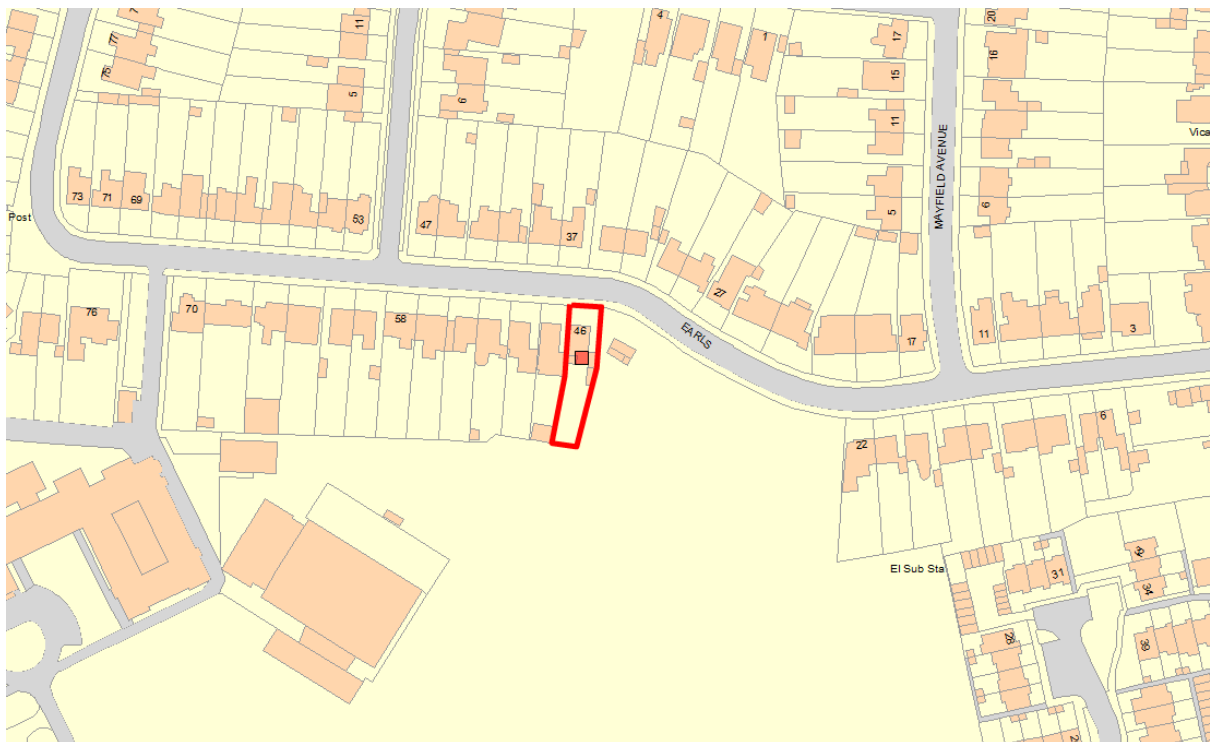


Reference:	19/00799/FULH
Ward:	Prittlewell
Proposal:	Demolish garage, erect part single/part two storey side and rear extensions, install juliette balconies to rear and alter elevations (Amended Proposal)
Address:	46 Earls Hall Avenue Southend-On-Sea Essex SS2 6PD
Applicant:	Mr K Seaden
Agent:	Mr G Horrigan
Consultation Expiry:	26/06/2019
Expiry Date:	05/08/2019
Case Officer:	Peter Lang
Plan Nos:	1174/1, 1174/2-A received 28/06/2019 and Site Location Plan
Recommendation:	GRANT CONDITIONAL PLANNING PERMISSION



1 Site and Surroundings

- 1.1 The site contains a two storey detached dwellinghouse on the southern side of Earls Hall Avenue. The dwelling is finished externally in white render, upvc window frames and red tiling on the roof. To the side of this dwellinghouse is an unoriginal part single part two storey extension with an art deco style box and parapet roof form.
- 1.2 The application property forms the outermost building of a trio of similarly designed properties. The surrounding area is characterised by detached and semi-detached properties of varying designs. To the east and rear of the application site are the playing fields of Southend High School For Boys.
- 1.3 The application site is not located in a Conservation Area and has no specific allocation within the Development Management Documents Proposal's map.

2 The Proposal

- 2.1 Planning permission is sought to demolish a garage, erect a part single part two storey side and rear extension, install rear facing juliette balconies and to alter elevations. These proposed enlargements would create a new front entrance to the dwelling, a utility room, a family room and study on the ground floor and an additional bathroom on the first floor. Existing bedrooms would also be enlarged with ensuite's added.
- 2.2 A two storey side extension is proposed along almost the entire depth of the dwelling on the eastern flank elevation. This would measure some 10.6m deep and 3.1m wide and includes flank fenestration. The roof form of the proposed extension would be hipped with an eaves height matching that of the existing dwelling with its ridgeline set below the maximum height of the existing roof. To the front elevation of this proposed extension, a canopy is proposed above the new front door.
- 2.3 A first floor rear extension is proposed which has a maximum depth of some 3.15m and would extend for the width of the original dwelling and includes rear facing first floor Juliette balconies. The roof form of this first floor element would be part flat and part hipped with an eaves height matching that of the existing property.
- 2.4 A single storey rear extension some 3.0m deep and 5.8m wide is also proposed. The roof of this proposed extension would be flat with a maximum height of some 3.3m and would contain a roof lantern.
- 2.5 The proposed works would be finished in materials in keeping with the existing dwelling.
- 2.6 This application is an amended proposal following the grant of planning permission under reference 18/02143/FULH. The main differences between this application and this previously granted scheme are:
 - The roof of the proposed first floor rear extension would be part pitched and part flat roofed instead of having a single pitched roof for its entire width.
 - The western elevation of the ground floor and first floor extensions would be face brickwork instead of the previously proposed render.

3 Relevant Planning History

- 3.1 18/02143/FULH – Demolish garage, erect part single/part two storey side and rear extensions, install juliette balconies to rear and alter elevations – Granted 10/01/2019

4 Representation Summary

4.1 Public Consultation

3 neighbouring properties were consulted. One letter of objection has been received which is summarised as follows:

- Harm to residential amenity of neighbours.
- First floor extensions lack subservience to the original structure and are too close to the neighbouring boundaries.
- The proposed extension would result in overshadowing, loss of light, an overbearing relationship and harm to the outlook of neighbouring dwellings.
- The present application's use of face brickwork on its western boundary contravenes the condition of the previously approved application.
- Design proposed is unacceptable.

- 4.2 All relevant planning considerations have been assessed within the appraisal section of the report (Section 7). These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

- 4.3 This application has been called into Development Control Committee for determination by Cllr Garston.

4.4 Highways

No objection.

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 & Urban Renaissance)
- 5.3 Development Management Document (2015): Policies DM1 (Design Quality), Policies DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 5.4 Design & Townscape Guide (2009)
- 5.5 CIL Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, impact on residential amenity, traffic and transportation, CIL (Community Infrastructure Levy) contributions and the previously granted planning permission. The previous planning permission carries material weight in the assessment of the current proposal.

7 Appraisal

Principle of Development

- 7.1 The dwelling is situated within a residential area and an extension or an alteration to the property has been considered acceptable in principle by virtue of planning permission 18/02143/FULH and remains acceptable in principle, subject to the detailed considerations discussed below.

Design and Impact on the Character of the Area

- 7.2 Paragraph 124 of the National Planning Policy Framework states.

“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”

- 7.3 Policies KP2 and CP4 of the Core Strategy and Policies DM1 and DM3 of the Development Management Document advocate the need for development to secure good relationships with the existing development and respect the existing scale. The Design and Townscape Guide states that alterations to existing buildings with particular reference to extensions should appear subservient and must be respectful of the scale of the present building.
- 7.4 Paragraph 348 of The Design and Townscape Guide states that *“Whether or not there are any public views, the design of rear extensions is still important and every effort should be made to integrate them with the character of the parent building, particularly in terms of scale, materials and the relationship with existing fenestration and roof form”*.
- 7.5 The application property forms part of a trio of detached properties which have a similar design and footprint. The wider area is characterised by detached and semi-detached dwellings with varying designs and forms.
- 7.6 The proposed side extension would be visible from both the front elevation and along Earls Hall Avenue to the east as well as from Southend High School for Boys to the rear. This extension would be set back from the front elevation with an eaves height matching the existing dwelling and a ridgeline set below that of the original dwelling. Through these design features, as well as the use of materials to match the existing dwelling, it is considered that this proposed extension would be subserviently scaled to the existing dwelling and would not result in material harm to the host dwelling or the character and appearance of the surrounding area.

- 7.7 The proposed part single part two storey rear extensions would not be materially visible from the front and side elevation and would unify the rear building line on both storeys. The extensions are considered to be subserviently scaled to the existing dwelling and would not harmfully impact upon the rear garden scene and would not materially harm the design and character of the rear of the property.
- 7.8 The elements of the proposal that are different to the previous application under reference 18/02143/FULH are that the roof form of the first floor rear extension is now part pitched and part flat and the west facing elements are now to be finished in face brickwork instead of render. While first floor flat roof extensions are not usually encouraged in design terms, given the relatively small area of this roof form and as it would not be materially visible from the streetscene, this alteration is considered, on balance, to be acceptable and to not result in material harm to the character and appearance of the host dwelling, the wider surrounding area or the rear garden scene. The substantial existing first floor flat roofed extension is also an important consideration in this instance. The difference in the material finish of the parts of the proposal facing No 48 to the west are not considered to result in material harm to the character and appearance of the host dwelling, the wider surrounding area or the rear garden scene.
- 7.9 The proposal is therefore acceptable and policy compliant in the above regards.

Impact on Residential Amenity

- 7.10 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 the Design and Townscape Guide (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.
- 7.11 No 48 Earls Hall Avenue to the west is a detached two storey dwelling similarly designed to No 46 but with differing extensions. Historical records indicate that this dwelling has had a two storey rear extension with a single storey side and rear extension formed around this.
- 7.12 The proposed part single part two storey rear extension would extend along the shared boundary with No 48 at both ground and first floor levels and would contain no side facing windows. This would measure some 3.0m deep on the ground floor and some 3.15m deep on the first floor and would include Juliette balconies. At ground floor, the proposed extension would have a similar depth as the ground floor extension at No 48 while the first floor footprint would extend some 1.3m rearwards of No 48's first floor rear building line.
- 7.13 Given the similar depths at ground floor and the relatively limited scale of the proposal in relation to the existing relationship with No 48, it is not considered that the proposal would have a materially harmful impact on the amenities of this property. The proposed extensions at first floor would include a Juliette balcony offering views towards the rear garden of this neighbouring dwelling.

On balance, as the proposed extension is to the east of No 48 with only secondary windows at this dwelling close to the proposed extension, it is considered that the proposal would have an acceptably limited effect on light and privacy. Furthermore, the height and partial screening effect of the rear extension at No 48 is considered to prevent material harm to privacy in both this extension and No 48's private amenity area.

- 7.14 The proposal is therefore not considered to result in material harm in terms of dominance, an overbearing impact, loss of light and outlook, overshadowing a material sense of enclosure or overlooking and loss of privacy to No 48.
- 7.15 The proposed alterations in relation to the previous application No 18/02143/FULH are not considered to have an impact on residential amenity in any regard over and above the extant scheme.
- 7.16 To the rear and side of the property is the playing field of Southend High School for Boys, with the school's main buildings being set away from the proposed development such that there would be no material impact in the above regards.
- 7.17 All other dwellings are sufficiently removed from the proposal to prevent any material harm in the above regards.
- 7.18 The proposal's impact on residential amenity is therefore acceptable and policy compliant.

Traffic and Transportation Issues

- 7.19 Policy DM15 of the Development Management Document requires dwellings with 2+ bedrooms to provide a minimum of two parking spaces. The proposal would result in the removal of an existing garage but would not increase the parking requirements over and above the existing requirements. The existing frontage is largely hard surfaced providing at least two parking spaces that would be retained by the application. The impact on traffic, transport and parking is therefore acceptable and policy compliant.

Community Infrastructure Levy (CIL)

Charging Schedule (2015).

- 7.20 As the proposed development equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

8 Conclusion

- 8.1 Having taken all material planning considerations including the representations received, into account, it is found that, subject to compliance with the attached conditions, the amended proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance.

- 8.2 The proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. There are no adverse highway implications. This application is therefore recommended for approval subject to conditions.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development shall be undertaken solely in accordance with the approved plans 1174/1, 1174/2-A received 28/06/2019 and Site Location Plan.**

Reason: In the interests of visual amenities, pursuant to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 02 The development hereby permitted shall begin no later than three years from the date of the decision.**

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

- 03 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 (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

- 04 The flat roof of the ground floor and first floor extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained from the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the 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 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.

Informatives

- 01 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.**
- 02 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.**