

Reference:	1. 19/00996/FULH 2. 19/00997/LBC	
Ward:	St Laurence	
Proposal:	1. Erect garage to side and install hardstanding and timber gates. 2. Erect garage to side and install hardstanding and timber gates (Listed Building Consent).	
Address:	Cockethurst, Eastwoodbury Lane, Southend-on-Sea, Essex	
Applicant:	Mr Dedman	
Agent:	SKArchitects	
Consultation Expiry:	1. 29.08.2019 2. 29.08.2019	
Expiry Date:	1. 26.09.2019 2. 26.09.2019	
Case Officer:	Charlotte White	
Plan Nos:	504_P202 Rev. C, 504_P201 Rev. C	
Recommendation:	1. GRANT PLANNING PERMISSION 2. GRANT LISTED BUILDING CONSENT	



1 Site and Surroundings

- 1.1 Cockethurst Farm is a grade II listed building situated at the junction of Snakes Lane and Whitehouse Road. It is a substantial and handsome farm house of red brick with old clay plain tile roofs. The timber framed core dates to the sixteenth century and the prominent Flemish gables and brick elevations are of the seventeenth century. The property no longer operates as a farm but the outbuildings to the north west of the house, which include the former stables, cart shelter, cattle shed/dairy/poultry house, tack room and coach house serve as a reminder of its farming origins. The farmhouse is set in large grounds surrounded by mature trees and this has maintained a rural like setting for the buildings. Some of the mature trees on the southern boundary are covered by a tree preservation order (TPO 5/87). There is an existing vehicular crossover to the south-western of the site, from Snakes Lane.
- 1.2 The wider area around the listed buildings is now substantially built up and is predominantly medium density residential development.
- 1.3 The application site has no specific allocation on the Development Management Documents Proposal's Map. The Environment Agency Flood Maps show the site to be located within flood zone 2.

2 The Proposal

- 2.1 Planning permission and Listed Building Consent is sought to erect a garage, install hardstandings and timber gates. The proposed garage would be located to the south-western corner of the site and would utilise an existing vehicular crossover.
- 2.2 The proposed garage would measure some 6.6m in width, some 8.6m in depth and has a maximum height of some 4.7m. The garage would have a dual-pitched roof and would be timber framed finished in black timber weatherboarding, red clay roof tiles, timber panel doors and black cast iron guttering. A side window is proposed to each flank elevation.
- 2.3 A hardsurfaced area between the proposed garage and the access from Snakes Lane would constitute permeable resin bound gravel finished in a colour to match the surface to the front of the house. A footpath is proposed from the proposed garage to the house which will be finished in matching resin bound gravel with a light grey granite sett border.
- 2.4 It is proposed to install white painted timber gates set back some 6m from the highway to allow a safe space for vehicles to pull in from the highway which would match the gates to the front of the house with fencing of a similar design to the sides. The proposed fencing and gates have a maximum height of some 1.1m. 1.5m x 1.5m visibility splays have been provided.

- 2.5 The information submitted with the application indicates that the proposed garage is for vehicle parking and to provide space for a lawnmower and garden paraphernalia. It would be accessed via an existing vehicular crossover and access from Snakes Lane.
- 2.6 The development would result in the loss of some trees and vegetation at the site. In this respect, the Arboricultural Impact Assessment submitted states *'several smaller ornamental trees and groups of vegetation are required to be removed to facilitate the garage. No significant trees are required to be removed to achieve the proposal.'* Two trees will be removed; a dead Lawson Cypress and a Lombardy Poplar which has a significant sized internal cavity.
- 2.7 The application has been submitted with a Design and Access Statement, a Heritage Statement and an Arboricultural Impact Assessment and Method Statement.

3 Relevant Planning History

- 3.1 18/02008/LBC – Convert existing farm buildings into 6 dwellinghouses and layout associated amenity space (Listed Building Consent) – Listed Building Consent refused.
- 3.2 18/02007/FUL - Convert existing farm buildings into 6 dwellinghouses and layout associated amenity space – Planning permission refused.

4 Representation summary

- 4.1 Cllr Flewitt has called the application in for consideration by the Development Control Committee.
- 4.2 **Highways**
No objection.
- 4.3 **Historic England**
Do not wish to offer any comments and suggest seek views of specialist conservation adviser.
- 4.4 **Design and Conservation**
The open rural setting of the grounds, including the trees around the edge of the site, are very important to the setting of the listed building and its origins as a farm and help maintain a tranquil landscaped and rural setting for the listed building. The impact on the trees therefore needs to be carefully assessed with a view to ensuring a substantial tree buffer is maintained on the site.

No justification for the need for an additional outbuilding has been provided. There is ample space for car parking under cover within the existing historic outbuildings adjacent to the listed building. The proposal would add clutter to the setting of the Listed Building.

Whilst the design detail proposed garage is reasonable, the proposal is not a substitute for the existing historic outbuildings.

5 Public Consultation

- 5.1 19 neighbour letters were sent out, a site notice displayed and the application advertised in the press. No letters of representation have been received.

6 Planning Policy Summary.

- 6.1 National Planning Policy Framework (NPPF) (2019)
- 6.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (The Environment and Urban Renaissance).
- 6.3 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM5 (Southend-on-Sea's Historic Environment) and DM15 (Sustainable Transport Management).
- 6.4 Design & Townscape Guide (2009)
- 6.5 Community Infrastructure Levy Charging Schedule (2015)
- 6.6 Vehicle Crossing Policy and Application Guidance (2014)

7 Planning Considerations

- 7.1 The main considerations in the determination of these applications for planning permission and Listed Building Consent are the principle of the development, flood risk, potential impact of the proposed development on the character and significance of the listed building and the wider surrounding area, the impact on residential amenity, highway, transport and parking implications and CIL (Community Infrastructure Levy).

8 Appraisal

Principle of Development

- 8.1 The above policies support alterations, extensions and additions to listed buildings where they respect the character, significance and setting of the listed building. There is therefore no objection to the principle of the proposed development, subject to the detailed considerations below.
- 8.2 Part of the application site is located within flood zone 2. However, the proposed garage would largely be located outside the flood zone. Given this and given the nature of the proposed development, which would not provide habitable accommodation, it is considered that the development would not result in any material flood risk issues.

Impact on the character and significance of the Listed Building and the wider surrounding area

- 8.3 Section 66(1) of the Planning and Listed Building and Conservation Areas Act 1990 states for development which affects a Listed Building or its setting special regard shall be had to the desirability of preserving the building or its setting or any feature of special architectural interest that it possesses.
- 8.4 The preservation and enhancement of listed buildings and the requirement for good design generally is fundamental to achieving high quality new development and its importance is reflected in the NPPF as well as Policies DM1 and DM5 of the Development Management Document and Policies KP2 and CP4 of the Core Strategy. The Southend Design and Townscape Guide (2009) also states that the Council is committed to good design and the protection of heritage assets.
- 8.5 Policy DM5 of the Development Management Document where it states that *“Development proposals that result in the total loss of or substantial harm to the significance of a designated heritage asset, including listed buildings and buildings within conservation areas, will be resisted.”* The NPPF states that *“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”* (paragraph 193).
- 8.6 The proposed garage has been designed in a traditional form and constructed and finished in traditional materials that would be appropriate within and complementary to the setting of the listed building. The gates and fences proposed given their design and scale and the hardsurfacing proposed, given the high quality materials proposed are also considered to be of an acceptable appearance. The garage would be located in the south-western corner of the site, significantly removed from the main listed building and would be partially screened from the listed building by existing trees and vegetation. As such, it is considered that the proposed development would not result in any material harm to the character, appearance or setting of the listed building.
- 8.7 The existing crossover from Snakes Lane would be used for access and there is already a clearing in the vegetation in this location. The application has been submitted with arboricultural reports and it is apparent that there would be some loss of vegetation as a result of this development. The submitted document states *‘Several smaller ornamental trees and groups of vegetation are required to be removed to facilitate the garage. No significant trees are required to be removed to achieve the proposal. A dead Lawson cypress is recommended to be removed based on its condition and a second tree, T2 a Lombardy poplar, located close to the front boundary with Snakes Lane was noted to possess a significantly sized internal cavity. This tree is recommended to be removed based on its condition and its loss is not as an impact of development...crown lifting to T4 and T14 is likely to be required.’*

- 8.8 Given the findings and recommendations of the submitted report and the fact that this proposal would not impact the trees protected by the Tree Preservation Order, which are located further east, no objection is raised on this basis. It is noted, as outlined by the Council's Design and Conservation Officer that the open rural setting of the grounds and the trees around the edge of the site are very important to the setting of the listed building. It is noted that T2 and G1 are to be removed from site due to ill-health and to facilitate the development. As such, it is considered necessary to impose a condition on any grant of consent, requiring further planting in this location in the interests of the setting of the listed building. Subject to a condition in this respect, it is considered that the development would not result in material harm to the character, appearance or setting of the listed building.
- 8.9 The Council's Design and Conservation Officer has raised potential concerns that any grant of consent for garaging and storage outbuildings could impact upon the existing, historic outbuildings to the north of the site. In this respect, it is noted that recently planning permission and listed building consent was sought to convert the existing historic outbuildings into 6 dwellinghouses under application references 18/02007/FUL and 18/02008/LBC. These applications were refused. In this instance there is no evidence that this proposal would directly impact upon the use of the existing historic outbuildings to the north of the site. It is not considered that the scheme would cause a degree of "less than substantial harm" that would reasonably justify a refusal of planning and listed building consent in the circumstances. It is stressed that no public benefits to outweigh any "less than substantial harm" have been identified but exercising careful balance on this issue it is not considered that a convincing case against the proposal would carry sound prospects of succeeding at appeal.
- 8.10 As such and subject to conditions requiring the development to be completed in accordance with the materials shown in the submitted plans and requiring a soft landscaping scheme, it is considered that the development would not materially harm the character, appearance or setting of the listed building. It is considered that the development is of an acceptable design and appearance that would not harm the character and appearance of the wider surrounding area.
- 8.11 Subject to conditions, the development is acceptable and policy compliant in the above regards.

Highways Implications

- 8.12 The adopted parking standards require the provision of a minimum of 2 parking spaces for dwellings with 2+ bedrooms. The existing dwelling benefits from off-street parking accessed from White House Road. The pre-amble to Policy DM15 states *'Garages are often an important feature of a residential development and are multi-functional in that they are used for both car parking and general storage...Garages therefore need to be large enough to accommodate a modern, family sized car and some storage. Garages that have an internal dimension below 7.0m x 3.0m.'*

- 8.13 The proposed garage has internal dimensions of 6m x 8m which is considered to be of a sufficient size to accommodate a modern family sized car and some storage in accordance with the above requirement.
- 8.14 The development seeks to utilise an existing crossover which could be reused without any further permissions. 1.5m x 1.5m visibility splays have been provided to each side of the crossover, in accordance with the vehicle crossing policy. An appropriate area has been provided before the proposed gate to allow vehicles to access the garage and hardsurfaced area without overhanging the highway, when the gates are closed. Snakes Lane is not a classified road. It is therefore considered that the development would retain adequate parking for the dwelling and would not result in any material harm to highway safety. The Highways team have raised no objection to the proposal.
- 8.15 The proposal therefore has no adverse highway implications and is acceptable and policy compliant in this respect.

Impact on Residential Amenity

- 8.16 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.
- 8.17 The proposed development is significantly removed from the nearest adjoining dwellings, with the nearest dwellings located opposite the site, on the southern side of Snakes Lane some 23m from the site. Given this degree of separation and limited size and scale and the domestic nature of the proposed development, it is considered that the proposal would not result in any material harm to the nearby occupiers in terms of dominance, an overbearing impact, overshadowing, loss of light and outlook, a material sense of enclosure or overlooking and loss of privacy.

Community Infrastructure Levy (CIL)

- 8.18 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.

Conclusion

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

The development would not result in any flooding issues, would not harm the residential amenity of nearby residents and would not result in any material harm to highway safety. Subject to conditions, the development would not result in any material harm to the character, appearance or setting of the listed building and is of an acceptable overall design that would not harm the character and appearance of the surrounding area. The applications are therefore recommended for approval, subject to conditions.

9 RECOMMENDATION

Members are recommended to: GRANT PLANNING PERMISSION subject to the following conditions:

- 01 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.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans 504_P202 Rev. C, 504_P201 Rev. C.**

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

- 03 The garage, gates, fencing and hardstandings hereby approved shall be undertaken and completed in accordance with the materials and details as shown on drawing number 504_P202 Rev. C or any other details that have been previously submitted to and approved in writing by the Local Planning Authority, prior to the first use of the development hereby approved.**

Reason: To ensure the development suitably maintains and enhances the character and appearance of the listed building and wider surrounding area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

- 04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development shall not be first occupied unless and until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping for the site in the environs of the approved building. This shall include details of the number, size and location of the trees and shrubs to be planted together with a planting specification. All planting in the approved landscaping scheme shall be carried out within the first planting season following first use of the development hereby approved.**

Any shrubs or trees dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species.

Reason: In the interests of visual amenity and the character, appearance and setting of the listed building and to ensure a satisfactory standard of landscaping, 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).

- 05 The detached garage hereby permitted shall only be used for parking and/or storage purposes incidental to the domestic occupation of the existing dwelling on the site known as Cockethurst, Eastwoodbury Lane. It shall not be used for any other purposes.**

Reason: To protect the amenities of existing occupiers, to protect the privacy and environment of people in neighbouring residential properties, and to prevent additional parking demand, in accordance with the Core Strategy (2007) Policies KP2, CP3 and CP4, the Development Management Document (2015) Policies DM1, DM3 and DM15 and advice contained within the Southend Design and Townscape Guide (2009)

- 06 The development hereby approved shall be undertaken in strict accordance with the findings, recommendations, methods and tree protection measures agreed within the approved Arboricultural Impact Assessment and Method Statement dated 24 May 2019 by Owen Allpress.**

Reason: In the interests of visual amenity and the character, appearance and setting of the listed building, pursuant to National Planning Policy Framework (2019), Policy CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015).

- 07 The 1.5m x 1.5m visibility splays as approved and as shown on drawing number 504_P202 Rev C. shall be provided prior to the use of the garage and be retained in perpetuity.**

Reason: In the interests of highway safety in accordance with National Planning Policy Framework (2019), Policy DM15 of the Development Management Document and the Vehicle Crossing Policy and Application Guidance (2014).

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.

Members are recommended to: GRANT LISTED BUILDING CONSENT subject to the following conditions:

- 01 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 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans 504_P202 Rev. C, 504_P201 Rev. C.**

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

- 03 The garage, gates, fencing and hardstandings hereby approved shall be undertaken and completed in accordance with the materials and details as shown on drawing number 504_P202 Rev. C or any other details that have been previously submitted to and approved in writing by the Local Planning Authority, prior to the first use of the development hereby approved.**

Reason: To ensure the development suitably maintains and enhances the character and appearance of the listed building and wider surrounding area in accordance with the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and advice contained within the Southend Design and Townscape Guide (2009).

- 04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development shall not be first occupied unless and until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping for the site in the environs of the approved building. This shall include details of the number, size and location of the trees and shrubs to be planted together with a planting specification. All planting in the approved landscaping scheme shall be carried out within the first planting season following first use of the development hereby approved. Any shrubs or trees dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species.**

Reason: In the interests of visual amenity and the character, appearance and setting of the listed building and to ensure a satisfactory standard of landscaping, 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).

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) to your property equates to less than 100sqm of new floorspace 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.