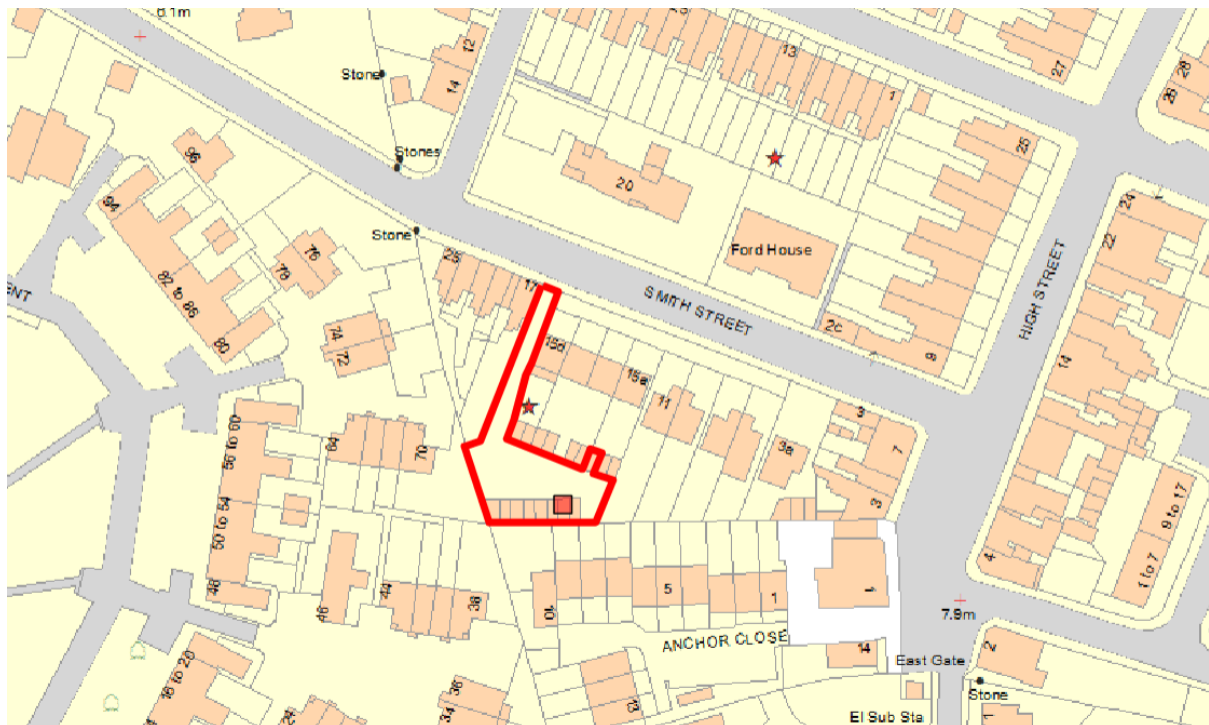


Reference:	18/01273/FUL	
Ward:	Shoeburyness	
Proposal:	Demolish existing garages and erect dwellinghouse with cycle and bin storage	
Address:	Garages at rear of 15A – 15D Smith Street Shoeburyness	
Applicant:	Mr C Abbott	
Agent:	AVD Architects	
Consultation Expiry:	16.08.2018	
Expiry Date:	08.10.2018	
Case Officer:	Scott Davison	
Plan Nos:	Job No.16106 Drawing No's 01, 02, 03, 04, 04, 05 , 06 , 07 & 08	
Recommendation:	REFUSE PLANNING PERMISSION	



1 The Proposal

- 1.1 The application seeks planning permission for the demolition of 8 garages to the rear of 15A – 15D Smith Street and to erect a detached dwelling house with cycle and bin storage, two parking spaces and amenity space.
- 1.2 The proposed dwelling would be a two storey detached dwelling with a part pitched, part flat roof and would have an irregular shaped footprint measuring a maximum of 8.65m deep x 12.3m wide x 3.5m high to the eaves, with a maximum height of 5.25m. Vehicular and pedestrian access to the site would be via an existing service road off Smith Street between no's 15D and 17 which leads to the application site and existing garages to the north of the site and to rear of 15A – 15D Smith Street. The dwelling would have two parking spaces and an amenity area approximately 90 sq.m in area as well as external terraces at ground floor level to the west and east elevations. The proposed dwelling would contain door openings within the north east and west facing elevations and the south facing elevation would be blank.
- 1.3 The proposed dwelling would have an internal floor area of 140 square metres with 3 bedrooms on the upper level that would measure 18.7, 16.3 and 9.75 square metres in area respectively.
- 1.4 The external finishing materials for the proposed dwelling would include slate, aluminium windows and buff facing brick work.

2 Site and Surroundings

- 2.1 The application site measures a maximum depth of 32 metres and would be 11.1 metres wide at its widest point. The site contains a terrace of eight single storey flat roofed garages and areas of open land at either end of the garages. The character of this backland area is mainly for single storey flat roof garages, which are used for parking and storage purposes.
- 2.2 To the rear (south and west) the site abuts the Shoebury Garrison Conservation Area, which comprises a mixture of the old barracks and recently erected housing, including Horseshoe Crescent to the west, which sits at lower level, behind a brick boundary wall to the garrison site and Anchor Close to the south. Immediately to the north of the site is a terrace of single storey flat roof garages. Smith Street, to the north is characterised predominantly by two storey terraced dwellings.
- 2.3 The site is not located within a conservation area however the rear of the site abuts the Shoebury Garrison Conservation Area. The site is not located within flood zones 2 or 3 and is not subject to any site specific planning policies.

3 Planning Considerations

- 3.1 The main considerations in the determination of this application are the principle of the development, design and impact on the character of the area including the adjacent Conservation Area, and within the rear garden environment, the impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers, traffic and highways issues and CIL implications.

4 Appraisal

Principle of Development

National Planning Policy Framework (2018); Core Strategy (2007) policies KP2, CP4, CP8; Development Management Document (2015) Policies DM1, DM3, DM7 and DM8 and the Design and Townscape Guide (2009) Strategic Housing Land Availability Assessment - Update Report 2017

- 4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 124 and 127, Core Strategy DPD Policies KP2, CP4 and CP8. Amongst the core planning principles of the NPPF include para.124 which states: *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.* Paragraph 127 states: *Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.* Paragraph 130 states: *Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.*
- 4.2 As part of its Strategic Housing Land Availability Assessment (SHLAA) update, the Council has published information on its potential housing supply (5 year supply of housing plus an additional 5% buffer as required by the NPPF). This demonstrates that the Council has a 6 year housing land supply against its adopted targets and therefore, meets the requirements of the NPPF in terms of housing delivery. Thus the authority is able to meet its housing needs targets without recourse to allowing development which would otherwise be unacceptable.
- 4.3 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design, and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 requires that development proposals contribute to local housing needs.

- 4.4 Policy CP8 of the Core Strategy identifies that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough. Policy CP8 also expects 80% of residential development to be provided on previously developed land.
- 4.5 Policy DM3 of the Development Management Document states “the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.” Policy DM3 (2) continues “the use of land in a sustainable manner that responds positively to local context. It further states that; “all development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:
- (i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or
 - (ii) Conflict with the character and grain of the local area; or
 - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or
 - (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.”
- 4.6 Paragraph 193 of the Design and Townscape Guidance states that *“Backland sites are defined to be landlocked areas between existing development, usually with a single and often narrow access onto an existing street. They encompass areas such as disused garage courts, vacant sites and other odd shaped areas left over between housing blocks which may offer an opportunity for redevelopment. Where acceptable in principle, such development can take advantage of access to local facilities and infrastructure, provide natural surveillance and generally lift an area which may be susceptible to crime and disorder”.*
- 4.7 Paragraph 194 states whether a backland site is suitable for development will be decided on a site by site basis. In some cases the site may be too constrained or the principle of development may be out of character. This particularly applies where the grain, density and openness of the area is uniform. Paragraph 201 of the Design and Townscape Guide states that *“development on these sites is likely to require a unique design solution that responds to the individual constraints of the site and protects the amenity of the neighbours.”*
- 4.8 The surrounding area is characterised by residential development where the fronts of dwellings line the street with private gardens located at the rear of the dwellings and a residential use could be considered acceptable in this location. However in this instance, the proposed backland development would fail to integrate within the surrounding area and would conflict with the character and grain of the local area. The position of the dwelling would not protect the amenity of neighbouring properties and this is discussed in more detail below.

The principle of creating a separate self-contained dwelling in the manner proposed at the site is considered to be unacceptable and contrary to Core Strategy (2007) policies KP2 and CP4 and Development Management Document (2015) policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009). Detailed considerations of the proposed development are set out below.

Design and Impact on the Character of the Area

National Planning Policy Framework (2018), Policy KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1, DM3 and DM5 and the Design and Townscape Guide (2009).

- 4.9 In the Council's Development Management Document, policy DM1 states that development should "add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features."
- 4.10 Policy DM3 states that *"all development on land that constitutes backland and infill development will be considered on a site-by-site basis. Policy DM5 states that all development proposals that affect a heritage asset will be required to demonstrate the proposal will continue to conserve and enhance its historic and architectural character, setting and townscape value."*
- 4.11 The area is residential in character and sections of Smith Street, Horseshoe Crescent and Anchor Close that the application site abuts include the rear gardens of the neighbouring dwellings. The site is currently occupied by garages and therefore constitutes backland development. The character and position of dwellings within the area is not uniform however the area is made up mainly of terraced and semi-detached houses of various designs. They are of a similar scale with pitched roofs and a degree of cohesion is provided by the scale of frontages, the materials including stock brick and slate to Horseshoe Close, dark coloured timber cladding and tile to Anchor Close and brick and tile to Smith Street. The Shoebury Garrison Conservation Area Character Appraisal describes 3-15d Smith Street and garages to rear as Mid to late C20 two storey civilian housing of no architectural interest. The houses are set back behind front gardens with varying treatments which frame the entry to the High Street. They back onto the flank of the Shoebury Hotel and part of the Garrison boundary wall and the area has a neutral impact on the Conservation Area.
- 4.12 The proposed two storey dwelling is an attempt at a contemporary twist on the Georgian style of development located within the Conservation Area. The dwelling would have pitched mansard / flat roof with dormers in the north facing elevation. The dwelling would be located within an area of land that was formerly used as rear garage court and area adjoining would be retained as garages and constitutes backland development. It is considered that it would sit in isolation and unrelated to other properties in the immediate surrounding area. In terms of character, the surrounding area is comprised mainly of dwellings of a traditional appearance and the proposed dwelling would differ from the prevailing character and appearance.

The design of the dwelling is not of such architectural quality that it would be acceptable as a distinctive or innovative stand-alone building. The design and external appearance is at odds with and harmful to the character and appearance of the surrounding area.

- 4.13 In terms of the detailing of the dwelling, the building would be finished in buff facing brick work and topped by a flat roof. The south facing elevation to Anchor Close would be blank and would not contain any window or door openings. The north facing elevation facing on the remaining garage court, access road and the rear of dwellings in Smith Street would contain four window and one door opening at ground floor and on the upper level two windows and two dormers.
- 4.14 The east facing elevation would contain a large bi-fold door opening at ground floor leading onto an external terrace and amenity space. At first floor level, there would be another bi-fold door opening onto a balcony and another window with a Juliette balcony. The west facing elevation would contain a set of folding doors opening onto an external terrace. There would be no windows at first floor level.
- 4.15 The lack of window openings in the southern elevation and upper level western elevations is a measure intended, presumably, to protect neighbouring residential amenity given the proximity of the built form to the site boundaries. In terms of the relationship to the surrounding properties, the dwelling would sit 1m off the southern and western boundaries and due to its irregular footprint the dwelling would be within 0.6m of the northern boundary and site access. Given the proximity to southern and western boundaries, it is considered that the 5.25m height of the dwelling above ground level would appear as a prominent feature when viewed from the surrounding dwellings and garden areas especially those in Anchor Close and Horseshoe Close.
- 4.16 In terms of plot size, dwelling houses in the immediate surrounding area are typically set within reasonably sized linear plots and backland residential development is not characteristic within the surrounding area. The plot for the proposed dwelling is awkwardly shaped as is the proposed setting. In layout terms, the provision of a two storey dwelling, as proposed, in this location would be out of keeping with the character of the garages and it would be at odds with the urban grain and overall cohesion of the area. It is therefore considered that the benefits of an additional dwellinghouse, in this instance, would not outweigh the adverse impact caused to the character of the area. Furthermore the site abuts the Shoebury Garrison Conservation Area and the proposed dwelling would be 1m off the boundary and would clearly visible from views within the Conservation Area. It is considered that the scale, appearance and design of the dwelling would not preserve or enhance the historic character of the adjacent Conservation Area.
- 4.17 For the reasons set out above, it is considered that the proposed dwelling would be incongruous and out of keeping with the urban grain and would have a harmful impact on the character and appearance of the site and surrounding area. It would be unacceptable and contrary to Policies KP2, CP4 of the Core Strategy and DM1, DM3 and DM5 of the Development Management Document and the Design & Townscape Guidance.

Impact on Residential Amenity.

National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1 and DM3 and Design and Townscape Guide.

- 4.18 Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”
- 4.19 The proposed dwelling would be positioned 1 metre from the southern and western boundaries at its closest point. The proposed dwelling would be sited 10m away from the nearest residential dwellings to the south in Anchor Close and 15m from No.38 Horseshoe Crescent. It is considered that the two storey dwelling, would by reason of its 5.25m scale would appear as visually intrusive feature and would have a harmful impact on the amenity of the occupants of the properties to the south of the site In Anchor Close, in terms of loss of outlook, overbearing impact and undue sense of enclosure. No windows are proposed to be installed to the south elevation and thus, the proposal would not result in loss of privacy or overlooking to properties to the south.
- 4.20 With regard to the impact on properties to the west of the site, the nearest dwelling is No. 70 Horseshoe Crescent, which sits at materially lower level on the other side of the boundary wall. The proposed dwelling would be sited approximately 14m away from this property however it would be located in close proximity to the rear garden of this property. No windows are proposed at first floor level in the west facing elevation and although there are windows in the north facing elevation at first floor level it is not considered that this relationship would give rise to any detrimental overlooking or result in any loss of privacy.
- 4.21 The proposed dwelling would result in some loss of light to the eastern part of the garden of no. 70 Horseshoe Crescent however given that this would be mainly in the morning hours, on balance no objection is raised in relation to unacceptable overshadowing. No.70 Horseshoe Crescent has reasonably sized garden and given the separation distance between the proposed dwelling and No.70, it is not considered that this relationship would give rise to any detrimental overbearing, perceived or actual dominant impacts upon the dwelling to the west of the site or result in any loss of privacy or light.
- 4.22 In regard to the properties in Smith Street, there would be a separation distance of 24 - 26m between the proposed dwelling with the rear elevations of properties to the north. Although windows are proposed at first floor level facing towards the rear of the Smith Street properties. It is not considered that this relationship would give rise to any detrimental overlooking or loss of privacy nor would it have any overbearing, perceived or actual dominant impacts upon the dwellings to the north of the site or result in any of loss of light.

- 4.23 In relation to the first floor window and proposed balcony in the eastern elevation, this would be set in from the boundary at range of 3m from the rear boundary of properties in Anchor Close. A person standing on the balcony would overlook the rear elevation and the rear private amenity spaces of these properties to south east of the site and as such would result in material harm to residential amenity in terms of overlooking and loss of privacy. However it is considered that this could be adequately addressed through the use of a privacy screen as controlled by condition.
- 4.24 It is not considered that dwelling would have any overbearing, perceived or actual dominant impacts upon the dwellings to the east and north of the site or result in any of loss of light, overlooking or loss of privacy given the separation distance to properties to the east and north of the site.
- 4.25 In summary, it is considered that the proposed dwelling would appear dominant and visually intrusive and would detrimentally impact upon the amenities of the 9 & 10 Anchor Close in terms of loss of outlook, sense of enclosure and perceived or actual dominant impacts. For the reasons set out above, it is considered that the proposed development would not be acceptable in this respect as it is not compliant with the policy requirements in Policies DM1 & DM3 as the proposal would not protect the amenity of immediate neighbours.

Standard of Accommodation:

National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM8 and the Design and Townscape Guide.

- 4.26 Paragraph 124 of the NPPF states that *“planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:
- Minimum property size for a 3 bedroom (4 person bed space) 2 storey dwelling shall be 84 square metres.
 - Minimum property size for a 3 bedroom (5 person bed space) 2 storey dwelling shall be 93 square metres.
 - Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m; and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
 - Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
 - A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

Weight should also be given to the content of policy DM8 which states the following standards in addition to the national standards.

- Provision of a storage cupboard with a minimum floor area of 1.25m² should be provided for 1-2 person dwellings. A minimum of 0.5m² storage area should be provided for each additional bed space.
- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home. Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.
- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

4.27 The proposed residential unit is shown to have three bedrooms, with two twin/double bedrooms and one single bedroom (a total of 5 bed spaces) and would measure 140 square metres, thereby complying with the abovementioned standards. The bedrooms would be of adequate size and for the proposed dwelling. The outlook from the north facing windows at ground floor level would be onto the garage court and walls at a range of between 7 – 9m and although the outlook to the north would be onto garages, and whilst not a positive element of the proposal, given their domestic nature it is not considered that the number of vehicle movements in this area would be harmful to the amenity of future occupiers. The outlook from the terrace to the west elevation would be onto the garrison wall at relatively close proximity. A north facing window for the single bedroom would be obscured glazed presumably to prevent overlooking of properties in Smith Street, although it would have another non obscure glazed window. This is considered acceptable on balance.

4.28 Policy DM8 states that new dwellings should: *Make provision for usable private outdoor amenity space for the enjoyment of intended occupiers.* The garden area for the proposed dwelling would be to the side of the proposed dwelling within a tapering roughly triangular shaped area and would provide an overall 90sqm amenity space for the occupiers of the proposed dwelling including an external terrace. This is considered to provide an acceptable and usable amenity space for future occupants capable of meeting day to day activities. The proposed amenity space would therefore be acceptable and policy compliant.

- 4.29 The Design and Townscape Guide states refuse storage and recycling should not be visible from the streetscene and as such, it should be located either internally to the development or to the rear of the property, to minimise the adverse visual impact and located adjoining the boundary of neighbouring property. Facilities for refuse storage are shown on the submitted plans to the rear of the dwelling. Given the location of the site, the refuse storage would be outside of current collection guidance therefore alternative arrangements would need to be made on the day of collection. Details of the location of refuse store and collection arrangements could be achieved via condition if the scheme is deemed otherwise acceptable.
- 4.30 The plans submitted indicate that bicycle storage will be provided in the rear garden of the dwelling and located adjoining the boundary of neighbouring property. Subject to a condition in this respect no objection is therefore raised on this basis.
- 4.31 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. The Design and Access statement confirms that the design is compliant with Part M4(2) of the Building Regulations and it is considered that it would be possible to address this matter through the imposition of a condition if the development was found acceptable in all other regards.

Highways and Transport Issues:

National Planning Policy Framework (2018), Policy KP2, CP3, CP4 and CP8 of the Core Strategy, Development Management Document Policies DM1, DM3 and DM15 and the Design and Townscape Guide.

- 4.32 Policy DM15 states that a 2+ Bedroom Dwelling (house) should provide a minimum of two spaces per dwelling. Policy DM15 states that “Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/ or where the rigid application of these standards would have a clear detrimental impact on local character and context.”
- 4.33 The proposed dwelling would provide two off street parking space and access is via an existing access way. Highway officers have stated that the width shown on the plans would be suitable for an emergency vehicle to access if required. Highway officers have not objected to the proposal as two car parking spaces have been provided for the proposed dwelling and parking provision would be in accordance with policy. Therefore, no objection is raised on highways grounds.
- 4.34 With regard to the garages that are proposed to be demolished, the applicant has submitted a signed affidavit demonstrating that the garages are not used for parking of vehicles and are therefore redundant. It is considered that the proposed development would not result in loss of usable parking spaces and therefore, result in an increased demand for on street parking.

- 4.35 Representations have been made in regard to the position of the proposed dwelling and the garages immediately to the rear of 15A – 15D. These state that the proposal would prevent or make it significantly difficult for vehicles to manoeuvre into and out of the garages. The proposal would remove a turning area located to the end of garages however this area is partially overgrown and building waste has been dumped in this location. There would be a 6m gap between the garages to the rear of 15A – 15D Smith Street and the application site boundary and it is considered that this would be compliant with minimum depth required under the Vehicle Crossing Policy & Application Guidance and would retain adequate manoeuvring space.
- 4.36 Covered cycle storage is shown to the rear of the house within the curtilage of the application site and located adjoining the boundary of neighbouring property. The site has sufficient space to accommodate cycle parking and the location could be achieved via a condition in the event that permission is granted.

Sustainability

Core Strategy Policies KP2, CP4 and CP8, Development Management Document Policy DM2 and Design and Townscape Guide

- 4.37 Core Strategy Policy KP2 and the Design and Townscape Guide require that 10% of the energy needs of a new development should come from on-site renewable resources, and also promotes the minimisation of consumption of resources. The Design and Access statement indicates that air source heat pumps would be installed and PV panels would be integrated into the flat roof. No additional details have been submitted to demonstrate this proposal would provide 10% of the energy needs however there is space to provide this, e.g. PV cells and it is considered this could be required by condition if permission is granted.
- 4.38 Policy DM2(iv) of the Development Management Document requires all new development to provide “water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliance and water recycling systems such as grey water and rainwater harvesting.’ Changes to legislation means that these standards have now been incorporated into Building Regulations and as such it is considered that it is reasonable and necessary to impose conditions to any permission granted at this site to require development to achieve the ‘enhanced standard’ of building regulations. No information has been submitted but this could be achieved by condition if permission is granted.

Community Infrastructure Levy

- 4.39 This application is CIL liable and there will be a CIL charge payable. If the application had been recommended for approval, a CIL charge would have been payable. If an appeal is lodged and allowed the development will be CIL liable. Any revised application would also be CIL liable.

Other matters

- 4.40 A letter of representation made reference to concerns that the existing garages have asbestos roofs and that the proposal would disturb asbestos. Although a condition requiring submission of a construction method statement including demolition of the garages could address matters relating to potential contamination, these matters are generally controlled under separate legislation including; The Control of Asbestos Regulations 2012.
- 4.41 A letter of representation expresses concern that the proposal could potentially damage the Garrison boundary wall. If the application were otherwise deemed acceptable, a construction method statement could be required setting out how the wall would be protected during construction.

5 Conclusion

- 5.1 The proposed development would be unacceptable and contrary to the Development Plan for the following reasons:
- The limited plot size, backland siting, cramped nature, size and design of the proposed dwelling would conflict with the grain of the local area, and would be out of keeping with and detract from the character and appearance of the site and wider locale.
 - The proposed development would be harmful to neighbouring residential amenity as it would appear as a dominant, visually obtrusive feature resulting in a loss of outlook and a sense of enclosure to dwellings in Anchor Close and Horseshoe Close.
 - The scheme does not provide benefits which outweigh these conflicts with policy.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework (2018)
- 6.2 Core Strategy (2007) Policies CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), KP1 (Spatial Strategy), KP2 (Development Principles), CP8 (Dwelling Provision)
- 6.3 Development Management Document (2015) Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM5 (Southend-on-Sea's Historic Environment), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).
- 6.4 Community Infrastructure Levy Charging Schedule
- 6.5 Design & Townscape Guide (2009).

6.6 Strategic Housing Land Availability Assessment - Update Report 2017

6.7 Shoebury Garrison Conservation Area Character Appraisal, (2004).

7 Representation Summary

Transport & Highways Network

7.1 There are no highway objections to this proposal 2 off street parking spaces have been provided and are access via an existing access way. The width shown on the application would be suitable for an emergency vehicle to access if required. Refuse storage is outside of current collection guidance therefore alternative arrangements would need to be made on the day of collection.

Public Consultation

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

7.3 28 neighbours were notified of the application and a site notice was posted. 12 letters of objection have been received which object on the following grounds:

- Over development of site
- Back land development to close to neighbouring properties would result in overlooking, loss of light, would overpower garden and obscure natural view and outlook
- Noise and disturbance from the use of the dwelling
- Location of kitchen, utility room, cycle storage and bin storage detrimental to amenity of neighbours
- Position of windows and balconies would result in loss of privacy and overlooking of neighbouring properties in Anchor Close, Smith Street and Horseshoe Close
- Disturbance from construction phase of development
- Damage to foundation of "army wall"
- No access for emergency vehicles along access
- Narrow and limited access to the property
- Access to garages outside of the site to rear of 15A -15D Smith Street would be restricted making ingress and egress very difficult or impossible for larger vehicles
- The garages have asbestos roofs and potential for contamination during demolition.
- Impact on Conservation Area
- Impact on property values

[Officer Comment: Issues relating to overdevelopment, amenity issues, highways matters and the siting/position of dwelling have been addressed within the report. Property values are not a material planning consideration].

8 Relevant Planning History

8.1 No relevant planning history for application site

- 8.2 17/00267/PREAPF Demolish existing garages and erect dwellinghouse with cycle and bin storage

9 Recommendation

REFUSE PLANNING PERMISSION for the following reasons:

- 01 The proposed dwellinghouse, by reason of its cramped and awkward nature, design and siting would conflict with the grain of the local area, and would be out of keeping with and detract from the character and appearance of the site and wider rear garden scene and the setting of the Shoebury Garrison Conservation Area.**

The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Core Strategy (2007) policies KP2 and CP4; Development Management Document (2015) policies DM1, DM3 and DM5 and the advice contained within the Design and Townscape Guide (2009).

- 02 The proposed dwelling would appear as a dominant, overbearing and visually obtrusive feature that would detrimentally impact upon the amenities of existing dwellings at numbers 9 and 10 Anchor Close in terms of sense of enclosure, overbearing relationship and a loss of outlook. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018); Southend-on-Sea Core Strategy (2007) policies KP2 and CP4, Southend-on-Sea Development Management Document (2015) policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

Informative

Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application might also be CIL liable.