

Public Document Pack  
SOUTHEND-ON-SEA CITY COUNCIL

**Development Control Committee**

**Date: Wednesday, 1st November, 2023**

**Time: 2.00 pm**

**Place: Jubilee Room (Committee Room 1) - Civic Suite**

**Contact: Tim Row - Principal Democratic Services Officer**

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

**A G E N D A**

**1 Apologies for Absence**

**2 Declarations of Interest**

**3 Supplementary Report**

The supplementary report by the Executive Director (Environment and Place) will provide additional information (if any) on the items referred to on the Agenda and will be available on the morning of the meeting.

**\*\*\*\* Contents and Introduction**

**\*\*\*\* Reports on Planning Applications**

**4 23/01544/DEM - Cricket Pavilion, Southchurch Park (Thorpe Ward)**  
(Pages 3 - 14)

**5 23/01330/FUL - 70 Westcliff Park Drive, Westcliff-on-Sea (Westborough Ward)** (Pages 15 - 48)

**6 23/01325/FULH - 49 Dulverton Avenue, Westcliff-on-Sea (Prittlewell Ward)** (Pages 49 - 72)

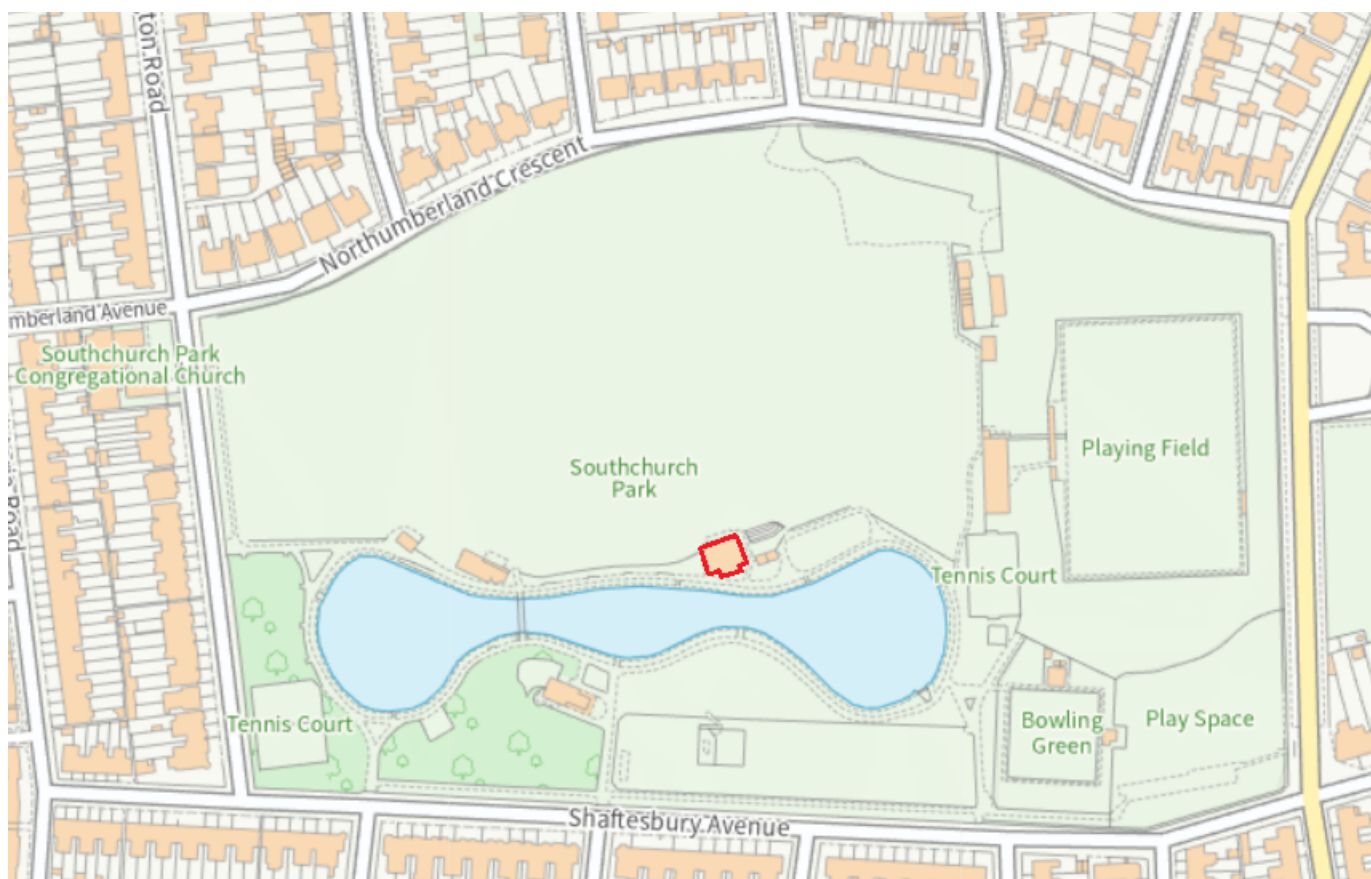
**TO: The Chair & Members of Development Control Committee:**

Councillor N Ward (Chair),

Councillors F Evans (Vice-Chair), B Beggs, M Berry, M Borton, S Buckley, A Dear, M Dent, N Folkard, J Harland, A Jones, R Longstaff, C Mulroney, M Sadza, C Walker and R Woodley

This page is intentionally left blank

Reference:	23/01544/DEM	4
Application Type:	Demolition	
Ward:	Thorpe	
Proposal:	Demolish cricket pavilion (Application for Prior Approval for Demolition)	
Address:	Cricket Pavilion, Southchurch Park, Shaftesbury Avenue, Southend-on-Sea, Essex, SS1 2YN	
Applicant:	Mr Stephen Harris	
Agent:	Mr Liam Stubbings of Davies Burton Sweetlove Ltd	
Consultation Expiry:	25th October 2023	
Expiry Date:	3rd November 2023	
Case Officer:	Hayley Thompson	
Plan Nos:	DBS 230168-01, DBS 230168-02	
Additional information:	Proposed Method of Demolition, Demolition Notice	
Recommendation:	PRIOR APPROVAL REQUIRED AND GRANTED	



## **1 Site and Surroundings**

- 1.1 The application site is an area of land to the north side of the lake in Southchurch Park. The site currently contains a detached single storey cricket pavilion, some 16m x 14m in size and with a basement. There are concrete steps each side of the pavilion with a central landing area from which access to the pavilion is gained. To the east of the building are public toilets, unaffected by this proposal and the area around the park is residential in nature. The pavilion is no longer in use by a local cricket club, the Old Southendians, and is presently vacant.
- 1.2 The site is within Flood Zone 2 and 3 and is designated as a Protected Green Space. The site is not in a conservation area or subject to any other site-specific planning policy designations.

## **2 The Proposal**

- 2.1 The application seeks to confirm whether prior approval of this Local Planning Authority is required. The decision whether or not to grant prior approval turns solely on two considerations. The LPA is not able to determine such applications on any other basis including for example the impact on the character of the building. Those two considerations are, firstly, the method of demolition and secondly any proposed restoration of the site under the terms of Class B, Part 11, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).
- 2.2 The applicant has submitted a supporting statement which outlines the site condition, provisions, equipment, the nature of the demolition works and a demolition method statement. The pavilion will be demolished using specialist hydraulic equipment. The site will be secured by Heras fencing and monoflex sheeting. Plant and lorries are proposed to operate within the site and access will be from the car park to the north of the site from Northumberland Avenue. The applicant has confirmed that in relation to restoration, the site will be infilled and topsoiled and seeded to blend in with the surrounding landscape.
- 2.3 The works are proposed to take place Monday and Friday between the hours of 08.00-17.00 with no works on Saturdays or Sundays.
- 2.4 No other development is proposed as part of this application.

## **3 Relevant Planning History**

- 3.1 87/0077 - Erect two storey extension to clubhouse to form beer store - Granted

## **4 Planning Policy and Legislation Summary**

- 4.1 Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015): Section 3, Class B of Part 11 of Schedule 2.
- 4.2 The National Planning Policy Framework (NPPF) (2021).
- 4.3 Core Strategy (2007): Policies KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance) and CP7 (Sport, Recreation and Green Space).
- 4.4 Development Management Document (2015): Policies DM14 (Environmental Protection) and DM15 (Sustainable Transport Management).



## **5 Statutory and Neighbour Consultation**

5.1 The application must be determined solely on the basis of evidence and statutory legislation. The Local Planning Authority has received evidence that the necessary site notice was posted at the site in accordance with the requirements of paragraph (iv) of Condition B.2 (b) (iv) of Class B, Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5.2 At the time of report writing, a representation from 1 interested party was received which raised the following objections:

- The building is part of the heritage of the area
- It is a key building that enhances the area and wider views of the park
- The building should be locally listed

**[Officer Comment:** This application must be determined solely on the basis of evidence and statutory legislation.]

### **Call-in**

5.3 The application has been called-in to the Development Control Committee at the request of Cllr Ron Woodley.

### **Health and Safety Executive**

5.4 No objections.

### **Building Control**

5.5 No objections.

### **Parks**

5.6 Comments: Tree protection measures may be required to prevent damage during the works, in line with British Standards BS 5837, as there are no tree removals planned as part of the development. All tree works should be carried out in accordance with best practice, and outside of bird nesting season, unless an ecological survey has determined there are no nesting birds present.

**[Officer Comment:** An informative is recommended.]

### **Environmental Health**

5.7 No objection subject to a condition with regard to demolition management and informatives about demolition outside of normal hours and an asbestos survey.

**[Officer Comment:** The application is supported by a demolition statement. It is considered that these matters can be reasonably controlled by conditions plus an informative is recommended.]

## **6 Appraisal**

6.1 The demolition of buildings constitutes 'building operations' under Section 55(1A) of The Town and Country Planning Act 1990 (as amended) so comes within the definition of 'development'. The Town and Country Planning (Demolition – Description of Buildings)

Direction 2014 states that the demolition of any building, the cubic content of which, measured externally, does not exceed 50 cubic metres shall not be taken, for the purposes of the Town and Country Planning Act 1990 (as amended), to involve development of land.

**The building and structures subject of this application have a volume exceeding 50 cubic metres. Demolition of the building constitutes development.**

6.2 Section B.1 of Part 11 of the GPDO states that permitted development is any building operation consisting of the demolition of a building, subject to the following exclusions:

- a) The building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support.

**It is not considered that the existing building has been rendered unsafe or otherwise uninhabitable, so criterion B.1(a) is met.**

- b) the demolition is “relevant demolition” for the purposes of section 196D of the Town and Country Planning Act 1990 (as amended) (demolition of an unlisted etc building in a conservation area).

**Section 196D(3) establishes ‘relevant demolition’ as the demolition of a building that is within a conservation area or is a listed building or certain ecclesiastical buildings, scheduled monuments and buildings described in a direction of the Secretary of State under that section. The building to which this application relates is none of the above, so criterion B.1(b) is met.**

- c) the building is used, or was last used, for a purpose falling within (i) article 3(6) (p) (drinking establishments etc.) of the Use Classes Order, or article 3(6) (q) (drinking establishments with expanded food provision) of that Order.

**The building is not/was not last used as a drinking establishment or drinking establishment with an expanded food provision, so criterion B.1(c) is met.**

- d) The building is used, or was last used, for the purpose of (i) a concert hall; (ii) a venue for live music performance; (iii) a theatre;

**The building is not/was not last used as a concert hall, a venue for live music performance or as a theatre so criterion B.1(d) is met.**

- e) The demolition relates to a statue, memorial or monument (“a commemorative structure”) in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure- (i) that is a listed building; (ii) that is a scheduled monument; (iii) within a cemetery, on consecrated land, or within the curtilage of a place of public worship; (iv) within the grounds of a museum or art gallery; or (v) within the curtilage of a dwellinghouse.

**The building does not relate to a statue, memorial or monument as listed above so criterion B.1(e) is met.**

6.3 The condition set out at section B.2 (a) relates to demolition which is deemed urgently necessary in the interests of safety or health. This case has not been made by the applicant.

6.4 The condition set out at section B.2 (b)(i) states that where the demolition does not fall within paragraph (a) and is not excluded demolition: “the developer must, before beginning the

development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site.”

- 6.5 It is considered that the LPA’s prior approval is required in this instance. The method of demolition including removal of arisings from the site has been set out within the Proposed Method of Demolition and is summarised in paragraph 2.2 above.
- 6.6 The methods of demolition above are considered to be reasonably capable of ensuring that the amenity of the nearby occupiers will be protected. The applicant has confirmed that in relation to restoration, the site will be infilled and topsoiled and seeded to blend in with the surrounding landscape.
- 6.7 Health and Safety, Environmental Health and Untidy Site related legislation would remain in effect regardless of the determination of this application and is adequate and better placed to control any consequences of the proposed development in those regards.
- 6.8 Condition B.2 (b) (ii) states “an application described in paragraph (b)(i) must be accompanied by a written description of the proposed development, a statement that a notice has been posted in accordance with paragraph (b) (iv) and any fee required to be paid.”
- 6.9 **The application complies with the above condition.**
- 6.10 Part (b) (viii) states “The development must, except to the extent that the local planning authority otherwise agree in writing, be carried out – (aa) where prior approval is required, in accordance with the details approved; (bb) where prior approval is not required, in accordance with the details submitted with the application;
- 6.11 Part (b) (ix) states “The development must be carried out (aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given; (bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (b)(ii).”
- 6.12 **The above conditions can be imposed on any grant of prior approval.**

### **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 The proposal is considered to be permitted development, subject to the granting of prior approval, pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Prior Approval should be granted for the reasons set out above.

## **7 Recommendation**

**PRIOR APPROVAL IS REQUIRED AND GRANTED, subject to the following conditions:**

- 01 The development hereby approved must be carried out within a period of 5 years from the date of this approval.**

**Reason:** In accordance with Part B.2 (ix) (aa) of Class B, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 02 The development shall only be undertaken in accordance with the following approved details: DBS 230168-01, DBS 230168-02, Proposed Method of Demolition, Demolition Notice, Photographs of Demolition Notice dated 1<sup>st</sup> August 2023.**

**Reason:** Required to be imposed pursuant to paragraph B.2 (viii) (aa) of Class B, Part 11, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

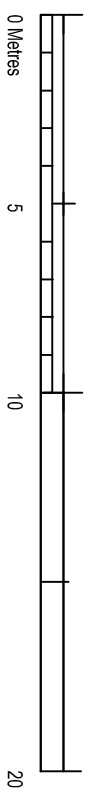
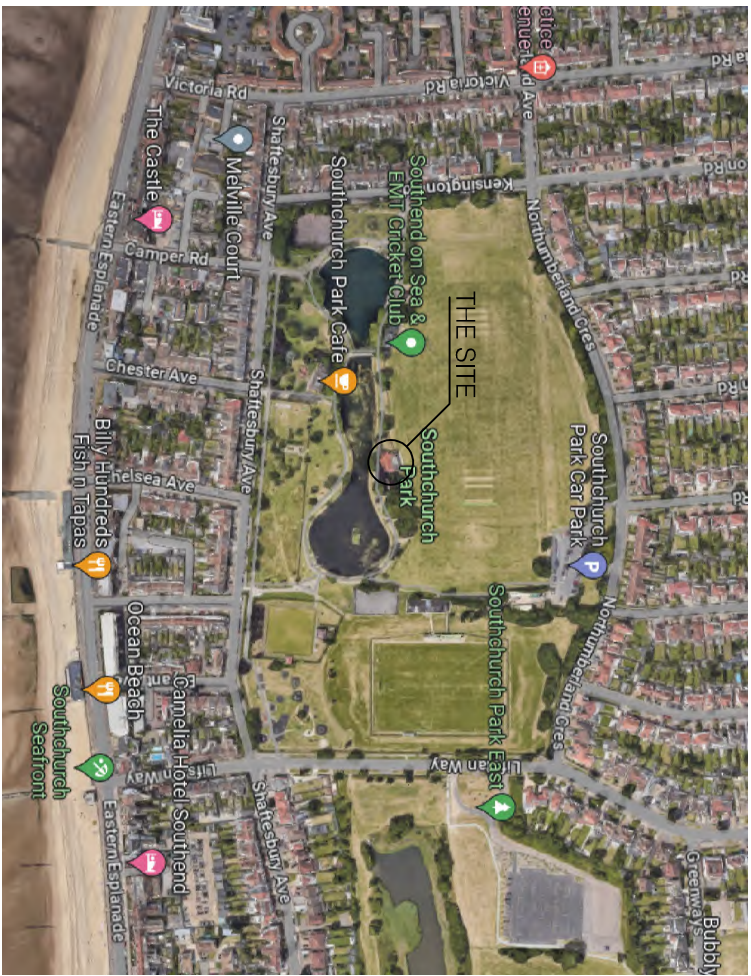
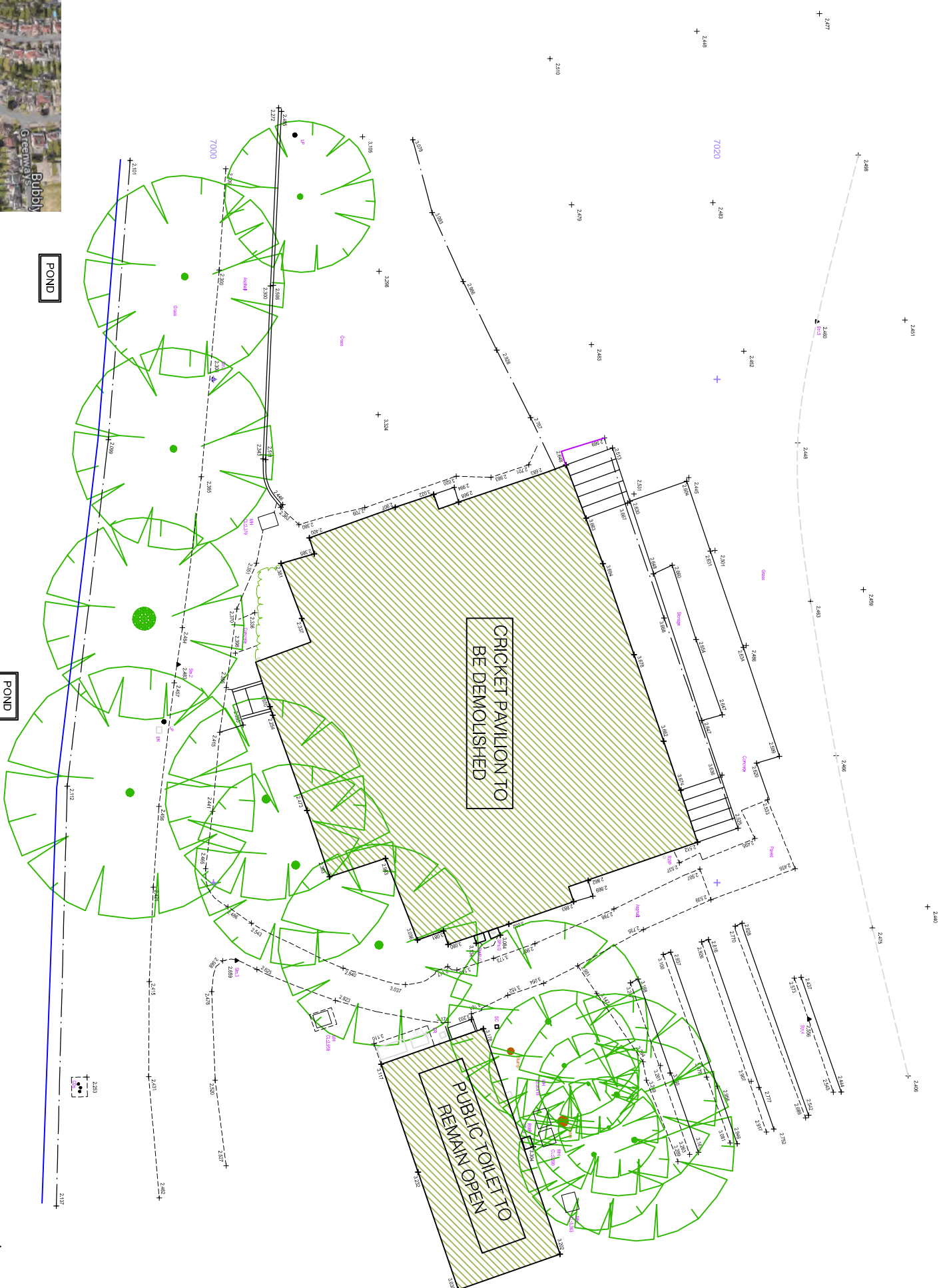
### **Informatives**

- 1 The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and construction noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services, P.O. Box 5558, Southend-on-Sea City Council, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZQ.**
- 2 The applicant must ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:**
- a. Hours of works: works should be undertaken between:-**
    - i. 0800 hours and 1800 hours on weekdays**
    - ii. 0800 hours and 1300 hours on Saturdays and**
    - iii. Not at any time on Sundays and Public and Bank Holidays**
  - b. No waste materials are to be burnt on the site, instead shall be removed by licensed waste contractors.**
  - c. The applicant shall ensure that there are no emissions of dust and fumes beyond the boundary of the site and measures to control dust are in accordance with the Demolition of Concrete Silos and Conveyor System document by Havering Demolition and Recycling Ltd submitted with the application.**
  - d. Consideration must be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site.**

**If it is predicted that the construction works are likely to cause a nuisance the applicant should apply for a prior consent application under section 61 of the Control of Pollution Act 1974. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and duration and time scales of the works. The applicant should contact the Regulatory Services Team at Southend-on-Sea City Council for details.**

- 3 The applicant should also consider control measures detailed in Best Practice Guidance “The control of dust and emissions from construction and demolition” <http://www.london.gov.uk/priorities/planning/supplementary-planning-guidance>
- 4 **Asbestos (Demolition):**  
Prior to the demolition of the existing building and structures, an appropriate Asbestos survey of the building 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.
- It is recommended that the Council's Building Control department is notified of the demolition in order that requirements can be made under section 81 of the Building Act 1984.
- 5 A demolition notice under Section 80 of the Building Act is required.
- 6 The applicant is reminded that they are required to adhere to the Conservation (Natural Habitats) (Amendment) Regulations 2007 and the Wildlife and Countryside Act (1981) in relation to development works close to protected species including badgers and bats. A Protected Species Licence may be required.
- 7 The applicant is reminded that tree protection measures may be required to prevent and damage during the works, in line with British Standards BS 5837. All tree works should be carried out in accordance with best practice, and outside of the bird nesting season, unless an ecological survey has determined there are no nesting birds present.

This page is intentionally left blank



SITE PLAN - 1:100

CO-ORDINATES			
East	North	Elevation	
1800.000	7000.000	2.308	Sm.1
1811.327	6998.599	2.483	Sm.2
1823.089	7000.913	2.659	Sm.3
1825.418	7023.647	2.556	Sm.4
1797.703	7023.961	2.460	Sm.5

The grid is arbitrary & to local origin.  
Levels are based on the OSBM,  
57 Northumbria Crescent, value=2.420m.

LEGEND

CO.....Cable duct  
ER.....Earthing rod  
G.....Gully  
IC.....Inspection cover  
MH.....Manhole  
MP.....Metal post  
RE.....Receding eye  
RWMP.....Rain water pipe  
SC.....Stop cock  
SP.....Sill plate  
SW.....Survey station  
SV.....Sluice valve  
VP.....Vent pipe  
WP.....Wooden post



Rev.	DESCRIPTION	By	Date
-	FIRST ISSUE	LJS	02.08.23

**Davies Burton Sweetlove Ltd**  
Consulting Structural and Civil Engineers

Springfield Lodge, Colchester Road,  
Chelmsford, Essex CM2 8PW

Tel: 01245 464130  
Fax: 01245 467078  
Email: [office@dbcs-consultants.co.uk](mailto:office@dbcs-consultants.co.uk)  
Web: [www.dbs-consultants.co.uk](http://www.dbs-consultants.co.uk)

Client

**SOUTHEND ON SEA CITY COUNCIL**

**Project**  
**DEMOLITION OF CRICKET PAVILION,  
SOUTHCHURCH PARK**

## LOCATION AND SITE PLAN

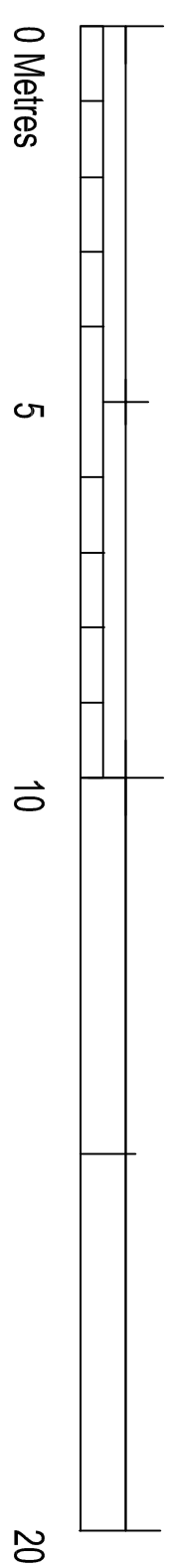
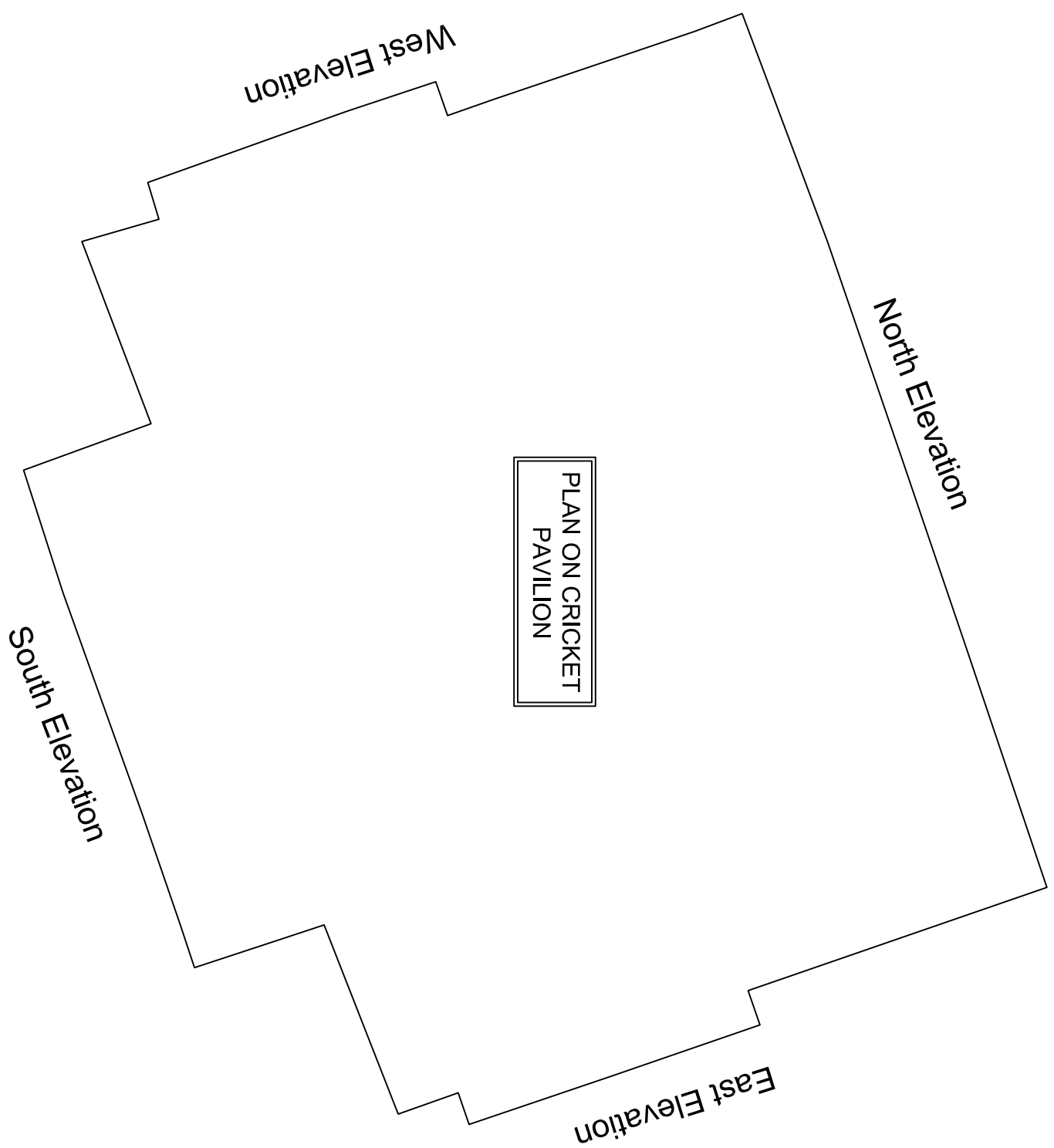
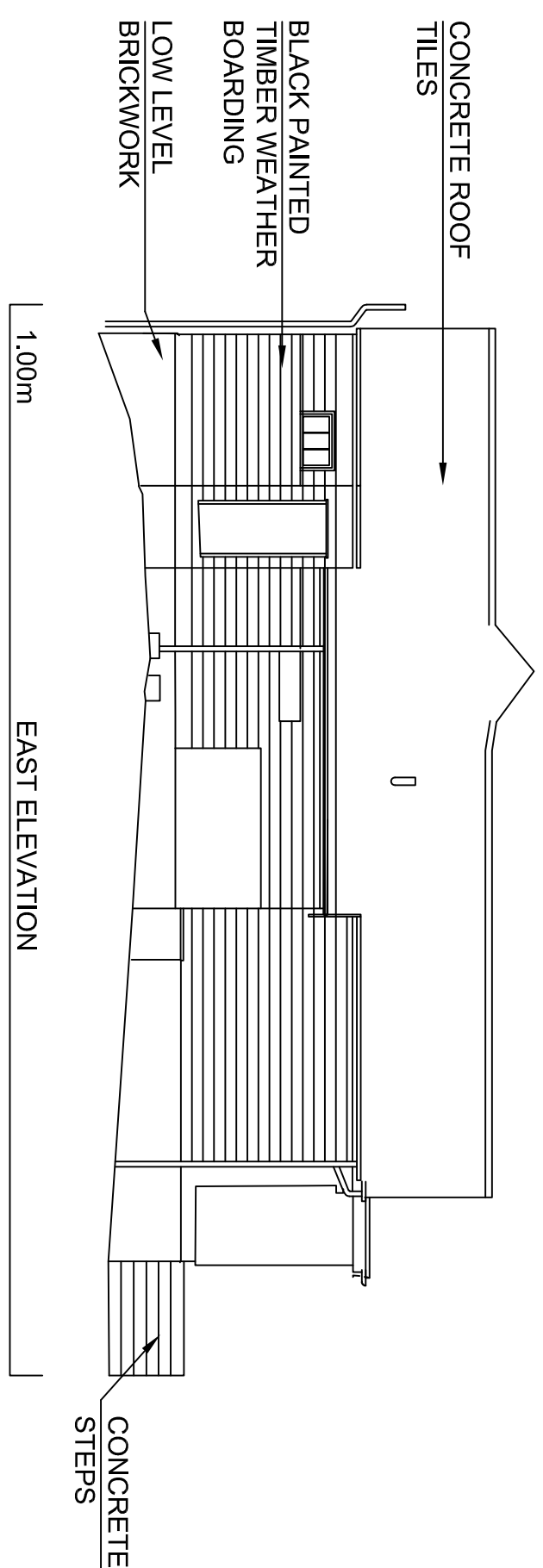
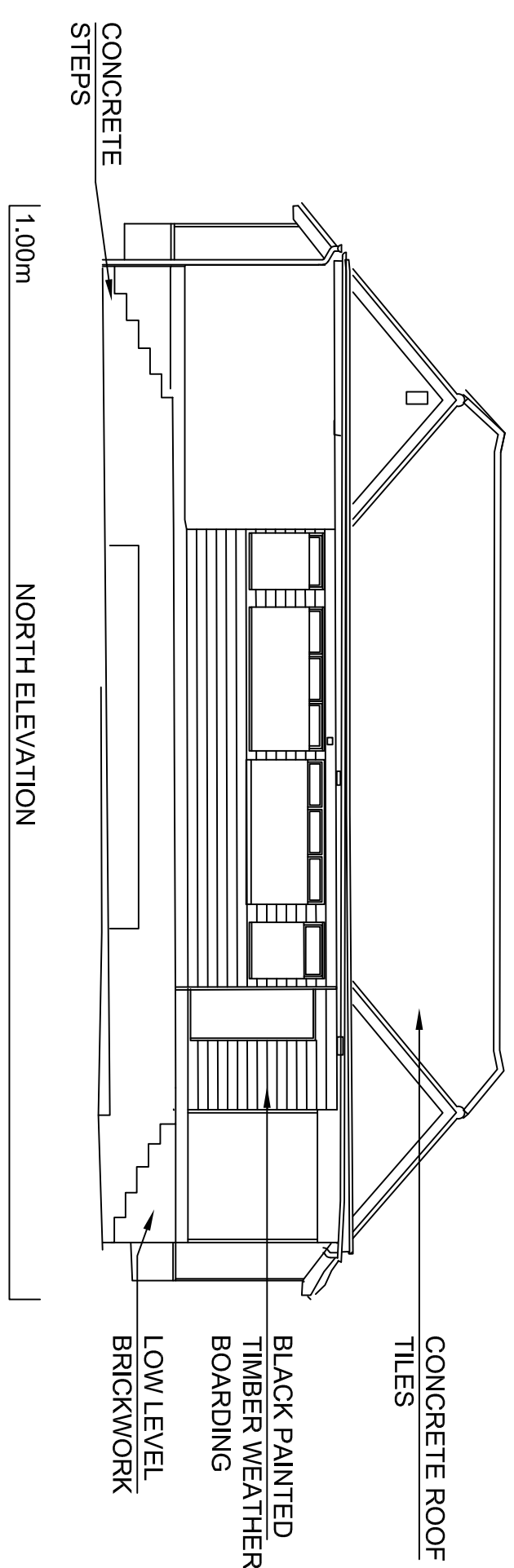
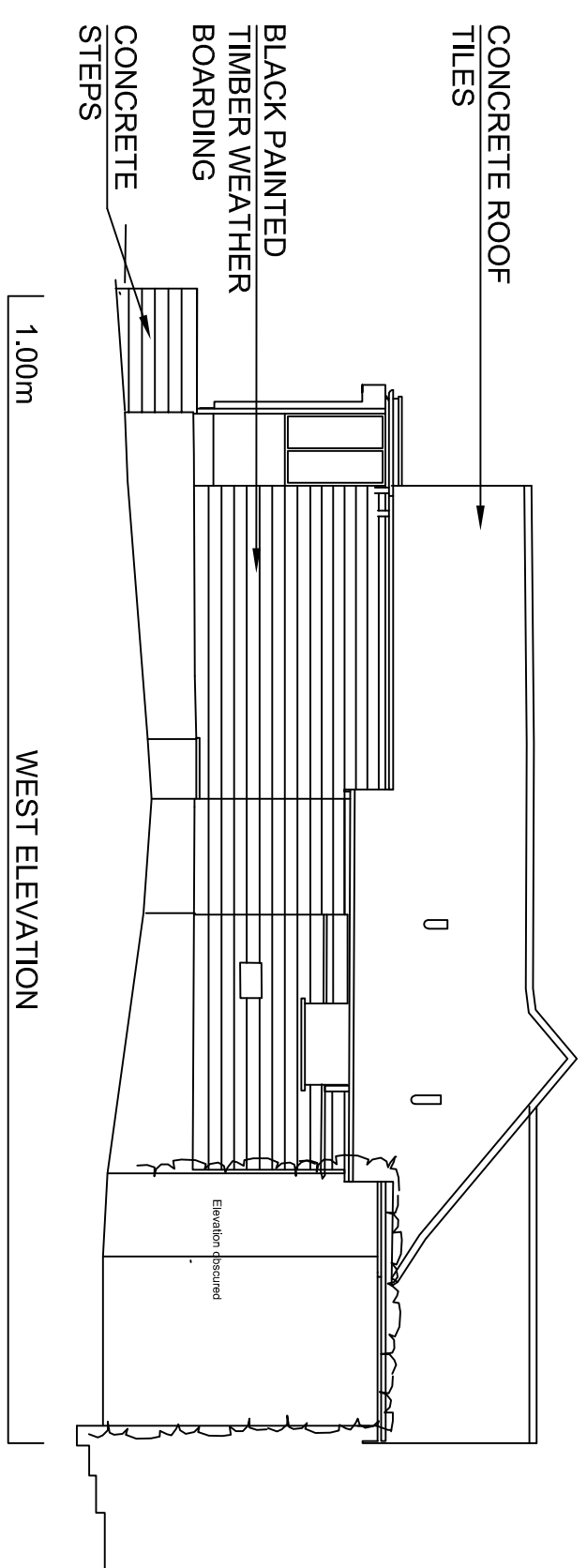
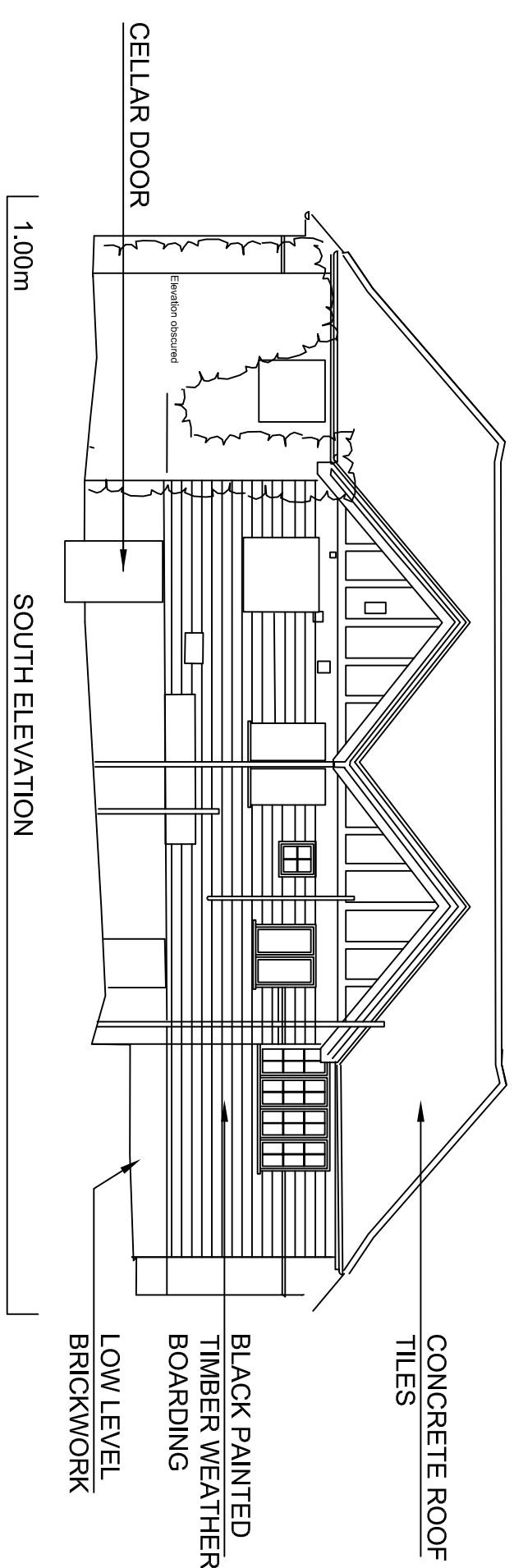
Drawn	Checked
LJS	SB

Scale	Date
1:100 @A1	AUG 2023

LOCATION PLAN - NTS

This page is intentionally left blank





-	FIRST ISSUE	
Rev. Description	By	Date

**Davies Burton Sweetlove Ltd**  
Consulting Structural and Civil Engineers

Springfield Lodge, Colchester Road,  
Chelmsford, Essex CM2 5PW

Tel: 01245 464130  
Fax: 01245 467778  
Email: office@dbcs-consultants.co.uk  
www.dbcs-consultants.co.uk  
Web:

Client

**SOUTHEND ON SEA CITY COUNCIL**

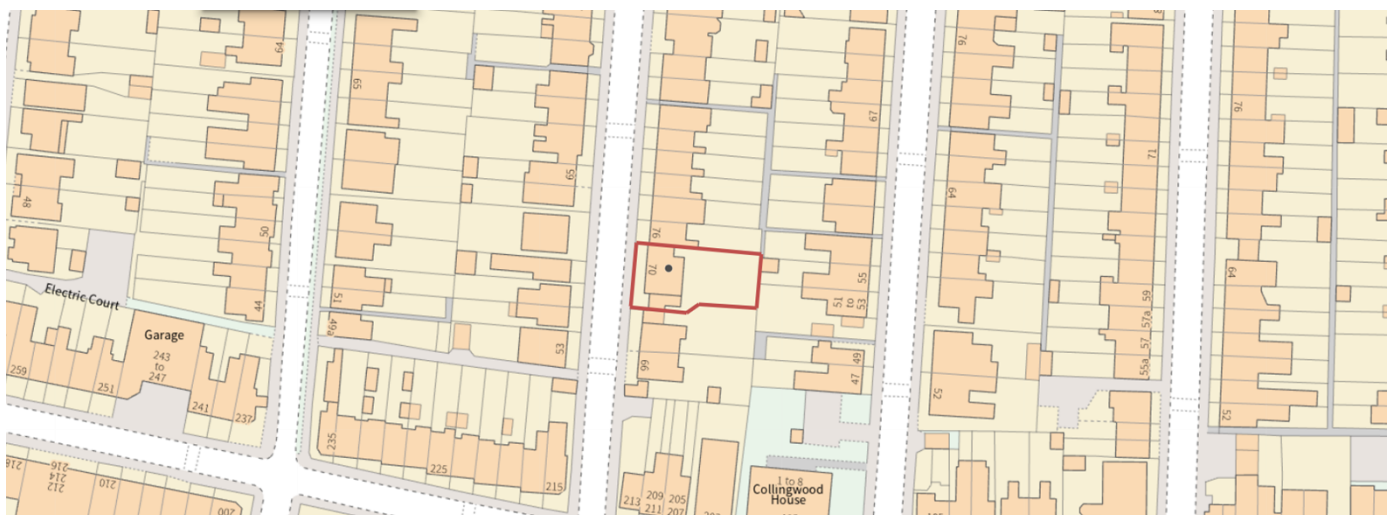
**Project**  
**DEMOLITION OF CRICKET PAVILION,  
SOUTHCHURCH PARK**

Drawing Title
EXISTING ELEVATIONS

Drawn	LJS	Checked	SB
Scale	1:100 @ A1	Date	AUG 2023
Drawing No	DBS 230168 - 02		
		Rev	

This page is intentionally left blank

Reference:	23/01330/FUL	5
Application Type:	Full Application	
Ward:	Westborough	
Proposal:	Change of use from 6-bedroom HMO (class C4) to 10 bedroom HMO (Sui Generis), demolish existing garage to side, install dormer to rear to form habitable accommodation in the loftspace, erect single storey side extension, install bin and cycle stores to rear, form 1no. additional parking space to front, form canopy over front entrance and alter elevations	
Address:	70 Westcliff Park Drive, Westcliff-on-Sea	
Applicant:	Mr Bradley Watkins	
Agent:	N/a	
Consultation Expiry:	28th September 2023	
Expiry Date:	3rd November 2023	
Case Officer:	Kara Elliott	
Plan Nos:	Location Plan, 1009-001, 1009-002, 1009-003, 1009-004, 1009-005, 1009-006	
Supporting Documents:	Security Design Proposal Statement Sept 2023, HMO Licence 23/00034/HMO5, Planning Statement V2 July 2023, Badger Survey 144323 August 2023	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



## **1 Site and Surroundings**

- 1.1 The application relates to a two-storey, six-bedroom, detached building occupied as a House in Multiple Occupation (HMO) on the eastern side of Westcliff Park Drive. The junction with Westborough Road is towards the south of the site. The building is slightly raised from the highway and the neighbouring dwelling to the north. There is a gentle rise to the ground level from south to north.
- 1.2 The surroundings are mainly defined by a mix of semi-detached and terraced two-storey dwellings, some with accommodation in the roof space, traditional in appearance with pitched roofs and projecting front gables, finished in predominantly render, with brickwork detailing in instances and clay tile roofs in red and brown. The site and its immediate locality are not affected by any site-specific planning policy designations.

## **2 The Proposal**

- 2.1 Planning permission is sought for change of use of the building from the existing six-room HMO, falling within the definition of Use Class C4, to a ten-room HMO which can accommodate more than six occupiers (maximum of ten occupiers proposed) and would be a Sui Generis use. The additional bedrooms would be formed from the replacement of the existing garage with a single storey side extension with a flat roof and false pitch at the front, measuring 3.6m high x 6.6m deep, set 2.9m behind the front building line (front bay) x 2.7m wide, reaching the site's northern boundary. A proposed flat roof rear dormer, also facilitating new habitable accommodation, at second storey would be set 800mm below the ridge height of the building 2.25m high x 7.6m wide x 3m deep, and set 650mm in from the flank elevations. The building's internal layout would be altered to facilitate additional bedrooms.
- 2.2 A timber canopy with a tiled monopitched roof is proposed over the existing entrance. Alterations are proposed to fenestration, including 3 no. rooflights to the front roof slope, a smaller window to the southern flank at ground floor and a set of bi-fold doors to the rear at ground floor.
- 2.3 A timber, lockable bike store, accommodating 10 no. bicycles is proposed within the rear of the site, attached to the rear wall. A secure bin store is proposed within the rear of the site.
- 2.4 The existing communal accommodation consists of a dining room and kitchen only. The proposed accommodation would comprise a kitchen/diner at ground floor with an additional, smaller dining room at first floor. Bedrooms range in size from 9.27sqm to 13.48sqm.
- 2.5 Removal of the existing garage and the set-back position of the proposed single storey side extension enable creation of an additional off-street parking space to the front of the site. The remains of a, largely demolished, front boundary wall would be removed and the frontage of the site re-laid with block paving. The 2 off-street car parking spaces would be served by existing crossovers from the highway.
- 2.6 The application is supported by a Badger Survey which identifies that a badger sett is in the property's rear, some 12m from the development, and proposes construction methods i.e., buffer zone and mitigation measures to prevent the development works causing any ecology harm in this regard.

## **3 Relevant Planning History**

- 3.1 07/01179/FUL - Erect two storey rear/side extension incorporating replacement garage and convert detached dwelling into two semi-detached dwellings – Granted 27.09.2007

## **4 Representation Summary**

4.1 The application has been called in to Development Control Committee by Cllr A Jones.

### **Public Consultation**

4.2 22 No neighbouring properties were consulted, and a site notice was displayed. 6 No representations were received which are summarised below:

- Parking concerns
- Increase in noise and disturbance
- Potential for antisocial behaviour
- Overconcentration of HMO's in area
- Waste management concerns
- Strain on local services
- Out of character (HMO use)
- Green spaces should be encouraged
- Over-development of the site

**[Officer comment]:** The comments in the representations have been taken into consideration in the assessment of the application where they raise matters relevant to material planning considerations but are not found to be justifiable reasons for refusing planning permission in the circumstances of this case.

### **Highways**

4.3 No objections. The site provides 2 off street parking spaces. It should be noted that the site is not suitable to include a parallel space as well. Should a vehicle park parallel as well as the 2 right angle spaces (highways) enforcement action will be taken. It is not considered that the proposal will have detrimental impact on the local highway network. The site benefits from being in a sustainable location with regard to public transport with good links in close proximity. Future occupiers will not be eligible for a residential parking permit.

### **Parks**

4.4 No objections. Suggests conditions to secure recommendations in badger survey.

### **Environmental Health**

4.5 No objections. Suggests conditions in relation to hours of construction and refuse and recycling.

### **Essex Police – Designing Out Crime**

4.6 No objections. The security of the HMO has been thought out carefully and it appears that it would provide adequate security at the property.

## **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), CP8 (Dwelling Provision).

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), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM15 (Sustainable

Transport Management).

- 5.5 Southend-on-Sea Design and Townscape Guide (2009)
- 5.6 Technical Housing Standards – Nationally Described Space Standards (2015)
- 5.7 The Essex HMO Amenity Standards (2018)
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.9 Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 5.10 Electric Vehicle Charging Infrastructure for new development SPD (2021)
- 5.11 The Essex Coast Recreation Disturbance Avoidance Strategy (RAMS) (2020)
- 5.12 Protection of Badgers Act (1992)

## **6 Appraisal**

### **Principle of Development**

- 6.1 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 uses, 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.
- 6.2 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 HDT and 5YHLS carry weight in favour of the principle of the development given the proposed creation of additional housing.
- 6.3 Policy DM8 states that non-self-contained accommodation should be directed toward the central area of Southend or where such type of accommodation is needed by certain institutions, such as Southend Hospital or University of Essex. This Council’s development framework does not currently contain any policies that specifically relate to HMOs however the building is already in use as an HMO and of some relevance to this proposal is the location of Southend Hospital less than a mile from the application site.
- 6.4 The NPPF encourages the effective use of land and seeks to create sustainable, inclusive and mixed communities. There is no objection to the principle of the creation or extension of an HMO in this location, subject to the material considerations discussed in the following sections of the report.

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

- 6.5 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.

- 6.6 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. Policy DM1 and the Council's Design and Townscape Guide provide further details on how this can be achieved.
- 6.7 The enlargements and alterations proposed are considered to result in development of acceptable form and design and would be finished in materials that would match the existing building. The side extension would set suitably back from the front building line (which is further back than the existing garage) and would have a false pitched roof at the front with corresponding fenestration to the existing building, assisting its assimilation with the main building. On this basis, the side extension would appear suitably integrated. The rear dormer follows the form and width of the building and so is wider than typical dormers elsewhere in the broader rear garden scene of which there are some nearby examples. However, it would be set sufficiently within the limitations of the rear roofscape and set down from the ridge such that, on balance, it is considered that it would not appear overly dominant or bulky.
- 6.8 Areas for waste and cycle storage are shown on the submitted plans. No character-based objections are raised to the position of the stores within the rear of the site. In terms of landscaping, the entire block-paving of the frontage of the site and complete omission of a front boundary wall is a modest negative element of the development as it results in a blank expanse of hard landscaping with no differentiation or articulation at a relatively wide site in relation to neighbouring plots. However specific details of landscaping to be incorporated can be agreed by condition subject to which the potential visual harm can be mitigated such that the streetscene impact would be acceptable.

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

- 6.9 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.
- 6.10 In relation to residential standards for non-self-contained accommodation, Policy DM8 of the Development Management Document, states that all proposals of this nature will be required to meet the internal space standards set out in Policy Table 6 which states that a minimum bedroom size should be 6.5m<sup>2</sup> for single and 10.2m<sup>2</sup> for double bedrooms and that the accommodation must have some communal areas, such as a living room, kitchen, diner.
- 6.11 The Council has adopted the Essex Approved Code of Practice with respect to HMO's and this document represents a material planning consideration when read along with the above policy table, although it is noted that the Code of Practice is not a planning policy document. This document sets out the following standards for HMOs:

**Table 1: Minimum room size requirements**

Room size requirements are given in sq.m. For clarity, a room size of 12sqm is equivalent to a room measuring 4m by 3m and also a room measuring 6m by 2m.

Room use	Number of occupants	HMO with shared facilities (kitchen/ dining/living)	HMO with shared kitchen facilities (no shared living room)	HMO without shared facilities (i.e. bedsits or studios)
Bedroom or Letting	1	6.51sqm	8.5sqm	11sqm
	2	10.22sqm	12sqm	15sqm
Shared Kitchen	Up to 5	7sqm	7sqm	
	6	8.5sqm	8.5sqm	
	7	10sqm	10sqm	
	8 -10	14sqm (or 2 rooms each 7sqm)	14sqm (or 2 rooms each 7sqm)	
Shared Living/Dining Room	up to 5	11sqm	*5sqm	
	6	12sqm	*6.5sqm	
	7	13sqm	*8sqm	
	8	14sqm	*10sqm (or 2 rooms each 5sqm)	
	9	15sqm	*10sqm (or 2 rooms each 5sqm)	
	10	16.5sqm	*10sqm (or 2 rooms each 5sqm)	

\*In HMOs without a shared living room additional shared dining space is required close to a shared kitchen that is more than 1 floor distant from any letting room it serves.

**Table 3: Minimum requirements for bathrooms/shower rooms and WC compartments**

Occupants sharing	Bathrooms Comprising 1 Bath/Shower Unit (With Hot and Cold Water) and may contain a WC (but see * below)	Separate WC compartment with wash hand basin with H & C	Ventilation (suitable and adequate)	Adequate size and layout: Minimum floor area for safe use of bathroom
Less than 5	1	0	Mechanical ventilation is required in all bathrooms and WC compartments which lack natural ventilation via an openable window. It will also be required, in addition to any natural ventilation, where necessary, to mitigate problems of damp and mould. <i>It is always recommended that where possible, in addition to any natural ventilation, mechanical ventilation is provided in all bathrooms and WC compartments.</i>	Bath only 2.3sqm Bath & WHB 2.5sqm Bath,WC&WHB 2.8sqm Shower only 1.7sqm Shower&WHB 2.0sqm Shower,WC&WHB 2.2sqm WC & WHB 1.2sqm
	1	1		
6	2*	1		
7	2*	1		
8	2*	1		
9	2*	1		
10	2	2		
Ensuite for 1 or 2	1	0	Comments as above	

\*For properties with 6-9 occupants sharing there shall be a minimum of 2 wcs and 2 bathrooms and one of the wcs must be separate.

6.12 The development would create a 10-bedroom HMO with capacity for 10-persons. The proposed rooms are as follows:

Bed 1	10.36sqm	(2.2sqm ensuite)
Bed 2	13.48sqm	(2.2sqm ensuite)
Bed 3	10.73sqm	(2.55sqm ensuite accessible for all)
Bed 4	9.27sqm	(2.61sqm ensuite)
Bed 5	11.22sqm	(2.8sqm ensuite)
Bed 6	13.41sqm	(2.34sqm ensuite)
Bed 7	11.58sqm	(2.2sqm ensuite)
Bed 8	10.44sqm	(2.7sqm ensuite)
Bed 9	11.12sqm	(2.97sqm ensuite)

6.13 There would also be shared kitchen/dining facilities (some 20.3sqm) at ground floor, a separate laundry room and cupboard and a first floor communal room/dining room of some 6.5sqm. The rear garden amenity space for the residents amounts to approximately 240sqm.

6.14 The proposal would meet the Essex HMO Standards for a 10 person HMO containing 10 x single occupancy rooms without shared living room (each bedroom must be a minimum of 8.5sqm and the communal kitchen/dining provision a minimum of 24sqm). If any rooms became used as double occupancy, of which some are capable, this would result in



unacceptable living conditions. Therefore, it would be reasonable in this instance to limit, through a planning condition, all the rooms to single occupancy, to a maximum of 10 occupants overall.

- 6.15 All rooms would benefit from acceptable outlook and natural light. The communal amenity space would be sufficient for the proposed development. The proposed bin store would be located close to the only external opening for bedroom 3 which is not considered to be a suitable standard of living due to the potential noise and disturbance and odour issues from waste storage/use of bins. It is considered that a condition can be used to secure better placement of the refuse and recycling storage considering the large size of the amenity space.
- 6.16 On this basis and subject to conditions, the development is considered acceptable and in line with policy in the above regards.

### **Impact on Residential Amenity**

- 6.17 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.”*
- 6.18 HMOs are generally compatible within a residential setting. It is not considered that the increase in capacity over the current occupancy of the site (6 persons) would give rise to any significantly harmful noise and disturbance or other significantly harmful amenity impacts for neighbouring occupiers.
- 6.19 The proposed side extension which replaces existing similar built form (a garage) and would abut the wall of the neighbouring No 76 Westcliff Park Drive would by reason of its size, scale and position not significantly harm the amenity of the neighbouring occupiers in any relevant regards. The proposed dormer would be positioned within the rear roofscape and due to its size, scale and siting would not significantly harm the amenities of the neighbouring occupiers in any relevant regards, including though loss of privacy or overlooking.
- 6.20 Due to their nature and position it is not considered that the alterations to the existing building, including alterations to fenestration, would significantly harm the amenity of neighbouring properties in any relevant regards.
- 6.21 All other dwellings are sufficiently removed from the proposal to prevent any significant harm in any relevant amenity regards. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts.

### **Traffic and Transportation Issues**

- 6.22 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.
- 6.23 The NPPF states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Council’s parking standards do not provide any standard requirements for HMOs. The proposal would provide two off-street parking spaces

following the formation of an additional parking space in front of the set-back single storey side extension, to be accessed via an existing vehicular access.

- 6.24 2 no. off street parking spaces are provided for the 10 rooms. In consideration of this, the site is considered to be in a sustainable location with regard to public transport options. The building is in use as a 6 person HMO served by one parking space. Enlargement to the 10 bed HMO proposed would be accompanied by an additional space. The Highways team have confirmed that occupiers of the development would not be eligible for parking permits. The proposal is, on balance, not considered detrimental to highway safety or the local highway network. On balance, it is not considered that the impact of the additional 4 bedrooms, effectively accompanied by one additional parking space, would have a significantly harmful impact on local parking conditions and would not be in the realms of a severe parking impact referred to in the NPPF. The parking impacts are therefore considered to be acceptable. The Highways team has raised no objections.
- 6.25 The additional car parking space must be provided with an active electric vehicle charging point to comply with the relevant SPD. This can be secured by condition.
- 6.26 Proposed plans also detail the provision of ten cycle parking spaces (one per bedroom) within a timber store. The provision of this can be secured by condition. Subject to this condition, the proposal is considered to be acceptable and policy compliant in relation to traffic and transportation issues.

### **Energy and Water Sustainability**

- 6.27 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”. The same policy requires all new development to provide “water efficient design measures that limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption). Such measures will include the use of water efficient fittings, appliance and water recycling systems such as grey water and rainwater harvesting”.
- 6.28 No details have been submitted with the application to demonstrate whether the proposed development would meet the target of renewable energy sources covering at least 10% of the anticipated energy consumption in line with policy requirement or how the water consumption would be limited. The requirements for renewable energy and restrictions on water usage can be controlled with conditions. Care would be needed to ensure that any renewable technologies submitted for approval under such a condition would not harm the character and appearance of the area. Subject to the described conditions this aspect of the proposal would, therefore, be acceptable and policy compliant in the above regards.

### **Ecology and Essex Coast RAMS**

- 6.29 Paragraph 174 of the NPPF states that ‘Planning policies and decisions should contribute to and enhance the natural and local environment by...protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils...recognising the intrinsic character and beauty of the countryside...minimising impacts on and providing net gains for biodiversity...’
- 6.30 A qualified ecologist undertook a Badger Assessment and a site survey. One badger sett was recorded on the application site located some 12m away from the proposed development footprint. The report states that a monitoring exercise confirmed the sett is in active use, and it is recommended that a minimum of a 10m buffer zone be maintained between the sett and the

construction footprint through use of hazard taping and ring fencing and no building work is to be undertaken within the 10m buffer zone to prevent the development affecting badgers.

- 6.31 The ecology reports recommends that all construction works, including any digging of trenches for foundations or waste drainage to the rear of the property, take place outside of the 10m exclusion zone. The works to the patio that extends into the exclusion zone will consist of replacing the existing patio with new paving slabs and reusing the existing sub base so as not to cause any disturbance or risk to badgers by any digging.
- 6.32 The ecology reports recommends that the construction area be managed appropriately for the presence of nocturnal animals foraging at night and recommends safeguards to ensure that construction practices do not lead to injury or trapping of animals.
- 6.33 The Parks Team has not objected to the methodology or content of the badger report or to the proposed development and have recommended conditions including mitigation measures to protect badgers during construction as per the report's recommendations. It is considered that the information submitted by the applicant demonstrates that, subject to conditions, the proposal would not harm protected species and ecology more widely.
- 6.34 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.
- 6.35 The development does not need to offer mitigation as it would enlarge an existing (HMO) dwelling with no increase in dwellings and would not have a significant effect on habitats and species. The development is acceptable and in line with policies in this regard.

### **Equality and Diversity Issues**

- 6.36 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)**

- 6.37 As the development does not create more than 100m<sup>2</sup> of floorspace and does not involve the creation of a new dwelling (Class C3), the proposal benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

### **Conclusion**

- 6.38 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**

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

- 01 The development hereby permitted shall begin no later than three years from the date of this permission.**

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

- 02 The development hereby approved shall be carried out in accordance with the approved plans: Location Plan, 1009-01, 1009-02, 1009-03, 1009-04, 1009-05, 1009-006.**

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

- 04 Notwithstanding the provisions of the Town and Country Planning Act 1990 (as amended) the development and use of the building as a House in Multiple Occupation subject 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) residents 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, and Development Management Document (2015) Policies DM1, DM3 and DM8.**

- 05 Prior to the first use of the building for the purposes hereby approved, secure and covered cycle storage facilities for no fewer than 10 bicycles, shall be installed and made available to its occupiers in accordance with approved plan 1009-04 or in accordance with any other details which have been previously submitted to and approved in writing by the Local Planning Authority under the scope of this planning condition. The approved facilities shall be provided and made available for use prior to first occupation of the development hereby approved and shall be thereafter retained for the lifetime of the development.**

**Reason: To ensure the provision of adequate cycle parking and in the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).**

- 06 Notwithstanding the details shown on the approved plans, prior to the first use of the building for the purposes hereby approved a scheme for the means of appropriately sized and covered refuse and recyclable storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be**

implemented and made available for use prior to the first occupation of the development and retained for such purposes at all times thereafter.

**Reason:** To ensure the provision of adequate waste, recycling and food waste storage and in the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (2021), the Southend-on-Sea Design and Townscape Guide (2009) and the Southend-on Sea Waste Storage, Collection and Management Guide for New Developments (2019).

- 07** Prior to the first use of the building for the purposes hereby approved details of energy efficiency and other sustainability measures to be included in the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details. The energy efficiency and other sustainability measures shall be maintained 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) 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).

- 08** Prior to the first use of the building for the purposes hereby approved, 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 (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. The water efficient design measures shall be implemented 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) 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).

- 09** 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 residential amenity 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 advice in the Southend-on-Sea Design and Townscape Guide (2009).

- 10** Notwithstanding the details shown on the approved plans, prior to the first occupation of the HMO development hereby approved, full details of both hard and soft landscaping 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. The details submitted shall include, but not limited to:-**

- i. means of enclosure of the site including any gates or boundary means of enclosure;**
- ii. hard surfacing materials;**
- iii. details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification;**

**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 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).**

- 11 Prior to the first occupation of the development hereby approved, no less than two (2) car parking spaces shall be provided and made available for use on site as shown on drawing no. 1009-04. One of the parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the development. The car parking spaces shall be retained solely for use by occupiers of the HMO and their visitors in perpetuity thereafter.**

**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).**

- 12 The development hereby approved shall be carried out in strict accordance with the recommendations and mitigation measures and recommendations outlined at Section 14 of the approved MKA Ecology Badger Survey Ref 144323 dated August 2023.**

**Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2021) and Core Strategy (2007) Policies KP1, KP2 and CP4.**

## **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) 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 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** The applicant is reminded that the refuse and recycling storage as proposed is unacceptable as it is located too close to the opening for bedroom 3 and a revised siting must be approved under the terms of condition 6 of this planning permission.
- 4** The applicant is reminded that the landscaping at the front of the site (complete hardstanding) as proposed is unacceptable and a landscaped buffer and front wall is required, details of which must be submitted and agreed in accordance with condition 10 of this planning permission.
- 5** The applicant is reminded of the discussions with Essex Police Designing Out Crime Team regarding security measures and review any proposed changes to the built environment and physical design of the building. Contact: [designingoutcrime@essex.pnn.police.uk](mailto:designingoutcrime@essex.pnn.police.uk)
- 6** You are advised that future occupiers of the development will not be eligible for parking permits.

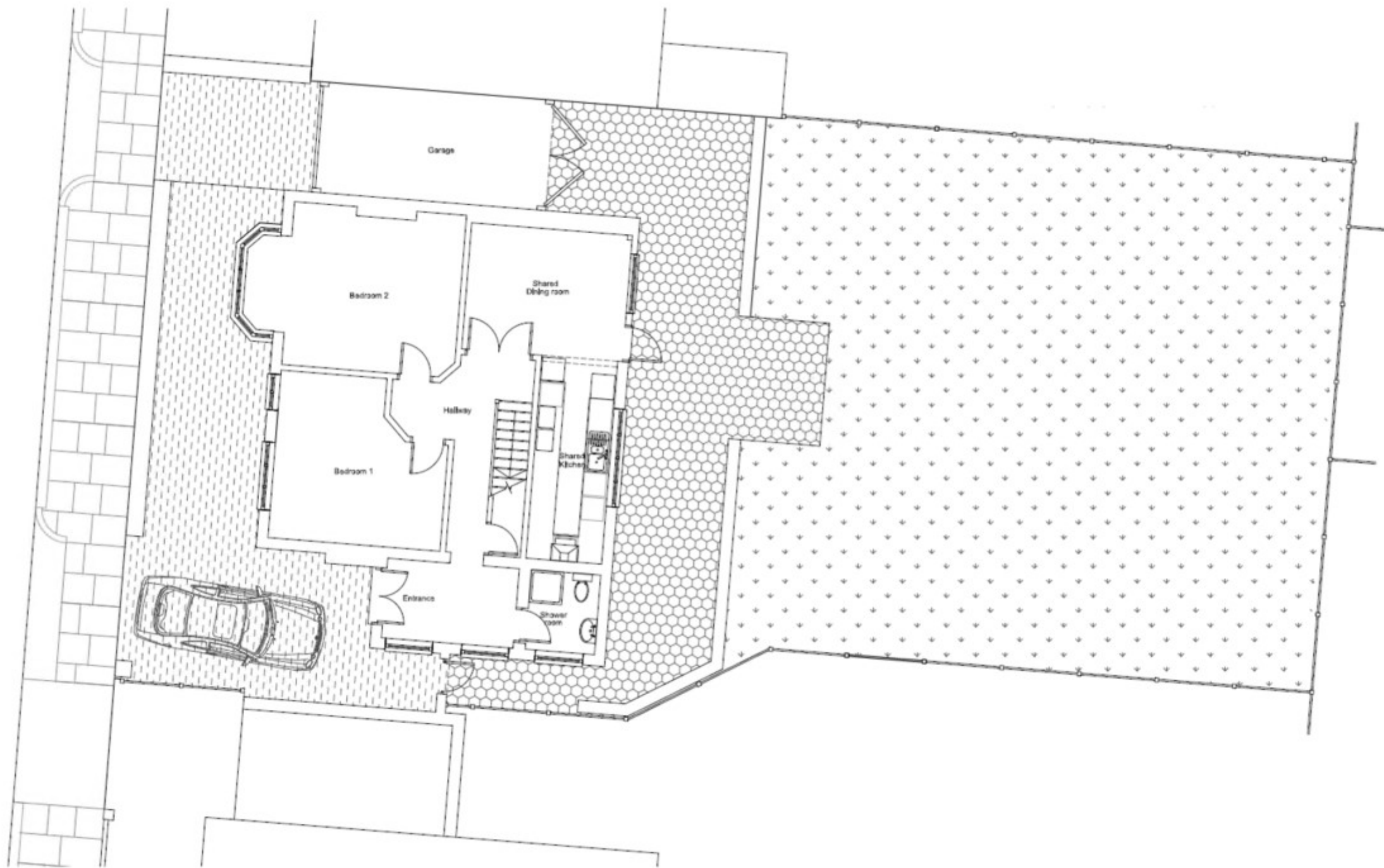
This page is intentionally left blank





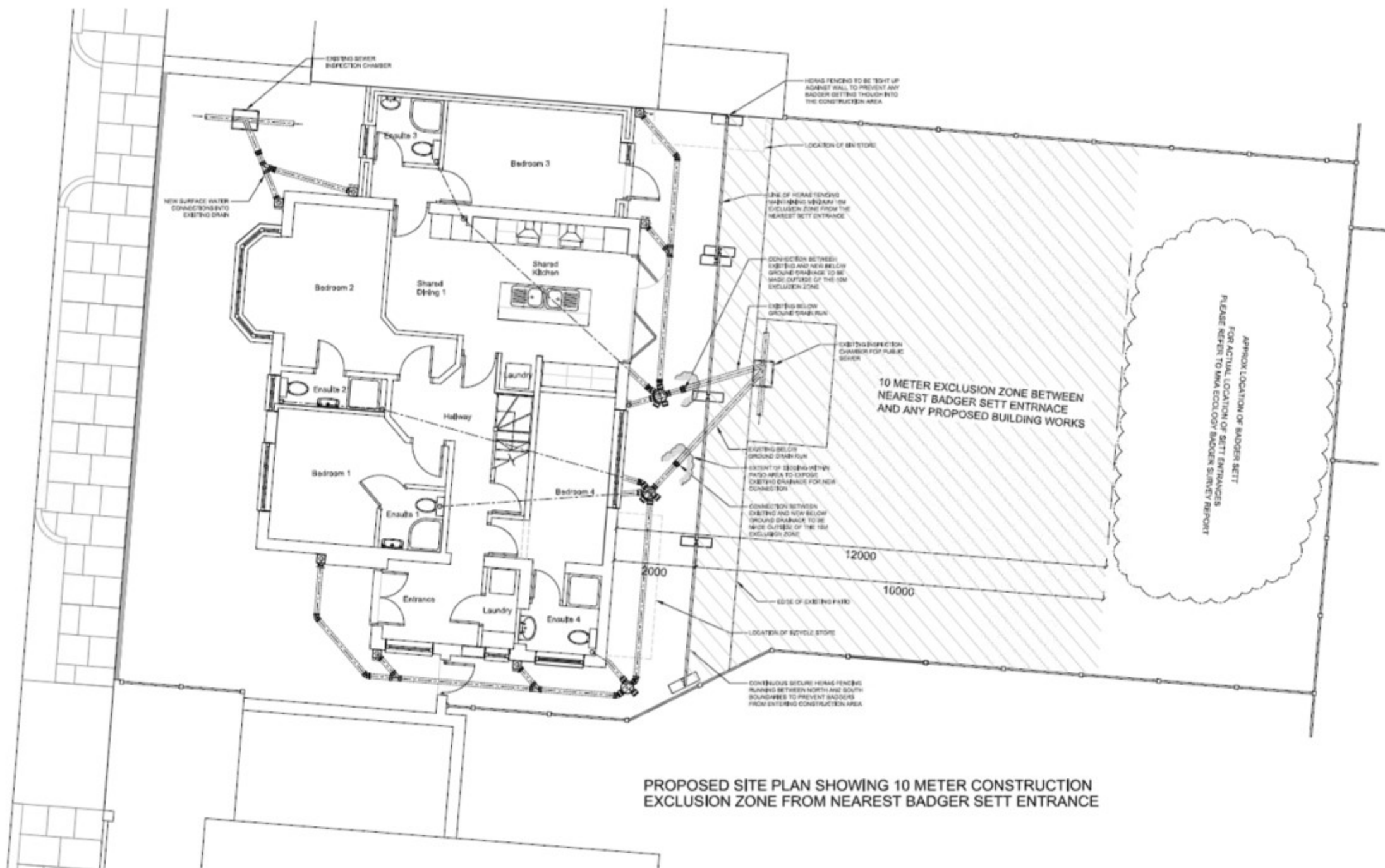
Location Plan

This page is intentionally left blank



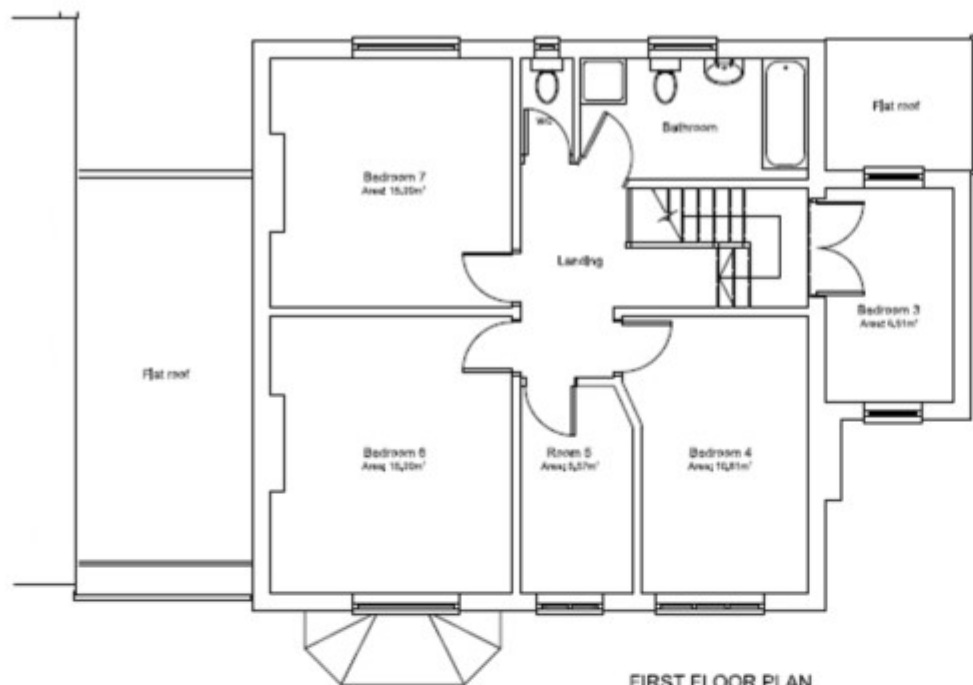
Existing Site Plan

This page is intentionally left blank

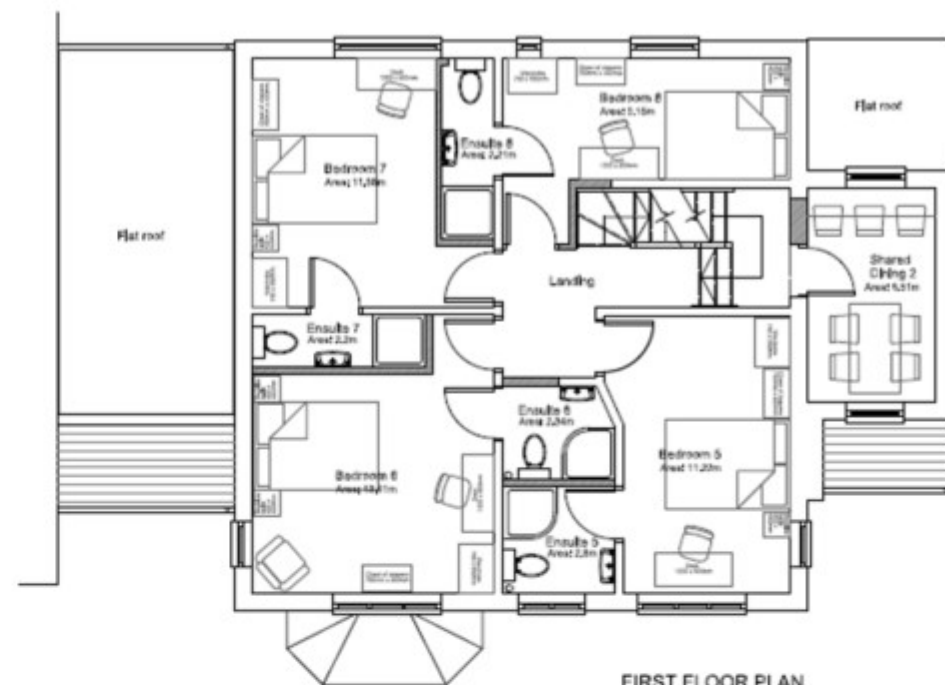


PROPOSED SITE PLAN SHOWING 10 METER CONSTRUCTION EXCLUSION ZONE FROM NEAREST BADGER SETT ENTRANCE

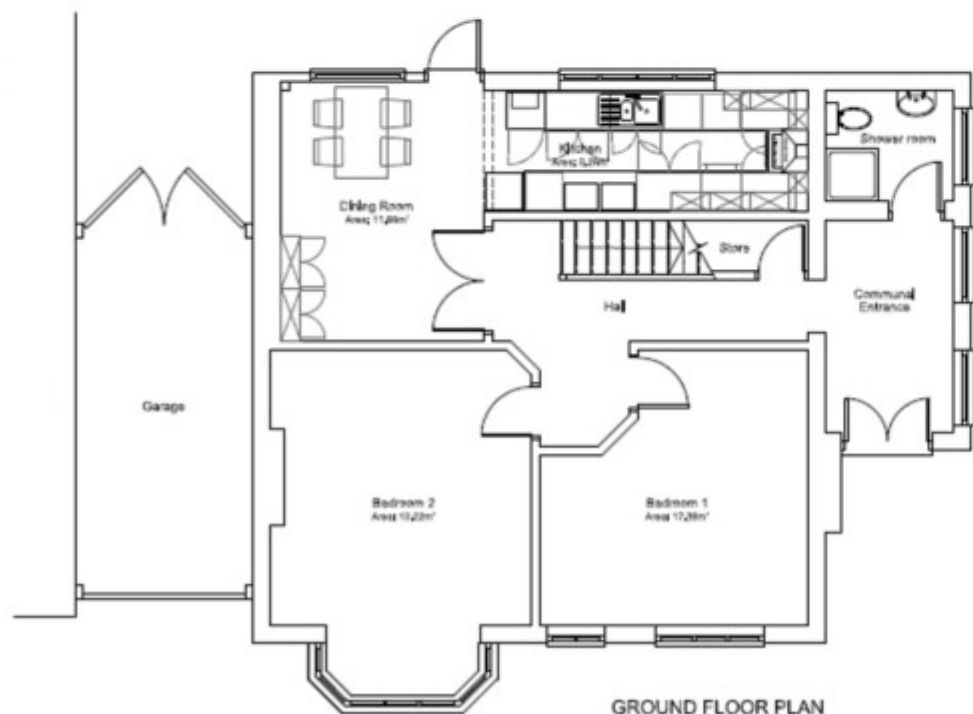
This page is intentionally left blank



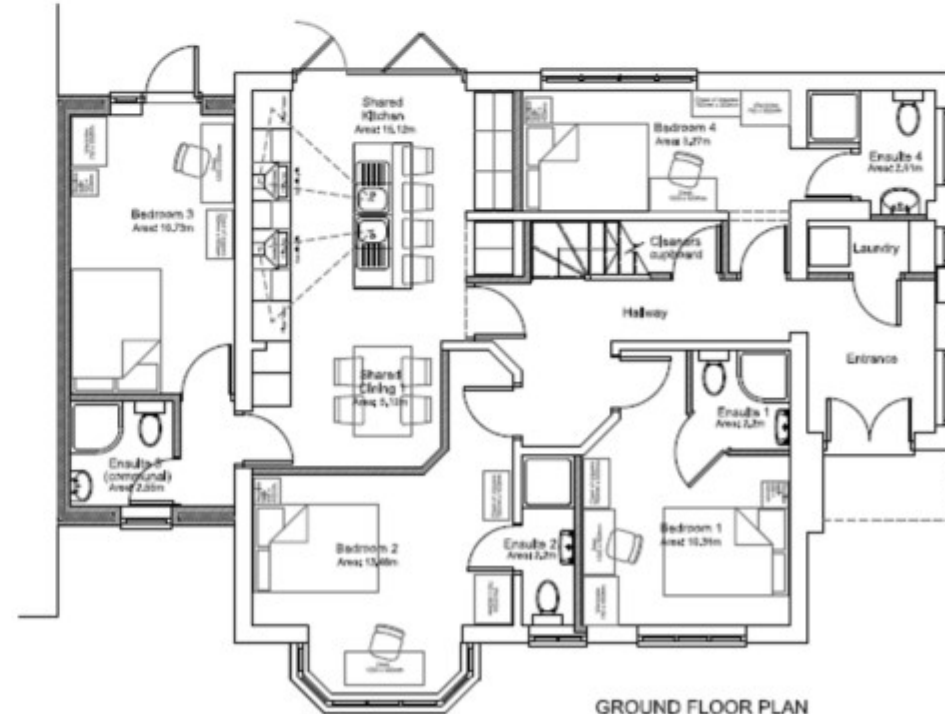
FIRST FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN



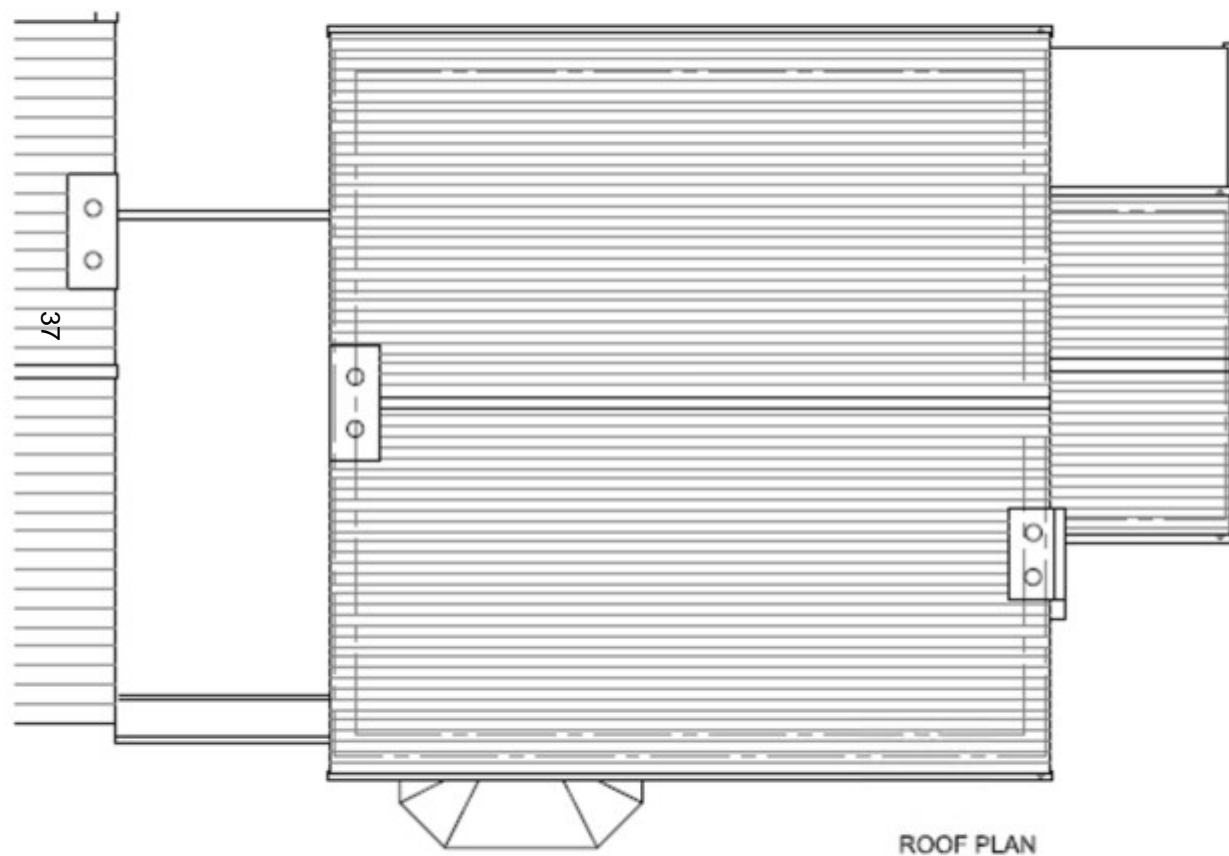
GROUND FLOOR PLAN

Existing Ground and First Floors

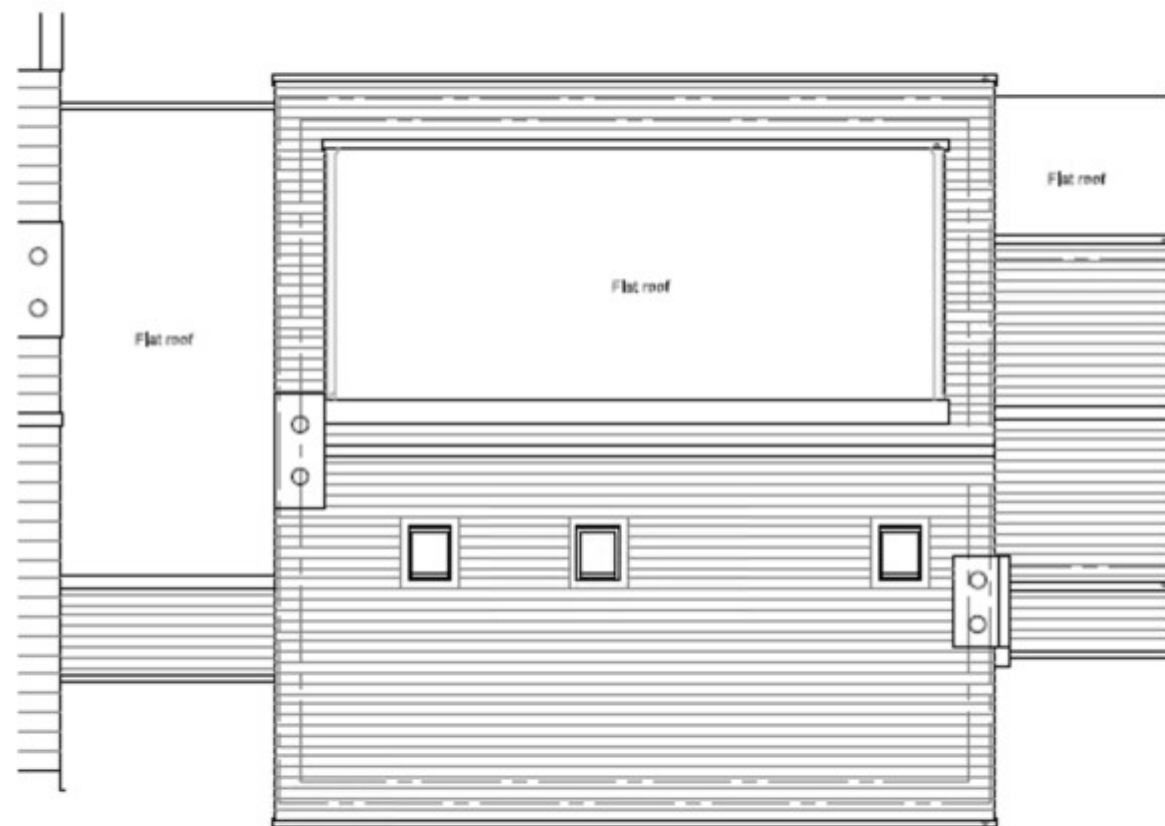
Proposed Ground and First Floors

This page is intentionally left blank



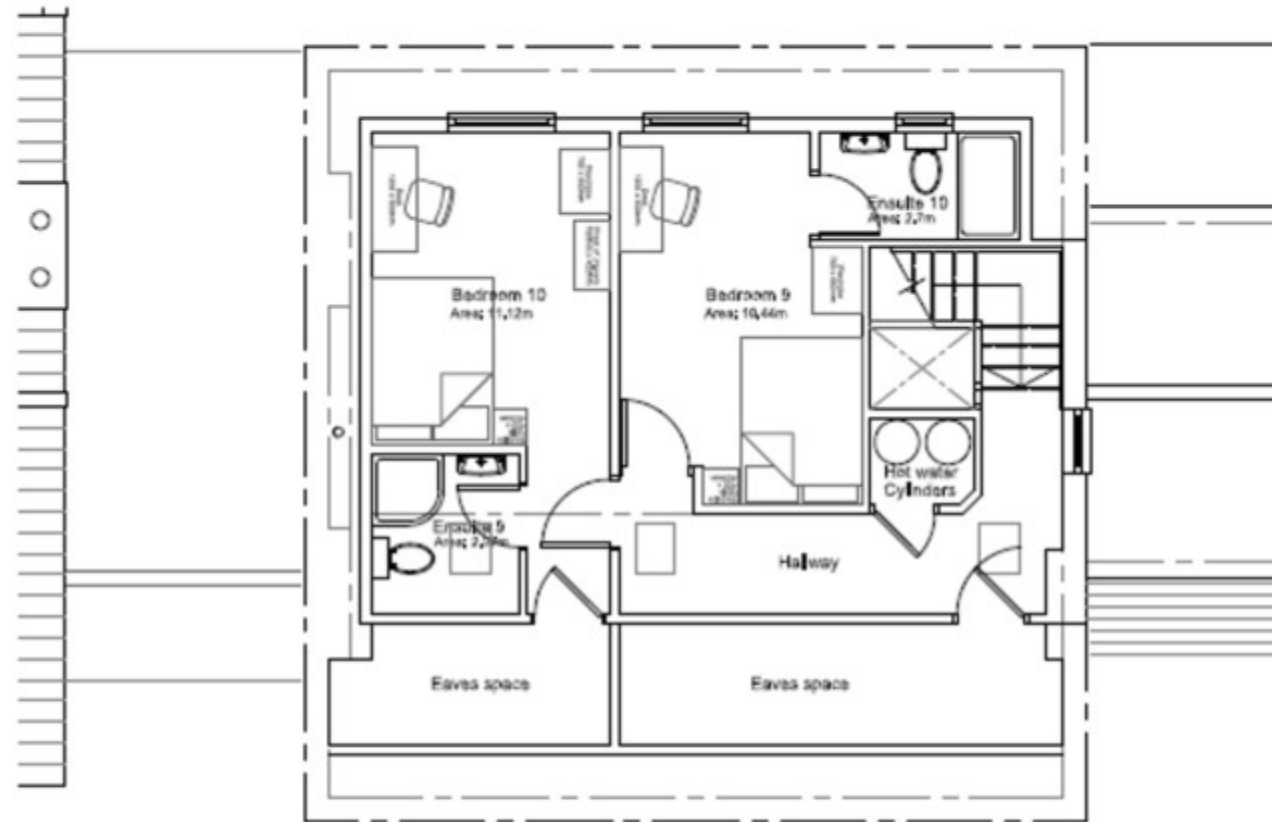


Existing Roof Plan



Proposed Roof Plan

This page is intentionally left blank



SECOND FLOOR PLAN

Proposed Second Floor Plan

This page is intentionally left blank



WEST FACING ELEVATON



SOUTH FACING ELEVATION



EAST FACING ELEVATION



NORTH FACING ELEVATION

## Existing Elevations

41



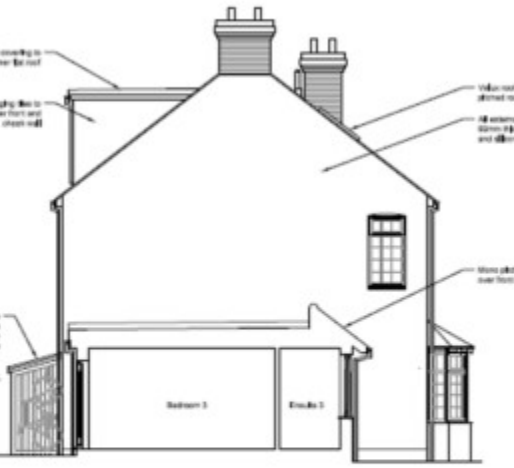
WEST FACING ELEVATION



SOUTH FACING ELEVATION



EAST FACING ELEVATION



NORTH FACING ELEVATION

## Proposed Elevations

This page is intentionally left blank



Application Site Front



Front and to north



Front and to south





Existing crossover to garage



Existing crossover



Existing garage





Rear Garden





Rear Looking North



Rear Looking South





Rear & To Neighbours





Northern Flank Application Site

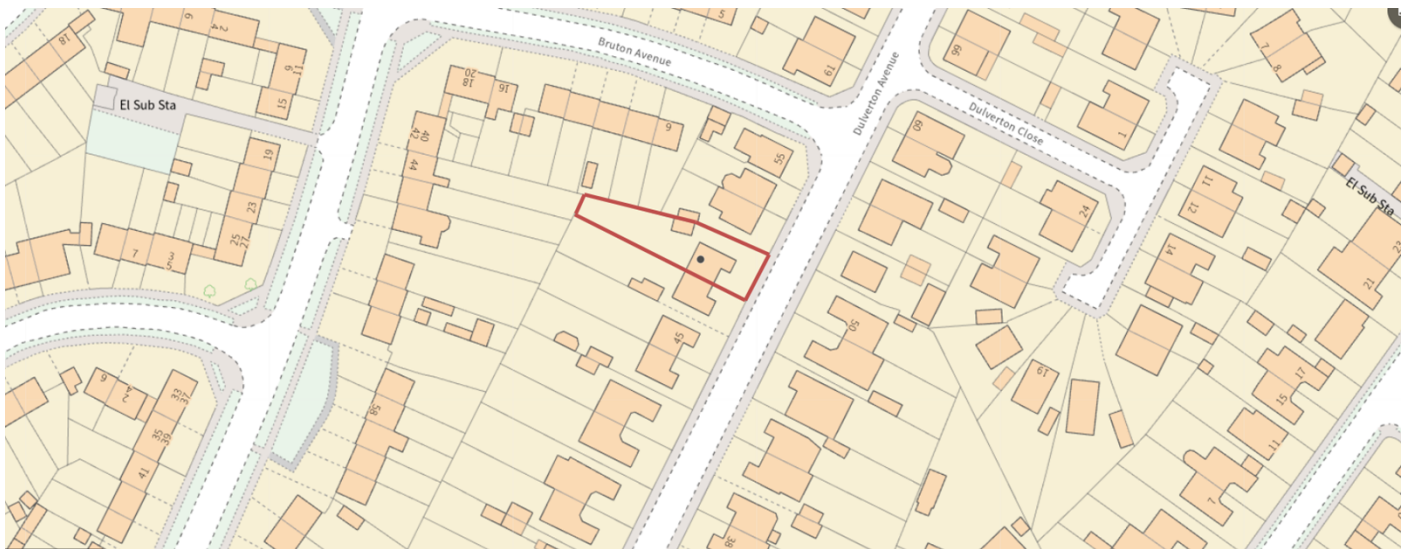


Neighbours Flank Elevations





Reference:	23/01325/FULH	6
Application Type:	Full Application - Householder	
Ward:	Prittlewell	
Proposal:	Demolish garage at rear, erect single storey and first floor side extensions, part single storey and part two storey rear extension, and alter elevations (amended proposal)	
Address:	49 Dulverton Avenue, Westcliff-on-Sea, Essex	
Applicant:	Mr Craig Wingrove	
Agent:	BGA Architects	
Consultation Expiry:	5th October 2023	
Expiry Date:	3rd November 2023	
Case Officer:	Gabriella Fairley	
Plan Nos:	TPA-0-001, TPA-0-002, TPA-0-300 (Rev A), TPA-1-001, TPA-1-300 (Rev B)	
Supporting documents:	Cover letter	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



## **1 Site and Surroundings**

- 1.1 The application site contains a semi-detached dwelling on the northwest side of Dulverton Avenue. The semi-detached pair of dwellings are of matching form and design and have not been extended.
- 1.2 The area is residential in nature comprising of predominantly semi-detached and detached two-storey and single storey dwellings.
- 1.3 The site is not in a conservation area or subject to any site-specific planning policy designations. Land levels slope from south to north and reduce to the rear of the dwelling.

## **2 The Proposal**

- 2.1 The applicant is a member of staff at Southend City Council and in accordance with the Council's Constitution the application is to be considered by Development Control Committee.
- 2.2 Planning permission is sought to erect a first-floor side extension, which would also project over part of the proposed ground floor extension to the rear. It would have a hipped roof and would be set some 2.2m below the ridge and set back some 2.5m from the front elevation of the main dwelling. The proposal would be some 3m wide, 5.3m deep with a ridge height of between 7.8m and 8.2m and an eaves height of 5.9m. It would be finished in white render to match the existing dwelling. Two windows at first floor level on the side elevation, would serve non-habitable rooms (W/C and bathroom). A Juliet balcony is proposed to the first-floor rear elevation and two sets of bifold doors to the ground floor rear elevation.
- 2.3 An L-shaped single storey flat roofed side and rear extension is proposed some 3.3m high, 2.8m wide and 5.3m deep to the side and 9m wide, 3.65m deep, and a maximum 3.8m and minimum 3.5m high to the rear and would be finished in white render. There would be a window on the front elevation serving a bedroom, a door to the side elevation and two sets of bifold doors to the ground floor rear elevation.
- 2.4 The dwelling's existing windows are shown to be replaced with grey uPVC.
- 2.5 An existing garage to the rear is to be demolished to make space for the proposal and an existing wall in the rear amenity space is to be rendered.
- 2.6 This proposal, itself amended during the course of the current application, has been submitted following previously refused application reference 23/00909/FULH. The main differences between the current application and 23/00909/FULH are as follows. A formerly proposed two-storey side extension is replaced by a proposed first-floor side extension. A first-floor hipped roof element has been added to the proposed rear extension and the proposed single storey side extension is now joined to the proposed rear extension. The depth of the proposed rear extension has been reduced from 4m to 3.65m. The proposed rear extension is some 0.3m lower in height at its maximum when compared to the previously refused scheme.

## **3 Relevant Planning History**

- 3.1 23/00909/FULH - Demolish garage at rear and erect two storey side extension, single storey rear extension, form porch to front and alterations to elevations. Refused (26.07.23).

Reasons for refusal:

- 01 *“The proposed two-storey element of the proposed development, by reason of the proposed scale, siting and detailed design, would unbalance the pair of semi-detached dwellings and would be materially out of keeping within the streetscene causing significant harm to the character and appearance of the host dwelling, the street scene and the wider surrounding area. This is unacceptable and contrary to the National Planning Policy Framework (2021); Policies KP2 and CP4 of the Southend-on-Sea Core Strategy; Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).*
- 02 *The proposed single storey rear extension, by reason of its significant depth, height and siting close to the boundary with No. 47 Dulverton Avenue, would give rise to a significant sense of enclosure, loss of light and a material overbearing impact, resulting in significant harm to the residential amenity of occupiers at this neighbouring dwelling. This is unacceptable and contrary to 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 Design and Townscape Guide (2009).”*

## **4 Representation Summary**

### **Public Consultation**

- 4.1 Seventeen (17) neighbouring properties were notified of the application by letter. 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 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 The Southend-on-Sea Design and Townscape Guide (2009)
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule (2015)

## **6 Appraisal**

### **Principle of Development**

- 6.1 Consistent with the basis of decision on the earlier 2023 application, the principle of extending and 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. Policy DM1 and the Southend-on-Sea Design and Townscape Guide provide further details on how this can be achieved.
- 6.4 No. 49 Dulverton Avenue is joined to No 47 which mirrors its design, form, size and scale. There are examples of similarly designed dwellings along Dulverton Avenue, some of which have been extended at first floor although none of these appear to involve projection with a first-floor extension carried behind the dwelling's main rear elevation, as is proposed here. The proposed first-floor side extension would be visible in the streetscene but set back some 2.5m from the main front elevation of the original dwelling. The use of render would be in keeping with the existing dwelling and revisions made during this application to alter the originally proposed rear gabled roof to a hip end has reduced the bulk and prominence of this part of the extension. A suitably subservient form of extension results such that, on balance, the first-floor side extension would not significantly harm the character and appearance of the host dwelling, the street scene or wider surroundings.
- 6.5 The proposed single storey side extension would be set back some 2.7m from the front elevation of the main dwelling. Taking into consideration the setback, and although the flat roof form is a moderate negative of the proposal, it is not considered that the proposed single storey side extension would significantly harm the character and appearance of the host dwelling or the streetscene more widely.
- 6.6 Removal of a window on the front elevation and replacement of a door are not ideal design elements but it is not considered that this would significantly harm the character and appearance of the host dwelling, the streetscene or the wider surroundings.
- 6.7 The proposed ground and first floor rear extension would be contained within the rear of the site. The proposal would be visible in the streetscene through the gap between dwellings. The two-storey element would be set down some 2.2m from the ridge of the original and would be finished in white render, which would match the existing dwelling. The revision creating a proposed hipped roof to the rear would be in keeping with the host dwelling's roofscape and would mitigate the bulk of the proposal. It is not considered that the rear extensions would significantly harm the character and appearance of the host dwelling, the streetscene or wider surroundings.
- 6.8 The proposal has therefore, on balance, overcome the previous reason for refusal 01, as a result of the siting, reduction in size and scale and altered, more subservient design.
- 6.9 It is considered that the design, size, siting, and scale of the development proposed are such that it would not significantly harm the character and appearance of the site, the street scene and the area more widely. The proposal is therefore considered to be acceptable and policy compliant in the above regards.

### **Amenity Impacts**

- 6.10 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.



- 6.11 The unattached neighbouring property, No.51 Dulverton Avenue, is to the north of the site. The proposed first floor side extension would be some 3.8m from the shared boundary and some 6.6m from the closest flank elevation at No. 51. It would have two first floor windows on the side elevation facing No. 51, both of which serve non-habitable rooms (W/C and bathroom). A condition is recommended to require these windows be obscure glazed to ensure the privacy of this neighbouring property. Subject to that, the proposal is not considered to significantly harm the amenities of No 51 in any relevant regards. The proposed single storey side extension would be some 0.8m from the shared boundary with No. 51 and some 3.6m from the closest flank elevation. Taking into consideration the flat roof design and single storey nature, it is considered that the proposed side extension would not significantly harm No. 51 in any relevant regards.
- 6.12 The part single storey, part two-storey rear extension would be a minimum 0.9m from the shared boundary with No. 51, with the two-storey element some 3m from the boundary. It would extend some 5.5m beyond the rear elevation at No. 51 at ground floor level and some 4.5m at first-floor level. Taking into consideration the separation distances involved from the closest flank elevation, it is considered that the extensions would not significantly harm No 51's amenities in any relevant regards.
- 6.13 No 47 Dulverton Avenue is attached to the south side of No 49. Most of the ground floor and first-floor side extension would be screened by that dwelling. It is considered that these elements of the proposal would not result in any significantly harmful amenity impacts on No. 47 Dulverton Avenue.
- 6.14 The ground floor element of the part single storey, part-two storey rear extension would be some 0.15m from the shared boundary with No. 47 and, as amended during the course of the current application, the extensions would now project some 3.65m beyond its rear elevation. No. 47 has a set of French doors to its rear elevation, which are considered on the balance of probability to be the sole source of light for a habitable room. It is considered that the proposed single storey rear extension would not significantly harm the amenity of the occupiers of this property in terms of any loss of light, creating an overbearing relationship or an undue sense of enclosure. The current proposal has addressed the previous amenity-based reason for refusal in this regard. The proposed first floor element of the rear extension would be some 2.8m from the shared boundary with No. 47 and would project some 3.4m. It now has a hipped roof form and given the separation from No. 47, would not significantly harm the amenity of No. 47's occupiers in any relevant regards.
- 6.15 The proposed replacement windows and alterations to the rear wall are not considered to significantly harm amenity in any relevant regards. Due to the relationships and separations involved the development would not significantly harm the amenity of any other neighbouring properties.
- 6.16 The proposal is therefore considered to be acceptable and compliant with the relevant policies and has overcome the previous reason for refusal.

### **Other Matters**

- 6.17 Whilst the garage would be demolished, it is undersized and is not considered to be of sufficient size to adequately serve as an off-street parking space in line with the Council's car parking standards. Off-street parking for at least two cars is available on the driveway outside the dwelling. 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.
- 6.18 The development is not liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended).

## **Equality and Diversity Issues**

- 6.19 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**

- 6.20 For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. It is considered that the application has overcome the two previous reasons for refusal. 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**

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

- 1 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.**

- 2 The development shall only be undertaken in accordance with the following approved plans: TPA-0-001, TPA-0-002, TPA-0-300 (Rev A), TPA-1-001, TPA-1-300 (Rev B).**

**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).**

- 3 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).**

- 03 The proposed windows on the first floor northern side elevation 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 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).

- 04** The roofs of the development hereby approved shall not be used as a balcony, roof garden or terrace or for any other purpose at any time without planning permission being granted by the Local Planning Authority. The roofs can however be used for the purposes of maintenance or to escape in the event of an emergency.

**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).

#### **Informatives**

- 1** You are advised that as the development 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 the Levy.
- 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 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.

This page is intentionally left blank



General Notes

Contractors are to check dimensions of all issued drawings and to notify the Architect immediately of any discrepancy.

Do not scale from this drawing, if dimensions are not clear ask.

This drawing and the information contained herein are subject to BGA Architects Terms & Conditions.

Rev:	Date:	By:	Description:

**bga** architects

RIBA   
Chartered Practice

The Gallery, The Old Gasworks, 43 Progress Road,  
Leigh on Sea, Essex, SS9 5PR

info@bga-architects.com  
www.bga-architects.com  
01702 471057

QC/V8  
© Copyright Reserved

BGA Architects is the trading name of Bernard Gooding Associates LLP

**Client:**  
Craig Wingrove

**Project Address:**  
49 Dulverton Avenue, Westcliff-on-Sea,  
Essex. SS0 0HP

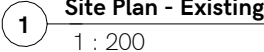
**Drawing Title:**  
Location Plan

**Status:**  
**AWAITING TPA APPROVAL**

<b>Date:</b>	<b>Drw:</b>	<b>Chk :</b>	<b>Scale:</b>	
09-05-23	SK	RR	1 : 1250 @	A4

<b>Project No:</b>	<b>Drawing No:</b>	<b>Rev:</b>
<b>23-045B</b>	<b>TPA-0-001</b>	

This page is intentionally left blank



**Do not build from any drawing packages that do not say,  
Building Control Approval, Conditional BREG Approval or  
For Construction**

<b>Rev:</b>	<b>Date:</b>	<b>By:</b>	<b>Description:</b>

info@bga-architects.com  
www.bga-architects.com  
01702 47105

BGA Architects is the trading name of Bernard Gooding Associates LLP

**Client:**  
Craig Wingrove

**Project Address:**  
49 Dulverton Avenue, Westcliff-on-Sea,  
Essex. SS0 0HP

**Drawing Title:**  
Site Plan - Existing

Status:  
**AWAITING TPA APPROVAL**

**Date:** 09-05-23 **Drw:** SK **Chk :** RR **Scale:** 1 : 200 @ A3

Project No: **23-045B**      Drawing No: **TPA-0-002**      Rev: \_\_\_\_\_

This page is intentionally left blank





Reproduced from OS Plan by permission of the  
ordnance survey on behalf of her majesty's  
stationary office (C) Crown Copyright License  
No. LIG 0288

**General Notes**

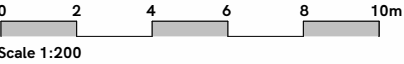
Contractors are to check dimensions of all issued drawings and  
to notify the Architect immediately of any discrepancy.

Do not scale from this drawing, if dimensions are not clear ask.

This drawing and the information contained herein are subject  
to BGA Architects Terms & Conditions.

Do not build from any drawing packages that do not say,  
Building Control Approval, Conditional BREG Approval or  
For Construction

 - Site Area = 408sqm



A	09/10/23	PH	GF extension set back, 1st floor roof hipped
Rev:	Date:	By:	Description:

**bga** architects **RIBA**   
Chartered Practice

The Gallery, The Old Gasworks, 43 Progress Road,  
Leigh on Sea, Essex, SS9 5PR

QC/V8  
© Copyright Reserved

info@bga-architects.com  
www.bga-architects.com  
01702 471057

BGA Architects is the trading name of Bernard Gooding Associates LLP

**Client:**  
Craig Wingrove

**Project Address:**  
49 Dulverton Avenue, Westcliff-on-Sea,  
Essex. SS0 0HP

**Drawing Title:**  
Site Plan - Proposed

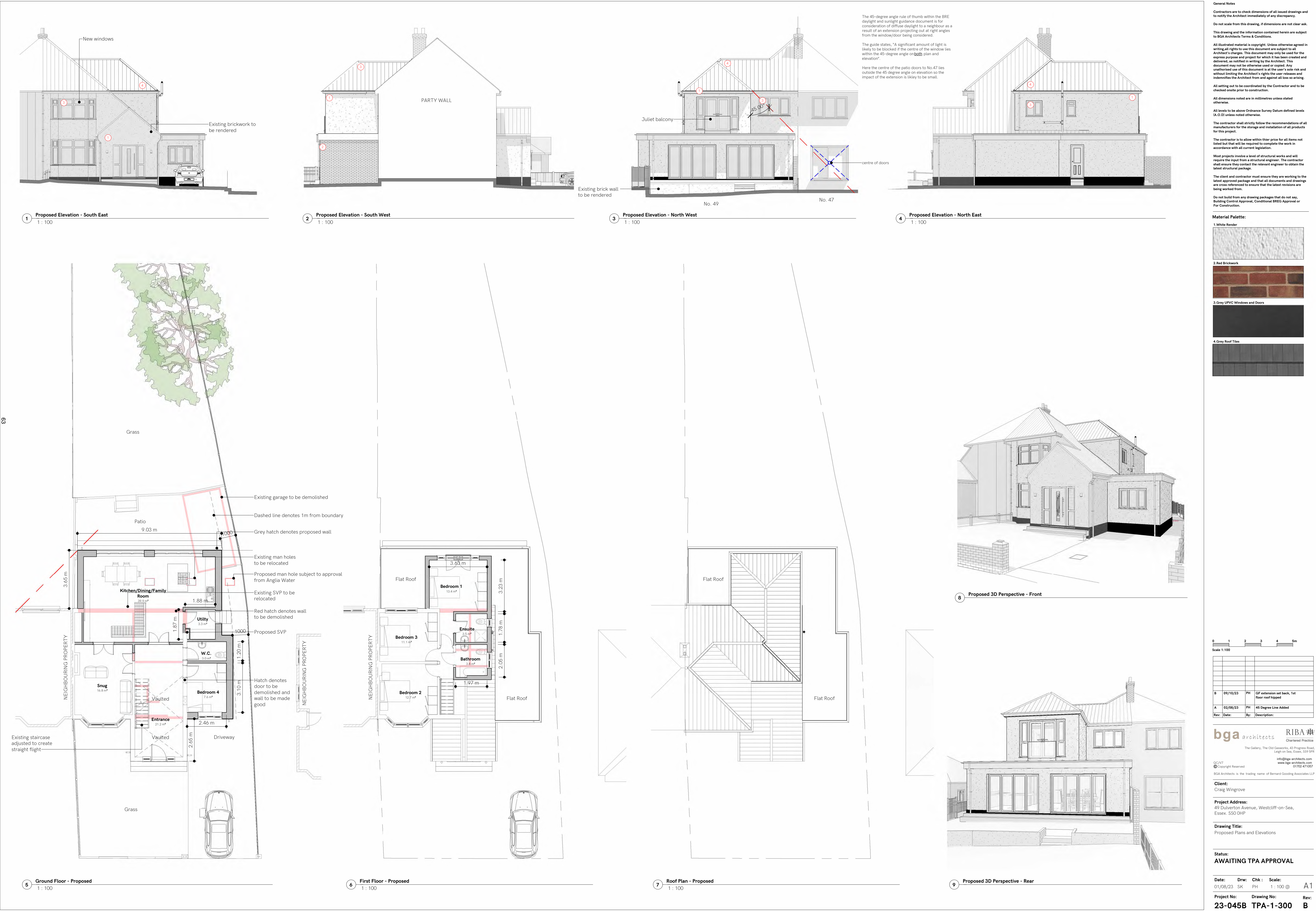
**Status:**  
**AWAITING TPA APPROVAL**

**Date:** 09-05-23 **Drw:** SK **Chk :** RR **Scale:** 1 : 200 @ **A3**

**Project No:** 23-045B **Drawing No:** TPA-0-300 **Rev:** A

This page is intentionally left blank







This page is intentionally left blank



Front of the application site.



Side elevation of the application site, including the existing main entrance



Rear of the application site









Opposite the site





General streetscene





This page is intentionally left blank