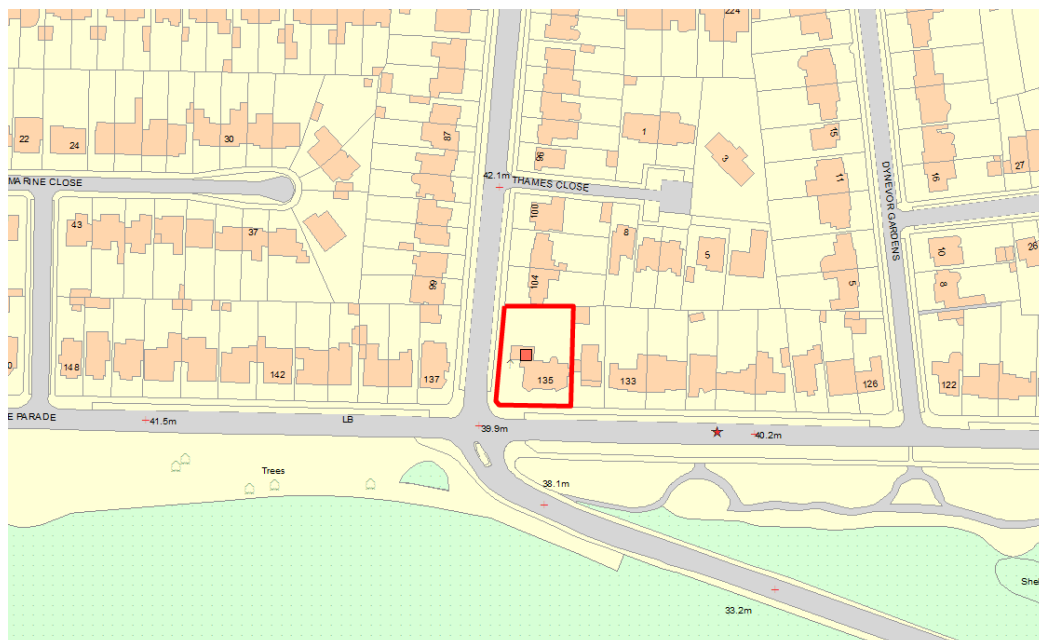


Reference:	19/00284/FUL	
Ward:	West Leigh	
Proposal:	Extend existing pitched roof with dormers to front and rear, erect front, side and rear extensions and alter elevations to existing building to form 7No. self-contained flats with balconies/terraces, associated parking, amenity space, refuse/cycle store and install vehicle access onto Thames Drive	
Address:	135 Marine Parade Leigh-On-Sea Essex SS9 2RF	
Applicant:	Mr Paul Miller	
Agent:	BDA	
Consultation Expiry	7 <sup>th</sup> March 2019	
Expiry Date:	17 <sup>th</sup> April 2019	
Case Officer:	Abbie Greenwood	
Plan Nos:	17.195/01, 17.195/02, 17.195/03, 17.195/04, 17.195/05, 17.195/06, 17.195/07, 17.195/08, 17/195/09, 17.195/10, 17.195/11, 17.195/12, 17.195/13, 17.195/14, 17.195/15, 17.195/16, 17.195/17, 17.195/18, 17.195/19, 17.195/20	
Recommendation:	REFUSE PLANNING PERMISSION	



## **1 The Proposal**

- 1.1 Planning permission is sought to enlarge and remodel the existing property and convert it to 7 self-contained flats. The proposal includes a substantial extension to the west side/rear of the building, a significant extension to the roof including raising the ridge to part of the roof and an additional front dormer, together with smaller extensions to the front and rear. The existing rear amenity area is proposed to be converted to a parking area for 9 cars including 1 disabled space and will also include a cycle and refuse storage enclosure. These spaces will be accessed via a new crossover from Thames Drive. The existing crossover will be removed. The floorspace of the building will increase by 139.6 sqm from 411.1 sqm to 550.7 sqm.
- 1.2 The main extension to the side and rear is a two storey flat roof addition which will replace the existing single storey garage in this location. This element of the proposal measures 11.1m wide to the street elevation, 10.9m to the rear elevation and has a height of 6.3m. There is also a single storey flat roof addition to the rear which measures 8.8m wide and 2.1m deep with a height of 3.2m. The front additions consist of an infilling of the existing spayed corner at two storeys to the south east corner creating an extra 15 sqm of floorspace. It is also proposed to enlarge and square off the bay at ground floor to the front. At roof level the lower subservient section of roof to the eastern end of the building will be raised by 1.7m to match that of the existing highest part of roof, resulting an increase of the main ridge from 0.8m to 5.7m in length. All the existing 3 dormers will be remodelled and enlarged in height by 0.3m in width by 0.5m and in depth by 0.2m. One additional dormer is proposed to the front elevation measuring 3.5m high, 3.3m wide and 3.5m in depth. The proposed refuse and cycle store is a single storey flat roofed building measuring 5.9m x 4.2m. The boundary wall will be replaced with a lower rendered wall facing Marine Parade and Thames Drive.
- 1.3 The remodelling of property also involves a change in materials from red tile to dark grey composite tiles and from red brick and white render to dark grey and white render with elements of timber cladding, aluminium windows and doors and fully glazed balconies.
- 1.4 The application is supported by a Design and Access Statement.

## **2 Site and Surroundings**

- 2.1 The site is located on the junction of Marine Parade and Thames Drive. There is a noticeable slope north to south towards the estuary. The existing building is a large traditionally designed house with feature gables, bays and balconies. The ground floor is red brick, with white render above and it has a red clay tiled roof with feature chimneys. The property has a single attached flat roof garage to the western side with vehicular crossover from Thames Drive. This garage sits forward of the building line of the properties in Thames Drive but is a subservient addition to the streetscene in this location.

- 2.2 The Marine Estate is characterised by large detached and semi-detached family houses, some of which have been converted to flats but which overall have retained the character of houses which means that the flats are not readily apparent in the streetscene. Most properties are two storeys. There are a few visible dormers including some to the front in the wider area but these are uncommon. The application property is one of the largest houses in the area but its recessive footprint and stepped roof form significantly reduced its impact in the streetscene and the building sits comfortably in the wider context.
- 2.3 The houses in this area are generally good quality traditional houses, mainly red brick and white render with red tiled roofs. Many have projecting gables, feature chimneys and decoration adding interest to the streetscene. Prominent entrances and balconies are also common to most properties.
- 2.4 The site is located within the Development Management Policy DM6 Seafront Character Zone 1.

### **3 Planning Considerations**

- 3.1 The main considerations in relation to this application are the principle of the development, design and impact on the streetscene, traffic and transportation, impact on residential amenity, sustainable construction, quality of accommodation for future occupiers and CIL.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework (NPPF) (2019); Core Strategy (2007) Policies KP1, KP2, CP4, CP8; Development Management Document (2015) policies DM1, DM3, DM5, DM7, and the Southend Design and Townscape Guide (2009).**

- 4.1 Amongst other policies to support sustainable development, the NPPF seeks to boost the supply of housing by delivering a wide choice of high quality homes.
- 4.2 Policy KP2 of the Core Strategy states development must be achieved in ways which *“make the best use of previously developed land, ensuring that sites and buildings are put to best use”*. Policy CP4 requires that new development *“maximise the use of previously developed land, whilst recognising potential biodiversity value and promoting good, well-designed, quality mixed use developments”* and that this should be achieved by *“maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 4.3 Policy CP8 of the Core Strategy recognises that a significant amount of additional housing will be achieved by intensification (making more effective use of land) and requires that development proposals contribute to local housing needs. It identifies that 80% of residential development shall be provided on previously developed land.

- 4.4 Policy DM3 of the Development Management Document states that *“the Council will seek to support development that is well designed and that seeks to optimise 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”*
- 4.5 The existing building is a large 6 bedroomed house. It is located in a residential area which is characterised mainly by large family houses. Some properties, which were originally houses, have been converted internally into 2 flats but their outward appearance has largely been retained and they sit seamlessly in the wider streetscene. There is no objection in principle to the conversion and adaptation of the existing property into flats subject to the detailed considerations set out below.

### **Design and Impact on the Streetscene**

**National Planning Policy Framework (2019); Core Strategy (2007) Policies KP1, KP2 and CP4; Development Management Document (2012) policies DM1 and DM3 and the Southend Design and Townscape Guide (2009).**

- 4.6 *Paragraph 124 of the NPPF 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.’*
- 4.7 Policy DM1 of the Development Management Document states that *“all development should add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features.”*
- 4.8 Policy DM3 part 3 of the Development Management Document states that *‘3. The conversion of existing single dwellings into two or more dwellings will only be permitted where the proposed development:*
- (i) Does not adversely impact upon the living conditions and amenity of the intended occupants and neighbouring residents and uses; and*
  - (ii) Will not harm the character and appearance of the existing building or wider area; and*
  - (iii) Will not lead to a detrimental change of a street’s function; and*
  - (iv) Meets the residential standards set out in DM8 and the vehicle parking standards set out in Policy DM15.’*

4.9 Policy DM6 Character Zone 1 (iv) seeks to *‘retain character and building height and type along Marine Parade.’*

4.10 In relation to the extension of existing buildings the Design and Townscape Guide states:

*'64. When designing a new building or an extension it is important that the development integrates with existing buildings. This is best done by identifying the positive characteristics and relationships formed by the existing buildings e.g. frontage lines, heights of ridges and eaves, proportions, materials etc. and respecting them in the design of the new development.*

*85. The successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant in the streetscene and development which is under scaled will appear weak and be equally detrimental. The easiest option is to draw reference from the surrounding buildings.*

*342...A well designed and integrated extension can complement and even enhance an existing property, whereas a poorly designed addition can easily destroy the original character and have a detrimental effect on the streetscene.*

*343. Whether the proposed extension is modern or traditional, the simplest way to ensure that it does not conflict with the existing character of the property is to draw references from the parent building. For example:*

- All extensions should be well designed, well detailed and respond to the unique constraints and opportunities of the site.*
- The scale of the extension must be respectful of the scale of the present building - additions that are too large will be over dominant. Extensions that appear subservient to the parent building tend to fit more comfortably and integrate better with the existing building. Matching roof styles and pitches can help integrate old and new.'*

4.11 In relation to materials the Design and Townscape Guide states:

*'119. 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.'*

4.12 In relation to entrances the Design and Townscape Guide states:

*'131. The focus of any new building must be the pedestrian, not the car and it is essential that the pedestrian entrance is clearly defined and visible from the public highway. Primary entrances are to be located on the street elevation, not at the rear or in the car park.'*

#### *Scale and Form*

- 4.13 Marine Parade and Thames Drive are attractive and cohesive frontages of mainly large traditional family houses. Although located at a junction, 135 forms part of the wider frontage of Marine Parade which stretches to the east and west, and is not considered to be a suitable location for landmark building. Any proposal in this location needs to sit comfortably in this context and form an integral part of this streetscene. This approach is supported by the policies noted above and in particular DM6.
- 4.14 The application property is one of the largest houses in the area, but its' stepped recessive footprint and roof form ensures that it does not appear over scaled in relation to the neighbouring properties or in the wider streetscene. No objection is raised to the principle the conversion of the existing property to flats provided it can be achieved in a manner which does not harm the character of the area.
- 4.15 The proposal is seeking significant extensions to the existing property to enable 7 flats to be created and the alterations and extensions proposed are significant. The extension proposed will significantly affect the overall scale of the property in the streetscene. The largest addition is the proposed to the north west corner of the property facing Thames Drive to the side and rear of the existing building. This extension replaces a single storey flat roofed attached garage in this location. The proposed extension here is a full two storeys with a flat roof so is significantly larger in scale than the existing garage. There is a concern that the size of extension and its position, which is over 4m forward of the established building line in Thames Drive, would result in an overly prominent addition to the existing building and the wider streetscene. This would conflict with the grain and character of the area and the impact is exacerbated by the change in levels as the extension will be set on a higher land level than the existing house. It is noted that the existing single garage sits on the same forward building line as the proposed extension, but this is a small scale non habitable element of the property, is of a scale which is subservient to the main dwelling and as such is not prominent in the streetscene. This garage therefore does not justify a significantly larger two storey extension in this location. The scale and siting of this element of the proposal is therefore considered to be unacceptable.
- 4.16 There is also a concern with the proposed changes to the front and roof of the property as these will significantly increase and transform the roof scape of the building from a recessive hipped form to a single much wider hipped roof over the entire front section of the site. This, combined with the remodelling and enlargement of the existing dormers and the addition of another large front dormer, will noticeably add to the size and bulk of the roof resulting in a significant increase in scale over that of the existing building to the Marine Parade frontage and the neighbouring properties.

It is also noted that tapered form of the existing building to the south eastern corner, which currently provides a positive transition to the deeper building line of number 134 which is set further back from the road at this point, will be lost. The extended building would sit 3m forward of this neighbour on this side (4m including the balcony). This too would add to the prominence of the proposal in the streetscene.

- 4.17 The impact of these changes to the scale and form of the existing building are exacerbated by the large and prominent extension to the side/rear noted above, which will also be fully visible from Marine Parade. Overall the change in scale of the existing building will be significant. It is considered that the resultant development would have a much bulkier form which would be substantially out of scale with the prevailing character and grain of the area. This is contrary to the policies noted above and is unacceptable.
- 4.18 There is less of a concern with the proposed single storey rear extension as this is more proportionate to the scale of the existing building and will be largely hidden from public view. It is also considered that the changes to the ground floor front bay will have minimal impact on the overall scale of the development.
- 4.19 The proposal is seeking to justify the change in scale by noting that permission has been granted under prior approval for an 8m deep single storey extension to the north west corner of the development. However, it is noted that this has not been built and its siting is within the internal corner of the site behind the garage and away from the street frontages. As such this proposal would have very little impact on the streetscene. This permission is therefore afforded very little weight in justifying the scale increase of the proposed scheme.

#### *Detailed Design*

- 4.20 There are also a number of concerns with the detailed design of the proposal. Firstly it is considered that the flat roofed element, at the scale proposed, is not well integrated with the existing property and the proposal as a whole would not read as a comprehensive and cohesive development in the streetscene. Two storey flat roofs are not a feature of this area and would be out of character generally. In addition, whilst there is no objection in principle to a remodelling of the traditional character of the existing building to a more modern style, it is considered that the new detailing proposed to the gables and dormers is too dominant and will result in the proposal appearing very top heavy. This does not help to offset the overall scale of the building in the streetscene. It is noted that dormers are not a common feature in this area and increasing the number of dormers and the scale of roof accommodation here not only adds to the overall scale of the development but would also be out of character with the wider streetscene.
- 4.21 As noted above, where flats have successfully been integrated into the streetscene they have managed to retain the appearance of single family dwelling houses. The proposed remodelling and scale of the development overall will single out this development as being a different typology to the prevailing character. Whilst this can work in some areas, in this location, where the cohesive frontage of large houses is a defining feature of the area, (as noted in policy DM6) the dramatic change in form and style does not sit comfortably in the streetscene.

- 4.22 It is also considered that the extensive use of dark grey render and the proposed dark roof tiles would be out of character and would further accentuate the bulk of the development in the streetscene. The proposed timber cladding is also a material which is not found in this area and will appear conspicuously out of place. Overall the proposed materials lack a positive reference to context and do not help to integrate the proposal into the wider streetscene.
- 4.23 There is a concern that the main entrance has been relocated to the rear of the building and will be hidden from public view. This is contrary to the advice contained within the Design and Townscape Guide above and would be out of character with the area where prominent and well detailed front entrances are a key feature and provide a focal point for the principal elevation of the surrounding houses. The proposal is therefore out of character in this respect and lacks the focus which would be provided by a well-designed entrance.
- 4.24 It is also noted that it is proposed to retain the traditional detailing to the existing feature chimney to the eastern side of the building. This seems to jar with the modern makeover of the existing building and would appear out of place in the form proposed.
- 4.25 Finally, there is a concern with the visual impact and extent of the un-landscaped parking area and the large and rather utilitarian looking cycle and refuse store. Both of these aspects of the development will be prominent from the street and would be detrimental to local character.
- 4.26 Overall therefore, whilst there is no objection in principle to flats within this building or on this site, it is considered that the scale, form, bulk, siting and detailed design of the proposal, would result in an overly dominant and incongruous addition to the streetscene which would materially conflict with the grain and character of the area. The proposal is therefore contrary to the policies noted above and is unacceptable in this regard.

### **Standard of Accommodation for Future Occupiers**

**National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4; Development Management Document (2015) policies DM1, DM3, DM8, The National Technical Housing Standards DCLG and Design and Townscape Guide (2009)**

- 4.27 Delivering high quality homes is a key objective of the NPPF.
- 4.28 Policy DM3 of the Development Management Document (i) states: proposals should be resisted where they *“Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents”*.

### *Space Standards*

- 4.29 All new homes are required to meet the Nationally Described Space Standards (NDSS) in terms of floorspace and bedroom sizes. The required sizes for 1 and 2 bed flats and the minimum standards for bedrooms are:



- 1 bed 2 person flat - minimum 50 sqm
- 2 bed 4 person flat - minimum 70 sqm
- Master bedroom - minimum area 11.5 sqm, minimum width 2.75m
- Other double bedrooms – minimum area 11.5 sqm, minimum width 2.55m
- Single bedrooms - minimum area 7.5 sqm and minimum width 2.15m

4.30 The flat sizes and bedrooms sizes are noted in the table below.

4.31

	Area	Bed 1	Bed 2	Meets NDSS
Flat A 2 bed 4 person	71 sqm	13.7 sqm	11.5 sqm	yes
Flat B 1 bed 2 persons	59.5 sqm	13.1 sqm		yes
Flat C 2 bed 4 person	86.3 sqm	21.6 sqm	13.9 sqm	yes
Flat D 2 bed 4 person	71 sqm	13.7 sqm	11.5 sqm	yes
Flat E 1 bed 2 person	59.9 sqm	16.8 sqm		yes
Flat F 2 bed 4 person	59.9 sqm	16.2 sqm	12.85 sqm	No - 10.1 sqm
Flat G 1 bed 2 person	63.8 sqm	17.7 sqm		yes

4.32 The table shows that whilst the bedroom sizes are compliant but that Flat F falls short of the NDSS for a 2 bed 4 person flat by 10.1 sqm. It is noted that the first floor plan labels this flat as being for 3 persons only but as both bedrooms are in excess of the double bedroom size, this has been assessed as a 4 person unit and fails in this respect. This assessment is in line with the NDSS guidelines and a recent appeal decision on this issue (reference APP/D1590/W/18/3214270) in which the Inspector states

*‘4 the nationally described space standards (NDSS) prescribes that a bedroom with a floor area over 11.5 square metres is counted as a double bedroom and consequently I have assessed the proposal on the basis of it providing two double bedrooms for four persons.*

*5. Thus, in providing a property size of approximately 68square metres the proposal would fail to meet the requirements of the NDSS of 79 square metres for a 2-bedroom, 4 person, 2 storey dwelling. Whilst both bedrooms would exceed the minimum floor area and widths for double bedrooms, the shortfall in overall gross internal floor space is not off-set by the proposal’s compliance with other space standards within the NDSS.’*

4.33 Overall therefore it is considered that the proposal fails to meet the required space standards in relation to Flat F and is unacceptable in contrary to policy and this regard.

*Daylight, Sunlight and Outlook from Habitable Rooms*

- 4.34 The plans show that all habitable rooms would also benefit from acceptable levels of daylight and sunlight. In relation to outlook, whilst most rooms are shown to have a good outlook, there is a concern that the north east rear bedrooms to flats C and F look directly onto the proposed car park which has no space for landscaping so will be a totally hard environment.

The outlook here is considered to be poor especially for the ground floor unit C which is tight against the cars in this location. Whilst it is accepted that in flatted development some rooms will look over the parking area it is considered that these areas should be well landscaped and that there should be a planted buffer between the nearest habitable rooms and the proposed parking area. It is not possible to achieve a well landscaped outlook in this case. There is also a concern that these 3 parking spaces will cause noise and disturbance for the ground floor occupier in particular. This arrangement is therefore considered to be unacceptable and another indication that too much development is proposed on this site.

#### *M4(2) – Accessibility*

- 4.35 The application includes some information on the accessibility of the flats including a commitment to doorway and hallway widths, step free access and access to refuse areas although the information provided does not meet the full requirements of M4(2). However, the proposal is for the conversion and enlargement of an existing property and therefore, whilst a commitment to M4(2) and accessible dwellings would be welcomed, it is not a strict policy requirement. The proposal is therefore acceptable and policy compliant in this regard.

#### *Amenity Provision*

- 4.36 In relation to the provision of amenity space Policy DM 8 states that all new dwellings should *'Make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reasons for which will need to be fully justified and clearly demonstrated.'*
- 4.37 In relation to amenity space provision the Design and Townscape Guide states:

#### *'Criteria for Amenity Space*

*143. There is no fixed quantitative requirement for the amount of amenity space as each site is assessed on a site by site basis according to local character and constraints. However, all residential schemes will normally be required to provide usable amenity space for the enjoyment of occupiers in some form. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances which will need to be fully justified.*

#### *Communal Amenity Space should*

- *Be of a usable size and shape.*
- *Receive sunlight, even in winter and provide shade in summer.*
- *Be well landscaped and include significant amounts of planting.*

- *For larger developments with shared amenity space the landscaping should be designed in such a way as to provide semi private outdoor rooms, to enable users to have some privacy from each other.*
- *Include spaces for sitting and socialising e.g. bbq area.*
- *Developments that include flats of 2 or more bedrooms should include a dedicated play space. This could include a piece(s) of play equipment or be landscaped in such a way as to promote imaginative play.*
- *Children of all ages should be catered for where possible. This should be explained in the Design and Access Statement.*
- *Include a clothes drying area.*
- *Be screened from parking areas.*
- *Be easily accessible for all occupants, not bisected by vehicular accesses or parking areas.*
- *Be overlooked by habitable rooms to ensure safety and natural surveillance.*
- *Have a Landscape Management Plan.*
- *Be private and incorporate a means of enclosure that complements the development and the wider townscape.*
- *Make a positive contribution to local biodiversity.*

*In exceptional circumstances it may be acceptable for residential schemes to provide balconies as the only amenity provision. This will need to be justified on a site by site basis in the Design and Access statement.'*

- 4.38 6 of the 7 units have access to a useable balcony or terrace area facing the street. The scheme also proposes that the remaining front garden area be considered as a communal amenity space. There is no provision for amenity to the rear of the building.
- 4.39 Whilst first floor balconies are a feature of Marine Parade and will provide the first floor flats with a useable amenity provision, it is considered that the ground floor frontage to Marine Parade and Thames Drive would not provide a suitable private amenity area as it will be overlooked by the surrounding streets. This area cannot therefore be considered as private amenity space for the residents. In considering what constitutes suitable amenity provision for any given site significant weight should be given to the character and grain of the area. This is not a town centre location, it is a large site within an established housing area where all properties have access to large private gardens to the rear. It is therefore expected that any proposal on this site should include a useable and private ground level amenity space to the rear of the building. There is no room to achieve this within the current proposal as the entire rear area is proposed as car parking. The absence of a suitable amenity space is therefore considered to be to the detriment of the proposal and a further indication that there is too much development proposed in this instance. This element of the proposal is unacceptable and the proposal fails to meet the policy requirements in this regard.
- 4.40 Overall it is considered that the failure to meet the Nationally Described Space Standards in relation to flat F, the poor outlook for northern bedroom of Flat C and the failure to provide an useable and reasonable amenity provision would result in substandard accommodation for future occupiers. The proposal is therefore unacceptable and contrary to policy in this regard.

## **Traffic and Transportation**

**National Planning Policy Framework (2019); Core Strategy (2007) policies KP2, CP4, CP3; policy DM15 of the Development Management Document (2015) and the Design and Townscape Guide (2009).**

- 4.41 The site is located close to the junction of Marine Parade and Thames Drive which is controlled by traffic lights. It is on a bus route and within walking distance of Leigh Station. Policy DM15 states that each flat should be served by at least one off street parking space. The proposal would provide 9 parking spaces, 1 per flat and 2 visitor spaces one of which would be a disabled space. The Council's Highways Officer has not raised any objections in relation to the level of parking proposed. The proposal is therefore considered to be acceptable and policy compliant in this regard although, as noted elsewhere in this report there are concerns regarding the impact of the car parking area on the streetscene, future and neighbouring occupiers.
- 4.42 To access the parking area the proposal would require the formation of a new double width access onto Thames Drive and the reinstatement of the existing single width crossover from Thames Drive which serves the existing garage. The proposed parking area would include space for the turning of vehicles.
- 4.43 Concerns have also been raised by neighbours in relation to increased traffic and highways safety as a result of the proposed development and its proximity to the controlled junction. The Council's Highway Officer considers that the amount of traffic arising from this development would be relatively low and the site has good visibility. He therefore considers that the proposal would have a detrimental impact on the highway network. The traffic and transportation impacts of the proposal are therefore considered to be acceptable and policy compliant.

### *Cycle parking*

- 4.44 A cycle store to accommodate 7 cycles is proposed to the north west corner of the site adjacent to the vehicular access. Limited information has been provided in relation to the design of this store but that submitted shows it to be a secure and weathertight store of a similar size to a garage. This provision would meet the policy requirement for cycle parking and is acceptable and policy compliant in this regard.

### *Refuse and Recycling Storage*

- 4.45 The plans also show a refuse and recycling area within the cycle store outbuilding. This would accommodate 1 x 110 litre bin for refuse, 1 x 110 litre bin for recycling and a 40 litre food waste bin. This meets the requirements of the Council's Waste Management Guide for the scale of development proposed. The store is located close to the highway and will therefore be easily accessible for waste collection. The proposal is therefore acceptable and policy compliant in this regard.

## Impact on Residential Amenity

**National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4, Development Management Document (2015) policies DM1, DM3 and the Design and Townscape Guide (2009)**

- 4.46 Policy DM1 of the Development Management Document states that development should, *“protect the amenity of the site, immediate neighbours and surrounding area, having regard for privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution and daylight and sunlight.”*

### *Impact on number 104 Thames Drive. to the north*

- 4.47 The proposed two storey extension would be 14.2m from the northern boundary and 16.8m from the flank wall of the neighbour to the north number 104 Thames Drive. The proposed extension is set significantly forward of the front building line of this neighbour and extends to approximately in line with the rear building line of this neighbour. The proposal has habitable rooms facing north both in the proposed extension and within the existing building. The neighbour to the north has a bay window at first floor to the south flank elevation. This appears to be a secondary window to a bedroom which has a larger bay to the front facing the street. There is also a small obscure glazed window at first floor towards the rear of the flank elevation of this neighbour.
- 4.48 It is considered that the separation distance in this instance (16.8m) would be sufficient to prevent inter looking between the proposal and this neighbour. It is also considered that, although the proposal steps forward of 104, again the separation distance is sufficient to ensure that it would not appear overbearing or have a detrimental impact on light to this property. The impact on this neighbour is therefore considered to be acceptable and the proposal is policy compliant in this regard.

### *Impact on number 134 Marine Parade. to the east*

- 4.49 The existing property is 1.5m from the eastern boundary and 4.6m from the flank wall of number 134 Marine Parade to the east. The proposal includes some extensions along this boundary which will increase the depth of the existing building on this side.
- 4.50 To the rear a single storey flat roof extension is proposed, however, this would not project past the rear building line of the neighbour. To the front the proposal seeks to square off the corner of the existing building over two storeys and enlarge the roof. The existing building is splayed in this location with a long balcony which runs around the angle. The proposal will be 3.2m forward of the existing building at the corner (not including balconies). This will take it past the front building line of 134 by 1.1m (2.8m including the balcony).

- 4.51 The proposal has 1 bedroom window at first floor facing the neighbour. This is an existing window which is proposed to be retained. Number 134 was converted into 2 flats around 10 years ago. It has 2 windows to the side at first floor, a large feature window to the communal landing and a small obscured bathroom window. This same arrangement is replicated at ground floor.
- 4.52 Although the proposal would step forward of this neighbour, the separation distance of 4.6m means that the extension at the corner would not breach a notional 45 degree line taken from the front window. It is therefore considered that the proposal would not have a detrimental impact on light or outlook for 134. In relation to overlooking, there are no new windows proposed to the side elevation and therefore it is considered that the proposal would not give rise to a material increase in overlooking of this neighbour. Overall it is considered that the impact on this neighbour is acceptable and policy compliant in this regard.

#### *Impact on other neighbours*

- 4.53 The only other property affected by the proposal is 137/137a Marine Parade to the west. This property is across the junction to the proposal with a separation of over 10m between the elevations facing Thames Drive. The application proposed new additional windows and balconies facing Thames Drive to the west, however, this is considered to be an acceptable arrangement and separation distance for a street facing elevation and would not give rise to an unreasonable overlooking or other relationship with this neighbour.

#### *Noise and Disturbance*

- 4.54 In relation to noise and disturbance, it is considered the increased activity associated with the proposed development and its parking area will have a noticeable impact on the amenity of neighbours in particular the neighbour to the north which has its main amenity area adjacent to the proposed parking area. There is less of a concern regarding the impact of noise and disturbance for the neighbour to the east as they have their garage and drive on this side next to the site. The conversion of the garden to a car park is therefore considered to cause harm to neighbour amenity. Noise and disturbance is less of an issue in relation to construction as this can be controlled by condition requiring a construction management plan and restricting hours of operation.
- 4.55 Overall therefore it is considered that the noise and disturbance arising from the proposed parking area would have a detrimental impact on the amenities of 104 Thames Drive and the proposal is unacceptable and contrary to policy in this regard. This again indicates that there is too much development on site.

#### **Sustainable Construction**

**National Planning Policy Framework (2019); Core Strategy (2007) policy: KP2 Development Management Document (2015) policies DM1 and DM2, and the Design and Townscape Guide (2009).**

- 4.56 Policy KP2 of the Core Strategy requires that *“at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources). Policy DM2 of the Development Management Document states that “to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions”.* This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.
- 4.57 No information has been provided regarding proposed renewable energy to demonstrate how the proposal meets the 10% policy requirement, however, it is considered that the requirement for renewable energy and restrictions on water usage could be controlled with conditions if it were otherwise found to be acceptable. This aspect of the proposal is therefore considered to be acceptable and policy compliant in this regard.

#### *Drainage*

- 4.58 Policy KP2 of the Core Strategy states all development proposals should demonstrate how they incorporate sustainable drainage systems (SUDS) to mitigate the increase in surface water runoff, and, where relevant, how they will avoid or mitigate tidal or fluvial flood risk.
- 4.59 The site is located in flood risk zone 1 (low risk). A large parking area is proposed over the existing rear garden. No information has been provided regarding drainage of this area or the site generally, however, if the proposal was otherwise found to be acceptable a condition could be imposed to ensure the proposed development mitigates against surface water runoff. Subject to this the proposal would therefore be considered to be acceptable and policy compliant in this regard.

#### **Community Infrastructure Levy (CIL) Charging Schedule.**

- 4.60 This application is CIL liable. 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.

#### **Conclusion**

- 4.61 The proposed development, by reason of its excessive scale, footprint, mass, siting, unresolved design and materials, is considered to have a detrimental impact on the grain, character and appearance of the area and would be an incongruous addition to the streetscene. The proposal has also failed to comply with the nationally described space standards or provide an acceptable outlook for a habitable room or an acceptable level of private amenity space for the future residents. It is also considered that the proposed parking arrangements would have a detrimental impact on the amenities of 104 Thames Drive in terms of noise and disturbance and will result in a poor outlook to flat C.

Overall the development has failed to demonstrate that 7 flats can be achieved on this site in a way which is not harmful to the character and appearance of the area, future occupiers and neighbours. In this instance the public benefits of the development do not outweigh the harm caused. The scale of the development is such that it would have a limited effect on the overall supply of housing. It is considered that the adverse impact which the development would have on the character and appearance of the area, future occupiers and neighbours would significantly and demonstrably outweigh the benefits which would arise from it. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3, DM6 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework (NPPF) (2019)
- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP8 (Dwelling Provision)
- 5.3 Development Management Document (2015) Policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM3 (The Efficient and effective use of land), DM7 (Dwelling Mix), DM8 (Residential Standards), DM15 (Sustainable Transport Management)
- 5.4 Southend Design & Townscape Guide (2009)

## **6 Representation Summary**

### **Traffic and Transportation**

- 6.1 9 car parking spaces have been provided for the development which is considered acceptable, secure cycle parking has also been provided. The site is in a sustainable location with regard to public transport with good links in close proximity.

There are no objections to the proposed entrance to the parking area. The layout of the parking ensures vehicles can enter and leave in a forward gear. The access has good visibility in either direction and is not considered to be detrimental to highway safety. Should a bus be at the bus stop the vehicle existing will be expected to manoeuvre when it is safe to do so. This is no different to other driveways located near bus stops around the borough. The same can be said in relation to the traffic signals with other multiple flats near to traffic signal junctions in the borough. It is not considered that the proposal will have a detrimental impact on the public highway or interrupt the free flow of traffic within the surrounding area.

Therefore given the above information and the detailed design and access statement provided by the applicant no highway objections are raised.



## 6.2 **Environmental Health**

The application is to extend existing pitched roof with dormers to front and rear, erect, front side and rear extensions and alter elevations to existing building to form 7 No: self-contained flats with balconies/terraces associated parking, amenity space, refuse/cycle store and install vehicle access onto Thames Drive

The Design/Access Statement states that design meets Part M (2)

There is the Location Plan with existing/proposed massing with overlay.

The proposed refuse area – should meet SBC Waste Management Plan Document.

Recommended conditions

Construction Hours shall be restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday and Not at all on Sundays Or Bank Holidays.

During Construction and Demolition there Shall Be No Burning of Waste Material on Site.

The Proposed Refuse Area should meet SBC Waste Management Policy Document in Respect of Domestic Waste Collection

### **Leigh Town Council**

6.3 Leigh Town Council resolved to object to the application for the following reasons:

- The proposed development by reason of its design, height, scale and bulk will still appear as an overly dominant and incongruous addition that is out of keeping with and detrimental to the street scene. It certainly does not respond positively to local character and will not successfully integrate itself in a positive relationship with the surroundings. It is contrary to both Core Strategy and Development Management policies.
- The development is also overbearing and is not respectful and subservient. It is therefore also contrary to Policy DM3 but also to Policy DM1 in that it does not protect the amenity of its immediate neighbours having regard to privacy and overlooking.

### **Public Consultation**

6.4 A site notice was displayed and letters sent to neighbouring properties notifying them of the proposal. Objections were received from 35 residents which raised the following issues:

- The proposal in general and the flat roof are out of character with the streetscene and wider area
- The proposal should better blend with the surrounding character
- The existing cohesion of the streetscene would be lost
- Detrimental to character of the existing building.
- The existing property is a landmark building of character with good design features and should be retained.

- The area should be considered for conservation status to preserve the existing houses.
- The existing building could be converted to flats without impacting on its character.
- Overdevelopment of site, development is disproportionate to surrounding area
- Out of character with grain
- The proposal is about maximising profit and has no regard for the area
- Bulky and over sized
- The remodelled dormers are also bulky and over sizes
- The gables lack the elegance of other properties and features in the area
- The extension is over scaled and too forward on the site so it does not appear subservient to the existing building
- The extension competes with the existing building
- The open corner to Thames Drive is part of the character of the area and should be retained
- Overlooking of neighbours from new balconies and extension
- Nuisance from vehicles using the parking area affecting neighbours
- Will destroy the peace and tranquillity of neighbouring gardens
- Increased traffic and impact on busy junction and pedestrian safety
- Potential for further redevelopment of other properties to flat along Marine Parade detrimentally impacting on local character, the proposal would set an undesirable precedent
- Needs to be more in keeping with area
- Impact on iconic well known grand property
- Lack of amenity space for future residents
- Lack of response to local character
- Loss of garden is out of character
- The proposed parking area will impact on neighbour amenity, there is no buffer to neighbours in the parking area
- Lack of private amenity space for new residents
- Lack of parking
- Bin lorries would have difficulty accessing the site
- Concerns regarding noise and traffic during construction
- Lack of construction method statement
- Impact on air quality
- The design will be an eyesore
- Over scaled with too much roof accommodation
- Flat are not appropriate for a family housing area, they would be out of character
- Unsightly design
- The proposed materials have little or no reference to local character and will appear out of place
- Density too great for the site
- There are too many flats already in Leigh
- Flats are not part of the character of this area, where they occur they are the result of house conversion not new build flats therefore have retained the appearance of houses in the streetscene and have not resulted in loss of features or a significant increase in scale
- Other conversions have respected the streetscene and local character

- Flats encourage isolated living and are detrimental to the community
- The proposal is driven by profit
- Marine Parade is one of the nicest roads in the area, the proposal will harm its character
- Traffic impact will be worsened by proposed traffic calming in Marine Parade
- Wrong location for flats
- If redevelopment is sought it should be for one house
- Impact on local services which are already stretched
- Loss of view.
- The existing building is perfectly habitable it has just be left vacant
- Lack of maintenance does not justify redevelopment
- The prior approval applications were never proposed to be implemented they were just sought to support the current application in terms of additional floorspace
- The large trees shown on the 3d images do not exist and are just an attempt to screen the proposal in the drawings - the building would be much more exposed in the streetscene
- Impact on school places
- Leaving the property to fall into disrepair should be used as an excuse to demolish and build a much larger development
- Disruption to neighbours and traffic during build
- The proposal is contrary to many local planning policies

**[Officer Comment: These concerns are noted and they have been taken into account in the assessment of the application in Section 4 above.]**

- 6.5 The application has been called to Development Control Committee by Cllr Lamb, Cllr Evans, Cllr Phillips and Cllr Mulroney.

## **7 Relevant Planning History**

- 7.1 19/00041/GPDE - Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m –granted
- 7.2 18/02123/GPDE - Erect single storey rear extension, projecting 5.46m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m – refused
- 7.3 18/02122/GPDE - Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m. – refused
- 7.4 18/01701/GPDE - Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m. – refused
- 7.5 18/01573/GPDE - Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m – refused

- 7.6 18/01568/GPDE – Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m. – refused
- 7.7 18/01196/CLP - Part two and part single storey rear extension, roof extension to rear and alter rear elevation (Lawful Development Certificate - Proposed)(Amended Proposal) – refused
- 7.8 17/02211/CLP – Single storey rear extension, roof extension to rear and alter rear elevation (Lawful Development Certificate - Proposed) – refused

## **8 Recommendation**

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

**01 The proposed development, by reason of its excessive scale, footprint, mass, siting, unresolved design and materials, is considered to have a detrimental impact on the grain, character and appearance of the site and the wider area and would be an over scaled and incongruous addition to the streetscene. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of the Development Management Document (2015) and the Design and Townscape Guide (2009).**

**02 The proposal fails to meet the requirements of the Nationally Described Space Standards (2015) in relation to flat F, and the parking arrangements have resulted in an unacceptable outlook in relation to the rear bedroom of Flat C and the development as a whole fails to provide an adequate provision of amenity space for future occupiers. The proposal overall will therefore result in a poor standard of accommodation for future occupiers and is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).**

**03The proposed parking arrangements and associated vehicular movements at the site would result in an increased level of noise and disturbance which would be to the detriment of the amenities of 104 Thames Drive. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of the Development Management Document (2015) and 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, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.**

**The detailed analysis is set out in 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.**

#### **Informatives**

**01 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 would also be CIL liable.**