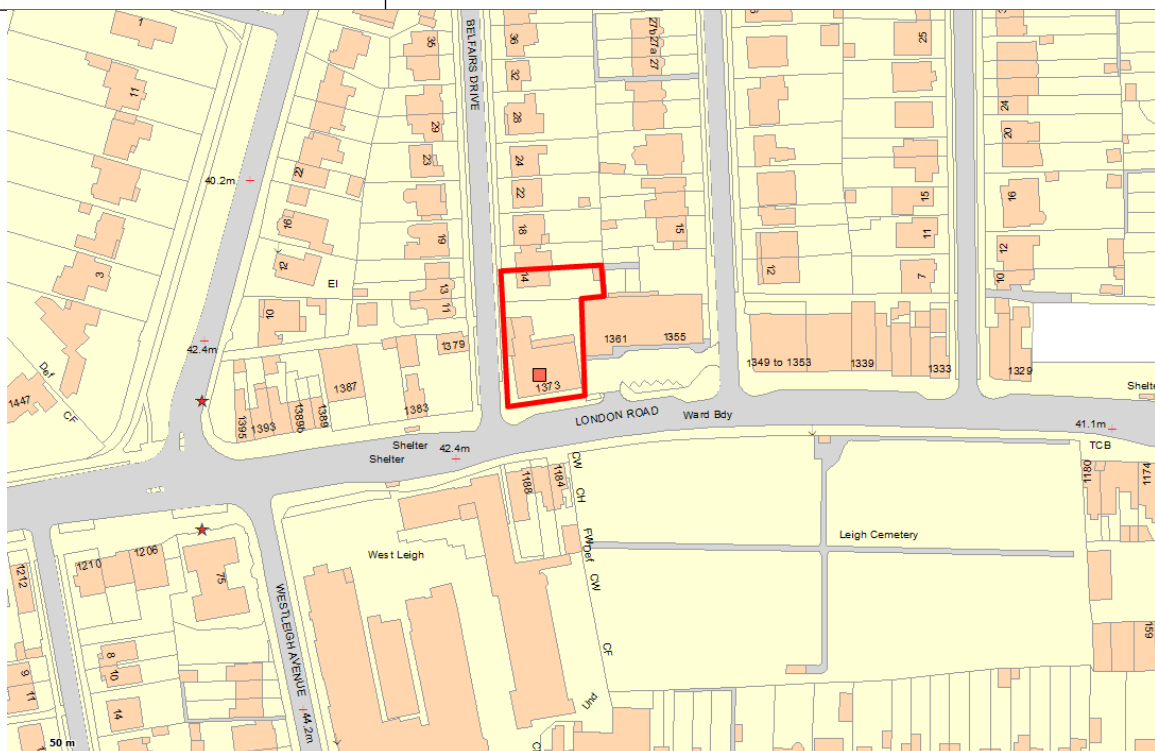


Reference:	19/00467/FUL
Application Type:	Full Application
Ward:	Belfairs
Proposal:	Erect roof extension forming second floor to form self-contained flat, install lift shaft and external staircase to side elevation, layout additional parking spaces and cycle store (Amended Proposal)
Address:	1373 London Road Leigh-On-Sea
Applicant:	LSM
Agent:	Stone Me
Consultation Expiry:	11.04.2019
Expiry Date:	06.06.2019
Case Officer:	Robert Lilburn
Plan Nos:	1544 301 Existing and Proposed Site Plans, 1544 302 Existing GF and Mezzanine Plans, 1544 303 Existing GF and Roof Plans, 1544 304 Existing Elevations, 1544 305 Proposed GF and Mezzanine, 1544 306 Proposed 1F, 2F and Roof Plans, 1544 307 Proposed Elevations
Recommendation:	REFUSE PLANNING PERMISSION



1 Site and Surroundings

- 1.1 The application site is a former Royal Mail sorting office, converted into nine flats with nine parking spaces to the rear of the site further to planning permission 14/02033/FUL. It is situated in a mixed commercial and residential area on the north side of London Road at its junction with Belfairs Drive. Vehicular access is from Belfairs Drive.
- 1.2 The building is finished externally in red brick with detailed brick courses, surrounds and keystones. It has a low-profile part-hipped part-gabled slate-covered roof with recessed central flat section. Large ground floor window openings and smaller first floor window openings lend the building a distinctive appearance reminiscent of classical architecture.
- 1.3 The building has been subject to alterations including replacement windows, installation of balconies and formation of patio doors at first floor. It is not statutorily listed or locally listed, and the site has no specific allocation in the Development Management Document's Proposals Map.
- 1.4 It is noted that the existing site layout plan omits to show the fencing and gates which currently delineate the edge of the car park and vehicular access. However it is considered that this does not prejudice the accurate assessment of the scheme.
- 1.5 Furthermore the proposed plans do not show an existing roof light on the flat roof at the north of the building. This materially affects the assessment of the scheme and is taken into account in the analysis below.

2 The Proposal

- 2.1 The proposal is for a roof extension to create an additional two-bedroom flat. The roof extension would increase the height of the roof and steepen its pitch, together with the creation of a raised flat-roof 'crown' and enlarged gables at the rear.
- 2.2 Roof lights and glazed gables would be introduced to the rear. In association with the development, a side extension would be constructed to house a dedicated stair and lift core for the development.
- 2.3 Proposed materials are described as facing brick to match existing, to the stair and lift core extension, grey slate roof tiles, grey cladding and powder coated aluminium doors. It is noted that the application form incorrectly describes existing roof tiles as concrete roof tiles.
- 2.4 Additionally, the development would involve the laying out of car parking spaces on a rear portion of the garden associated with no.14 Belfairs Drive, accessed via the existing vehicular access. A secure cycle store would be sited in the same area providing ten bike racks.
- 2.5 The proposed two-bedroom flat would measure some 180sqm in floor area. The bedrooms would measure some 22sqm each. Outdoor space would be provided within a recessed terrace cut out of the front roof.

2.6 This application follows a previous application, 18/01630/FUL, which was refused. Application 18/01630/FUL proposed to erect roof extension forming second floor to form self-contained flat, install lift shaft and external staircase to side elevation, and lay out additional parking spaces. It was refused for the following reason:

01. The development proposed by reason of its size, siting and overall design would result in a poorly designed, incongruous and obtrusive development that would result in material harm to the character and appearance of the host building and the wider surrounding area. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2018), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

2.7 The key differences between refused application 18/01630/FUL and the current application are as follows:

- Reconfiguration of proposed recessed balcony at front;
- Reconfiguration of rear of proposed roof extension, with pitched roof and roof lights;
- Retention and height increase of rear gables;
- Introduction of large gable windows to rear;
- Increase in height of roof extension by an additional 0.2m;
- Replacement of external stair and glazed lift with a masonry extension to accommodate stair and lift;
- Increase of site area and subsequent further reduction in size of garden remaining to no.14 Belfairs Drive, to accommodate a secure cycle store.

2.8 The application has been called in to Development Control Committee by Councillor Evans.

3 Relevant Planning History

14/02033/FUL - Convert sorting office to nine self-contained flats (Class C3), alter elevations, install balconies to front, side and rear elevations, install access ramp to rear elevation and layout parking for 9 cars, bin and cycle storage – planning permission granted.

15/01482/FUL – Alter car parking layout (variation of condition 2 (approved plans) and 4 (parking) of planning permission 14/02033/FUL dated 18.02.2015) – planning permission granted.

16/00548/AD - Application for approval of details pursuant to conditions 3 (Materials), 5 (Cycle Store) and 6 (Hard and Soft Landscaping) of planning application 15/01482/FUL dated 30.10.2015 – approval of details granted.

16/01958/FUL – Proposed penthouse to existing building – application withdrawn.

16/02080/AMDT - Application to vary condition 02 (Approved Plans) alterations to elevations to improve layout of building (Minor Material Amendment to Planning Permission 14/02033/FUL dated 18th Feb 2015) – Planning permission refused.

16/02144/AMDT - Replace plan numbers 1544-06C, 1544-07A, 1544-08B, 1544-09C with 1544-06D, 1544-07B, 1544-08C, 1544-09D to form balconies at first floor level

(Variation of condition 2 of planning application 14/02033/FUL dated 18/02/2015) – planning permission refused.

17/00427/NON - Replacement plan numbers 1544-05E, 1544-06E, 1544-07D, 1544-08D - minor amendments due to constraints of existing building (Non-Material amendment to planning application 14/02033/FUL dated 18/02/201) – application withdrawn.

18/01630/FUL - Erect roof extension forming second floor to form self-contained flat, install lift shaft and external staircase to side elevation, layout additional parking spaces. Refused.

4 Representation Summary

Public Consultation

4.1 35 neighbouring properties were notified and a site notice posted. Ten letters of representation have been received, as follows:

- Additional noise affecting existing occupiers;
- Impact of building works on residents;
- Overlooking into roof light of first floor flat;
- Increase in height would create a precedent;
- Loss of attractive historic appearance;
- Harm to townscape and street scene;
- Insufficient and inadequate car parking;
- Associated traffic problems;
- Lift would remove convenient pedestrian and cycle access from London Road;
- No parking or storage space for builders;
- Cost of lift maintenance;
- Effect on fabric of building;
- Capacity of drains;
- Emergency access.

4.2 These concerns are noted and where relevant to material planning considerations they have been taken into account in the assessment of the application. Those remaining are found not to represent a reasonable basis to refuse planning permission in the circumstances of this case.

Leigh Town Council

4.3 No objection.

Environmental Health

4.4 Conditions recommended:

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, this is for air quality reasons [**officer comment**: this is covered by separate legislation].

Highways

4.5 There are no highway objections to this proposal; policy compliant car parking has been provided. It is not considered that the proposal will have detrimental impact upon the public highway.

Essex Fire Service

- 4.6 Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13. Access for fire service vehicles appears to be satisfactory with the conformation that all areas can be reached within 45 metres. Informatives recommended in relation to water supplies for fire fighting, and sprinkler systems.

Cadent

- 4.7 Informative recommended in relation to gas pipeline/s identified on site.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (2019)
- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy) KP2 (Development Principles) CP3 (Transport and Accessibility) CP4 (Environment & Urban Renaissance)
- 5.3 The Southend-on-Sea Development Management Document (2015): Policies DM1 (Design Quality) DM3 (The Efficient and Effective Use of Land) DM15 (Sustainable Transport Management)
- 5.4 Design & Townscape Guide (2009)
- 5.5 CIL Charging Schedule (2015)

6 Planning Considerations

- 6.1 The key considerations in relation to this application are the principle of the development, including its impact on the character and appearance of the building and area, impact on residential amenity and traffic/transport considerations and CIL.

7 Appraisal

Principle of Development

National Planning Policy Framework (2019), Policies KP1, KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM15 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 7.1 Government advice contained within the National Planning Policy Framework (NPPF) encourages effective use of land (para.8) in particular previously developed land (para.117).
- 7.2 Core Strategy (2007) Policies KP1, KP2 and CP4 seek to promote sustainable development, and Policy KP2 (Development Principles) seeks to direct the siting of development through a sequential approach, minimising the use of 'greenfield' land. Policy CP4 seeks the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend.

- 7.3 Policy DM3 of the Development Management Document (2015) seeks the efficient and effective use of land, provided it responds positively to local context and does not lead to over-intensification. Policy DM8 of the Development Management Document provides for additional dwellings in the Borough.
- 7.4 The site is located within the built-up area and in reasonable proximity to services and transport links. This is a relatively sustainable location for development which conforms to the prevailing land use around it. The development would add to the supply of dwellings.
- 7.5 The principle of extending and altering the existing building to provide a new dwelling is acceptable in broad terms. The acceptability of the scheme is therefore dependent on the detail of how the development would relate to its surroundings, and this is considered below.

**Design and Impact on the Character of the Area
National Planning Policy Framework (2019), Policies KP1, KP2 and CP4 of the
Core Strategy (2007), Policies DM1 and DM3 of the Development Management
Document (2015) and advice contained within the Design and Townscape Guide
(2009)**

- 7.6 The National Planning Policy Framework (NPPF) requires new development to respond positively to its surroundings. Paragraph 127 of the NPPF states that local planning authorities should aim to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.7 Paragraph 130 of the NPPF states that “permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”
- 7.8 Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and complement local character.
- 7.9 Policy DM1 states that development should add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features. It should contribute positively to the space between buildings and their relationship to the public realm.
- 7.10 The Design and Townscape Guide notes the importance of a cohesive local character, and seeks development that is well-integrated to the street scene, reflecting its positive characteristics.
- 7.11 Paragraphs 375 and 376 of the Council’s Design and Townscape Advice states ‘In a few cases it may be possible to extend a property upward by adding an additional storey however this will only be appropriate where it does not conflict with the character of the street.

Where it is considered acceptable in principle, in order to achieve a cohesive development it is essential that the additional storey draws strong reference from the lower floors and adjacent properties, or an overall integrated design is developed’.

- 7.12 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.
- 7.13 The application site is located on a corner plot and by reason of the forward projection of the existing building is located in a highly prominent location. Following the sensitively designed conversion scheme in 2015 the building’s historic and architectural value was retained. The building makes a positive contribution to the street scene, although it is not a heritage asset.
- 7.14 The subject building is the more prominent feature in the street scene, due to its eaves height and pitched roof rising above surrounding buildings to a modest degree. Although balconies have been added, the building presents a simple unity of form in its unbroken roof scape and regular pattern of windows. This contrasts comfortably with the flat roofs and parapet walls to its east, and to the more mixed design evident to the west.
- 7.15 The development would result in an increase in the ridge height of the building of some 1.3m. While an increase in height to a degree may be acceptable in principle, given that there is no uniform height in the area, the proposal also incorporates a steeper roof pitch. The combined height increase and steeper roof pitch would materially alter the building proportions in a manner materially detrimental to its existing character and appearance.
- 7.16 As noted at 7.13 above the forward projection of the building lends it a degree of prominence in the street scene in particular when approaching from the east. This would accentuate the harm resulting from these roof alterations and would materially increase its prominence to an undue extent which would be uncharacteristic and out of keeping with the wider street scene.
- 7.17 The proposed recessed balcony would occupy a large proportion of the altered roof. This would be a prominent feature within the street scene, reading on approach from either side as a large void in the roof scape. This would be materially harmful to the character and appearance of the building and wider street scene.
- 7.18 The proposed side extension to accommodate the stair and lift would be part flat-roofed and part gabled. Its ridge would be subservient to the main building, but its eaves height to the front would be above the existing eaves level. It would be crown-roofed. Its eaves height to the rear, behind the adjacent two-storey building, would be lower and would give way to a small flat-roofed section.
- 7.19 It is considered that the side extension would be by virtue of its scale and detailed design a poorly integrated form in relation to the host building. Its front section including the crown roof would be prominently on view along London Road to the east.

It would constitute poor design that would materially detract from the attractive qualities and the distinctive character of the original building, resulting in material harm to the character and appearance of the wider surrounding area.

- 7.20 The rear gables would correspond to the existing design to a reasonable degree. Although the glazed infills would be a decisively modern feature, this is considered acceptable at the rear which is less cohesive in its architectural detailing.
- 7.21 The proposal involves the loss of garden ground at no.14 Belfairs Drive. While the loss of a portion of the garden was previously accepted, the area to be taken by the development has been increased as part of the proposal to accommodate secure cycle storage. The resulting small garden area at no.14 is less in keeping with the general grain of built form in the area and reduces the garden setting of the suburban environment. This is a negative aspect of the proposal. The layout of additional car parking in the garden of no.14 has previously been accepted.
- 7.22 In conclusion the proposed development would be unacceptable and contrary to the objectives of the above-noted policies in regard to design and character.

Impact on Neighbour Amenities

National Planning Policy Framework (2019), Policies KP1, 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)

- 7.23 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.
- 7.24 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.
- 7.25 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”*.
- 7.26 The proposed side extension would be positioned adjacent the first floor residential balcony at nos.1355-1361 to the immediate east. Given the proximity of the existing building, it is considered that the extension would not lead to a materially harmful sense of overbearing, loss of outlook, sense of enclosure, loss of daylight or overshadowing to that property.
- 7.27 The proposed gable windows at the rear would overlook private rear amenity spaces to the north on Belfairs Drive. This would introduce additional overlooking. The area is already overlooked by the first floor windows at the site and for this reason there would not be a material loss of privacy as a result.

- 7.28 The proposed gable windows at the west end of the building would look down on to a roof light at the flat below. This could introduce new overlooking and a material loss of privacy to occupiers therein. Given that the window in question is not a sole light source, it is considered reasonable that a condition could be applied to require obscure glazing to address this were the proposal otherwise acceptable.
- 7.29 The proposed parking layout would introduce vehicular movements in close proximity to rear private amenity spaces of flats and houses at the rear and east of the site. This has not been previously objected to and remains acceptable given the small scale of the additional parking provision.
- 7.30 The proposed extension would introduce additional occupiers to the residential area. This would create some additional noise from general occupation and from the comings and goings of these additional occupiers in the area. However the site is within the built-up area and in keeping with the general grain of development.
- 7.31 The intensification of the use of the site would be likely to result in more people being present in the building and this might cause some limited additional noise disturbance in general. However, sound transmission is a matter for building regulations and environmental health legislation and in this instance it is considered that the potential for any increased disturbance is unlikely to cause sufficient harm to the amenities of nearby occupiers to an extent that would justify the refusal of the application on those grounds.
- 7.32 Subject to conditions in the event of an approval it is considered that the development would be acceptable and policy-compliant in regard to neighbour amenities.

Traffic and Transportation

National Planning Policy Framework (2019), Policies KP1, 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)

- 7.33 Policy DM15 of the Development Management Document 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. All development should meet the parking standards (including cycle parking).
- 7.34 Policy DM15 of the Development Management Document states that each flat should be served by a minimum of one parking space. The proposed flat would be served by 2 parking spaces which is policy compliant.
- 7.35 Indicative details of secure cycle parking have been submitted with this proposal; a condition can be imposed on any grant of consent requiring full details of cycle parking facilities. The impact on parking conditions and highway safety is acceptable as no material harm would result.

Living Conditions

National Planning Policy Framework (2019), Policies KP1, 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 (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 7.36 Paragraph 127 of the NPPF states that planning decisions should ensure that developments will function well and add to the overall quality of the area and 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.
- 7.37 Policy DM8 states that the internal environment of all new dwellings must be high quality and flexible to meet the changing needs of residents. Development should meet the residential space standards set out in the Nationally Described Space Standards.
- 7.38 The National Housing Standards state that for a two-bedroom, four-person flat a gross internal floor area (GIA) of 70sqm is required to ensure the development is in line with Building Control requirements. The standards require that in order to provide two bed spaces, a room must have a floor area of at least 11.5sqm.
- 7.39 The proposal would exceed the standards considerably. The layout of the flat would allow for good daylight and outlook conditions.
- 7.40 Policy DM8 requires that new developments make provision for useable private outdoor amenity space. The Design and Townscape Guide (2009) states: "Outdoor space significantly enhances the quality of life for residents and an attractive useable garden area is an essential element of any new residential development".
- 7.41 The proposed development includes a generously sized recessed balcony to the front. This would be acceptable as a quantum of outdoor space, although it is considered unacceptable from a design viewpoint.
- 7.42 Policy DM1 of the Development Management Document requires that development provide an internal and external layout that takes account of all potential users, and Policy DM8 requires development to have regard to Lifetime Homes Standards. These have been superseded by Part M4(2) of the Building Regulations and requires accessible and adaptable dwellings.
- 7.43 The applicant has not submitted information demonstrating that the proposed flat would meet the criteria of building regulation M4(2). However, given the fact that the parameters of the existing building below are fixed to a degree, it is considered that, in this particular instance, the proposal should not be required to accord with those standards.
- 7.44 Policy DM8 specifies amenity standards including cycle storage and refuse storage. According to the Southend-on-Sea Design and Townscape Guide refuse storage and recycling should not be visible from the street scene and as such, it should be located either internally to the development or to the rear of the property, to minimise the adverse visual impact.

- 7.45 Cycle storage has been shown on the submitted plans and although the details shown are not complete, it is considered that a suitable scheme could be required through a condition on any grant of planning permission without creating new material impacts on occupiers. Refuse storage has been shown on the submitted plans in conjunction with the existing flats and as a matter of principle the storage position and capacity is considered acceptable.

Sustainability

National Planning Policy Framework, Policies KP1 and KP2 of the Southend-on-Sea Core Strategy (2007), Policies DM2 and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 7.46 Policy KP2 of the Core Strategy states: *“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 Design and Townscape Guide”.*
- 7.47 The provision of renewable energy resources should be considered at the earliest opportunity to ensure an intrinsic design. In this instance the applicant has not provided any details relating to renewable energy resources. However, a condition could be attached to any grant of consent in this regard were the proposal otherwise acceptable.
- 7.48 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 (lppd) (110 lppd 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 can be dealt with by condition if the application were otherwise deemed acceptable.

Community Infrastructure Levy (CIL)

CIL Charging Schedule (2015)

- 7.49 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.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that the proposed development is unacceptable and would be contrary to the development plan and is therefore recommended for refusal. The development is of an unacceptable design that would result in an incongruous, poorly designed and obtrusive development to the material detriment of the character and appearance of the host building, the street scene and the wider surrounding area. The proposal would make a contribution of one dwelling to the supply of homes in the borough.

It is considered that the significant adverse impact which the development would have on the character and appearance of the subject building and wider area would significantly and demonstrably outweigh the benefits which would arise from the provision of an extra dwelling. The benefits of the proposal do not outweigh the material harm identified and the application is therefore recommended for refusal.

9 Recommendation

REFUSE PLANNING PERMISSION for the following reasons:

01. The development proposed by reason of its size, siting and overall design would result in a poorly designed, incongruous and obtrusive development that would result in material harm to the character and appearance of the host building, the street scene and the wider surrounding area. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

10 Informatives

01. 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.

02. 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.