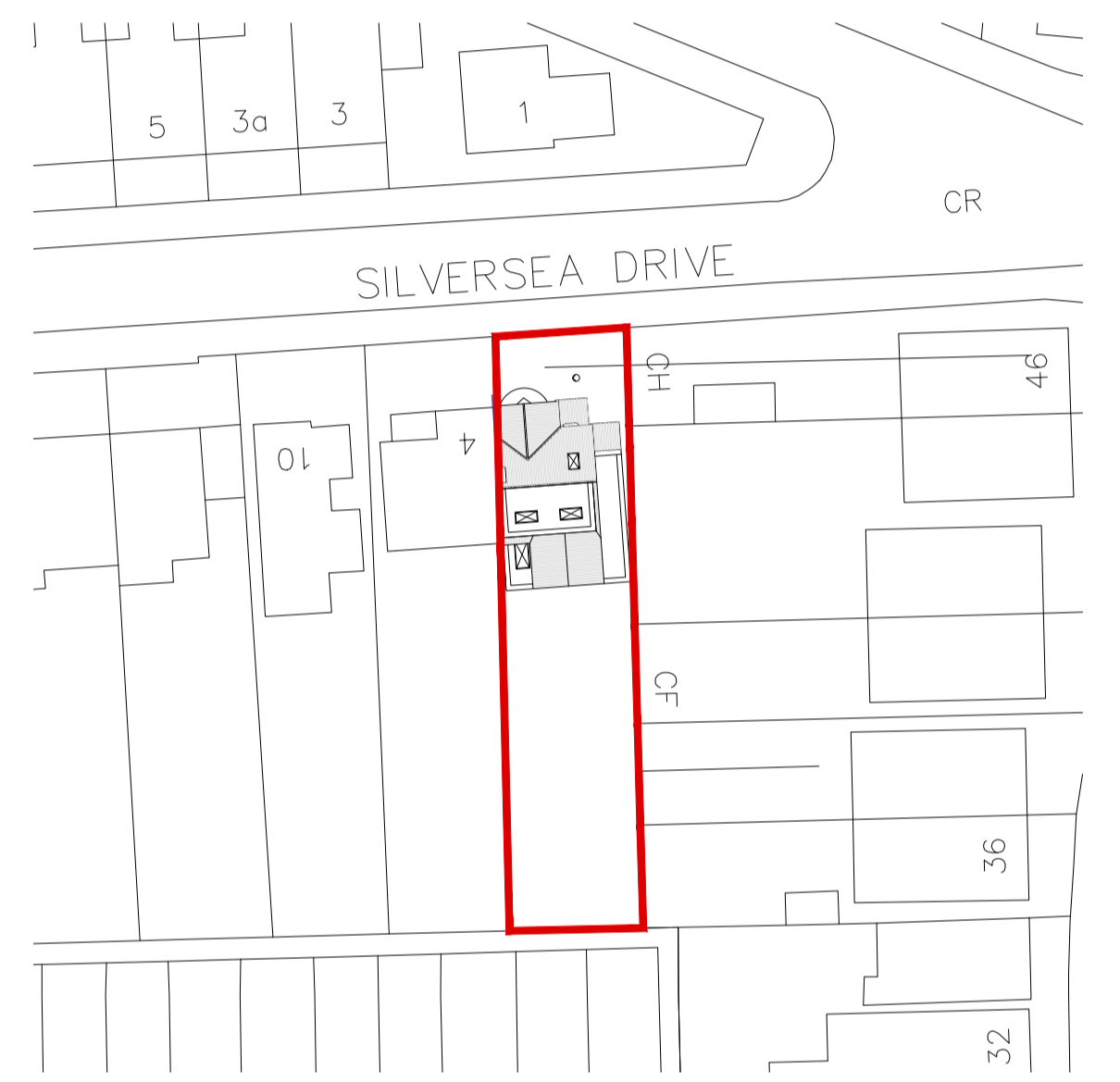
Proposed West Elevation 1:100



Proposed Section 1:100



Proposed Site Location Plan 1:1250



Proposed Block Plan 1:500

Notes:

Rev	Comment	By	Date
C	Windows	ABG	29/06/2022
B	Roof	ABG	27/06/2022
A	Extension Amendment	ABG	11/05/2022
-	Production of drawings	ABG	08/12/2020

Stage:  
Planning

Client:  
Mr and Mrs Horseman

Project:  
2  
Silversea Drive  
Westcliff-on-Sea  
Essex  
SS0 9XE

Drawing Title:  
Proposed

Drawing no: 114P02      Revision: C

Project no: 114      Drawn by: ABG

Scale: 1:50, 1:100, 1:500 & 1:1250 @ A1      Chkd by: -

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Leigh-on-Sea  
SS9 3HU  
Tel 07739 165 192

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# 2 Silversea Drive

Front Elevation



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# Rear Elevation



Relationship with attached neighbour



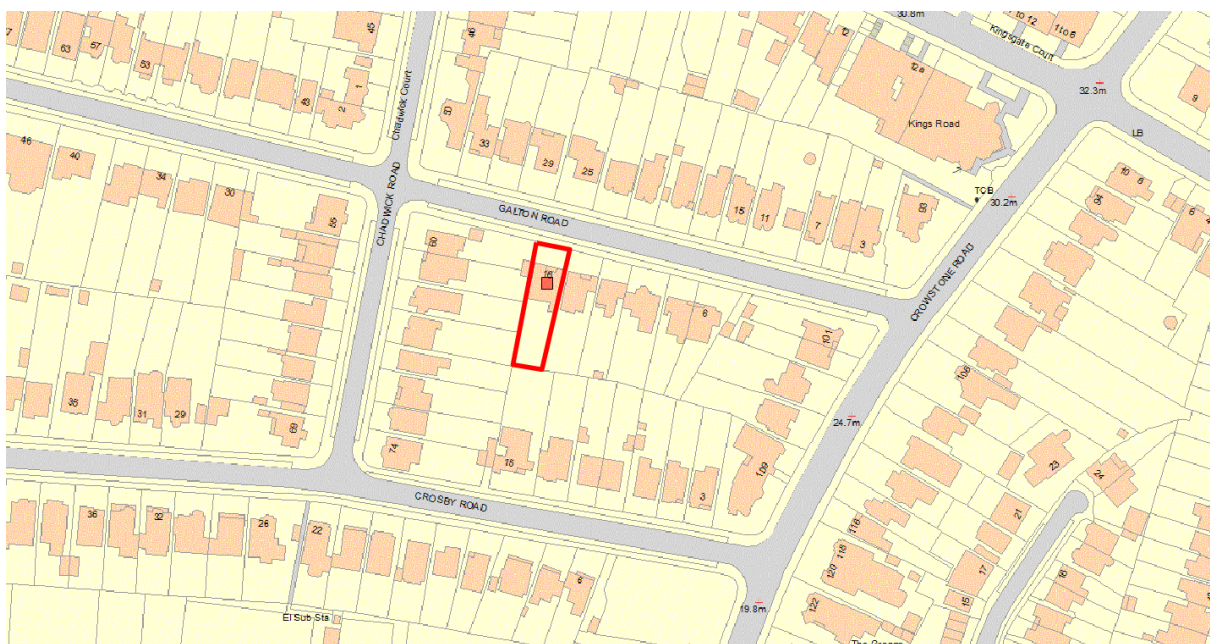
Rear Garden Scene

Application Site



170

<b>Reference:</b>	22/00825/FULH	<h1>10</h1>
<b>Application Type:</b>	Full Application - Householder	
<b>Ward:</b>	Chalkwell	
<b>Proposal:</b>	Raise ridge height, form half hipped roof, install dormer to rear and rooflights to front to form habitable accommodation in the loftspace, erect first floor side and rear extension, erect single storey side and rear extension, alter elevations	
<b>Address:</b>	16 Galton Road, Westcliff-on-sea, Essex	
<b>Applicant:</b>	Callum Burgess	
<b>Agent:</b>	Mr James Collinson of Design Spec Ltd.	
<b>Consultation Expiry:</b>	25th July 2022	
<b>Expiry Date:</b>	1st August 2022	
<b>Case Officer:</b>	Kara Elliott	
<b>Plan Nos:</b>	3139/03/43 Sheet 1 of 2 Rev KG, 3139/03/43 Sheet 2 of 2 Rev KG	
<b>Supporting Documents:</b>	Design and Access Statement	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b> subject to conditions	



## **1 Site and Surroundings**

- 1.1 The site is occupied by a detached, two-storey dwelling to the south of Galton Road. The area is residential comprising large detached, traditional dwellings. The ground slopes down from east to west and north to south. The site is not located within a conservation area or subject to any site-specific planning policy designations.

## **2 The Proposal**

- 2.1 The application seeks planning permission to raise the ridge height of the dwelling from some 9.15m to 10m, to form a half-hipped roof with a rear dormer measuring some 5.95m wide by 2.9m high by 4.4m deep and three (3no.) rooflights to the front to provide habitable accommodation in the roof.
- 2.2 A first floor side and rear extension is proposed measuring some 3.3m deep by 3.8m wide. The dwelling would be remodelled to provide an entrance porch and crown roof side and rear extensions. The rear building line would be some 3.85m deeper than the existing rear projection and the side projection would not surpass the existing building line at the eastern flank. The rear extension would span the width of the dwelling, some 11.5m wide, and would lead down into the rear garden by steps which reach some 1.9m from ground level to the top landing. Materials would consist of render and brick with roof tiles to match existing. The development has been revised during the timeframe of the application.

## **3 Relevant Planning History**

- 3.1 None

## **4 Representation Summary**

### **Call-in**

- 4.1 The application has been referred to Development Control Committee by Cllr N Folkard.

### **Public Consultation**

- 4.2 Ten (10) neighbouring properties were notified following the original submission of the proposal. Three (3) interested parties submitted representations which include the following objections:

- Too big/bulky
- Too close to site boundaries at first floor level.
- Side window on boundary unacceptable
- Insufficient parking for 5 bedrooms

[Officer's comment: The comments in the representation have been taken into consideration in the assessment of the application but are not found to be justifiable reasons for refusing planning permission in the circumstances of this case.]

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2021)

- 5.3 Core Strategy (2007): Policies KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance).
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management).
- 5.5 Design & Townscape Guide (2009)
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule (2015)

## **6 Planning Considerations**

- 6.1 The proposal would not materially increase the need for parking nor reduce the current off-street parking provision. At least two off-street parking spaces would be retained and the garage proposed to be lost is not considered an off-street parking space as it does not meet the minimum garage size. The development is not CIL liable as it would create less than 100sqm of additional floor space. The key considerations in relation to this application are therefore the principle of the development, design and impact on character and appearance and impact on residential amenity.

## **7 Appraisal**

### **Principle of Development**

- 7.1 The principle of altering and extending an existing dwelling is considered acceptable and policy compliant, subject to the proposal appropriately addressing the relevant detailed planning considerations.

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

- 7.2 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.3 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contributes positively to the space between buildings and their relationship to the public realm. Policy DM1 and the Design and Townscape Guide provide further details on how this can be achieved.
- 7.4 The Design and Townscape Guide states that dormers, where appropriate, should appear incidental in the roof slope (i.e. set in from both side walls, set well below the ridgeline and well above the eaves). The proposed dormer accords with these principles. The raising of the ridge height and roof additions/extensions would not result in development which would appear overly dominant or bulky in this location. The proposed design would retain the spacious character which is currently a key feature between dwellings in this location. Due to sloping land levels and as the dwelling is an end-property, the raising of the ridge does not appear incongruent or lacking subservience to the main dwelling. The single storey front, side and rear additions are considered to be relatively modest and acceptable in the context of the site.

- 7.5 Materials on the existing dwelling and within the streetscene consist of traditional brickwork, red or brown roof tiles and painted render. The use of matching materials for the external elevations and roof of the dwelling are important to retain the existing character. No objection is raised in relation to the insertion of rooflights due to their modest nature.
- 7.6 The design, size, siting and scale of the development proposed are such that it would not result in any significant harm to the character and appearance of the site, the streetscene and the area more widely. The proposal is considered to be acceptable and policy compliant in terms of its visual impact.

### **Amenity Impacts**

- 7.7 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 7.8 The proposed single storey rear extension would be 2m deeper than the ground floor rear building line of No.14 Galton Road, set 1.2m away from the boundary. A roof terrace at No.14 would project some 1.95m deeper than the rear building line of the proposal. The proposed flank openings serve bathrooms and a condition is recommended to secure they are obscure glazed. The nearest dwellings to the west are in Chadwick Road and have their rear elevations more than 20m away from the western flank elevation of the dwelling. The proposed dormer would be located more than 20m away from the rear boundary of the site. There is generally a spacious rear garden environment and presence of similar development at neighbouring dwellings.
- 7.9 It is considered that the design, size, siting and scale of the development proposed are such that it would not result in any significant harm to the amenities of the site, neighbouring occupiers or wider area in any regard. The proposal is therefore considered to be acceptable and policy compliant in terms of its residential amenity impacts.

### **Equality and Diversity Issues**

- 7.10 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

### **Conclusion**

- 7.11 For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is granted subject to conditions.



**8 Recommendation**

**8.1 GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 The development hereby permitted shall begin no later than three years from the date of the 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 only in accordance with the following approved plans: 3139/03/43 Sheet 1 of 2 Rev KG, 3139/03/43 Sheet 2 of 2 Rev KG.**

**Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).**

- 03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing dwelling or be in accordance with those detailed on drawing no 3139/03/43 Sheet 2 of 2 Rev KG.**

**Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).**

- 04 The roof of the single storey extension hereby approved shall not be used as balcony, roof garden or similar amenity area or for any other similar purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.**

**Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).**

- 05 The upper floor windows in the side elevations of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the rooms or area served by the window(s) prior to the first use or occupation of the development hereby permitted and retained as such thereafter. 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 on the Pilkington scale.**

**Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).**

## **Positive and Proactive Statement**

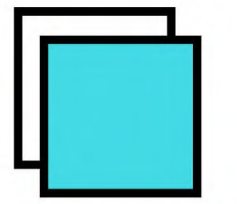
**The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.**

## **Informatives**

- 1 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)) for further details about CIL.**
  
- 2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.**



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**Design Spec**  
Fixed Fee Architecture

PROJECT  
16 Galton Road, Westcliff on Sea, Essex,  
SS0 8LE

CLIENT  
Callum Burgess

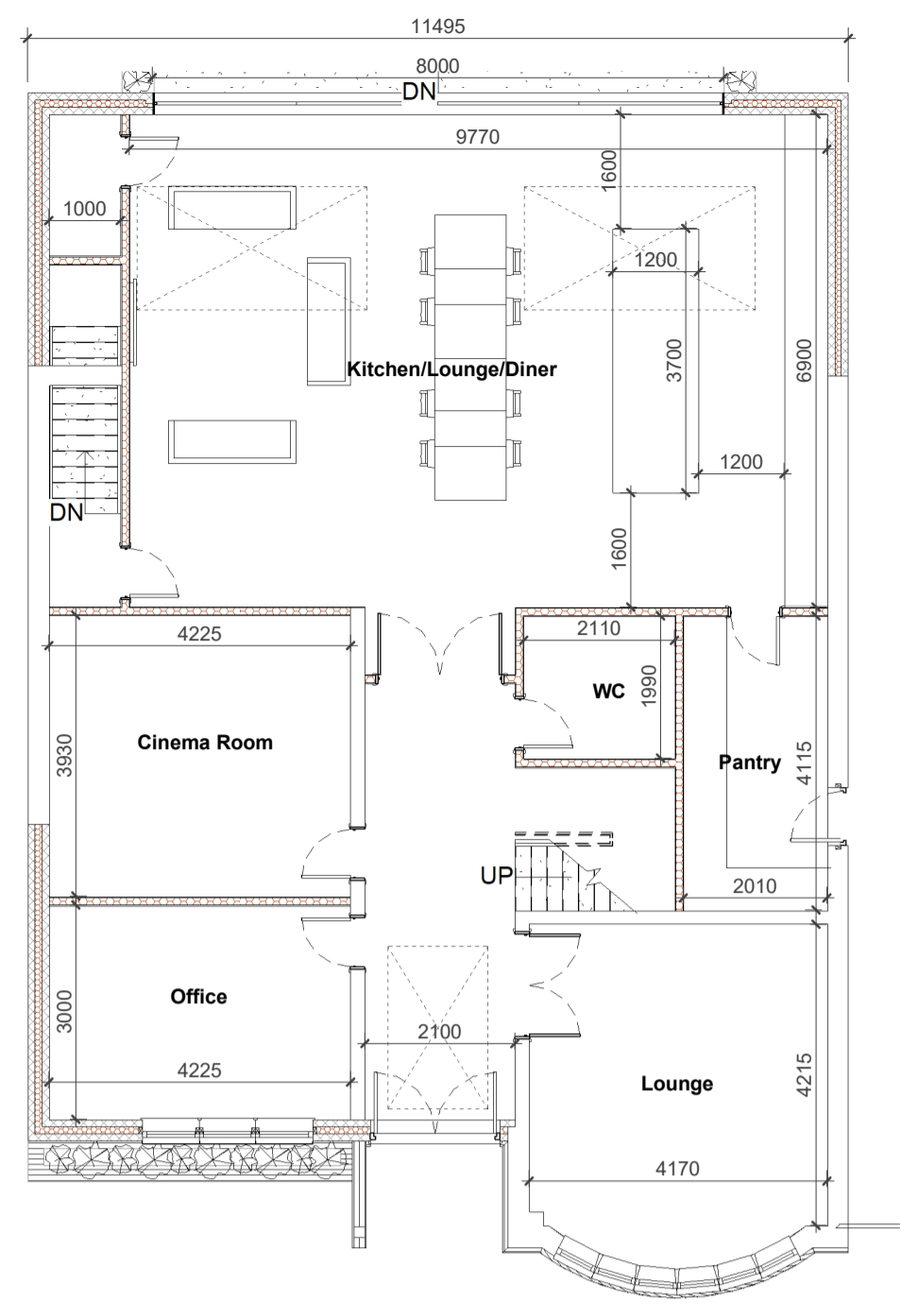
DATE: March 2022 SCALE: As indicated DRAWN BY: KG

PROJECT NO: 3139/03/43 DRAWING NO: 2 of 2 REVISION: KG

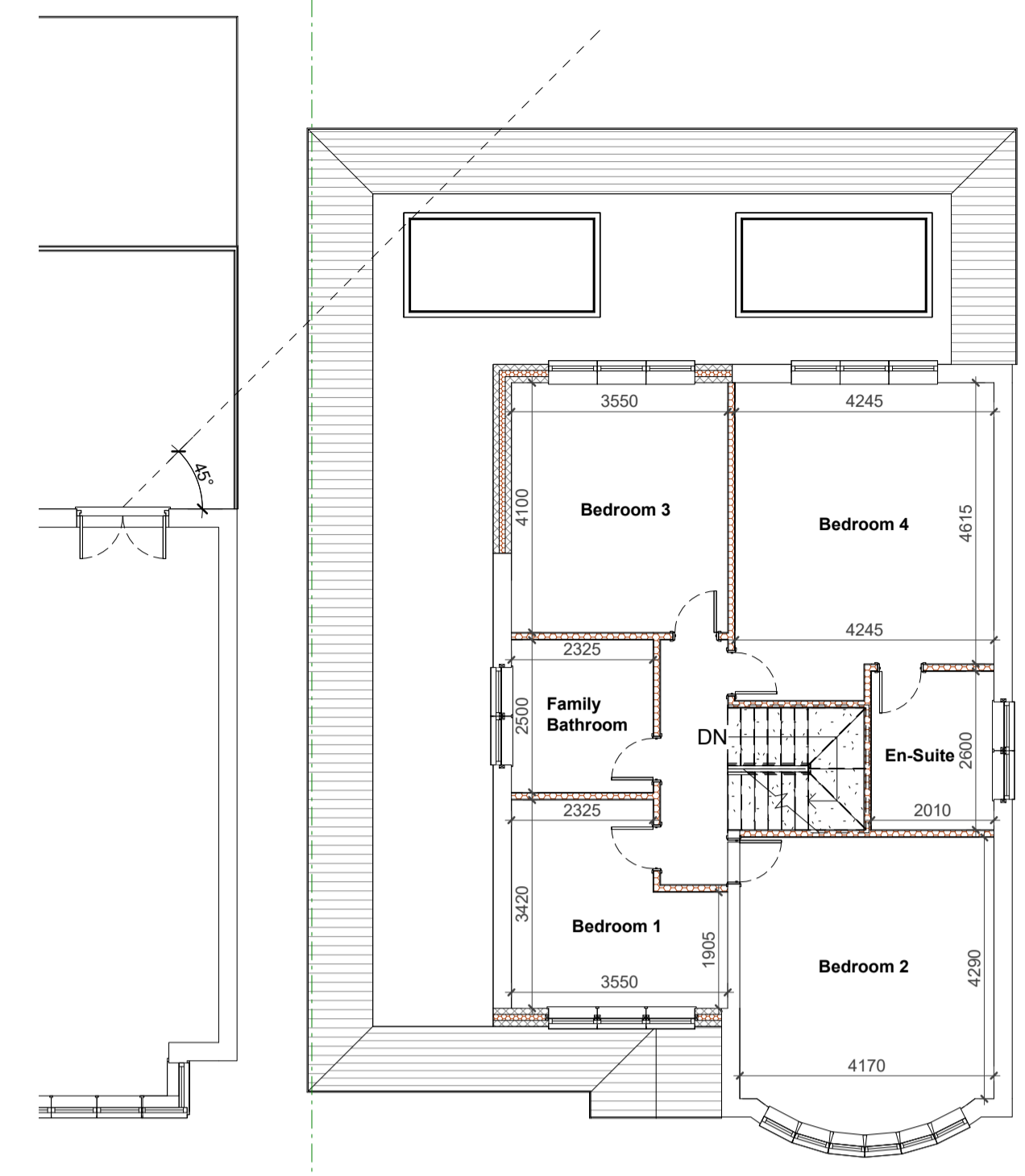
PROJECT STAGE

Suite 1/C, Warren House, 16-20 Main Road, Hockley, Essex SS0 4DS. Telephone: +44 (0)1702 867985. Website: www.designspec.co.uk

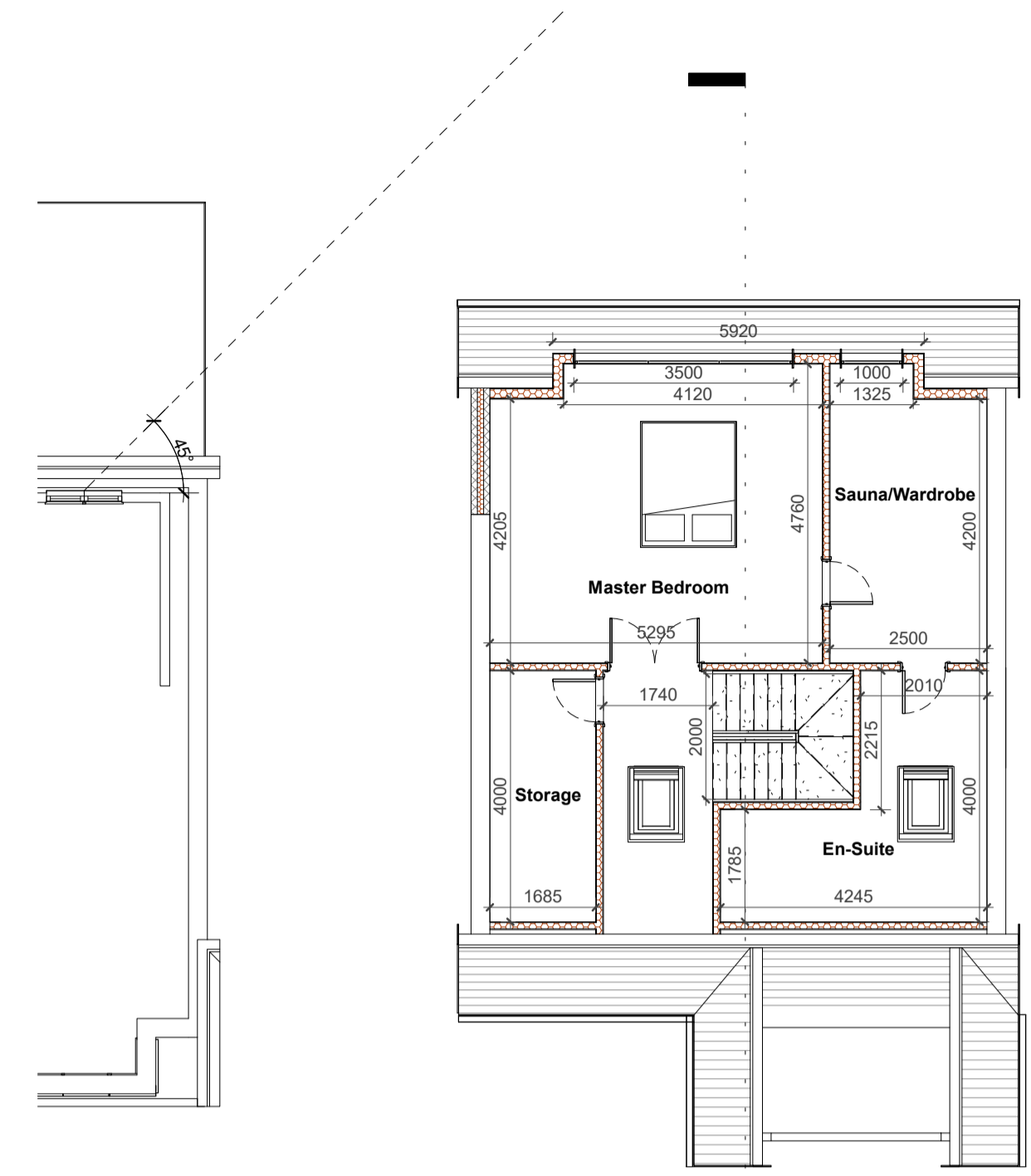
Project Status  
All dimensions and/or load bearing walls to be checked & agreed on site by contractor prior to commencement of works & ordering of materials. Any discrepancies to be reported to Design Spec Ltd. prior to commencement of works. Design Spec Ltd. will accept no responsibility for works commenced on site prior to building control.



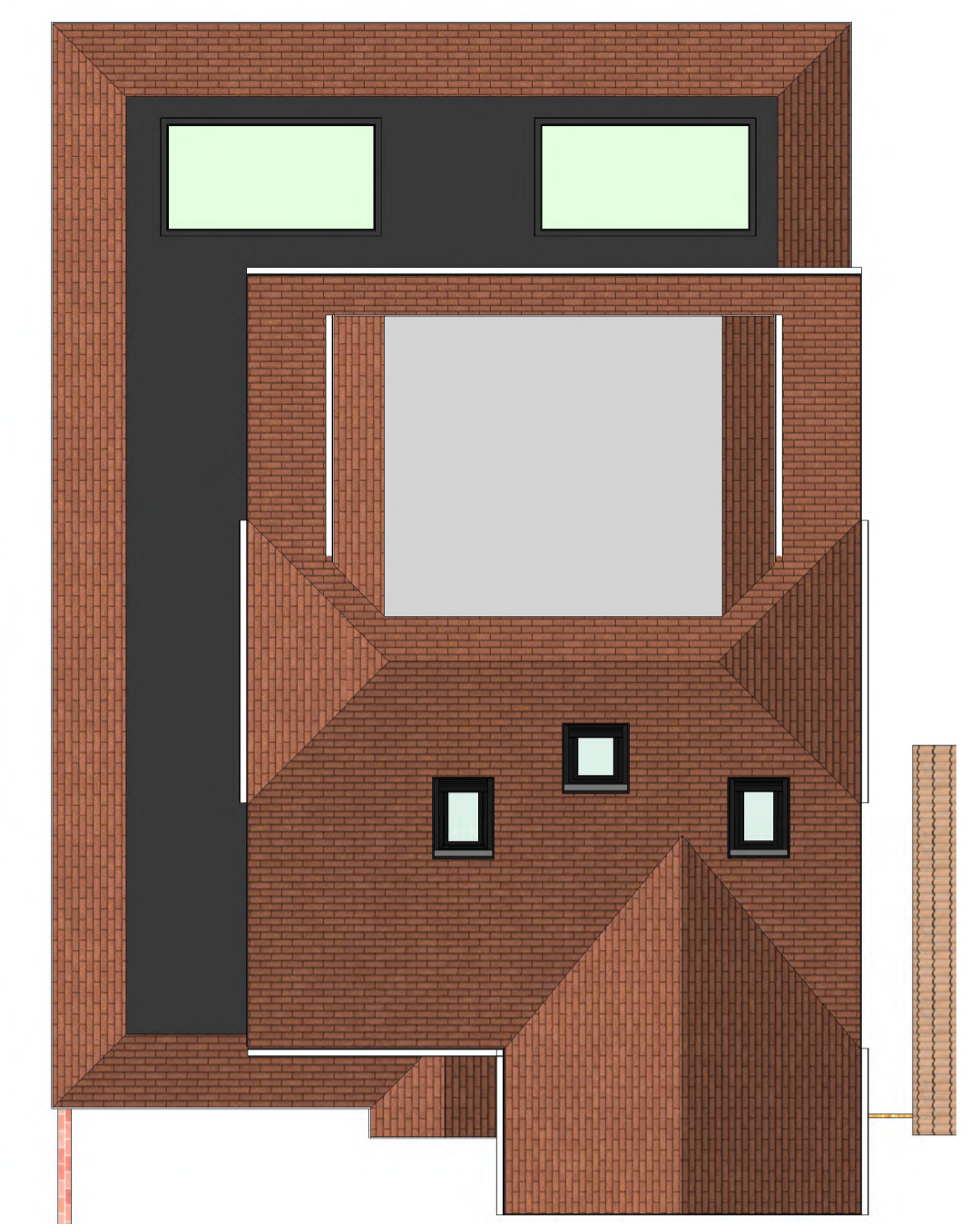
**Proposed Ground Floor**  
1 : 100



**Proposed First Floor**  
1 : 100



**Proposed Second Floor Plan**  
1 : 100



**Proposed Roof Plan**  
1 : 100



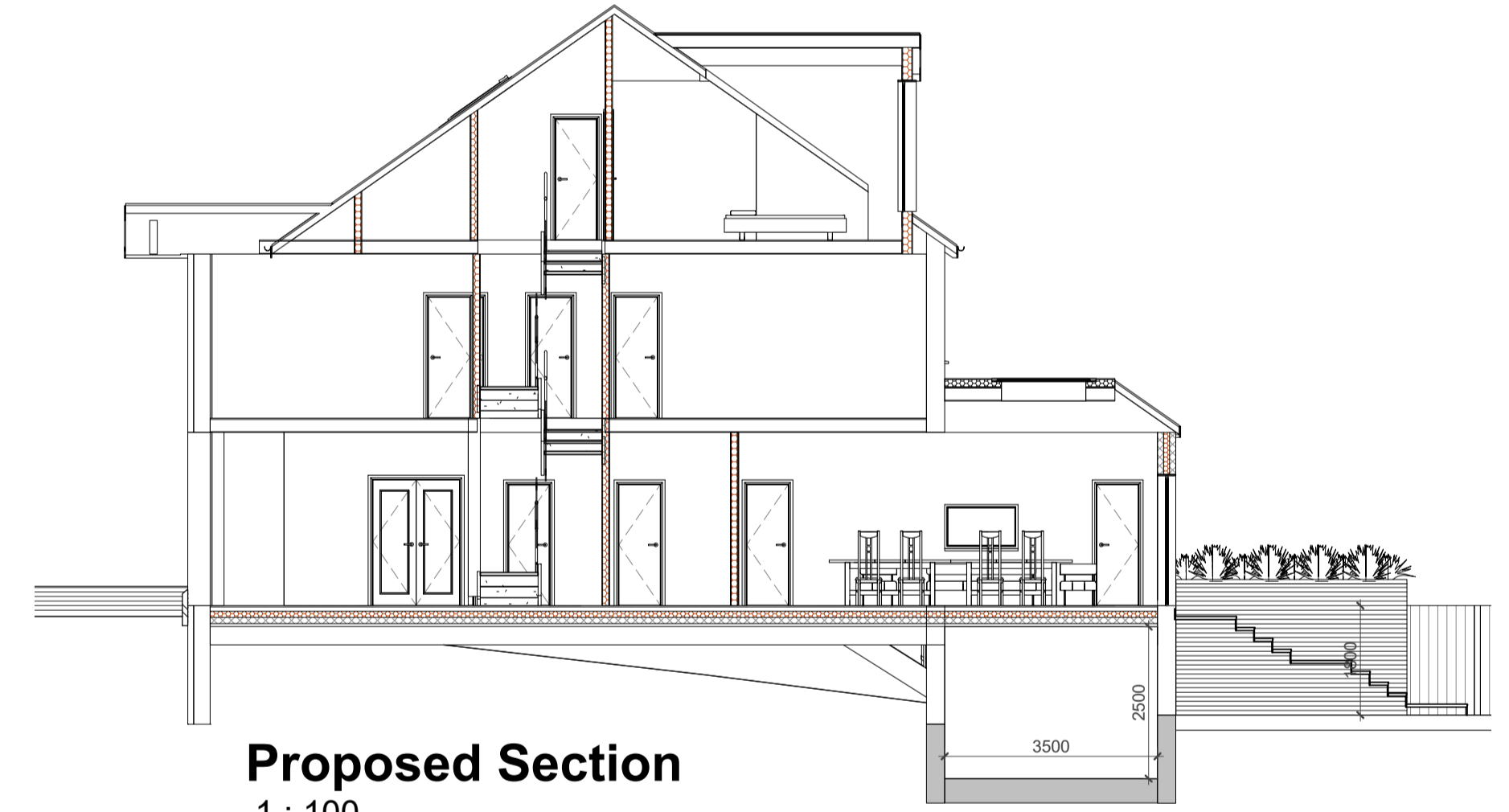
**Proposed 3D Front**



**Proposed 3D Rear**



**Proposed Block Plan**  
1 : 500



**Proposed Section**  
1 : 100



**Proposed Front Elevation**  
1 : 100



**Proposed Left Side Elevation**  
1 : 100



**Proposed Rear Elevation**  
1 : 100



**Proposed Right Side Elevation**  
1 : 100

1/79

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