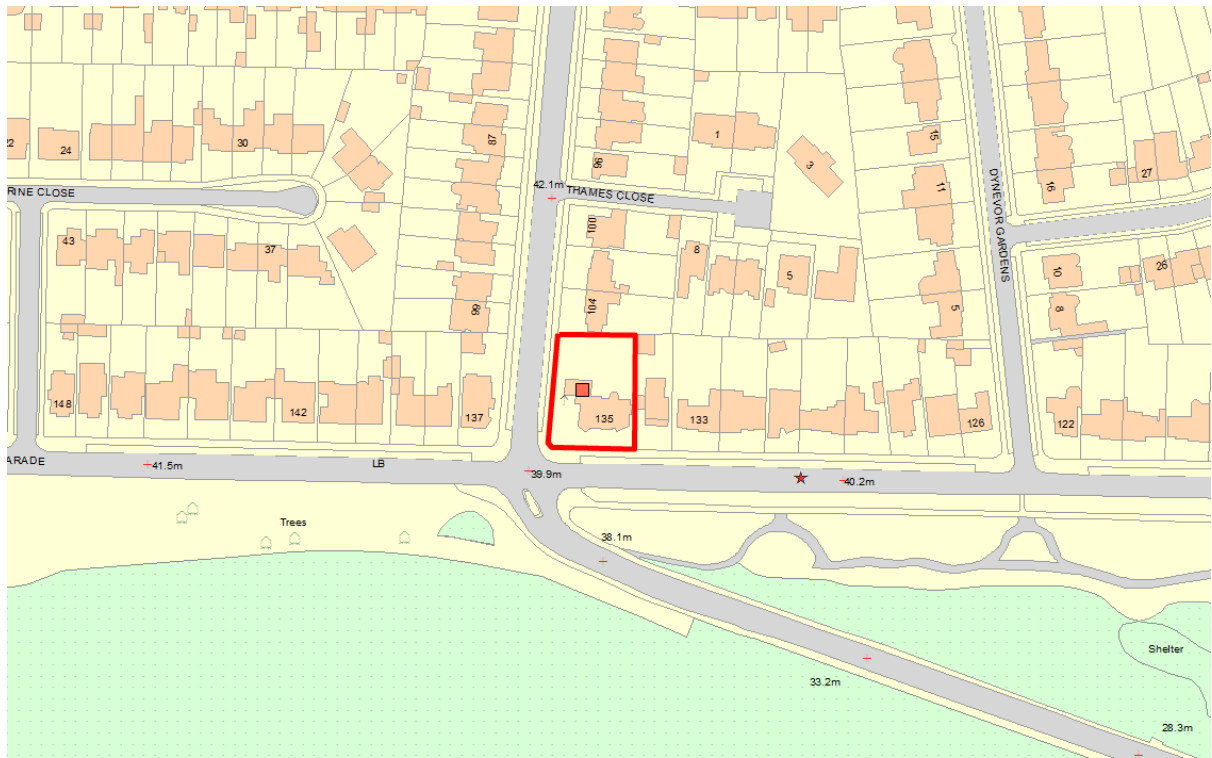


Reference:	19/01417/FUL	
Ward:	West Leigh	
Proposal:	Extend existing pitched roof, install dormers to front and rear, erect front, side and rear extensions and alter elevations to existing building to form six self-contained flats with balconies/terraces, associated parking, amenity space, refuse/cycle store and install vehicle access onto Thames Drive (Amended proposal)	
Address:	135 Marine Parade, Leigh-on-Sea Essex SS9 2RF	
Applicant:	Mr Paul Miller	
Agent:	BDA	
Consultation Expiry	12 th September 2019	
Expiry Date:	9 th October 2019	
Case Officer:	Abbie Greenwood	
Plan Nos:	17.195/01, 17.195/02, 17.195/03, 17.195/04, 17.195/05, 17.195/06, 17.195/07A, 17.195/08A, 17.195/09A, 17.195/10A, 17.195/11A, 17.195/12A, 17.195/13, 17.195/14, 17.195/15, 17.195/17A, 17.195/18A, 17.195/19, 17.195/20A All drawings dated August 2019, Design and Access Statement, Noise Impact Assessment rev C01 by Phase 2 Planning and Development Ltd dated 23.08.19 and a Transport Statement by Ardent Consulting Engineers ref 195090-01A dated August 2019.	
Recommendation:	REFUSE PLANNING PERMISSION	



1 Site and Surroundings

- 1.1 The site is located on the junction of Marine Parade and Thames Drive. There is a noticeable slope north to south towards the estuary. The existing building is a large traditionally designed house with feature gables, bays and balconies. The ground floor is red brick, with white render above and it has a red clay tiled roof with feature chimneys. The property has a single attached flat roof garage to the western side with vehicular crossover from Thames Drive. This garage sits forward of the building line of the properties in Thames Drive but is a subservient addition to the streetscene in this location.
- 1.2 The Marine Estate is characterised by large detached and semi-detached family houses, a few have been converted to flats but overall these conversions have retained the character of houses which means that the flats are not readily apparent in the streetscene. All properties are two storeys. Some have rooms in the roof - there are a few visible dormers including some to the front in the wider area but these are uncommon. The application property is one of the largest houses in the area but its recessive footprint and stepped roof from significantly reduces its scale and impact in the streetscene and the building sits comfortably in the wider context.
- 1.3 The houses in this area are generally good quality traditional houses, mainly red brick and white render with red tiled roofs. Many have projecting gables, feature chimneys and decoration adding interest to the streetscene. Prominent entrances and balconies are also common to most properties.
- 1.4 The site is located within the Development Management Policy DM6 Seafront Character Zone 1.

2 The Proposal

- 2.1 Planning permission is sought to enlarge and remodel the existing property and convert it to 6 self-contained flats. The proposal includes a substantial single storey extension to the north west corner of the building, a significant extension to the roof including raising the ridge to a large part of the roof and an additional front dormer, together with smaller scaled additions to the front and rear. The existing rear amenity area is proposed to be converted to a parking area for 7 cars including 1 visitor/disabled space. This area will also include cycle and refuse storage enclosures. The parking spaces will be accessed via a new crossover from Thames Drive. The existing crossover will be removed. The floorspace of the proposed development is 478sqm as compared to the existing building which is 368sqm (410 sqm including the garage).
- 2.2 The largest extension to the north west corner is a single storey flat roof addition which will replace the existing single storey garage in this location. This extension is larger than the existing garage. It measures 11.1m wide to the street elevation, 9.9m to the rear elevation and has a height of 3.5m. There is also a single storey flat roof addition proposed to the rear of the building which measures 8.8m wide and 2.1m deep with a height of 3.2m.
- 2.3 The front additions consists of infilling the existing spayed corner at two storeys to the south east corner creating an extra 15 sqm of floorspace at both levels in this

location and the enlargement of the bay at ground floor to the front.

- 2.4 At roof level the lower subservient section of roof to the eastern end of the building will be raised by 1.7m to match that of the existing highest part of roof resulting an increase of the highest section of ridge from 0.8m to 5.6m in length. All 3 of the existing dormers will be remodelled and enlarged in height by 0.3m, in width by 0.5m and in depth by 0.2m. One additional dormer is proposed to the front elevation measuring 3.5m high, 3.3m wide and 3.5m in depth.
- 2.5 A refuse store is proposed on the Thames Drive frontage which is shown as a single storey flat roofed building measuring 4.75m x 3.1m. There is no height given for this building but massing diagrams show this to be approximately 2.5m. A separate cycle store measuring 3m x 1.7m is proposed to the rear of the building further into the site. The existing boundary wall will be replaced with a low rendered wall on the Marine Parade and Thames Drive frontages.
- 2.6 The remodelling of property also involves a change in external materials from red tile to dark grey composite tiles and from red brick and white render to dark grey and white render with elements of timber cladding, modern style aluminium windows and doors and fully glazed balconies.
- 2.7 The application is supported by a Design and Access Statement, Noise Impact Assessment and a Transport Statement.
- 2.8 The proposal is an amended scheme following a previous refusal for a similar development of 7 flats. This application (reference 19/00284/FUL) was refused for the following reasons:

01 The proposed development, by reason of its excessive scale, footprint, mass, siting, unresolved design and materials, is considered to have a detrimental impact on the grain, character and appearance of the site and the wider area and would be an over scaled and incongruous addition to the streetscene. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

02 The proposal fails to meet the requirements of the Nationally Described Space Standards (2015) in relation to flat F, and the parking arrangements have resulted in an unacceptable outlook in relation to the rear bedroom of Flat C and the development as a whole fails to provide an adequate provision of amenity space for future occupiers. The proposal overall will therefore result in a poor standard of accommodation for future occupiers and is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

03 The proposed parking arrangements and associated vehicular movements at the site would result in an increased level of noise and disturbance which would be to the detriment of the amenities of 104 Thames Drive. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of

the Development Management Document (2015) and the Design and Townscape Guide (2009).

04 The location of the proposed vehicular access, so close to the convergence of Marine Parade, Thames Drive and Belton Way, is such that it cannot safely accommodate the increase in vehicular movements arising from a development of the nature proposed, to the detriment of highway safety and the free flow of traffic. This impact will be exacerbated in peak holiday periods when traffic on these roads becomes saturated by visitor, resident and business journeys. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4 and policy DM15 of the Development Management Document (2015).

2.9 In order to address these reasons for refusal the following amendments have been made to the initial design:

- The number of units has been reduced from 7 flats (4 x 2 bed and 3 x 1 bed) to 6 flats (4 x 2 bed and 2 x 1 bed)
- The extension proposed to the north west corner of the building has been amended from 2 storeys with a flat roof to a single storey with a flat roof but remains a similar footprint.
- The number of parking spaces has been reduced from 9 to 7 by removing two of the three spaces closest to the rear of the building.
- The previously combined refuse and cycle store has been split into two separate stores with the cycle store being relocated further into the site.
- The entrance to the building from the parking area is now proposed to continue through the building to the Marine Parade frontage with single glazed door facing the street.
- Some internal changes to flat layouts.
- A noise assessment and transport statement have been submitted with the application

2.10 In all other respects the proposal remains unchanged from the previously refused proposal.

3 Relevant Planning History

- 3.1 19/00284/FUL - Extend existing pitched roof with dormers to front and rear, erect front, side and rear extensions and alter elevations to existing building to form 7 No. self contained flats with balconies/terraces, associated parking, amenity space, refuse/cycle store and install vehicle access onto Thames Drive - refused
- 3.2 19/00041/GPDE - Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m –granted
- 3.3 18/02123/GPDE - Erect single storey rear extension, projecting 5.46m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m – refused
- 3.4 18/02122/GPDE - Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of

3.25m. – refused

- 3.5 18/02121/GPDE - Erect single storey rear extension, projecting 5.46m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m. -refused
- 3.6 18/01701/GPDE - Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m. – refused
- 3.7 18/01573/GPDE - Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m – refused
- 3.8 18/01568/GPDE – Erect single storey rear extension, projecting 8m beyond the existing rear wall of the dwelling, 3m high to eaves and with a maximum height of 3.25m. – refused
- 3.9 18/01196/CLP - Part two and part single storey rear extension, roof extension to rear and alter rear elevation (Lawful Development Certificate - Proposed)(Amended Proposal) – refused
- 3.10 17/02211/CLP – Single storey rear extension, roof extension to rear and alter rear elevation (Lawful Development Certificate - Proposed) – refused

4 Representation Summary

Highways

- 4.1
- The proposal is policy compliant in terms of parking provision.
 - The site is within a sustainable location.
 - In relation to previous reason for refusal 04 the number of parking spaces has been reduced by 2 and additional information has been provided in relation to trip generation which show a relatively low number of trips. This is considered sufficient to address reason for refusal 04.

Environmental Health

- 4.2
- The noise report has only considered the impact of a single car movement and has not considered the cumulative impact of vehicle movements on the adjacent amenity area.
 - The report has therefore failed to adequately address the previous reason for refusal 03.

Leigh Town Council

- 4.3 Leigh Town Council object and have raised concerns in relation to:
- The amended proposal would be an over dominant and incongruous addition to the streetscene.
 - The amended proposal has failed to respond to the character of the area and would be out of keeping.

- The amended extensions are overbearing and are not subservient.
- Concerns relating to overlooking of neighbours.
- Concern over the impact on the adjacent junction.

Public Consultation

4.4 A site notice was displayed and letters sent to neighbouring properties notifying them of the amended proposal. Objections were received from 12 residents which raised the following summarised issues:

- The proposal would be out of character with the area and contrary to policy DM6 which protects this character.
- The amended extension is still over scaled and set forward of the existing and neighbouring buildings so will be very prominent in the streetscene.
- Houses would be more appropriate in this location.
- The existing garage is not comparable to the proposed extension.
- The proposed materials are out of character with the streetscene and wider area.
- The proposal should better blend with the surrounding character.
- The proposed design will become dated in a short time.
- The existing cohesion of the streetscene would be lost.
- Detrimental to character of the existing building.
- The existing property is a building of character with good design features and should be retained.
- The existing building could be converted to flats without detrimentally impacting on its character.
- Overdevelopment of site, development is disproportionate to surrounding area.
- Other flat conversions in the area have been very modest and have not detrimentally impacted on the character of the buildings.
- The existing building has not been maintained since it was sold but is not dilapidated.
- The developer should have undertaken pre-application discussions with the Council
- The proposal has disregarded the planning policies and guidance in the Design and Townscape Guide.
- Out of character with the grain of the area.
- The extension is over scaled and too forward on the site so it does not appear subservient to the existing building.
- Overlooking of neighbours.
- Nuisance and noise from vehicles using the parking area affecting neighbouring properties and their amenity areas.
- Lack of private amenity space for new residents - this is an indication of over development.
- The proposed sketches are misleading as they show trees which do not exist and are not in viable locations.
- The proposed amenity space on the frontage will not be private or very useable.
- Lack of parking including lack of visitor parking which will add to parking stress in the area.
- Conflict with junction and concerns over safety.

- The proposal will add to congestion in the area.
- Loss of existing trees and landscaping.
- Loss of view.
- Impact on property values.
- Bin lorries accessing the site would also cause a traffic obstruction.
- Concerns regarding noise and traffic during construction.
- Lack of construction method statement.
- Impact on air quality.
- Density too great for the site and out of character with the area.
- 6 units is too many.
- Flats are not part of the character of this area, where they occur they are the result of house conversion not new build flats therefore have retained the appearance of houses in the streetscene and have not resulted in loss of features or a significant increase in scale.
- The Borough has no need for expensive flats in this location which will not be affordable to first time buyers.
- The proposal is driven by profit.
- The large trees shown on the 3d images do not exist and are just an attempt to screen the proposal in the drawings - the building would be much more exposed in the streetscene.
- The proposal is contrary to many local planning policies.

[Officer Comment: These concerns are noted and they have been taken into account in the assessment of the application in Section 7 below.]

- 4.5 The application has been called to Development Control Committee by Cllr Evans and Cllr Mulroney.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (NPPF) (2019)
- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP8 (Dwelling Provision)
- 5.3 Development Management Document (2015) Policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM3 (The Efficient and effective use of land), DM6 (Southend Seafront), DM7 (Dwelling Mix), DM8 (Residential Standards), DM15 (Sustainable Transport Management)
- 5.4 Southend Design & Townscape Guide (2009)
- 5.5 Community Infrastructure Levy (CIL)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, design and impact on the streetscene, traffic and transportation, impact on residential amenity, sustainable construction, the quality of accommodation for future occupiers, CIL and whether the proposal has overcome

the previous reasons for refusal.

7 Appraisal

Principle of Development

- 7.1 Amongst other policies to support sustainable development, the NPPF seeks to boost the supply of housing by delivering a wide choice of high quality homes.
- 7.2 Policy KP2 of the Core Strategy states development must be achieved in ways which *“make the best use of previously developed land, ensuring that sites and buildings are put to best use”*. Policy CP4 requires that new development *“maximise the use of previously developed land, whilst recognising potential biodiversity value and promoting good, well-designed, quality mixed use developments”* and that this should be achieved 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”*.
- 7.3 Policy CP8 of the Core Strategy recognises that a significant amount of additional housing will be achieved by intensification (making more effective use of land) and requires that development proposals contribute to local housing needs. It identifies that 80% of residential development shall be provided on previously developed land.
- 7.4 Policy DM3 of the Development Management Document 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 that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity”*
- 7.5 The existing building is a large 6 bedroomed house. It is located in a streetscene which is characterised mainly by large family houses. Some properties in the road, which were originally houses, have been converted into flats. Where these conversions have occurred they have generally been low key and the outward appearance of the dwellings has largely been retained so that the streetscene is maintained. As with the previous proposal, there is therefore no objection in principle to the conversion and adaptation of the existing property into flats subject to the detailed considerations set out below.

Design and Impact on the Streetscene

- 7.6 *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.’*
- 7.7 Policy DM1 of the Development Management Document states that *“all development should add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials,*

townscape and/or landscape setting, use, and detailed design features.”

- 7.8 Policy DM3 part 3 of the Development Management Document states that *‘3. The conversion of existing single dwellings into two or more dwellings will only be permitted where the proposed development:*

(i) Does not adversely impact upon the living conditions and amenity of the intended occupants and neighbouring residents and uses; and
(ii) Will not harm the character and appearance of the existing building or wider area; and
(iii) Will not lead to a detrimental change of a street’s function; and
(iv) Meets the residential standards set out in DM8 and the vehicle parking standards set out in Policy DM15.’

- 7.9 Policy DM6 Character Zone 1 (iv) seeks to *‘retain character and building height and type along Marine Parade.’*

- 7.10 In relation to the extension of existing buildings the Design and Townscape Guide states:

‘64. When designing a new building or an extension it is important that the development integrates with existing buildings. This is best done by identifying the positive characteristics and relationships formed by the existing buildings e.g. frontage lines, heights of ridges and eaves, proportions, materials etc. and respecting them in the design of the new development.

85. The successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant in the streetscene and development which is under scaled will appear weak and be equally detrimental. The easiest option is to draw reference from the surrounding buildings.

342...A well designed and integrated extension can complement and even enhance an existing property, whereas a poorly designed addition can easily destroy the original character and have a detrimental effect on the streetscene.

343. Whether the proposed extension is modern or traditional, the simplest way to ensure that it does not conflict with the existing character of the property is to draw references from the parent building. For example:

- All extensions should be well designed, well detailed and respond to the unique constraints and opportunities of the site.*
- The scale of the extension must be respectful of the scale of the present building - additions that are too large will be over dominant. Extensions that appear subservient to the parent building tend to fit more comfortably and integrate better with the existing building. Matching roof styles and pitches can help integrate old and new.’*

- 7.11 In relation to areas of consistent scale and in particular large detached housing the Design and Townscape Guide states:

‘89. there are also some areas of large family houses in the Borough. These

areas have a completely different character - the larger buildings are more imposing and the streets have an altogether grander feel. Again the individual designs may vary but their scale, grain and use as single family dwelling houses are unifying characteristics and key to local character. This type of housing is most prevalent in Thorpe Bay (for example Burges Estate and Thorpe Esplanade), Leigh (for example Marine Estate) and Chalkwell (for example Chalkwell Hall Estate), but can also be found in other areas of the town.

90. In these areas, proposals for development of a larger, or different or unbalancing scale would be detrimental to local character and will be resisted in principle. All new development must preserve and enhance local character; development which is harmful will not be acceptable. Generally the conversion of these buildings to flats will be unacceptable given the knock on needs for extensions, car parking or the increase in parking pressure. '

7.12 In relation to materials the Design and Townscape Guide states:

'119. Choice of materials can make a huge difference to the success of a building. Sympathetic materials, whether matching or contrasting, can help to integrate a new building or extension with the character of the surrounding townscape.'

7.13 In relation to entrances the Design and Townscape Guide states:

'131. The focus of any new building must be the pedestrian, not the car and it is essential that the pedestrian entrance is clearly defined and visible from the public highway. Primary entrances are to be located on the street elevation, not at the rear or in the car park.'

Scale and Form

7.14 Marine Parade and Thames Drive are attractive streets of mainly large traditional family houses. Marine Parade, which stretches from Hadleigh Road to the east to the Borough Boundary to the west, is specifically identified in the Design and Townscape Guide as an area of uniform scale and character and is recognised in Policy DM6 as being an attractive and cohesive frontage which is important to the character of the seafront in this part of the Borough. As such, although the site is located at a junction, it is not considered an appropriate location for landmark building. Any proposal in this location needs to seamlessly integrate into the wider streetscene.

7.15 The houses in Marine Parade are generally individual in their design but there is consistency in scale, grain, form and use of materials and detailing which gives the street its unified and distinctive character. Some of the houses in this frontage have been converted into flats but where this has occurred, the external alterations have been minor and the frontage as a whole has maintained the appearance of well-articulated large houses. The application property is one of the largest houses in the area, but its' stepped recessive footprint and broken roof form ensures that it does not appear over scaled in relation to the neighbouring properties and that it sits comfortably in this context. As noted above no objection is raised to the principle the conversion of the existing house to flats provided it can be achieved in a manner which does not harm the character of the area.

7.16 The proposal is seeking significant extensions and internal alterations to enable 6 flats to be created. The application is an amended proposal following a previous refusal for a similar scheme of 7 flats (reference 19/00284/8FUL) This initial application was refused for a number of reasons including its design (see 2.8 above). In relation to the design the proposal was considered to be an over scaled and incongruous addition to the streetscene. The specific concerns can be summarised as:

- The two storey extension at the north west corner of the property was considered to be a dominant, inappropriately sited and an excessively scaled addition to the existing building which would be overly prominent in the streetscene and conflict with the character and grain of the area. It was also considered that a two storey flat roofed addition would be out of character with the area.
- The increase in scale to the roof of the property was also considered to be excessive. The proposal sought to change the form of the roof from the existing series of recessive hipped forms, designed to break up the scale of the roof and better relate to the surrounding more modest properties, to a single hipped form over the entire main building. This alteration was considered to significantly and detrimentally increase the bulk of the property in the wider streetscene. This aspect of the design was also compounded by the proposed increase in the number and scale of the existing dormers. Overall the proposed roof design was considered to be over scaled, top heavy and out of character in the streetscene which has smaller roofs and few front dormers.
- The front extension and subsequent change in the front building line at the south east corner of the property to omit the splayed corner was also a concern. This feature currently provides a positive transition to the deeper frontage line of the rest of the street block and prevents the existing dwelling appearing overly prominent on the Marine Parade frontage. The proposal to bring the building line significantly forward at this point was considered to result in an unacceptable increase in the prominence of the building on this frontage, which, combined with the other extensions noted above, would result in a dominant visual relationship with neighbour and in the wider streetscene.

7.17 Concerns were also raised in relation to the detailed design of the scheme in particular:

- The change in materials and colours were considered to be out of character with the area generally and to contribute to the dominant impact of the proposal in the wider streetscene. The proposed heavy surrounds to the gables and dormers were considered to lack finesse and accentuate the bulk of the building particularly at the upper levels.
- The lack of a visible and appropriately detailed entrance to the street was also raised as an issue. A prominent street entrance would provide a focal point for the development and positively reference local character. This was lacking from the proposal.
- The visual impact of the parking area including lack of landscaping and the dominance of the refuse/cycle store was also a concern.

7.18 No objections were raised to the single storey rear extension.

- 7.19 Overall it was considered that the design of the initial proposal was over dominant in its scale and form and its design failed to respect the character of the area and the cohesion of the Marine Parade frontage as required by policy DM6.
- 7.20 In order to address this reason for refusal the following amendments have been made to the design:
- The extension proposed to the north west corner of the building has been amended from 2 storeys with a flat roof to a single storey with a flat roof with a slightly amended but similar footprint and siting.
 - The entrance to the building from the car park is now proposed to continue through the building to the Marine Parade frontage with single glazed entrance door facing the street.
 - Two parking spaces have been omitted in the proposed parking area to the rear of the building and the refuse and cycle store has been split into two separate elements one of which has moved further into the site.
- 7.21 Whilst the reduction in scale of the extension to the north west corner of the development is noted and is an improvement over the previously refused scheme, the proposed extension in this area is still substantial. It measures 11.1m wide (stepping in slightly at the southern end but with a forward projecting balustrade at this point), 9.9m deep and 3.3m high. It is still sited in an exposed and prominent location 3.6m forward of the building line of the existing building and 4m forward of the houses in Thames Drive to the north.
- 7.22 As with the previous application, the amended application seeks to justify the scale and siting of this large extension by arguing that it would replace a single storey garage in this location. However, as noted in the initial proposal, although the garage steps out from the existing building at this point, it is a significantly smaller (41.5 sqm footprint for the garage as opposed to 67.8 sqm footprint for the extension) non habitable, subservient addition to the building and, as a garage, it does not appear out of place in this forward location which is partially screened by a high garden wall. In contrast, a large habitable extension, which is greater than the size of an entire 2 bed ground floor flat and which is very exposed on all sides would be highly visible in the streetscene and would appear at odds with the character of the existing building and the wider area. This element of the proposal therefore remains unacceptable.
- 7.23 There is no objection in principle to extensions at this property provided they are appropriately scaled and sited to positively integrate with the existing building and the wider streetscene. As with the previous application no objection is raised to the proposed single storey rear extension which has achieved this balance.
- 7.24 In all other aspects the scale and form of the proposal remains the same as the previously refused scheme and the concerns noted in 7.16 above in relation to the roof form and front extension have not been addressed. It is therefore considered that the scale and form of the proposal remains unacceptable in the amended proposal.
- 7.25 In relation to the design detail it is noted that the entrance configuration has been amended to enable an additional communal door to the front elevation. Whilst this

is welcomed in principle, the entrance is just a simple glazed door and has not been detailed to be a focus for the front of the building. As such is not recognisable as the main entrance nor does it provide a feature for this elevation. This conflicts with the character of the area where main entrances are an important feature of the street frontages and an important part of the rhythm and character of the street. This amendment has therefore added little to the overall merits of the scheme.

- 7.26 In all other aspects the detailing of the proposal remains unchanged and the previous concerns raised in relation to the materials and heavy detailing of the elevations and features remain unacceptable in this context.
- 7.27 In relation to the external area, the loss of two parking spaces presents an opportunity for more landscaping against the rear of the building and a better outlook for the adjacent flat which is welcomed, however the scale of the parking area generally and the extent of unbroken hardsurfacing is still considered to be excessive and will be detrimental to the streetscene. The reduction of the refuse store to the Thames Drive frontage is also a slight improvement over the originally submitted proposal but at the scale and height proposed, this will still be an overly prominent and alien addition to the streetscene in this exposed location. A location further into the site would be preferable.
- 7.28 As with the initial scheme the amended proposal is seeking to justify the change in scale by noting that permission has been granted under prior approval for an 8m deep single storey extension to the north east corner of the development. However, it is noted that this has not been built and its siting is within the internal area of the site behind the garage and away from the street frontages would mean that it had limited impact on the streetscene. This permission is therefore afforded very little weight in justifying the scale increase of the proposed scheme.
- 7.29 As noted above, where flats have successfully been integrated into the streetscene they have managed to retain the form and appearance of single family dwelling houses. The proposed remodelling and scale of the development overall will single out this development as being a different typology to the prevailing character. Whilst this can work in some areas, in this location, where the cohesive frontage of large houses is a defining feature of the area, (as noted in policy DM6 and the Design and Townscape Guide) the dramatic change in scale, form and style does not sit comfortably in the streetscene.
- 7.30 Overall therefore, whilst there is no objection in principle to flats within this building or on this site, it is considered that the scale, form, bulk, siting and detailed design of the amended proposal would still result in overly dominant and incongruous additions to the host building and streetscene which would materially conflict with the grain and character of the site and wider area. The proposal has therefore failed to overcome the previous reason for refusal in relation to design and scale and it is unacceptable and contrary to the policy in this regard.

Standard of Accommodation for Future Occupiers

- 7.31 Delivering high quality homes is a key objective of the NPPF.
- 7.32 Policy DM3 of the Development Management Document (i) states: proposals should be resisted where they *“Create a detrimental impact upon the living*

conditions and amenity of existing and future residents or neighbouring residents”.

Space Standards

7.33 All new homes are required to meet the Nationally Described Space Standards (NDSS) in terms of floorspace and bedroom sizes. The initial application was previously refused because the proposal failed to meet these standards in relation to one of the units which was undersized by 10.1 sqm. The required sizes for 1 and 2 bed flats and the minimum standards for bedrooms are as follows:

- 1 bed 2 person flat - minimum 50 sqm
- 2 bed 3 person flat - minimum 61 sqm
- 2 bed 4 person flat - minimum 70 sqm
- Master bedroom - minimum area 11.5 sqm, minimum width 2.75m
- Other double bedrooms – minimum area 11.5 sqm, minimum width 2.55m
- Single bedrooms - minimum area 7.5 sqm and minimum width 2.15m

7.34 The flat sizes and bedrooms sizes for the amended proposal are noted in the table below:

	<i>Area</i>	<i>Bed 1</i>	<i>Bed 2</i>	<i>Meets NDSS</i>
Flat A 2 bed 3 person	64 sqm	13.6 sqm W=3.2m	8.9sqm W=2.5m	yes
Flat B 1 bed 2 persons	56 sqm	12.4 sqm W=2.7m		yes
Flat C 2 bed 3 person	70 sqm	16.2 sqm W=3.4m	10.6 sqm W=2.6m	yes
Flat D 2 bed 3 person	65.5 sqm	13.3 sqm W=2.7sqm	7.2sqm W=2.7-1.8 sqm	No - bedroom 0.3 sqm short of standard and narrower in part
Flat E 2 bed 4 person	60.3 sqm	12.7 sqm W=3.2m	11.5sqm W=3.1m	No - overall flat 9.7 sqm short of the overall flat area standard
Flat F 1 bed 2 person	63.8 sqm	17.9 sqm W=3.3m		Yes – note not adjusted for head height but well over scaled

7.35 The table shows that the second bedroom for flat D is slightly under sized and that Flat E falls short of the NDSS for a 2 bed 4 person flat by 9.7 sqm. It is noted that the submitted first floor plan labels Flat E as being for 3 persons only, but as both bedrooms meet the double bedroom size requirements and will be used as such, this unit has been assessed as a 4 person unit and as such fails to meet the standards in terms of overall floor area. This interpretation is in line with the NDSS guidelines and a recent appeal decision on this issue (reference APP/D1590/W/18/3214270) in which the Inspector states:

‘4 the nationally described space standards (NDSS) prescribes that a bedroom with a floor area over 11.5 square metres is counted as a double bedroom and consequently I have assessed the proposal on the basis of it providing two double

bedrooms for four persons.

5. Thus, in providing a property size of approximately 68square metres the proposal would fail to meet the requirements of the NDSS of 79 square metres for a 2-bedroom, 4 person, 2 storey dwelling. Whilst both bedrooms would exceed the minimum floor area and widths for double bedrooms, the shortfall in overall gross internal floor space is not off-set by the proposal's compliance with other space standards within the NDSS.'

- 7.36 Overall therefore it is considered that the proposal fails to meet the required space standards, particularly in relation to Flat E. The proposal has therefore failed to overcome the previous reason for refusal 02 and the proposal is unacceptable in contrary to policy and this regard.

Daylight, Sunlight and Outlook from Habitable Rooms

- 7.37 The previous reason for refusal 02 of the original application found the outlook of the rear bedroom within flat C and noise and disturbance arising from the parking spaces adjacent to the window to be unacceptable. The amended configuration of the parking area have addressed these issues and the amended plans now show that all habitable rooms have an acceptable outlook and benefit from acceptable levels of daylight and sunlight. This aspect of the proposal is now considered to be acceptable and the amended scheme is policy compliant in this regard. It is noted that no objection was previously raised in this respect under reference 19/00284/FUL.

M4(2) – Accessibility

- 7.38 The application includes some information on the accessibility of the flats including a commitment to doorway and hallway widths, step free access and access to refuse areas although it is noted that the information provided does not meet the full requirements of M4(2). However, as the application is for the conversion and enlargement of an existing property and, whilst a commitment to M4(2) and accessible dwellings would be welcomed, it is not a strict policy requirement. The proposal is therefore acceptable and policy compliant in this regard.

Amenity Provision

- 7.39 In relation to the provision of amenity space Policy DM8 states that all new dwellings should *'Make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reasons for which will need to be fully justified and clearly demonstrated.'*
- 7.40 In relation to amenity space provision the Design and Townscape Guide states:

'Criteria for Amenity Space

143. There is no fixed quantitative requirement for the amount of amenity space as each site is assessed on a site by site basis according to local character and

constraints. However, all residential schemes will normally be required to provide usable amenity space for the enjoyment of occupiers in some form. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances which will need to be fully justified.

Communal Amenity Space should:

- Be of a usable size and shape.*
- Receive sunlight, even in winter and provide shade in summer.*
- Be well landscaped and include significant amounts of planting. For larger developments with shared amenity space the landscaping should be designed in such a way as to provide semi private outdoor rooms, to enable users to have some privacy from each other.*
- Include spaces for sitting and socialising e.g. bbq area.*
- Developments that include flats of 2 or more bedrooms should include a dedicated play space. This could include a piece(s) of play equipment or be landscaped in such a way as to promote imaginative play. Children of all ages should be catered for where possible. This should be explained in the Design and Access Statement.*
- Include a clothes drying area.*
- Be screened from parking areas.*
- Be easily accessible for all occupants, not bisected by vehicular accesses or parking areas.*
- Be overlooked by habitable rooms to ensure safety and natural surveillance.*
- Have a Landscape Management Plan.*
- Be private and incorporate a means of enclosure that complements the development and the wider townscape.*
- Make a positive contribution to local biodiversity.*

In exceptional circumstances it may be acceptable for residential schemes to provide balconies as the only amenity provision. This will need to be justified on a site by site basis in the Design and Access statement.'

- 7.41 The application was previously refused because the amenity provision for the units was considered to be unacceptable. This was because the communal garden area was located to the front of the building. This area, did not meet the criteria noted above because it would be overlooked from the street and therefore not private. In considering what constitutes suitable amenity provision for any given site significant weight should be given to the character and grain of the area. This is not a town centre location, it is a large site within an established housing area where all properties have access to large private gardens to the rear. It is therefore expected that any proposal on this site should include a useable and private ground level amenity space which should be located to the rear of the building where a high boundary would not be out of character.
- 7.42 The amended scheme has reconfigured the car parking area to the rear of the building which has freed up around 20 sqm of space. This is too small for a communal area but can provide additional amenity for the adjacent ground floor flat C. Whilst this is welcomed, it is considered that overall the amenity provision for the remainder of the units is still inadequate for a proposal in this type of location. It is also noted that the submitted noise report predicts the noise levels in the frontage amenity areas to be 61dB which is above the recommended 55bd for external

amenity areas in noisier environments (the recommended levels are 50dB in quieter settings). This is another indication that the proposed amenity space will not be very user friendly.

- 7.43 The absence of a suitable amenity space is therefore considered to be to the detriment of the proposal and an indication that the site is still being over developed in this instance. This element of the proposal remains unacceptable and the proposal fails to meet the policy requirements in this regard.
- 7.44 Overall it is considered that the failure to meet the Nationally Described Space Standards in relation to flat E and the failure to provide adequate useable amenity provision would still result in substandard accommodation for future occupiers. The proposal has therefore failed to overcome the previous reason for refusal 02 and is therefore unacceptable and contrary to policy in this regard.

Traffic and Transportation

- 7.45 The site is located close to the junction of Marine Parade and Thames Drive which is controlled by traffic lights. It is on a bus route and within walking distance of Leigh Station. To access the parking area the proposal would require the formation of a new double width access onto Thames Drive and the reinstatement of the existing single width crossover from Thames Drive which serves the existing garage. The proposed parking area would include space for the turning of vehicles.
- 7.46 Policy DM15 states that new flats should be served by at least one off street parking space. The proposal would provide 7 parking spaces, 1 per flat and 1 visitor space which would be a disabled space. The Council's Highways Officer has not raised any objections in relation to the level of parking proposed. The proposal is therefore considered to be acceptable and policy compliant in this regard although, as noted elsewhere in this report there are concerns raised regarding the visual impact of the car parking area on the streetscene and on the amenity of neighbouring occupiers.
- 7.47 In relation to the new access and the impact on highway safety it is noted that the proposal was previously refused because it was not demonstrated that the proximity of the new crossover to the neighbouring junction combined with the number of parking spaces in this location would not give rise to safety concerns at the junction particularly during peak times.
- 7.48 The amended scheme has reduced the number of flats by one unit and the number of parking spaces by two which will reduce the number of movements from this access. The application also includes a transport statement which includes predicted trip data for this access which shows the volume of traffic to be low. The report concludes that the impact of the proposal on the wider network will be an increase of up to 4 trips during the peak hours. The Council's Highways Officer is satisfied that this would not have a detrimental impact on the safety of the junction and as such the previous reason for refusal has been overcome.

Cycle parking

- 7.49 A cycle store to accommodate 8 cycles is proposed to the rear of the building.

Limited information has been provided in relation to the design of this store but this is a reasonable location and, if the proposal were otherwise found to be acceptable, full details could be secured via a condition. This provision would meet the policy requirement for cycle parking and the proposal is acceptable and policy compliant in this regard.

Refuse and Recycling Storage

- 7.50 The plans also show a refuse and recycling store to the rear of the site. This would accommodate 1 x 110 litre bin for refuse, 1 x 110 litre bin for recycling and a 40 litre food waste bin. This meets the requirements of the Councils Waste Management Guide for the scale of development proposed. The store is located close to the highway and will therefore be easily accessible for waste collection. The proposal is therefore acceptable and policy compliant in this regard.
- 7.51 The traffic and transportation impacts of the proposal are therefore considered to be acceptable and the proposal is policy compliant in this regard.

Impact on Residential Amenity

- 7.52 Policy DM1 of the Development Management Document states that development should, *“protect the amenity of the site, immediate neighbours and surrounding area, having regard for privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution and daylight and sunlight.”*

Light, Outlook and Privacy

Impact on number 104 Thames Drive. to the north

- 7.53 The proposed single storey extension would be 13.8m from the northern boundary and approximately 16.6m from the flank wall of the neighbour to the north 104 Thames Drive. The proposed extension is set significantly forward of the front building line of this neighbour (around 4m) and extends to approximately in line with the rear building line of this neighbour. The proposal has 3 habitable room windows facing north at ground floor within the proposed extension. The remaining rear facing windows are a similar configuration and distance from this neighbour as the rear windows in the existing property.
- 7.54 The neighbour to the north has a bay window on its south flank at first floor. This appears to be a secondary window to a bedroom which has a larger bay to the front facing the street. There is also a small obscure glazed window at first floor towards the rear of the flank elevation of this neighbour.
- 7.55 As with the previous application it is considered that the separation distance and the arrangement of windows would not result in unacceptable levels of inter looking between the proposal and this neighbour. It is also considered that, although the proposal steps forward of 104, again the separation distances are sufficient to ensure that it would not appear overbearing or have a detrimental impact on light to this property. The impact on this neighbour is therefore considered to be acceptable and the proposal is policy compliant in these regards.

Impact on number 134 Marine Parade to the east

- 7.56 The existing property is 1.5m from the eastern boundary and 4.6m from the flank wall of number 134 Marine Parade to the east. The proposal includes some extensions along this boundary which will increase the depth of the existing building on this side. The extensions on this side, including a single storey rear extension and a two storey front extension, are the same as that previously submitted. No objections were raised in the previous application to the impact of these extensions on the amenity of the neighbour to the east and this remains unchanged in the current proposal. The proposal is therefore acceptable and policy compliant in this regard.

Impact on other neighbours

- 7.57 The only other property affected by the proposal is 137/137a Marine Parade to the west. This property is across the junction to the proposal with a separation of over 10m between the elevations facing Thames Drive. The application proposes additional windows at ground floor facing west; however, this is considered to be an acceptable arrangement and separation distance for a street facing elevation and would not give rise to an unreasonable impact on this neighbour.

Noise and Disturbance

- 7.58 The previous application was refused because it was considered that the noise and disturbance arising from the proposed conversion of the entire rear garden to a parking area would have a detrimental impact on the amenity of neighbour to the north, 104 Thames Drive, which has its main amenity area and bedrooms adjacent to the proposed parking area. There was less of a concern regarding the impact of noise and disturbance for the neighbour to the east as they have their garage and drive on this side adjacent to the site.
- 7.59 The amended proposal has 2 fewer car parking spaces overall but still the same number (6) located along the shared boundary to the north. In respect of external noise levels, the guidance in BS 8233:2014 suggests that *"it is desirable that the external noise level does not exceed 50 dB L Aeq,T with an upper guideline value of 55 dB L Aeq,T which would be acceptable in noisier environments."*
- 7.60 A Noise Report has been submitted with the application. This has considered the impact of a single car door slam on this neighbouring amenity space and has concluded that this will not have a material impact. However the report has not considered the commutative noise impact of multiple car movements on the neighbouring amenity space. The Councils Environmental Health Officer therefore considered that the proposal has not adequately addressed the previous reason for refusal and the proposal remains unacceptable in this regard.
- 7.61 Noise and disturbance is less of an issue in relation to construction as this can be controlled by condition requiring a construction management plan and restricting hours of operation.
- 7.62 Overall therefore it is considered that the noise and disturbance arising from the proposed parking area would have a detrimental impact on the amenities of 104 Thames Drive and the proposal is unacceptable and contrary to policy in this regard. This again indicates that there is too much development on site. The

scheme has therefore failed to overcome the previous concerns raised in this respect under reference 19/00284/FUL.

Sustainable Construction

- 7.63 Policy KP2 of the Core Strategy requires that *“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). Policy DM2 of the Development Management Document states that “to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions”*. This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.
- 7.64 No information has been provided regarding proposed renewable energy to demonstrate how the proposal meets the 10% policy requirement, however, it is considered that the requirement for renewable energy and restrictions on water usage could be controlled with conditions if it were otherwise found to be acceptable. This aspect of the proposal is therefore considered to be acceptable and policy compliant in this regard.

Drainage

- 7.65 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.
- 7.66 The site is located in flood risk zone 1 (low risk). A large parking area is proposed over the existing rear garden. No information has been provided regarding drainage of this area or the site generally, however, if the proposal was otherwise found to be acceptable a condition could be imposed to ensure the proposed development mitigates against surface water runoff. Subject to this the proposal would therefore be considered to be acceptable and policy compliant in this regard.

Community Infrastructure Levy (CIL)

- 7.67 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 would also be CIL liable.

Conclusion

- 7.68 The proposed development, by reason of its excessive scale, footprint, mass, siting, unresolved design and materials, is considered to have a detrimental impact on the grain, character and appearance of the area and would be an incongruous addition to the streetscene. The proposal has also failed to comply with the nationally described space standards or provide an acceptable standard of private amenity space for the future residents. It is also considered that the proposed parking arrangements would have a detrimental impact on the amenities of 104 Thames Drive in terms of noise and disturbance.

- 7.69 Overall the development has failed to overcome reasons for refusal 01, 02 and 03 and failed to demonstrate that 6 flats can be achieved on this site in a way which is not harmful to the character and appearance of the area, future occupiers and neighbours.
- 7.70 In this instance the public benefits of the development do not outweigh the harm caused as the scale of the development is such that it would have a limited effect on the overall supply of housing. It is considered that the adverse impact which the development would have on the character and appearance of the area, future occupiers and neighbours would significantly and demonstrably outweigh the benefits which would arise from it. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3, DM6 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

8 Recommendation

- 8.1 **Members are recommended to REFUSE PLANNING PERMISSION for the following reasons:**

01 The proposed development, by reason of its excessive scale, footprint, mass, siting, unresolved design and materials, is considered to have a detrimental impact on the grain, character and appearance of the site and the wider area and would be an over scaled and incongruous addition to the streetscene. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

02 The proposal fails to meet the requirements of the Nationally Described Space Standards (2015) in relation to flat E and the development as a whole fails to provide an adequate standard of amenity space for future occupiers. The proposal overall will therefore result in a poor standard of accommodation for future occupiers and is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

03The proposed parking arrangements and associated vehicular movements at the site would result in an increased level of noise and disturbance which would be to the detriment of the amenities of 104 Thames Drive. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

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

01 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.