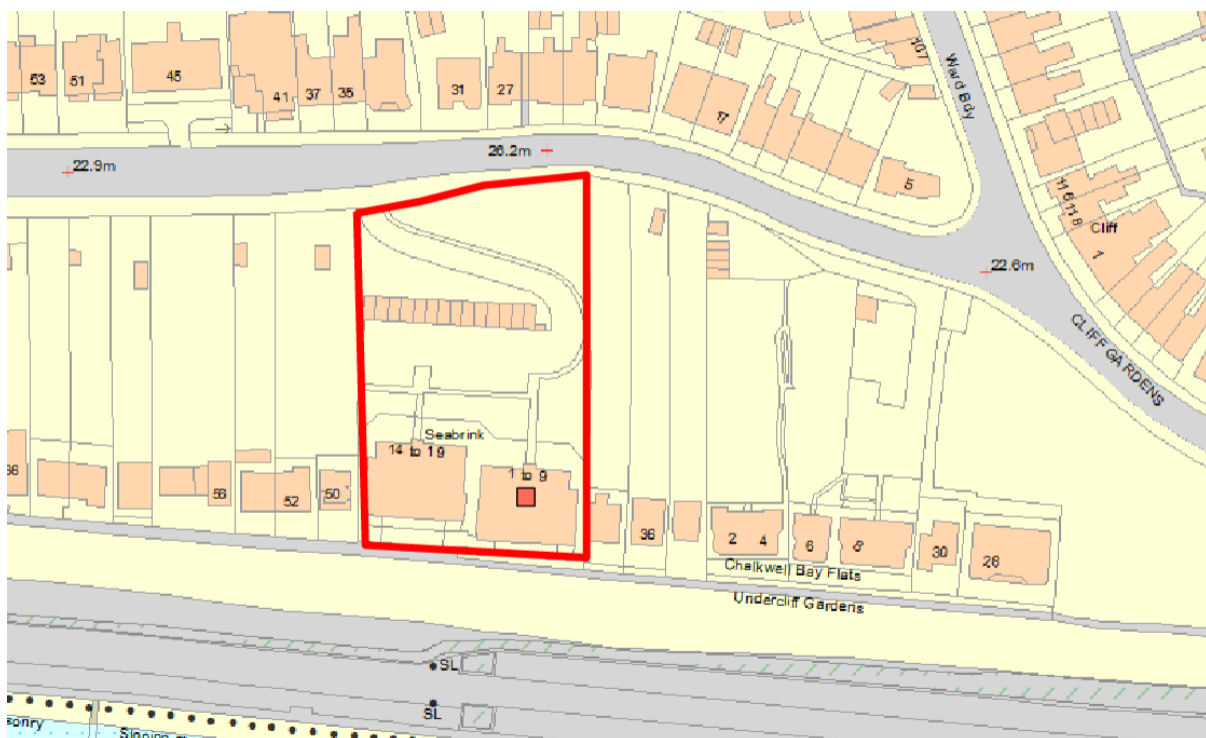


Reference:	18/01421/FUL & 18/01425/FUL	
Ward:	Leigh	
Proposal:	Install part cladding/part render to South Elevation of West Block	
Address:	Seabrink 1 To 9, 46 Undercliff Gardens, Leigh-On-Sea, Seabrink 10 To 19, 46 Undercliff Gardens, Leigh-On-Sea	
Applicant:	Seabrink Residents Association Limited	
Agent:	Mr Tony Weber	
Consultation Expiry:	17.08.2018	
Expiry Date:	08.10.2018	
Case Officer:	Kara Elliott	
Plan Nos:	18/01421/FUL: Location plan, SK/05, SK/06, SK/07, SK/08 18/01425/FUL: Location plan, SK/01, SK/02, SK/03, SK/04	
Recommendations:	<u>18/01421/FUL</u> GRANT PLANNING PERMISSION subject to conditions <u>18/01425/FUL</u> GRANT PLANNING PERMISSION subject to conditions	



1 The Proposal

- 1.1 Planning permission is sought to clad the front central section of the two blocks of flats with silver/grey coloured horizontal timber effect cladding.
- 1.2 Each clad section measures 8 metres in height by 6.4 metres in width.
- 1.3 The report relates to both applications as the development is identical on both blocks of flats (Seabrink 1 To 9, 46 Undercliff Gardens, Leigh-On-Sea and Seabrink 10 To 19, 46 Undercliff Gardens, Leigh-On-Sea).
- 1.4 The applications fall to be considered by the Development Control Committee at the request of Councillor Mulroney.

2 Site and Surroundings

- 2.1 The application site relates to two identical three storey blocks of flats located within Undercliff Gardens. Their principal elevations, which are the subject of the proposed development, face south; overlooking the railway, cinder path and estuary.
- 2.2 In terms of the existing materials, the flats consist of brickwork and white render.
- 2.3 The buildings within the surrounding area are in residential use and feature a mixture of two, three and four storey buildings that contain single dwellings and flats, with ground levels changing dramatically from higher ground to the north to lower ground to the south. Whilst the highway and main accesses to the dwellings are located to the rear (north), the principal elevations front the railway line to the south.
- 2.3 The application site is located within Seafront Character Zone 3, as designated by the Development Management Document 2015.

3 Planning Considerations

- 3.1 The key considerations in relation to these applications solely relate to the principle of development and the design and impact on the character of the area; taking into consideration the special principles of the designated Seafront Character Zone.

4 Appraisal

Principle of Development

The National Planning Policy Framework (2018) (NPPF); Core Strategy (2007) Policies KP2, CP3 and CP4; Development Management Document (2015) Policies DM1, DM3, DM6 and DM15.

- 4.1 The principle of upgrading or altering the materials of the buildings in association with existing residential use is considered acceptable. The determining material planning considerations are discussed below.

Design and Impact on the Character of the Area

The National Planning Policy Framework (2018) (NPPF); Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1, DM3 and DM6; The Design & Townscape Guide (2009)

- 4.1 Paragraph 124 of the NPPF states that; *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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.”*
- 4.2 With regard to materials, Paragraph 119 of The Design and Townscape Guide states that; *“Choice of materials can make a huge difference to the success of a building. Sympathetic materials, whether matching or contrasting, can help to integrate a new building or extension with the character of the surrounding townscape.”*
- 4.3 Policy DM6 of the Development Management Document identifies a number of distinctive Seafront Character Zones, with Table 1 to the policy identifying the principles that will be applied to development in each of the identified zones. The application site lies within the Cinder Path Character Zone (Zone 3).
- 4.4 The properties along Undercliff Gardens line the northern side of the road at the base of the cliff, just behind the railway, with views over the estuary. Public views are limited at the front of dwellings within Undercliff Gardens due to their location, concealed on the cliff along a private pedestrian path. However, the properties are widely publicly visible from the cinder path and railway. The stated principles for this zone seek to protect the frontage and affirm that development will be considered acceptable where it retains the characteristics and form of the area and adds to the overall quality of the area.
- 4.5 The buildings along Undercliff Gardens demonstrate a wide range of styles, designs and materials. The Design and Townscape Guide advises that the design of buildings, as well as their context, influence the choice of materials; *“In particular, modern styles lend themselves to modern materials such as render, glass and cladding systems.”* The two blocks of flats were built in 1977 and have a contemporary appearance owing to their block form, straight lines, flat roofs and symmetrical arrangement of fenestration.
- 4.6 The proposed development would cover the existing brickwork central section of the two blocks of flats with a silver/grey coloured horizontal timber effect cladding; specifically, the product proposed is Cedral timber effect cladding in colour ref: CC51 (silver/grey) by Marley Eternit.
- 4.7 The use of horizontal timber effect cladding is observed at the following addresses within Undercliff Gardens;
 - a. No.50, the immediate neighbour to the west is fully clad in silver/grey timber effect boarding;
 - b. No.54, to the west is currently under construction, following planning permission granted at Development Control Committee in 2017 (17/0104/FULH), will be fully clad in ‘cobble stone’ (cream/grey) coloured

horizontal timber effect cladding.

c. No.56, to the west is fully clad in a blue/grey timber effect boarding.

- 4.8 The proposed material and its colour is a common feature within the immediate vicinity of the application site. Due to this factor, its minor use on the central portion of the blocks, its limited views from the public vista and as properties within Undercliff Gardens are host of a wide range of styles, design and different materials (including their colours), the proposed use of horizontal timber effect cladding would not result in demonstrable harm to the character and appearance of the buildings or the wider area. Importantly, the development would not compromise the special characteristics of the designated seafront character zone, in accordance with relevant local and national policies and guidance.
- 4.9 The proposed development is therefore considered acceptable and policy compliant in regard to visual amenity.

Community Infrastructure Levy (CIL) Charging Schedule

- 4.10 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.

5 Conclusion

- 5.1 Having regard to all material considerations assessed above, it is considered that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework. The proposed development would have an acceptable impact on the character and appearance of the application site and the locality more widely as well as the special characteristics of the designated Cinder Path Seafront Character Zone. The applications are therefore recommended for approval, subject to conditions.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (2018)
- 6.2 Core Strategy (2007) Policies KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management Document (2015): DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM6 (The Seafront) and DM15 (Sustainable Transport Management)
- 6.4 Design & Townscape Guide (2009)

7 Representation Summary

Leigh Town Council

7.1 No objection

The Society for the Protection of Undercliff Gardens (SPUG)

7.2 Comments;

- i. The proposal appears to be cosmetic and we feel that the law of unintended consequences may apply here.
- i. Applying a contemporary material to part of one side of the building is unlikely to improve its appearance.
- ii. The proposed material [fibre cement] does not lend itself to extensive cutting in order to accommodate windows and penetrations from boiler flues, vents, access plates and so on. These were easily accommodated when the building was under construction but retrospective application of another material is likely to result in uncoordinated, piecemeal characteristics which may cheapen the intended effect.
- iii. The Council's Design and Townscape Guide Para 3.7 states flats should have a different language to houses – the use of this material might therefore be considered inappropriate in this context.
- i. On balance we question whether perhaps this is the right material for such a prominent building and may not enhance it. But ultimately facadism is a matter of taste and fashion. It is only because Undercliff Gardens is a special case that we are concerned
- i. The buildings themselves do not warrant special measures, but it is the impact on the rest of Undercliff Gardens that must also be considered.

7.3 **Officer Comment: These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.**

Public Consultation

7.4 19 neighbours were notified of the development (per application) and 1 letter of objection was received. The objections are summarised as follows;

- The proposed materials are not representation of the mid-century block of flats;
- Concerns over how the material will look in the future;
- Not the right solution to 'modernise' the flats.

7.5 **Officer Comment: These concerns are noted and they have been taken into account in the assessment of the application.**

However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

8 Relevant Planning History

- 8.1 Flat 18 Only: 10/00219/FUL - Replace windows and patio doors to flat (Retrospective) – Granted.

9 Recommendation

18/01421/FUL

Seabrink 1 To 9, 46 Undercliff Gardens, Leigh-On-Sea

- 9.1 **Members are recommended to 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 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: Location plan, SK/05, SK/06, SK/07, SK/08.

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

03. The development hereby granted shall be clad in Marley Eternit Cedral timber effect horizontal cladding in silver/grey colour (ref: CC51) and retained as such thereafter.

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 (NPPF) (2018), Core Strategy (2007) 2007 policies KP2 and CP4, Development Management Document (2015), policies DM1 and DM6 and The Design and Townscape Guide (2009).

INFORMATIVE

1. You are advised that as the proposed development equates to less than 100sqm of additional floorspace so 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 for further details about CIL.

2. You should be aware that in cases where damage occurs during construction works to the highway/footpath 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.

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.

9.2 18/01425/FUL

Seabrink 10 To 19, 46 Undercliff Gardens, Leigh-On-Sea

Members are recommended to 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 hereby permitted shall be carried out in accordance with the following approved plans: Location plan, SK/01, SK/02, SK/03, SK/04.

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

3. The development hereby granted shall be clad in Marley Eternit Cedral timber effect horizontal cladding in silver/grey colour (ref: CC51) and retained as such thereafter.

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