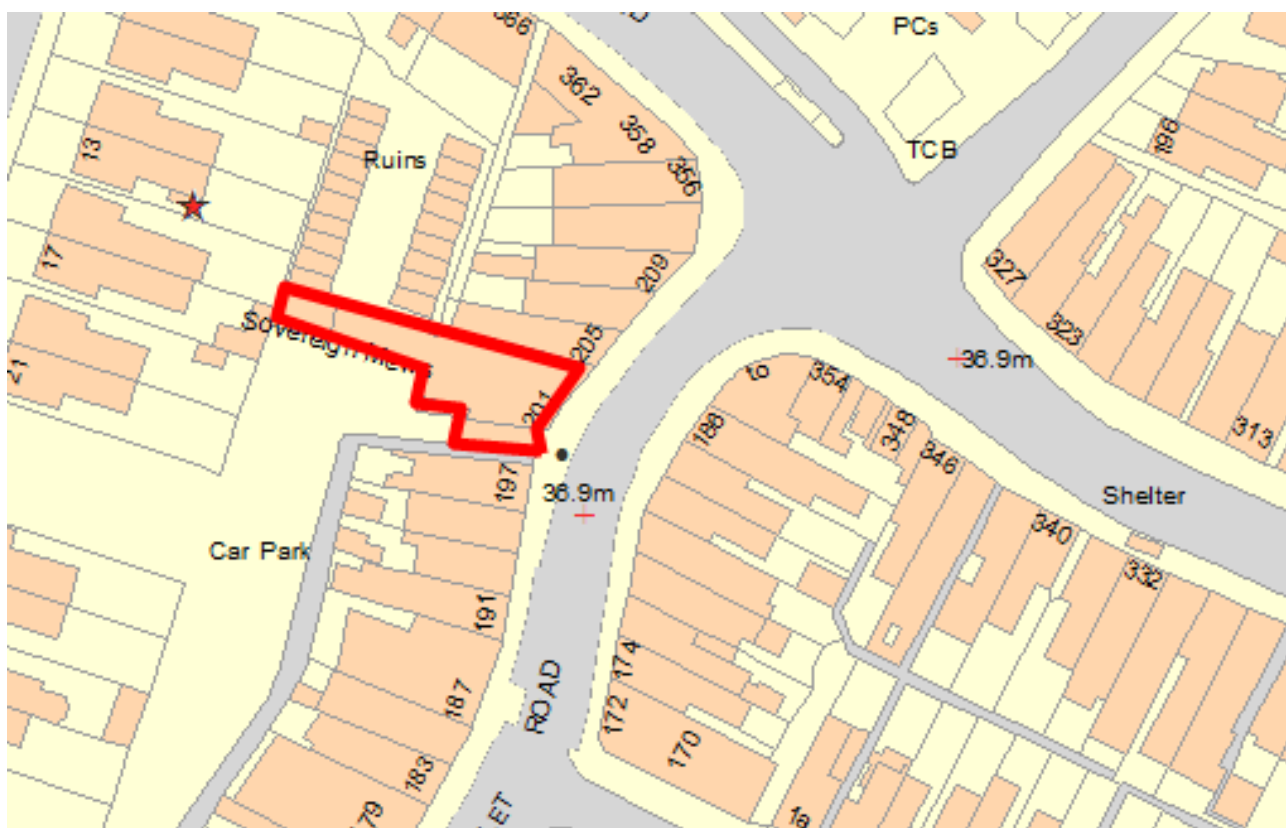


Reference:	19/01111/FUL	
Application Type:	Full Application	
Ward:	Chalkwell	
Proposal:	Erect 6 semi-detached dwellinghouses, layout amenity space to rear, parking to front and form access on to Crosby Road	
Address:	Land To Rear Of 6, Crosby Road, Westcliff-On-Sea	
Applicant:	EDG Holdings	
Agent:	Mr Steven Kearney of SKArchitects	
Consultation Expiry:	1st August 2019	
Expiry Date:	13 <sup>th</sup> September 2019	
Case Officer:	Janine Rowley	
Plan Nos:	552-P01 Site and Block Plans; 552-P02 Proposed Plans and Elevations	
Recommendation:	REFUSE PLANNING PERMISSION	



## **1 Site and Surroundings**

- 1.1 The site is accessed from Crosby Road to the north with a southern rectangular section of the site having a frontage onto Victory Path. The site constitutes the previous school playing field serving the school at 121 Crowstone Road, which has since been demolished. The site backs onto a number of dwellings in Crosby Road to the north and Crowstone Road to the east.
- 1.2 The area is largely residential in nature and is mainly characterised by large detached houses, although there are some examples of flats within the vicinity of the site. The scale of the surrounding development is mainly 2-2.5 storeys in nature, although the anomaly blocks of flats in the vicinity are up to 4 storey in scale. The southern part of the site adjoins a number of tennis courts. Beyond Victory Path is the C2C railway line.
- 1.3 The information submitted with the application indicates that the Independent Preparatory School closed in July 2016. The school buildings were demolished with consent obtained under prior approval (ref. 17/00938/DEM).
- 1.4 The front part of the site, where the vehicle access is proposed adjacent to no. 6 Crosby Road has no specific allocation within the Development Management Document Proposals Map. The rear part of the site constituting the former playing fields for the school is designated as protected green space under Policy CP7 of the Core Strategy and as specified on the Proposals Map.

## **2 The Proposal**

- 2.1 Full planning permission is sought to erect three pairs of semi-detached dwellinghouses (i.e. 6 in total), layout amenity space to the rear, parking to the front and form access on to Crosby Road.
- 2.2 The houses are each 9.6m high, 6.4m wide and 11m deep (11.4m deep including the bay window). The houses are set over two storeys with rooms in the roof with a living room, kitchen and dining room to the ground floor, 3 bedrooms to the first floor and, 1 bedroom to the second floor within the roofspace. The internal floorspace of each dwelling is 171sqm.
- 2.3 The garden area to serve each dwelling ranges from 92sqm to 152sqm. Two parking spaces are provided per dwelling. The amenity space serving no. 6 Crosby Road amounts to 79sqm.
- 2.4 The proposal materials include rustic red stock brick with brick detailing and rendered façade, slate roof tiles and aluminium framing to the windows and doors.
- 2.5 The application is accompanied by a Design and Access, Planning Sustainability Statement.

### 3 Relevant Planning History

- 3.1 There is an extensive history on this site. The most relevant application is 17/02179/FULM which included the same protected green space subject of the current proposal. The other planning applications detailed below relate to the northern section of the site are also of relevance taking into account the access road and relationship to no. 6 Crosby Road.
- 3.2 17/00938/DEM- Demolish former prep school and associated buildings (Application for Prior Approval for Demolition)- Prior approval required and granted. Works have been completed.
- 3.3 17/02179/FULM– Demolish existing buildings, including 6 Crosby Road, erect three storey building comprising 20 self-contained flats, 6 no dwelling houses, layout parking, hard and soft landscaping and extend existing vehicular access on to Crosby Road. – planning permission refused.

Reasons for refusal:

1. *“The south-western part of the application site constitutes designated protected green space which would be lost as a result of this development. The application has failed to clearly demonstrate that the open space is surplus to requirements or that it will be replaced and the development does not provide an alternative sport or recreation facility to replace the space lost. The development is therefore unacceptable and contrary to the National Planning Policy Framework and Policies KP2 and CP7 of the Core Strategy (2007)”.*
2. *“The proposal would, by reason of its size, scale, bulk, mass, siting beyond the established building line and detailed design, constitute a cramped, contrived and incongruous development that would be harmful to the character and appearance of the site and the surrounding area. This is unacceptable and contrary to National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009)”.*
3. *“By virtue of the design, layout and siting of the car parking and access road proposed within the site, the development would result in unacceptable levels of noise and disturbance to the detriment of the amenities of the occupiers of the neighbouring dwelling at No.125 Crowstone Road. The development is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009)”.*
4. *“A number of the proposed flats would provide unacceptable levels of amenities for their future occupiers by virtue of their inadequate size in terms of internal floorspace and bedroom size, the insufficient outside amenity areas proposed and the poor levels of light and outlook provided to habitable rooms. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009)”.*
5. *“The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area.*

*The submission also lacks a formal undertaking to secure a contribution to the delivery of education facilities to meet the need for such infrastructure generated by the development. In the absence of these undertakings the application is unacceptable and contrary to the National Planning Policy Framework, Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007) and policy DM7 of the Development Management Policies Document (2015)”.*

6. *“The submission does not clearly demonstrate that the proposal would provide a development that is appropriately accessible and adaptable for all members of the community in accordance with the requirements of the M4(2) accessibility standards. This is unacceptable and contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and policies DM1, DM3 and DM8 of the Development Management Document (2015)”.*

The differences between the current application and the refused proposal are: the application does not include the site of the former school building and its immediate grounds; No. 6 Crosby Road will be retained but with a reduced private amenity serving that dwelling following the demolition of the two storey rear extension and new vehicle access proposed; and 6 houses in three pairs of semi-detached houses are now proposed to the south west of the site instead of six terraced houses.

- 3.4 18/00899/FULM – Demolish existing buildings including 6 Crosby Road, erect four storey building comprising 20 self-contained flats, layout parking, hard and soft landscaping and extend existing vehicular access on to Crosby Road (Amended Proposal)- Planning Permission Refused for the following reasons:

1. *“The proposal would, by reason of its size, scale, bulk, mass, siting and detailed design, constitute a cramped, contrived and incongruous development that would be harmful to the character and appearance of the site and the surrounding area. This is unacceptable and contrary to 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 advice contained within the Design and Townscape Guide (2009)”.*
2. *“The development proposed fails to provide an appropriate dwelling mix that would reflect the Borough’s identified housing needs, resulting in the scheme failing to deliver a sufficiently wide choice of homes. This is unacceptable and contrary to the National Planning Policy Framework (2018), Policy KP2 of the Core Strategy (2007) and Policy DM7 of the Development Management Document (2015)”.*
3. *“A number of the proposed flats would provide unacceptable levels of amenities for their future occupiers by virtue of the poor levels of light and outlook provided to habitable rooms. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009)”.*
4. *“The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area. The submission also lacks a formal undertaking to secure a contribution to the delivery of education facilities to meet the need for such infrastructure generated by the development. In the absence of these undertakings the application is unacceptable and contrary to the National Planning Policy Framework (2018), Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007) and policy DM7 of*

*the Development Management Policies Document (2015)*”.

The above application is of relevance because it utilised an access adjacent to no. 6 Crosby Road but did not include the former playing field within the proposed development site.

- 3.5 19/00534/FULM- Demolish existing buildings, erect part 2.5 storey/part 3.5 storey building comprising of 18 self-contained flats, layout parking including underground parking, hard and soft landscaping and alter existing vehicular access on to Crosby Road (Amended Proposal)- Planning permission refused.

1. *“The proposal would, by reason of its size, scale, bulk, mass, siting and detailed design, constitute a cramped, contrived and incongruous development that would be materially harmful to the character and appearance of the site and the surrounding area. This is unacceptable and contrary to 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 advice contained within the Design and Townscape Guide (2009)”.*
2. *“The siting, size and design of the proposed development is such that it would result in undue dominance, an overbearing relationship and a significant sense of enclosure to No.125 Crowstone Road, to the material detriment of the amenities of the occupiers of this property. 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 advice contained within the Design and Townscape Guide (2009)”.*
3. *“The application does not include a formal undertaking to secure a contribution to affordable housing provision to meet the demand for such housing in the area and it has not been shown that such a contribution is not viable. The submission also lacks a formal undertaking to secure a contribution to the delivery of education facilities to meet the need for such infrastructure generated by the development. In the absence of these undertakings the application is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007) and policy DM7 of the Development Management Document (2015)”.*

The above application is of relevance creating an access adjacent to no. 6 Crosby Road but did not include the former playing field within the proposed development site.

## **4 Representation Summary**

### **4.1 Public Consultation**

17 neighbouring properties were consulted and a site notice displayed. 23 letters of objection have been received stating:

- Members of the committee should carry out as site visit the site to see how small the area, parking problems and the location of the houses to existing properties;
- Covenant on land restricts to sports ground use
- Vehicle access not wide enough
- Extent of neighbour notification
- Semi-detached dwellings is not in character with surrounding area
- Crosby Road too narrow for additional residents

- Environmental issue replacing green land
- Protected Green Space
- Incongruous
- Overdevelopment
- Result in future development of the tennis courts
- Reasons for refusal of previous application apply
- Not a housing development site
- Several badger runs
- Overdevelopment
- Scale out of keeping
- Overlooking
- Imposing development
- Developers are currently attempting to build flats on the site of the previous Crowstone Preparatory School (e.g. planning application 19/00534/FULM) as well
- Knocking down no. 6 has not been mentioned [Officer Comment: No. 6 Crosby Road is not to be demolished as part of this application only the two storey rear extension to facilitate the vehicle access]
- Southend Council do not have a lack of housing land supply
- Too close to the railway
- Fails Policy CP4 of the Core Strategy
- Front gardens need hardsurfacing for parking
- No dimensions on the plans
- Flooding and drainage issues
- No biodiversity report has been submitted
- Anti-social behaviour problems on Victory Path
- Rear of no. 6 Crosby Road has been omitted from the plans [Officer Comment: Applicant confirmed two storey rear extension to be demolished]
- Inaccuracies in the statement submitted

4.2 Councillor Habermel has called the application in for consideration by the Development Control Committee.

4.3 **Environmental Health**  
No objections.

4.4 **Highways Team**  
No objections.

## 5 **Planning Policy Summary**

5.1 The National Planning Policy Framework (NPPF) (2019)

5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance); CP6 (Community Infrastructure) and CP7 (Sports, Recreation and Green Space) and CP8 (Dwelling Provision)

5.3 Development Management Document (2015): Policies DM1(Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), Policy DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), and Policy DM15 (Sustainable Transport Management)

- 5.4 Design & Townscape Guide (2009)
- 5.5 Vehicle Crossing Policy & Application Guidance (2014)
- 5.6 CIL Charging Schedule (2015)
- 5.7 National Technical Housing Space Standards (2015)
- 5.8 National Planning Practice Guide (2016)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of development, including the loss of the playing fields, design, impact on the street scene, residential amenity for future and neighbouring occupiers, traffic and parking implications, trees, landscaping and ecology, sustainability, Community Infrastructure Levy (CIL).
- 6.2 The recent planning history carries significant weight in the assessment of the proposal. The National Planning Policy Framework has been revised since the date of the earlier proposals on the site but do not alter the material planning considerations in any significant regards.

## **7 Appraisal**

### **Principle of Development**

#### *Loss of protected green space*

- 7.1 Paragraph 96 of the NPPF states *‘access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities’*.
- 7.2 The National Planning Practice Guide (NPPG) provides further guidance on open space, commenting: *“Open space should be taken into account in...considering proposals that may affect existing open space...open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure...as well as being an important part of the landscape and setting of building development, and an important component in the achievement of sustainable development...there is no lower size limit for a Local Green Space...land could be considered for designation even if there is no public access...”* (Paragraphs 001-016 ).
- 7.3 Paragraph 97 of the NPPF states: *‘Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
  - *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
  - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
  - *the development is for alternative sports and recreational provision, the needs for*

*which clearly outweigh the loss’.*

7.4 Policy CP7 of the Core Strategy states:

*‘All existing and proposed sport, recreation and green space facilities (including the Southend foreshore and small areas of important local amenity, community resource or biodiversity value) will be safeguarded from loss or displacement to other uses, except where it can clearly be demonstrated that alternative facilities of a higher standard are being provided in at least an equally convenient and accessible location to serve the same local community, and there would be no loss of amenity or environmental quality to that community.*

*Any alternative facilities provided in accordance with the above considerations will be required to be provided and available for use before existing facilities are lost. The displacement of existing and proposed facilities from within the built-up area into the adjacent countryside, so as to provide further land for urban development, will not be permitted.’*

7.5 Planning application 17/01279/FUL was refused, amongst other reasons, because of the resultant loss of designated green space in conflict with Policies KP2 and CP7 of the Core Strategy. The planning statement submitted with this application states: *“The Southend Borough Council policies map does not outline the site as protected green space”*. This statement is incorrect. The proposals map for the Development Management Document clearly shows the area subject of the application to be protected green space as per the previous recommendation for refusal.

7.6 The planning statement goes on to state: *“The proposed development must make the best use of previously developed land, which this application does providing much needed housing in a sustainable location on an unused and redundant site...The proposal does not reduce the amount of biodiversity in accordance with Policy KP2. The amenity value of the wider streetscape is also enhanced through the redevelopment of unused and unsightly land into much needed and well-designed family housing”*.

7.7 With reference to Policy CP7 the planning statement states: *“The site has never been used as amenity space to the general public, and at present the site does not provide any amenity use to the private community that once used it, nor is there any viable likelihood that the site will again serve this community, or a similar community in the future, therefore there is no loss of amenity space or facilities to any or future communities. In this regard the application is compliant with Policy CP7”*.

7.8 The rear part of the site formed part of the school playing fields and irrespective of whether it was public accessible open space, paragraph 97 of the NPPF still applies as this proposal will result in the loss of an area of existing playing field. Likewise, Policy CP7 of the Core Strategy seeks to safeguard all sport, recreation and green space facilities unless it can be demonstrated that alternative facilities are being provided. In this respect, the applicant has not submitted any detailed evidence to demonstrate that the open space is surplus to requirements or that it will be replaced. The development does not provide an alternative sport or recreation facility. As such, an objection is raised to the principle of the development on this basis.

*Residential Use*

7.9 Policy DM3 (section 2) of the Development Management Document states:



*“All development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:*

- (i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or*
- (ii) Conflict with the character and grain of the local area; or*
- (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or*
- (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.”*

- 7.10 The above points will be addressed in more detail set out in the report below.
- 7.11 It is acknowledged that the site is within a residential area surrounded by dwellinghouses and the proposal will provide six 4 bedroom dwellings. This represents a public benefit of limited weight, given the relatively small number of dwellings proposed and the limited contribution this would have to housing delivery.
- 7.12 In conclusion, taking into account of that limited public benefit the in-principle harm caused by the loss of designated protected green space that the playing fields comprise is unacceptable and conflicts with local and national policy including the objectives of Policies DM1 and DM3 of the Development Management Document (2015).

### **Design and Impact on the Character of the Area**

- 7.13 Paragraph 124 of the NPPF states *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations and how these will be tested, is essential for achieving this”*.
- 7.14 Policy KP2 of the Core Strategy advocates the need for all new development to *“respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design”*. Policy CP4 of the Core Strategy states *“development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 7.15 Policy DM1 of the Development Management Document advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 7.16 The surrounding area is mainly characterised by medium to large detached houses, generally of individual styles, but similar characters, 2 to 2.5 storeys in scale. The majority have hipped roofs, providing a spacious character to the area. There are two buildings in the area which stand out from this established character; Sunningdale Court which is a 4 storey block of flats to the north of the site and Britannia Lodge to the south-east of the site which is a three storey block of flats.

- 7.17 The proposal seeks to erect three pairs of semi-detached properties accessed from Crosby Road to the north. The layout includes the formation of a new vehicle access from Crosby Road to the north access to the new houses, with parking to the front and gardens to the rear abutting Victory Path to the south. The vehicle access would result in the loss of the two storey rear extension serving no. 6 Crosby Road however, it is not considered the road layout would have a detrimental impact on the character of the area taking into account the existing vehicle access from Crosby Road to the north serving no. 6 and properties to the east of the site in Crowstone Road. The vehicle access is in a similar position that the proposed under application 17/02179/FULM (albeit no. 6 Crosby Road is no longer being demolished in its entirety) and was not objected to on layout grounds.
- 7.18 The scale and height of the development 2.5 storeys is acceptable and would not be out of keeping with the surrounding area. The terraced houses proposed previously under application 17/02179/FULM, were not objected to on scale or height grounds and the dwellings proposed are similar.
- 7.19 The properties face the rear of properties in Crosby Road, the plot widths are narrower than the existing houses in Crosby Road and Crowstone Avenue. However the development will have limited public views from Crosby Road and Crowstone Avenue and not affect the character and streetscene of the surrounding area. On balance this is not objected to given the site will have limited views from Crosby Road and Crowstone Avenue. The layout does not create views and access across the site to provide natural surveillance as supported by the Design and Townscape Guide. On balance, it is not considered the form, scale or layout of the dwellings would result in material harm such that a reason for refusal on this basis could be reasonably justified.
- 7.20 The design in general is considered to be acceptable. The dwellings feature projecting gable features to the roof and bay windows to add visual interest include the use of red brickwork and white render reflecting the materials found on traditional buildings nearby. Previously under application 17/02179/FULM the dwellings were considered to be poor design detailed and expanses of blank windows and poor material choices. All elevations of this development are of sufficient quality design, with a number of openings to not create large expanse of blank elevations and the overall design is cohesive. All elements of the building relate adequately to each other and the surrounding area. The materials include a mix of brickwork and render similar to properties in the surrounding area.
- 7.21 In terms of hard and soft landscaping, the parking is provided to the front of the site with hard paving and there is a planter buffer zone proposed to the northern boundary. Planted areas are also located either end of the development and soft landscaping to the rear for the garden areas serving the new dwellings. This is considered to be generally acceptable and full details could be controlled by condition if the application were deemed acceptable.
- 7.22 Subject to conditions, the development is acceptable and policy compliant in the above regards.

### **Impact on Residential Amenity**

- 7.23 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality

development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods.

- 7.24 Amenity refers to well-being and takes account of factors such as privacy, overlooking, outlook, noise and disturbance, the sense of enclosure, pollution and daylight and sunlight. Policy DM1 of the Development Management requires that all development should (inter alia):

*“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;”*

- 7.25 The proposed dwellings windows and openings facing the rear of dwellings in Crosby Road would have a separation distance of some 28m to 30m with a separation distance of some 12.7m between the windows within the proposed development and the rear gardens of the existing dwellings in Crosby Road. There would be some 16m to 37m separation between the flank elevation of the new dwellings to the rear elevations of 129, 135 and 137 Crowstone Road. Given this relationship, the development would not result in material harm to the amenity of existing occupiers by reason of loss of light, outlook or sense of enclosure nor would it harm privacy.
- 7.26 Taking into account the overall depth and height of the dwellings and the separation distances involved to the neighbouring properties along Crosby Road to the north and Crowstone Road to the east, it is not considered that the proposal would harm the light, outlook, privacy or rear garden scene of any other neighbouring properties any regard. The properties back onto Victory Path and the railway to the south, thus not affecting residential amenity. Subject to appropriate conditions the proposal is therefore acceptable and policy compliant in the above regards.

### **Traffic and Transportation Issues**

- 7.27 Policy DM15 of the Development Management Document seeks a minimum of 2 car parking spaces per dwelling. As such there is a requirement for 12 parking spaces to serve the development.
- 7.28 The proposal provides 12 parking spaces and is therefore policy compliant in this respect. The proposed new vehicle layout ensures that vehicles can enter the site, manoeuvre and exit in a forward gear with an access width of 4.8m including the first 6m of the access into the site at 4.8m wide and each parking space is 2.4m wide and 5m in depth in accordance with the advice contained within the Design and Townscape. There is sufficient parking space for two vehicles to the front of 6 Crosby Road to be retained. The Highways team conclude the proposal would not have a detrimental impact on the public highway. The development is acceptable and policy compliant in this respect.
- 7.29 In terms of refuse facilities, there is sufficient space to the rear of the dwellings to provide refuse storage and a refuse vehicle will be able to access the site in accordance with the Councils Waste Management Guide. Subject to a condition requiring full details of the refuse storage facilities proposed no objection is therefore raised on this basis.

7.30 The development is acceptable and policy compliant in this respect.

### **Standard of Accommodation**

7.31 Paragraph 127 of the NPPF states *'Planning policies and decisions should ensure that developments...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users...'* It is considered that most weight should be given to the Technical Housing Standards that have been published by the Government which are set out as per the below table:

- Minimum property size for residential units shall be as follow:
  - 4 bedroom (8 bed space) 124sqm
- Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m<sup>2</sup> for a single bedroom with a minimum width of 2.15m; and 11.5m<sup>2</sup> for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

7.32 The following is also prescribed:

- Provision of a storage cupboard with a minimum floor area of 1.25m<sup>2</sup> should be provided for 1-2 person dwellings. A minimum of 0.5m<sup>2</sup> storage area should be provided for each additional bed space.
- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home.
- Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.
- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

7.33 The application complies with the above standards and therefore no objection is raised. All habitable rooms will be provided with suitable fenestration to provide adequate levels of light and outlook.

7.34 The amenity space ranges from 92sqm to 152sqm, adequate in size and layout to meet the needs of future occupiers. The proposed amenity space to no. 6 Crosby Road would be reduced from 179sqm to 79sqm (including the removal of the two storey rear extension). Taking into account the layout of the access road to serve the new dwellings

at the rear of the site only some 48sqm is considered useable amenity space to serve the existing occupiers of no. 6 Crosby Road. On balance, it is considered the reduced amenity space whilst disappointing would not warrant a reason for refusal in this instance as there is sufficient space for residential occupiers to utilise.

- 7.35 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. The planning statement accompanying this planning application states the proposal would comply with part M4(2) and subject to a condition requiring this no objection is raised on this basis.
- 7.36 Subject to conditions, on balance, the development would provide adequate living conditions for any future occupiers of the site and is acceptable and policy compliant in this respect.

### **Trees, Landscaping and Ecology**

- 7.37 There are no trees subject to Tree Preservation Orders (TPOs) on the site. A number of trees to the north and western boundary that could potentially be affected by the development and further details would be required to be dealt with by condition to ensure full details and that new landscaping is undertaken if the application were otherwise compliant. No objection is raised to the proposal on this basis.
- 7.38 In terms of ecology, whilst no documents have been submitted consideration has to be given to the previous applications notably 19/00534/FULM and 17/02179/FULM. They concluded that there was no evidence of badger setts or foraging activity by badgers on the site. The report recommended a number of precautionary measures in relation to badgers, such as covering trenches at night. Recommendations were also made in relation to hedgehogs which could be present at the site, but commented that the site has negligible potential for great crested newts and low potential for reptiles. The report made recommendations in relation to breeding birds; for example that the areas of scrub and trees are cleared outside the bird-nesting season (March to August inclusive).
- 7.39 The bat survey carried out in 2017 found no evidence of the presence of bats within the site and concluded that the proposal would not have a detrimental effect on the local bat population.
- 7.40 Whilst these reports are dated, given the nature of the site and the findings of the reports it is considered on balance and in the absence of other evidence that these issues could be controlled by condition were the application otherwise deemed acceptable.

### **Sustainability**

- 7.41 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”* and that *“at least 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)”*. The provision of renewable energy resources should be considered at the earliest opportunity to ensure an integral design. The applicant has confirmed the new dwellings would be served by a mix of combined heat and power units (CHP) and photo voltaic panels. This could be covered by condition.

- 7.42 The site is located in flood risk zone 1 (low risk). Policy KP2 of the Core Strategy states all development proposals should demonstrate how they incorporate sustainable drainage systems (SUDS) to mitigate the increase in surface water runoff, and, where relevant, how they will avoid or mitigate tidal or fluvial flood risk. Subject to a condition in this respect no objection would be raised.
- 7.43 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. In this respect the sustainability and energy report submitted demonstrates that a minimum water use of 105 litres per person per day (excluding external water use) is achievable. Subject to a condition in this respect no objection would be raised on this basis.

### **Community Infrastructure Levy (CIL)**

- 7.44 This application is CIL liable. If the application had been recommended for approval, a CIL charge could have been payable. If an appeal is lodged and allowed the development could be CIL liable. Any revised application could also be CIL liable.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that the proposed development results in the unjustified loss of playing fields designated as protected green space. The benefits of the proposal in providing new housing do not outweigh the significant harm identified as a result of this proposal and the application is therefore recommended for refusal.

## **9 Recommendation**

### **9.1 REFUSE PLANNING PERMISSION for the following reason:**

- 01 The south-western part of the application site constitutes a playing field designated as protected green space which would be lost as a result of this development. The application has failed to demonstrate that the existing open space is surplus to requirements or that it will be replaced and the development does not provide an alternative sport or recreation facility to replace the space lost. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP7 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).**

**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.**

#### **Informatives:**

- 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.**