

Reference:	19/00075/FUL
Ward:	Prittlewell
Proposal:	Raise ridge height, erect part one, part two and part three storey rear extension with dormers to rear and roof lights to front, convert dwellinghouses into 6 self-contained flats, install layout parking, cycle storage, bin stores and amenity space (Amended Proposal).
Address:	22 - 24 St Benet's Road, Southend-On-Sea, Essex, SS2 6LF
Applicant:	Mr Paul Miller
Agent:	BDA Architecture
Consultation Expiry:	28.02.19
Expiry Date:	02.04.19
Case Officer:	Scott Davison
Plan Nos:	18.150/01 Existing GF Plans; 18.150/01 Existing FF Plans; 18.150/03; 18.150/04/rev A; 18.150/05/rev A; 18.150/06; 18.150/07/rev A; 18.150/08/rev A; 18.150/09/rev A; 18.150/10/rev A; 18.150/11/rev A; 18.150/12/rev A; & 18.150/14/rev A
Recommendation:	REFUSE PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to erect part one, part two and part three storey flat roof extensions to the rear of the dwellings, to increase the ridge height of the roof by 0.6m, to erect a dormer to rear roof slopes, to insert three roof lights in the front roof slopes and to convert the two extended dwellinghouses into 6 self-contained flats, to demolish the existing rear garage and layout 5 parking spaces, to erect cycle and refuse store.
- 1.2 The external finishes proposed would include render, brickwork and vertical architectural cladding to the walls, tiles and single ply membrane to flat roofs, upvc and PPC aluminium doors and windows.
- 1.3 One of the existing dwellings has a flat roof two storey rear projection. The proposed single storey extensions would be located on the northern and southern sides of the building and would not project any deeper than the existing two storey 7.5m deep 6.5m high projection. The proposed two storey extension would have an "L" shaped footprint and would be attached to the existing two storey rear extension and would not project any deeper than it. The three storey extensions to the building would project out from the pitched roof above the existing and proposed two storey extensions. The pitched roof would be increased in height by 0.6m in order to accommodate the extensions.
- 1.4 The submitted details indicate that the proposed accommodation would comprise the following:

Flat A 56 sq.m 1b 2p at ground floor
Flat B 51 sq.m 1b 2p at ground floor
Flat C 70sq.m 2b 3p at ground floor
Flat D 61sq.m 1b 2p at first floor
Flat E 94 sq.m 3b 5p at first floor
Flat F 59 sq.m 1b 2p at second floor;
- 1.5 A single communal amenity space measuring some 25sqm would be provided to the rear of the building. The submitted floor plans show four of the flats would have individual rear facing balconies and other rear facing windows would have Juliette balconies and a 14 sqm amenity space to the front.
- 1.6 Five parking spaces would be provided within the curtilage of the site; four to the rear and one to the front of the building parallel to the highway . External bicycle and refuse stores would be provided to the rear and flank of the building respectively.
- 1.7 This application follows the refusal of planning application Ref: 18/01846/FUL described as "Erect part one, part two and part three storey rear extension with dormers to rear and roof lights to front, convert dwellinghouses into 7 self-contained flats, layout parking and cycle store" The reasons for refusal are set out below

01. The proposed additions would by reason of their size and strident contemporary design be incongruous, poorly integrated, unsympathetic and overly dominant additions to the detriment of the character and appearance of the host property and the surrounding area including the rear garden scene. This would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

02. The proposed rear extensions, as a result of their height, design, size, rear extent and proximity to site boundaries, would appear as excessively dominant and visually overbearing features resulting in an unacceptable sense of enclosure for the neighbouring properties to the south of the site at 16 St Benet's Road to the detriment of their amenity. This would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

03. The proposed development would provide insufficient on-site parking to meet the needs of future occupiers in an area of existing parking stress and would be likely to result in additional vehicles parking within the public highway, to the detriment of highway safety and the free flow of traffic. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies CP3 and CP4 of the Core Strategy (2007); and Policies DM1, DM3 and DM15 of the Development Management Document (2015).

04. The proposed development would result in the loss of a three bedroom family dwellinghouse for which there is demonstrable need within the Borough. The development is therefore unacceptable and contrary to National Planning Policy Framework and Policy CP8 of the Core Strategy (2007).

1.8 The main differences between the previously refused scheme and the proposed development are:

- A reduction from 7 flats to 6 flats
- An increase in the number of parking spaces from 4 to 5
- A reduction in the width and depth of the third floor extension from the roof and the removal of the dormer element.
- A reduction in the size of the second floor rear extensions
- A reduction in the size of the communal amenity area

2 Site and Surroundings

2.1 The subject building is a pair of two-storey semi-detached dwellings within a residential area. The application form states the existing use is as two single dwellings. However whilst it was not subject of an express planning permission, or otherwise formally legally tested, it has become apparent that No.24 has been converted into two self-contained flats and this appears from Valuation Office Records to be a long-standing arrangement of over four years' duration.

- 2.2 The existing building is finished externally in white painted render and roof tiles with two-storey bays and gable features above to the front elevation. There is a historic two storey flat roof rear extension projection to the rear of No.22 for which no planning records exists. There is an existing garage to the rear of the site and an access to the garage side of No.24 that runs parallel to the shared boundary with No.28. Boundary treatments include low fences to the front and higher fencing to the rear gardens. There are several single storey outbuildings located to the rear of the buildings and the amenity space to the rear of the site is overgrown.
- 2.3 The immediate surroundings in St Benet's Road, St Marys Road and Priory Avenue are characterised predominantly by modestly scaled two storey semi-detached and terraced dwelling houses. Immediately to the south of the site is a pair of bungalows. To the rear (eastern) boundary of the site, is a mix of single and two storey detached and semi-detached dwellings. To the north of the site are two storey semi-detached dwellings. To the southern end of St Benet's Road is a small parade of shops and the site is approximately 150m north west of Prittlewell railway station.
- 2.4 The host building is not listed and is not located within a conservation area or subject to any specific policy designation.

3 Planning Considerations

- 3.1 The main considerations are the principle of the development, design and impact on the character of the area, impact on neighbouring properties, living conditions for future occupiers, any traffic and transport issues and CIL.

4 Appraisal

Principle of Development

National Planning Policy Framework (NPPF) (2019), Policies KP1, KP2, CP4 and CP8 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3, DM8 and DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.1 The NPPF states at paragraph 11 that it presumes in favour of sustainable development. Sustainable development is defined at paragraph 8 of the NPPF in economic, social and environmental terms.
- 4.2 Policy KP1 of the Core Strategy seeks sustainable development. Policy KP2 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.
- 4.3 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 DM1 seeks design quality that adds to the overall quality of an area and respects the character of a site and its local context.
- 4.5 Policy DM3 seeks 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
- 4.6 DM3 states that “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”.
- 4.7 Policy DM7 states that the Council will look favourably upon the provision of family size housing on smaller sites. Policy DM8 says that the Council seeks appropriate flexibility and dimensions within the internal accommodation to meet the changing needs of residents. Policy DM15 states that development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner. The Design and Townscape Guide seeks to promote a high quality of design in new developments.
- 4.8 The proposal would result in the conversion of a three bedroom dwellinghouse and two flats into six self-contained flats.
- 4.9 Policy CP8 of the Core Strategy identifies the need of 6,500 homes to be delivered within the whole Borough between 2001 and 2021. It states *“Residential development proposals will be expected to contribute to local housing needs, including affordable and special needs provision, and the sustainable use of land and resources. To achieve this, the Borough Council will: (2) resist development proposals that involve the loss of existing valuable residential resources, having regard to the limited land resources in the Borough, the need to safeguard an adequate stock of single family dwellinghouses and to protect the character of residential areas”*.
- 4.10 Paragraph 2.42 of Policy DM3 states: *“The conversion of existing dwellings can, where appropriately justified, be an effective way of meeting local housing demand and offer opportunities for enhanced sustainability through retrofitting, as set out within Policy DM2. Nonetheless, conversions of single dwellings to more than one self-contained unit can also give rise to a number of problems within an area. These include contributing to pressure on on-street parking capacity, changes in the social and physical character and function of an area. It is also important that conversions do not result in a poor quality internal environment that detrimentally impacts upon the intended occupiers’ quality of life”*.

- 4.11 The principle of adding extensions to the existing dwellinghouses is acceptable and the site is sustainably located in a reasonably accessible location. The proposed conversion to six self-contained flats would involve the loss of a three bedroom dwellinghouse in an area with viable demand for single family dwellinghouses and this loss will need to be balanced against the provision of additional homes within the borough. The detailed design considerations will be discussed in detail below.

Design and Impact on the Character of the area

National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.12 Paragraph 124 of the NPPF states that “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 of the NPPF advises that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change, and create places with a high standard of amenity for existing and future users.
- 4.13 Further to the NPPF, planning decisions should aim to ensure that new development establishes a strong sense of place, respond to local character and are visually attractive, while not preventing or discouraging appropriate innovation. The NPPF states that permission should be refused for development of poor design (paragraph 130).
- 4.14 The importance of good design is reflected in Policies KP2 and CP4 of the Core Strategy and also in Policies DM1 and DM3 of the Development Management Document. These policies seek to maintain and enhance the amenities, appeal and character of residential areas.
- 4.15 The Design and Townscape Guide also confirms the commitment of the Council to good design and that it “will seek to create attractive, high-quality living environments” and that “proposed development [should] make a positive contribution to the local area”. At para.64 the above guide states that development should reflect the positive characteristics of its surroundings and extensions should integrate to their surroundings. Para.79 confirms the expectation that appropriate architectural language should be used reflecting the use of the building. Para.85 of the Guide establishes that appropriate scale, height and massing are essential to the successful integration of new development. Para.115 of the Guide seeks cohesive design which responds positively to local context.
- 4.16 The existing modest semi-detached buildings have the appearance of a short terrace form of building and their appearance is characteristic of family dwellings in the local area. The principles underpinning development plan policies and supplementary guidance relating to domestic extensions are considered relevant to this proposal.

- 4.17 The scale of the part one, part two and part three storey flat roof rear extensions would not respect the form and appearance of the existing building. The proposal is comprised of a number of rear extensions, including single storey and two storey elements that would project to a maximum depth of 7.5m and three storey elements which would be set below the increased ridge by 0.25m, with a width of approximately 10m which covers the major part of the 15m wide building.
- 4.18 The existing modest two storey flat roof extension to the rear of the application property is functional in appearance and a long standing feature of the rear garden scene. The proposed development would incorporate further bulky flat roof additions to the rear. Single and two storey elements would project to a depth of 7.5m which when combined across the rear of the building with the existing extension would appear as excessively large and obtrusive additions to the building. The proposed three storey rear extension would project out from the roof slope and project 3.3 metres from the main rear elevation of the property at roof level, with a width of 10 metres, reaching an overall height of 9 metres. The pitched roof of the existing building would be increased in height by 0.6m to accommodate the extensions. This would exacerbate the visual impact of the extensions which would appear as large and visually intrusive additions to the building.
- 4.19 Notwithstanding the existing two storey extension which is an anomaly in the local area, the excessive scale and bulk of the proposed extensions and the increase in ridge height would result in a development that would be an alien feature in the immediate surroundings through their strident contemporary design and size. The extensions would be incongruous and unduly dominant within the rear garden scene. This would be exacerbated by the juxtaposition of the contemporary box type design of the extensions combined with the extensive fenestration which would contrast markedly with the traditional appearance and scale of the existing building. It is acknowledged that there has been a reduction in the amount of windows in comparison to the previously refused scheme however this is still a significant and unacceptable increase over and above the current situation.
- 4.20 The proposed development would fail to respond to or integrate appropriately with the original building and would appear incongruous and unduly dominant, significantly harming the domestic character of the dwelling and appearing discordant within the street scene and rear garden scene.
- 4.21 The proposal would introduce a single parking space to part of the frontage. A number of dwellings in the street are already paved over on their frontage. Whilst not a positive element of the scheme, an element of soft landscaping would be retained to the front of the site and on balance this paving would not be significantly harmful to the street scene or exacerbate the incongruous nature of the scheme. Three of the car parking spaces to the rear of the site would be located on the site of the existing garage. An extensive section of the existing rear garden area would be given over to hardsurfacing. Paragraph 138 of the Design and Townscape Guide states that development should incorporate appropriate outdoor space as an amenity for occupiers and provide an attractive garden area. In comparison with the refused scheme there is an approximate 50% reduction in communal amenity space and a more extensive area of hard-surfacing to the rear of the building. This is considered to be a negative aspect of the scheme.

- 4.22 The proposed development would be finished in a mix of brick and render whilst the three storey element projecting from the rear roof slope would be finished in architectural cladding and this would exacerbate the incongruous appearance of the development. The materials proposed are not considered to be detrimental to the appearance of the building as a whole. The matter of materials could be dealt with as a condition of any planning permission. It is considered that the scale and design of the extensions are the cause of harm in this instance.
- 4.23 Taking into account the above, it is not considered the proposal has overcome the previous reason for refusal and is unacceptable and contrary to the objectives of the above-noted policies in regard to design and impact on the character of the dwelling, the street scene and the rear garden scene.

Impact on Neighbouring Properties

National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.24 Paragraphs 124 and 127 of the National Planning Policy Framework seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 4.25 Policy KP2 of the Core Strategy seeks to secure improvements to the urban environment through quality design. Policy CP4 seeks to maintain and enhance the amenities, appeal and character of residential areas.
- 4.26 Policies DM1 and DM3 of the Development Management Document seek to support sustainable development which is appropriate in its setting, and that protects the amenity of the site, immediate neighbours, and surrounding area, having regard to matters including privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight”.
- 4.27 The Design and Townscape Guide also states that “the Borough Council is committed to good design and will seek to create attractive, high-quality living environments” and that “extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties”.
- 4.28 In regard to the nearest properties to the east (rear) of the site, the single and two storey rear extensions would project to a depth of 7.5m rearward from the main rear elevation of the building. This would not be any deeper than the existing two storey rear projection however this does not contain any rear facing windows. The separation distance to the rear boundary of the site with the rear boundary to no’s 15, 17 and 19 Priory Avenue would be 10m. The three storey elements of the rear extension would project rearwards to a depth of 3.3m.

- 4.29 Given the separation distance to the boundary and although the extensions would be large additions to the built form and the ridge height would increase by 0.6m, on balance it is not considered that the proposal would give rise to detrimental overbearing, dominant impacts resulting in a sense of enclosure or a material loss of daylight, overlooking or loss of privacy for the neighbouring properties to the north-east.
- 4.30 With regard to the relationship with the nearest property to the south-east of the site at No.16 St Benet's Avenue, although there is an existing two storey extension, close to the boundary, the proposal would introduce a new 7.5m deep, 3.5m high single storey extension, 1m off the boundary as well as 3.3m deep three storey elements some 3m off the shared boundary at a 2nd floor level. The flank elevation of the extensions would contain a number of opening windows some of which would be high level. It is not considered that new windows in the flank and rear elevation would result in a loss of privacy or overlooking to the properties to the south-east which would be any worse than the relationships that already exist. Given the separation distance between the proposed extensions and neighbouring dwelling, it is considered that the cumulative impacts of the increased ridge roof height and rear extension would give rise to overbearing and dominant resulting in an unacceptable sense of enclosure for the neighbouring property to the south-east. However the impact on light at this property is not such that a refusal on that basis would be justified. It is not considered that the proposed development has overcome the previous reason for refusal concerning the impact on the neighbouring property.
- 4.31 The proposal would introduce extensions projecting to a maximum depth of 7.5m and a maximum height of 9m. With regard to the relationship with the nearest property to the north of the site, No.28 St Benet's Avenue, the nearest part single part two storey extension would be at a range of between 3.5m and 5m off the shared boundary with No.28. The flank elevation of the extensions would contain a single high level window opening at ground floor level. It is not considered that new windows in the flank and rear elevation would result in a material loss of privacy or overlooking to the properties to the north. Given the distance between the proposed extensions and neighbouring dwelling, it is considered on balance that the development would not have materially harmful overbearing impacts to the neighbouring properties to the north or result in unacceptable loss of light or outlook.
- 4.32 It is not considered that the increase in ridge height and the introduction of roof lights would be materially harmful to the amenities of properties to the west of the site as they are contained within the footprint of the main building.
- 4.33 There is an existing three car garage in the rear garden adjacent to the rear boundary. It is not considered that its removal and replacement with an open car parking area for four cars would have significantly and materially harmful impacts on neighbouring occupiers using their private amenity space. The site would have a small amount of amenity space that potentially could be used by the occupiers of six flats and resulting in levels of activity over and above what might be expected at a single dwelling. However given the provision of balconies to four of the flats, on balance, it is considered the use of the amenity space is unlikely to be intensively used by the occupants of the flats and would not therefore impacts harmfully on the

ability of neighbouring occupiers to enjoy their rear gardens.

- 4.34 It is considered that the proposed development would be contrary to the objectives of Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy by materially harming the amenities of the neighbouring occupiers and is therefore unacceptable in this regard.

Living Conditions for Future Occupiers

National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM8 of the Southend-on-Sea Development Management Document (2015), The National Technical Housing Standards DCLG 2015 and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.35 The National Planning Policy Framework (Paragraph 127) states that “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”. Policy DM1 of the Development Management Document requires that development should provide an internal and external layout that takes account of all potential users. Policy DM8 states that the internal environment of all new dwellings must be high quality and flexible to meet the changing needs of residents. It is considered that most weight should be given to the National Technical Housing Standards that have been published by the government which are set out as per the below table:

Minimum property size for residential units shall be as follows:

- two-bed, three-person flat – 61sqm; 1 storey
- one-bed, two-person flat – 50sqm; 1 storey
- three bed, five person flat – 86sqm; 1 storey

- Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5 sqm for a single bedroom, with a minimum width of 2.15m and 11.5 sqm for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.

- Floorspace with a head height of less than 1.5m should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.

- A minimum ceiling height of 2.3m shall be provided for at least 75% of the Gross Internal Area.

The following is also prescribed:

- Provision of a storage cupboard with a minimum floor area of 1.25 sqm should be provided for 1-2 person dwellings. A minimum of 0.5 sqm storage area should be provided for each additional bedspace.

- 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

4.36 The proposed floor areas would exceed the dimensions required under the National Housing Standards. Room sizes would meet the relevant standards and adequate lighting and ventilation would be achieved in the layout shown.

4.37 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 & Access statement indicates that the proposed development would be compliant with part M4(2) of the building regulations.

4.38 Policy DM8 of the Development Management Document states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this can take the form of a balcony or semi-private communal amenity space.

4.39 The proposal would have a 25sqm single outdoor amenity space (an average of 4sqm per flat). This space would be located to the rear of the site flanked by car parking spaces and overlooked by the windows in the rear elevations of the building. The amenity space is not ideally positioned as it is separated beyond the car parking layout. The plans also show a 14sqm outdoor amenity space to the front but this would not be sufficiently screened or private to be considered as usable amenity space. A characteristic of the site surroundings is one of family dwellings with reasonably sized garden spaces and the proposal would not make such a provision in a manner consistent with the local character. However having regard to the generous nature of the flats and the provision of external balconies or terraces to four of the flats, the amenity space provision is not considered on its own to be a sufficient reason to refuse the application, however this weighs against the proposal.

- 4.40 Refuse storage has been shown on the submitted plans and this could be secured through a condition on any grant of planning permission.

Traffic and Transport Issues

National Planning Policy Framework (2019), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policy DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.41 Policy DM15 of the Development Management Document requires that all development should meet the minimum off-street parking standards and as such, one parking space would be required for each proposed flat. Policy DM15 also states that “Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/or where the rigid application of these standards would have a clear detrimental impact on local character and context.”
- 4.42 The proposal includes five off-street parking spaces for the proposed 6 flats which would not accord with the standards as set out above. Four of these spaces would be to the rear of the site and one to the front of the site. The site is in a sustainable location with regard to public transport with good links in close proximity and secure cycle parking has also been provided. The site is located in close proximity to Prittlewell Station. The Council’s Highway team were consulted on the application and have not objected to the proposal. The provision of 5 off street parking spaces for 6 dwellings is therefore considered acceptable. It is not considered that the proposal will have a detrimental impact upon the public highway.
- 4.43 A cycle storage area has been shown on the submitted plan. Further details of secure cycle storage would be required and could be secured as a condition of any planning permission.
- 4.44 No objection has been raised to the proposal on highways grounds and it is considered that the current proposal overcomes the reason for refusal on the previous refusal and is acceptable and would be policy compliant in the above regards.

Sustainability

National Planning Policy Framework (2019), Policy DM2 of the Development Management Document (2015) and guidance contained within the Design and Townscape Guide (2009)

- 4.45 Policy KP2 of the Core Strategy states that “All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. 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), such as those set out in the Design and Townscape Guide”.

- 4.46 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst details have not been submitted for consideration at this time, this could be dealt with by condition if the application were deemed otherwise acceptable.
- 4.47 A condition can be attached to any planning permission, requiring energy efficient design measures, water efficient design measures and permeable surfacing, for example. The proposals are considered acceptable with reference to these matters.

Community Infrastructure Levy CIL Charging Schedule 2015

- 4.48 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.

5 Conclusion

- 5.1 Having taken all material planning considerations into account, it is found that the proposed development would be unacceptable and contrary to the objectives of the relevant development plan policies and guidance. The proposed development by reason of its excessive scale and design would result in an incongruous and unduly dominant form of development materially out of keeping with its context and harmful to the appearance, character and quality of its surroundings. The proposal would be materially harmful to the amenities of neighbours and would be dominant and overbearing resulting in an unacceptable sense of enclosure to the neighbouring property south-east of the site. The site is located in a sustainable location with regard to public transport and on balance the parking provision is considered to be acceptable. The scale of the development is such that it would have a limited effect on the overall supply of housing. The adverse impacts of the development on the character of the area and the amenities of the adjacent occupiers are such that it would significantly and demonstrably outweigh the benefits that could arise from it. For the above reasons, the proposed development is unacceptable and fails to comply with planning policy.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework (2019)
- 6.2 The Southend-on-Sea Core Strategy (2007): Policies KP1 (Spatial Strategy) KP2 (Development Principles) CP3 (Transport and Accessibility) CP4 (Environment & Urban Renaissance) CP8 (Dwelling Provision)
- 6.3 The Southend-on-Sea 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)

6.4 The Southend-on-Sea Design & Townscape Guide (2009)

6.5 CIL Charging Schedule 2015

6.6 National Housing Standards 2015

7 Representation Summary

Highways

7.1 There are no highway objections to this proposal the applicant has provided 5 off street parking spaces for the 6 dwellings. This provision is considered acceptable secure cycle parking has also been provided.

The site benefits from being in a sustainable location with regard to public transport with good links in close proximity. It is not considered that the proposal will have a detrimental impact upon the public highway

[Officer Comment: An assessment of Highways issues are set out in the report].

Public Consultation

7.2 Councillor David Garston has called the application in for consideration by the Development Control Committee.

7.3 17 neighbours have been notified and a site notice displayed. 5 letters of objection have been received and are summarised as follows:

- The proposal would overlook neighbouring properties to rear
- Overlooking results in an invasion of privacy
- Removal of existing garage and position of parking spaces will result in fumes from vehicles spreading over neighbouring garden.
- Insufficient parking 5 spaces for 6 flats would exacerbate existing parking problems. Should provide 1 space per flat
- Proposal will impact on local parking through shortfall in spaces – should provide 12 spaces.
- Impact on local roads through insufficient parking
- Limited on street parking and existing pressure from the nearby Public House, shops, Roots Hall football stadium and St Marys school
- Proposal would result in 6 new flats in close proximity that would overlook neighbours to rear. Proposal would still have a large number of windows resulting in a loss of privacy
- Proposal would be still be three storeys high to the rear and would impose on adjacent properties
- Loss of a family residence.

These concerns are noted and those that relate to material planning considerations have been taken into account in the assessment of the application.

8 Relevant Planning History

- 8.1 18/01846/FUL Erect part one, part two and part three storey rear extension with dormers to rear and roof lights to front, convert dwellinghouses into 7 self-contained flats, layout parking and cycle store – Application Refused
- 8.2 A large two storey flat roof extension has been erected to the rear of No.22. Valuation Office Records indicate that No.24 has been subdivided into two flats, No.24 & 24a.

9 Recommendation

- 9.1 **Members are recommended to: REFUSE PLANNING PERMISSION for the following reasons:**

- 01 **The proposed extensions would by reason of their size, siting and design be incongruous, poorly integrated, unsympathetic and overly dominant additions to the detriment of the character and appearance of the host property and the surrounding area including the rear garden scene. This would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).**
- 02 **The proposed rear extensions, as a result of their height, design, size, rear extent and proximity to site boundaries, would appear as excessively dominant and visually overbearing features resulting in an unacceptable sense of enclosure to the neighbouring properties to the south of the site at 16 St Benet's Road to the detriment of their amenity. This would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).**

The Local Planning Authority has acted positively and proactively in determining this application by 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.

10 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 would also be CIL liable.