

Southend-on-Sea Borough Council

Agenda
Item

Report of the Corporate Director of Place
To
Development Control Committee
On
02nd March 2016

Report(s) on Pre-Meeting Site Visits

A Part 1 Agenda Item

WARD & TIME	APP/REF NO.	ADDRESS	PAGE
Chalkwell	15/02130/FUL	25 Britannia Road Westcliff-On-Sea, Essex	3

Depart Civic Centre at: 11.15am

DEVELOPMENT CONTROL COMMITTEE

SITE VISIT PROTOCOL

Purpose of Visits

- (i)** The purpose of the site visits is to enable Members to inspect sites of proposed developments or development which has already been carried out and to enable Members to better understand the impact of that development.
- (ii)** It is not the function of the visit to receive representations or debate issues.
- (iii)** There will be an annual site visit to review a variety of types and scales of development already carried out to assess the quality of previous decisions.

Selecting Site Visits

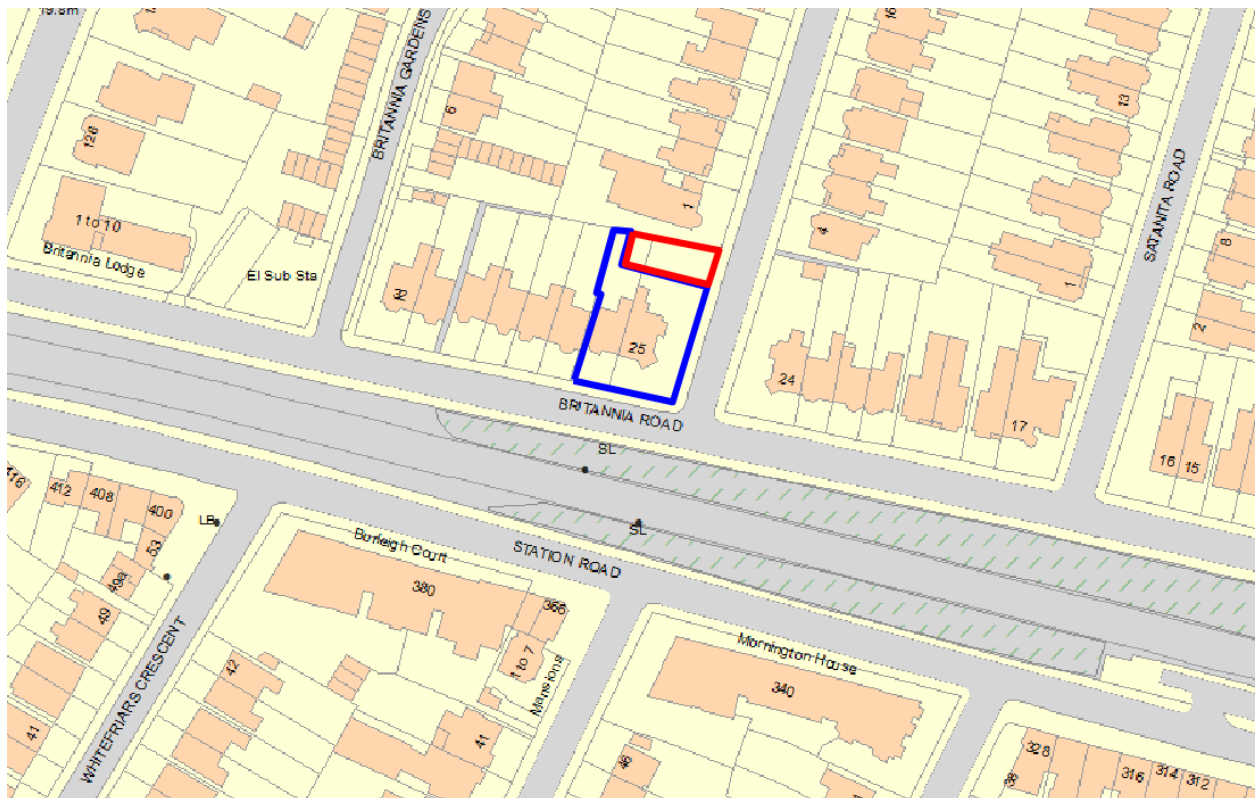
- (i)** Visits will normally be selected (a) by the Corporate Director of Enterprise, Tourism & the Environment and the reasons for selecting a visit will be set out in his written report or (b) by their duly nominated deputy; or (c) by a majority decision of Development Control Committee, whose reasons for making the visit should be clear.
- (ii)** Site visits will only be selected where there is a clear, substantial benefit to be gained.
- (iii)** Arrangements for visits will not normally be publicised or made known to applicants or agents except where permission is needed to go on land.
- (iv)** Members will be accompanied by at least one Planning Officer.

Procedures on Site Visits

- (i)** The site will be inspected from the viewpoint of both applicant(s) and other persons making representations and will normally be unaccompanied by applicant or other persons making representations.
- ii)** The site will normally be viewed from a public place, such as a road or footpath.
- (iii)** Where it is necessary to enter a building to carry out a visit, representatives of both the applicant(s) and any other persons making representations will normally be given the opportunity to be present. If either party is not present or declines to accept the presence of the other, Members will consider whether to proceed with the visit.
- (iv)** Where applicant(s) and/or other persons making representations are present, the Chairman may invite them to point out matters or features which are relevant to the matter being considered but will first advise them that it is not the function of the visit to receive representations or debate issues. After leaving the site, Members will make a reasoned recommendation to the Development Control Committee.

Version: 6 March 2007

Reference:	15/02130/FUL
Ward:	Chalkwell
Proposal:	Erect two storey dwellinghouse on land at rear (Amended Proposal)
Address:	25 Britannia Road, Westcliff-On-Sea, Essex
Applicant:	Mrs Linda Harrison
Agent:	Mercer Planning Consultants Ltd
Consultation Expiry:	02.02.2016
Expiry Date:	16.02.2016
Case Officer:	Janine Rowley
Plan Nos:	P1000; P1001; P1003; P1005; P1007; P1010; P1008; P1006; P1004
Recommendation:	REFUSE PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to erect a two storey dwelling on land at the rear of 25 Britannia Road. The proposed dwelling is 7.4m wide x 6.5m-7.3m x 8.5m high pitched roof. Materials include render, clay roof tiles, white upvc windows and doors. The hardstanding surface would be constructed from Tegula paving.
- 1.2 The internal floorspace of the dwelling proposed equates to 80sqm including a kitchen, dining room, living room and toilet to the ground floor and 2 bedrooms and a bathroom to the first floor. Two off street parking space are proposed to the front of the site and cycle/refuse storage to the side of the property. The amenity space to the rear is 44sqm.
- 1.3 It should be noted a previous application to redevelop the site for residential use was refused under application 15/00432/FUL. The two storey dwellinghouse was refused for the following reasons:
 1. *“The proposed dwelling, by reason of its scale, siting, layout, and design would be out of keeping with the existing layout and grain of development in the area and would be a cramped and visually harmful addition to the streetscene. This is considered contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, emerging policies DM1 and DM3 of the Development Management (DPD2) and policies C11 and H5 of the Borough Local Plan and advice contained within the adopted Design and Townscape Guide (SPD1)”.*
 2. *“The proposal by reason of a lack adequate parking provision to serve both the proposed dwelling and 25 Britannia Road will result in additional on street parking in an area of parking stress to the detriment highway safety and the local highway network contrary to guidance contained within the NPPF, policy DM15 of the emerging Development Management DPD2, Policy CP3 the DPD1 (Core Strategy), policies T8 and T11 of the Borough Local Plan and the Design and Townscape Guide (SPD1)”*
 3. *“The proposed development would result in an unacceptable loss of amenity space to no. 26 Britannia Road resulting in a poor environment for occupants thereof contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policies H5 and C11 of the Borough Local Plan and advice contained within the Design and Townscape Guide SPD1”.*
 4. *“The proposed amenity space to serve the new dwelling would be overlooked by the occupiers of 26 Britannia Road resulting in an unacceptable loss of privacy for future occupants contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policies H5 and C11 of the Borough Local Plan and advice contained within the Design and Townscape Guide SPD1”.*

1.4 The main amendments including the following:

- The depth has been reduced from 7.8m deep to 6.5m-7.3m;
- Height increased from 7.3m 7m-8.5m;
- Amenity space reduced from 95sqm to 44sqm (excluding side lawned area as not considered useable space);
- Amenity space for existing occupiers at no. 26 increased from 57sqm to 115sqm;
- Four off street parking spaces proposed for the 5 self-contained flats of no. 25 Britannia Road;
- The overall design including roof form, rounded bay windows now incorporated into the proposal together with alterations to the fenestration proportions.

2 Site and Surroundings

- 2.1 The existing site comprises of 5 parking bays for the flats at 25 Britannia Road, although the site appears to have been fenced off.
- 2.2 The surrounding street scene of Ailsa Road and Britannia Road comprises of detached and semi-detached two storey dwellings. The proposal is sited within a residentially allocated area.

3 Planning Considerations

- 3.1 The main considerations of this application are the principle of the development, design, traffic and transportation and impact on residential amenity, sustainable construction, CIL and whether the proposal has overcome the previous reasons of application 15/00432/FUL.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) Policies KP1, KP2 and CP4; Development Management DPD2 policies DM1, DM3, DM7, and the Design and Townscape Guide SPD1 (2009).

- 4.1 Government guidance contained within the National Planning Policy Framework (NPPF) encourages effective use of land by re-using land that has been previously developed.
- 4.2 The proposal appears to be located on an area of hardstanding, which was only to be used for the parking of 5 vehicles serving the flats (approved under application 88/1172) and the existing garden area of no. 26 Britannia Road although it was noted following a site visit the land appears to have been fenced off.

4.3 Policy DM3 of the Development Management Document DPD2 states that the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner responding positively to the local context and not leading to over-intensification. Any infill development will be resisted if it creates a detrimental impact on the living conditions and amenity of existing and future residents or neighbouring residents, conflict with the character or grain of the local area, result in a contrived and unusable garden space for existing and proposed dwellings or result in the loss of local ecological assets.

4.4 Section 5.3 of the Design and Townscape Guide (SPD1) deals with infill development and it is stated:

“The size of the site together with an analysis of local character and grain will determine whether these sites are suitable for development. In some cases the site may be too small or narrow to accommodate a completely new dwelling (including useable amenity space and parking) and trying to squeeze a house onto the site would significantly compromise its design quality and be detrimental to neighbouring properties and local character. Unless an exceptional design solution can be found, infill development will be considered acceptable”.

4.5 Where such development is acceptable in principle SPD1 states that it is important to draw strong references from surrounding buildings in terms of scale, frontage, materials and rhythm.

4.6 In accordance with the NPPF and Policy DM3 of the Development Management Document DPD2 the proposed development would conflict with the urban grain of the local area affecting the openness of the area resulting in the loss of part of the garden serving no. 26 affecting the amenity of the existing occupiers and parking to no. 25. The proposal by reason of its location, size of the site, relationship with surrounding properties, impact on local character and urban grain of the area would be detrimental to the character and appearance of the area. The proposed development has therefore not overcome reason 01 of 15/00432/FUL.

Design and Impact on the Streetscene

National Planning Policy Framework; DPD1 (Core Strategy) Policies KP2 and CP4; Development Management Plan DPD2 policy DM1 and the Design and Townscape Guide SPD1 (2009).

4.7 The existing site comprises of a hardstanding surface for 5 parking spaces serving the 5 flats at 25 Britannia Road and the rear garden area of no. 26 Britannia Road. The existing property at no. 25 to the south of the site is two storeys which have been converted to 5 self-contained flats in 1988 (88/1172). The surrounding locality comprises of two storey detached and semi-detached properties of similar style. To the immediate north is a residential care home.

4.8 This amended proposal has attempted to reference features within the streetscene with particular reference to no. 1 Ailsa Road to the north including the roof design, eaves line, fenestration proportions and bays, which are welcomed and help to integrate the development in terms of visual appearance. Therefore the scale of the proposed dwelling has been addressed and therefore part of reason 01 of 15/00432/FUL.

- 4.9 No objection is raised to the layout of the two parking spaces to the front of the new dwelling. The proposed siting of the vehicle crossovers to the south would result in the loss of 2 existing street trees and amenity area serving no. 25 and a large expanse of hardstanding surface. The proposed vehicular crossovers by reason of its proximity to both the street trees would be detrimental to the health of both of these trees and potentially result in their loss. This would be detrimental to the visual amenities of the streetscene and contrary to the National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Policies DM1 and DM15 of the Development Management Document and the Design and Townscape Guide (SPD1).

Standard of Accommodation for Future Occupiers

National Planning Policy Framework, Development Management Document policy DM8, The National Technical Housing Standards DCLG 2015 and Design and Townscape Guide (SPD1)

- 4.10 It should be noted from the 1st October 2015 the National Housing Standards have been adopted and state 70sqm internal floorspace per two bedroom dwelling (3 bed spaces) is required to ensure the development is in line with building control. The proposed internal size of the dwellinghouse at 80sqm and complies with current policy. All rooms will benefit from sufficient outlook and daylight.
- 4.11 Part M4 (2) of the Building Regulations adopted by the National Technical Housing Standards 1st October 2015 requires the need to provide accessible and adaptable dwellings. Insufficient information has been submitted to demonstrate that the proposal meets the criteria for the Building Regulation M4 (2). Thus the development fails to prove that it will not result in accessible and adaptable dwellings for older people or wheelchair users, contrary to the NPPF, Policy DM8 of the Development Management DPD and National Housing Standards 2015.
- 4.12 One of the core planning principles of the NPPF is that the planning system should *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.
- 4.13 Policy DM8 of the Development Management Document DPD2 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.
- 4.14 Whilst the Council’s Design and Townscape Guide 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”*.
- 4.15 The proposed dwellinghouse will have access to 44sqm amenity space to the rear of the site, which is considered useable however; the amenity space will be overlooked by existing occupiers at no. 26 Britannia Road, which is not acceptable for future occupiers given the limited separation distance from existing occupiers at no. 26 Britannia Road. The proposal has therefore not overcome reason 04 of application 15/00432/FUL.

- 4.16 The existing amenity space serving the existing flats at 25 Britannia Road will be affected by the siting of four parking spaces along Ailsa Road, which is considered unacceptable for existing users and contrary to policy DM8 of the Development Management Document and the Design and Townscape Guide. The proposal will reduce the amenity area of serving no. 26 Britannia Road which will be reduced from 146sqm to 115sqm, which is still considered useable amenity space. This element of the proposal has therefore addressed reason 03 of application 15/00432/FUL.

Traffic and transportation

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; policy DM15 of the DPD2 (Development Management Document) and the Design and Townscape Guide SPD1.

- 4.17 Planning permission was granted in 1988 to convert the existing dwelling at no. 25 Britannia Road into 5 self-contained flats. As part of the application parking was allocated to the north of the site, where this development is proposed. Condition 2 of application 88/1172 states:

“Before any of the flats are occupied, 5 parking spaces shall be provided on a hardstanding with vehicle access to the adjoining highway, all in accordance with the approved plans. The parking to be reserved for occupiers/callers to the premises”.

- 4.18 This amended proposal will provide two parking spaces for the new dwellinghouse and will provide four parking spaces to the south along Ailsa Road. Policy DM15 of the Development Management Document DPD2 states that two parking spaces should be provided for houses and one parking space per flat. No objection is raised in relation to the two parking spaces proposed to the front of the new dwelling. However, the parking provision for the existing flats will be reduced from 5 to 4 and the siting of the parking as proposed would not be able to be provided as they would result in the loss of amenity space for existing occupiers and street trees. Therefore, none of the existing 5 flats at 25 Britannia Road would have satisfactory off-street car parking space for the occupants of the existing flats and would lead to an increase in demand for on-street parking to the detriment of highway efficiency and safety, contrary to the NPPF, policy CP3 of the Core Strategy; policy DM15 of the Development Management Document and advice contained within the Design and Townscape Guide SPD1. The proposal has therefore not overcome reason 2 of application 15/00432/FUL.

Impact on residential amenity

National Planning Policy Framework, Development Management DPD2 emerging policy DM1, Core Strategy Policies KP2 and CP4, Development Management Document DPD2 policy DM1 and the Design and Townscape Guide (SPD1)

- 4.19 Policy DM1 of the Development Management Document states that any new development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, 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.
- 4.20 With regards to overlooking or loss of privacy one window is proposed to the first floor facing no. 25 Britannia Road to the south however, the window could be dealt with by condition to be obscure glazed. In addition, the window serving the bathroom at first floor can be dealt with by condition to ensure the amenities of nearby residents are safeguarded.
- 4.21 It is not considered the overall scale of the development will be overbearing on the amenities of existing occupiers surrounding the site nor will the proposal result in loss of light given the position directly to the rear of no. 25 Britannia Road.

Sustainable Construction

National Planning Policy Framework; DPD2 (Development Management) emerging policy DM2, DPD1 (Core Strategy) policy: KP2; Borough Local Plan and the Design and Townscape Guide SPD1.

- 4.22 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 SPD 1 Design and Townscape Guide”.

- 4.23 The provision of renewable energy resources should be considered at the earliest opportunity to ensure an intrinsic design in this instance no details have been submitted for consideration. However, if this application is deemed acceptable this can be dealt with by condition.
- 4.24 Policy KP2 of the Core Strategy DPD1 requires the need for all new development to incorporate SUDs to enable surface water attenuation for the site. No details have been submitted at this time however, if the application is deemed acceptable a suitable condition can be imposed.
- 4.25 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 can be dealt with by condition if the application is deemed acceptable.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.26 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 may also be CIL liable.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework 2012
- 5.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision)
- 5.3 Development Plan Document 2: Development Management Document Policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM3 (The Efficient and effective use of land), DM8 (Residential Standards). DM15 (Sustainable Transport Management)
- 5.4 SPD1 Design & Townscape Guide 2009

6 Representation Summary

Design and Regeneration

- 6.1 No comments.

Traffic and Transportation

- 6.2 The proposed locations of the vehicle crossovers would mean the removal of two trees, which is against current policy and a highway objection is raised as insufficient parking is provided contrary to policy DM15 of the Development Management Document.

Public Consultation

- 6.3 A site notice was displayed on the 12.01.2016 and neighbours have been notified of the proposal. Five letters of objection have been received stating:
- Garden grabbing;
 - Impact on parking on the street and for existing occupiers;
 - Cutting down trees;
 - Water logging and this development will increase flooding;
 - Backland development;
 - Parking will be lost to the flats;
 - Result in loss of light and outlook
- 6.4 Councillor Folkard has requested this application be dealt with by development control committee.

7 Relevant Planning History

- 7.1 15/00432/FUL- Erect two storey dwellinghouse on land at rear- Refused
- 7.2 10/00339/FUL- Erect two storey dwelling on land at rear, lay out 8 parking spaces and form vehicular access onto Britannia Road and Ailsa Road- Refused
- 7.3 09/00247/FUL: Erect two storey dwelling on land at rear, lay out 6 parking spaces and form vehicular access onto Ailsa Road and lay out 4 parking spaces and form vehicular access onto Britannia Road- Withdrawn 20th May 2009.
- 7.4 88/1172: Demolish detached garage at the rear, erect single storey rear extension, with dormer window to the side within extended roofspace, erect dormer window to side within extended roofspace, erect dormer window to front and convert extended dwellinghouse into 5 self-contained flats and lay out parking at the rear- Approved 9th November 1988 with conditions.
- 7.5 733/81: Use of a dwellinghouse as a holiday home with warden's flat- Withdrawn 17th July 1981.
- 7.6 1043/76- Demolition of existing garage and erection of a new double garage- Approved 10th January 1977.

8 Recommendation

- 8.1 **Members are recommended to REFUSE PLANNING PERMISSION subject to the following reasons:**
 - 1. **The proposed dwelling, by reason of its siting would be out of keeping with the existing layout and grain of development in the area resulting in infill development appearing conspicuous and visually harmful to the surrounding area. This is contrary to the National Planning Policy Framework policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of Development Management Document DPD2 and policies and the Design and Townscape Guide.**
 - 2 **The proposal would result in a loss of parking provision to serve existing occupiers of 25 Britannia Road will result in additional on street parking in an area of parking stress to the detriment highway safety and the local highway network contrary to guidance contained within the NPPF, Policy DM15 of the emerging Development Management DPD2, Policy CP3 of the DPD1 (Core Strategy), policy DM15 of the Development Management Document and the Design and Townscape Guide (SPD1).**
 - 3 **The proposed development would result in an unacceptable loss of amenity space to no. 25 Britannia Road resulting in a poor environment for occupants thereof contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy DM1 of the Development Management Document and advice contained within the Design and Townscape Guide SPD1.**

- 4 The proposed amenity space to serve the new dwelling would be unacceptably overlooked by the occupiers of 26 Britannia Road resulting a loss of privacy for future occupants contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy DM1 of the Development Management Document and advice contained within the Design and Townscape Guide SPD1.
- 5 The proposal by reason of lack of information which fails to demonstrate accessibility and adaptability of the dwellinghouse in accordance with Building Regulation M4 (2) will result in poor living environment for future occupiers. This is contrary to the NPPF, policies KP2 and CP4 of the Core Strategy, policies DM1, DM3 and DM8 of the Development Management DPD2 and National Technical Housing Standards DCLG 2015.
- 6 The proposed vehicular crossovers by reason of extent of hardstanding surface and proximity to both the street trees would be detrimental to the health of both of these trees and potentially result in their loss. This would be detrimental to the visual amenities of the streetscene and contrary to the National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Policies DM1 and DM15 of the Development Management Document and the Design and Townscape Guide (SPD1).

Informative

- 1 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.

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 and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.