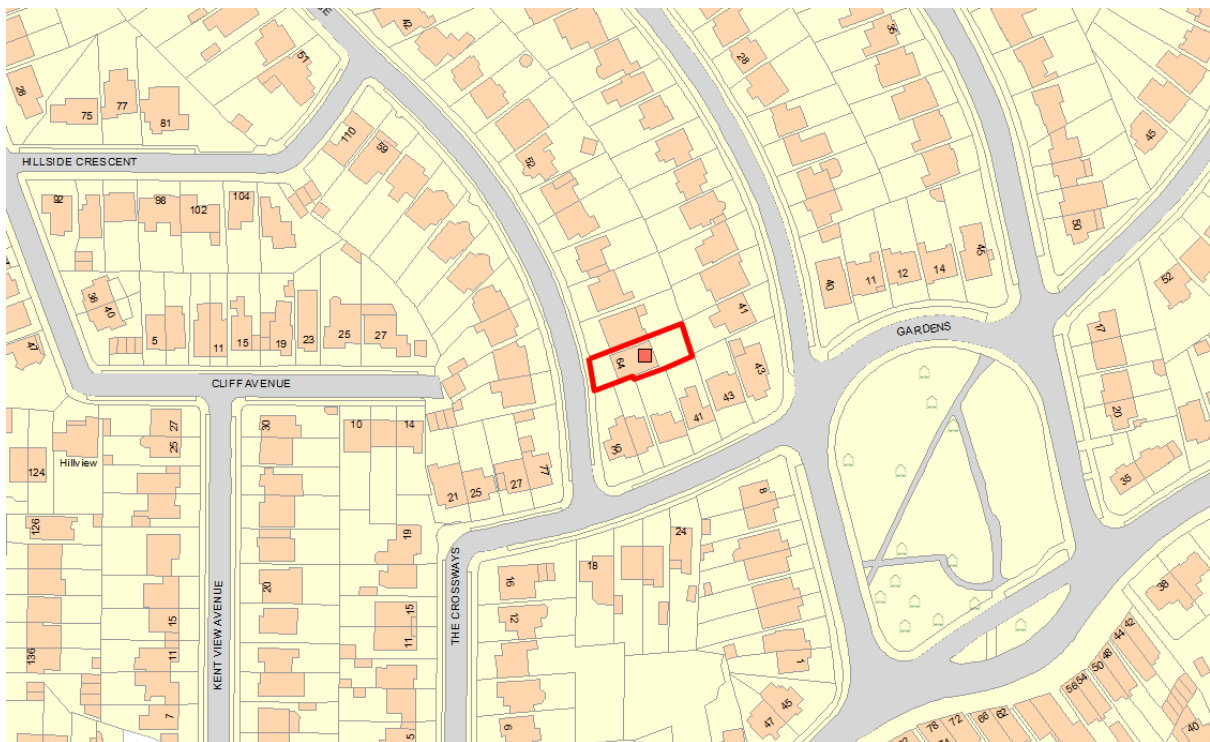


| | | |
|-----------------------------|--|--|
| Reference: | 19/00502/FULH | |
| Ward: | Chalkwell | |
| Proposal: | Erect first floor extension to convert existing bungalow into dwellinghouse and alter elevations | |
| Address: | 64 Mount Avenue Westcliff-on-Sea Essex | |
| Applicant: | Mr Rowland | |
| Agent: | Mr Nick Kenney | |
| Consultation Expiry: | 18.04.2019 | |
| Expiry Date: | 21.05.2019 | |
| Case Officer: | Oliver Hart | |
| Plan Nos: | MA/NAK/01B (Dated 20.05.2019) | |
| Recommendation: | GRANT PLANNING PERMISSION subject to conditions | |



1 Site and Surroundings

- 1.1 The site is positioned at the southern end of Mount Avenue near to its junction with The Crossways. The site contains a detached bungalow with twin gabled front bay projections and hardstanding to its front curtilage wide enough to accommodate two vehicles.
- 1.2 The surrounding area is characterised almost exclusively by two storey detached and semi-detached dwellinghouses of varying design and styles with some common features, including two storey front gabled bay projections and chimney stacks as well as material use, including white render, clay roof tiles and black fascia detailing.
- 1.3 Its position at the bottom of Mount Avenue means the neighbouring dwellings north of the application site are at a progressively higher level.
- 1.4 No's 35-39 The Crossways to the south of the application site have modest rear gardens. It is noted following the change in ground level that the floor level of the existing bungalow is approx 1m higher than the ground level adjacent to No's 35-39 The Crossways. It is further noted the rear gardens of these properties are north facing and as such there is existing degree of shadowing to the rears No's 35-39.
- 1.5 The site is not located within a conservation area nor is it the subject to any site specific planning policies.

2 Proposal

- 2.1 The application seeks permission to construct a first floor extension to convert the existing hip-roofed, two bedroomed bungalow to a two storey dwellinghouse. The proposed development would facilitate two additional bedrooms, an en-suite and a family bathroom at first floor.
- 2.2 The footprint of the dwelling would remain as existing however, the ridge height of the dwelling is proposed to be increased from 6.2m to 9.5m and the eaves height from 3m to 6m. The dwelling would have a hipped roof to reflect the existing and the proposed fenestration would generally reflect the design of the existing dwelling, including through the continuation of a front bay window onto the first floor.
- 2.3 Following submission of amended plans, the access into the property is proposed to be relocated from the flank elevation to the front elevation, a feature more commonly associated with dwellinghouses. This new front doorway is to be covered by a hipped roofed canopy. It is also noted the single chimney stack to the north flank elevation of the application dwelling is to be retained and extended.

The dwelling is proposed to be finished externally in render, roof tiles and Upvc

2.4 windows and doors to match the existing.

3 Relevant Planning History

3.1 19/00374/FULH - Erect first floor extension to convert existing bungalow into dwellinghouse, form habitable accommodation in roof, install dormers to side with juliet balcony at rear and alter elevations
- Pending Consideration

4 Representation Summary

4.1 11no. neighbouring properties were notified and 11no. letters of representation have been received. Summary of representations:

- Harm to neighbour amenity and loss of amenity
- Loss of light and overshadowing impacts
- Impacts exacerbated by change in ground levels
- Increased overlooking
- Loss of privacy
- Loss of bungalow
- Overbearing to neighbours and loss of outlook
- Overbearing and out of character in the streetscene
- Inappropriate development
- Insufficient parking
- Noise and disturbance following construction
- Loss of property value
- Design unacceptable and harm to character of the site and the wider area.

[Officer Comment] All relevant planning considerations are assessed within the appraisal section of the report. These concerns are noted and they have been taken into account in the assessment of the application but were not found to be a basis on which to refuse the application.

Call In

4.2 The application has been called in for consideration at Committee by Councillor Folkard.

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) and CP4 (Environment and Urban Renaissance)

Development Management Document (2015): Policies DM1 (Design Quality), DM3

5.3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)

The Design and Townscape Guide (2009)

5.4

CIL Charging Schedule (2015)

5.5

6 Planning Considerations

6.1 The proposal would not increase the parking requirement of the dwelling nor reduce the current off-site parking provision. The key considerations in relation to this application are therefore the principle of the development including loss of the bungalow, design and impact on the character of the streetscene, impact on residential amenity and any CIL (Community Infrastructure Levy) contributions.

7 Appraisal

Principle of Development

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 advice contained within the Design and Townscape Guide (2009)

7.1 Policy DM3 of the Development Management Document (2015) states that *“the conversion or redevelopment of single storey dwellings (bungalows) will generally be resisted. Exceptions will be considered where the proposal:*

- I. Does not create an unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and*
- II. Will not result in a net loss of housing accommodation suitable for the needs of Southend’s older residents having regard to the Lifetime Homes Standard”*

7.2 The streetscene is made up exclusively of two storey dwellinghouses of varying form and detailed design. It is considered that given the prevalence of dwellinghouses along Mount Avenue, the formation of a second storey would not be out of character in the streetscene in principle.

7.3 In order to ensure that the development will meet the requirements of Policy DM3.4(ii) the development should be capable of complying with Building Regulations part M4(2). These include the requirement for a step free access to the dwelling and any associated parking space, a step free access to a wc and any private outdoor space, accessible accommodation and sanitary facilities for older people or wheelchair users and socket outlets and other controls reasonably accessible to people with reduced reach.

The agent has confirmed that the proposal would be capable of being adapted to

meet M4(2) and this will be secured by condition. Therefore no objection is raised in this instance as the property would continue to be appropriate for the needs of older residents and wheelchair users.

Design and Impact on the Character of the Area

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

- 7.4 The key element within all relevant policies is that good design should be a fundamental requirement of new development in order to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 7.5 Policy KP2 of the Core Strategy states new development should *“respect the character and scale of the existing neighbourhood where appropriate”*.
- 7.6 Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 7.7 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”*.
- 7.8 Paragraph 375 of the Design and Townscape Guide states that *“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.”* Paragraph 374 states that *“Extensions that raise the ridge height of an existing building are only considered acceptable in principle where they complement the design of the original building and where they do not break the continuity of the streetscene or appear overbearing.”*
- 7.9 The existing property is a hipped roofed detached bungalow. Following its location at the bottom of Mount Avenue, neighbouring dwellings north of the application site are found at progressively elevated levels which results in a streetscene that is not consistent in height.

The mix in design and form of neighbouring dwellings together with the prevalence

of two storey dwellinghouses along Mount Avenue is such that the increase in the ridge height of the dwelling to create a two storey dwelling would not result in the dwelling being materially out of keeping or harmful to the character of the surrounding area in this regard.

- 7.10 In design terms, whilst the area is generally mixed, common features include two storey front gabled bay projections, chimney stacks and external materials inclusive of render, clay roof tiles and black fascia detailing. The proposed development has incorporated these elements into the design and consequently, it is considered to satisfactorily relate to the existing dwelling, the streetscene and the locality more widely. On this basis, the proposal is considered to be acceptable and policy compliant in this regard.

Impact on Residential Amenity

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 advice contained within the Design and Townscape Guide (2009)

- 7.11 Paragraph 343 of the Design and Townscape Guide under the heading of 'Alterations and Additions to Existing Residential Buildings' states 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.*" Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities "*having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.*"
- 7.12 The proposed alterations to No 64 Mount Avenue would not increase the footprint of the building however it would see the erection of a first floor above the existing dwelling. The increased height of the dwelling therefore has the potential to impact the immediately adjacent properties; No's 35-39 The Crossways (south), 62 Mount Avenue (north) and 41 Hillway (east).
- 7.13 With regard to 62 Mount Avenue (to the north), the application property would not project beyond the neighbouring rear elevation. There are two obscure glazed flank windows to No.62, one is already affected by the existing dwelling and one appears to serve the neighbours stairs. On this basis, it is not considered the proposal would give rise to a material loss of light or outlook to habitable room windows nor would it give rise to an undue increased sense of enclosure of the occupants at this address.

- 7.14 Two additional windows are proposed at first floor facing No.62 which will serve as

openings to an en-suite and family bathroom. It is considered necessary and reasonable to attach a condition to ensure these windows are obscure glazed in the interest of residential amenity. With regard to the additional first floor windows to the rear outlook, the presence of existing two storey dwellings that surround the site is such that a degree of intra-looking of rear gardens along Mount Avenue and Hillway (to the rear) exists at present and is part of the character of the rear garden scene. Therefore there is no objection to a similar arrangement at No.64.

- 7.15 With regard to 41 Hillway to the rear, the application site would be removed from the shared boundary by a distance in excess of 12m, and from the neighbouring dwelling itself by some 24m. This separation is such that it is not considered the proposed development would give rise to any harmful impact on the amenity of the Neighbouring occupants at No.41 by way of material overlooking, loss of light, outlook or privacy nor an undue increased sense of enclosure. The proposal is therefore acceptable and policy compliant in this regard.
- 7.16 No's 35-39 The Crossways are located to the south and at a lower elevation than the application site. The maintenance of the footprint of the application dwelling is such that the existing relationship, with a separation of some 12.5m to neighbouring dwellings along the Crossways would be retained. It is noted that neighbouring rear gardens and windows to the rear elevations of No's 35-39 are north facing and as such the sunlight to the properties, particularly at ground floor is already limited. Given the orientation of the dwelling and its separation from No's 35-39 it will not result in a material loss of light to these dwellings. It is acknowledged that the additional storey will result in an increased sense of enclosure and appear more dominant to the occupants of No's 35-39 The Crossways however, on balance, given the separation between the dwellings and in the context of the existing situation, this impact is not considered to be materially harmful. Additional windows are proposed to the first floor flank elevation facing No's 35-39 The Crossways which are considered to break up the mass and bulk of the two storey flank elevation. The new south facing windows and doors would serve a utility room and stairway. Whilst these would provide views into neighbouring habitable accommodation, given the secondary nature of the accommodation they serve, it is considered the attachment of a condition requiring the obscurity of these windows would mitigate any potential harmful overlooking. On this basis, it is considered the proposal would be acceptable and policy compliant on balance.
- 7.17 Due to the separations involved, it is not considered that the proposal would harm the light, outlook, privacy or rear garden scene of any other neighbouring properties.

Community Infrastructure Levy

CIL Charging Schedule 2015

- 7.18 The proposed development equates to less than 100sqm of new floorspace. As such, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and no charge is payable.

8 Conclusion

- 8.1 Having regard to all material considerations assessed above, it is considered that subject to compliance with the attached conditions, the proposed development would on balance, be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework. The proposed development would have an acceptable impact on the character and appearance of the application site and the locality more widely and on balance, would have an acceptable impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval, subject to conditions.

9 Recommendation

GRANT PERMISSION subject to the following conditions:

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: MA/NAK/01B (Dated 20.05.2019)**

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

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM1, and the advice contained in the Design and Townscape Guide (2009).

- 4 With the exception of a top hung clear glazed opening fanlight, the first floor en-suite and bathroom windows located on the north flank elevation of the development hereby approved facing No.62 Mount Avenue shall be permanently glazed in obscured glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut to a height not less than 1.7m above finished internal floor level.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (NPPF), Core Strategy (2007) policy CP4, Development Management Document policy DM1 and advice contained in the Design and Townscape Guide (2009).

- 5 With the exception of a top hung clear glazed opening fanlight, the windows located on the south flank elevation of the development hereby approved facing No's 35-39 The Crossways shall be permanently glazed in obscured glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut to a height not less than 1.7m above finished internal floor level.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (NPPF), Core Strategy (2007) policy CP4, Development Management Document policy DM1 and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 6 The ground floor door located on the south flank elevation of the extension hereby approved facing No's 35-39 The Crossways shall be permanently glazed in obscured glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and retained as such in perpetuity.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (NPPF), Core Strategy (2007) policy CP4, Development Management Document policy DM1 and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 7 The development hereby approved shall be carried out in a manner to ensure that the dwelling complies with Building Regulation part M4(2) 'accessible and adaptable dwellings' before it is brought into use.**

Reason: To ensure the residential units hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

10 Informative

- 1** You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development would benefit from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge would be payable. See www.southend.gov.uk/cil for further details about CIL.
- 2** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.