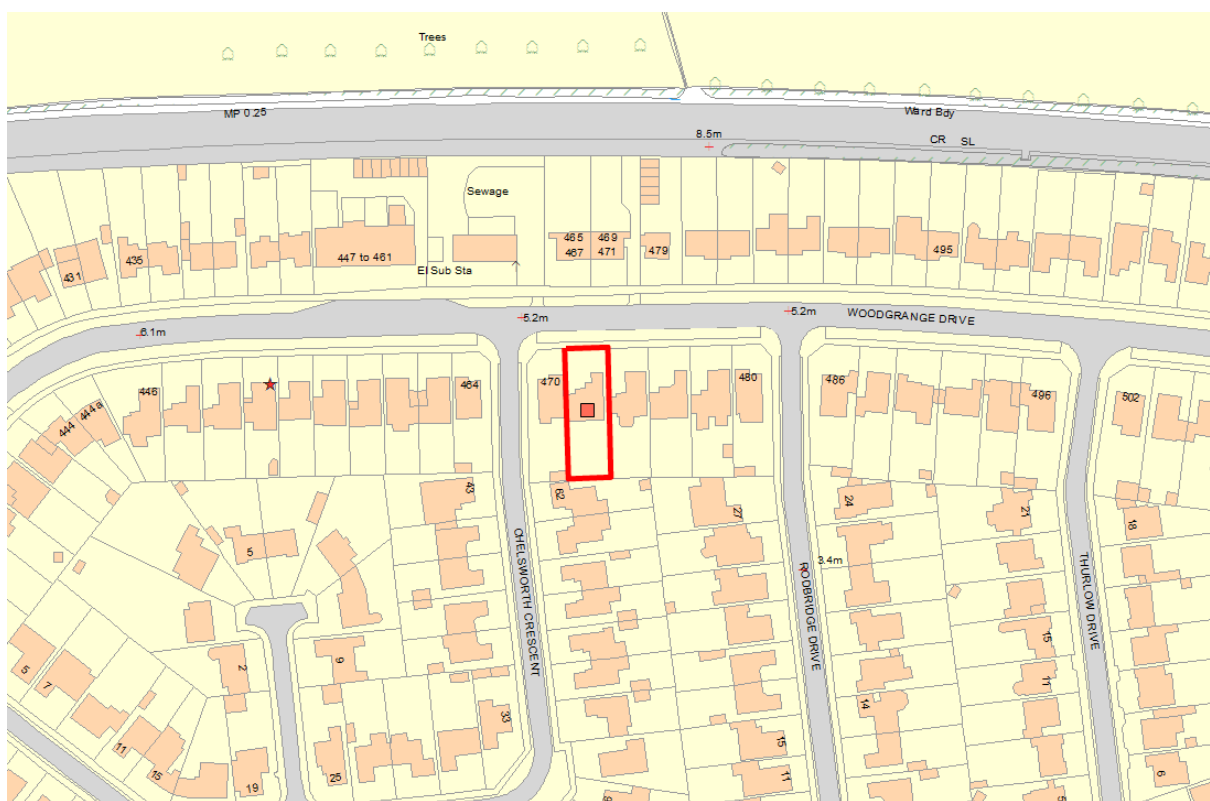


<b>Reference:</b>	19/01840/FULH	
<b>Application Type:</b>	Full Application - Householder	
<b>Ward:</b>	Thorpe	
<b>Proposal:</b>	Erect single storey rear extension (Amended Proposal)	
<b>Address:</b>	472 Woodgrange Drive, Southend-On-Sea, Essex	
<b>Applicant:</b>	Miss Neelam Prashar	
<b>Agent:</b>	Mr Stephen Ladner of SJCS	
<b>Consultation Expiry:</b>	4th November 2019	
<b>Expiry Date:</b>	6th December 2019	
<b>Case Officer:</b>	Kara Elliott	
<b>Plan Nos:</b>	15/1184/01, 15/1184/02/D, 15/1184/03/C	
<b>Recommendation:</b>	<b>REFUSE PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The application site is located on the southern side of Woodgrange Drive and contains a detached single storey dwelling. The application site is set within a row of similarly designed single storey bungalows, set back from the highway.
- 1.2 The application site is neighboured to the east and west by 470 and 474 Woodgrange Drive. The north side elevation and rear garden of 62 Chelsworth Crescent is located at the rear boundary of the site.
- 1.3 The site is not located within a designated Conservation area and is not a listed building.

## **2 The Proposal**

- 2.1 The application seeks planning permission for a single storey rear extension. An existing rear conservatory would be removed to make way for the proposed development.
- 2.2 The proposed rear extension would measure a maximum of 4.25m from the main rear wall of the dwelling and approximately 6.4 metres from the rear of the lounge following removal of the conservatory and would be 8.6 metres wide.
- 2.3 The extension would have a flat roof and would reach a total height of 3.3 metres.
- 2.4 The walls of the proposed extension would be finished in brickwork to match the existing with a flat roof system and two glazed roof lanterns. Fenestration is shown as white Upvc windows and two sets of double doors to the rear elevation.
- 2.5 This application follows two previous refused applications proposing a single storey flat roof rear extension which projected 5 metres from the rearmost wall of the dwelling but had a maximum depth of 7 metres projecting from the rear of the existing garage and extended the entire width of the dwelling (reference 17/02103/FULH and 18/01092/FULH). A more recent application 19/00277/FULH was refused on 18.04.2019. This application proposed an extension of the same width and depth as that now proposed, but had a crown roof design. The reasons for refusal for 19/00277/FULH were;
  1. The proposed development by reason of its size, scale and bulk as well as its lack of architectural merit owing to a flat roof 'box' form with shallow pitched roof edges would result in a dominant and incongruous feature and would result in a detrimental impact upon the character and appearance of the existing dwelling and the wider area.
  2. The proposed development by reason of its siting, size, height and rearward projection would result in a demonstrable harmful impact upon the amenity of the occupiers of no's 474 Woodgrange Drive by way of perceived and actual dominance, overshadowing and sense of enclosure.

2.6 The current application attempts to overcome the previous refusals by proposing a flat roof design with lantern lights. Communication from the applicant related to past applications has indicated the extension is required in relation to the particular needs of the applicant. An equalities section is therefore included in this report.

### **3 Relevant Planning History**

3.1 17/02103/FULH - Erect single storey rear extension – Refused;

3.2 18/01140/GPDE – Erect single storey rear extension, projecting 7.15m beyond the existing rear wall of the dwelling, 2.71m high to eaves and with a maximum height of 2.99m – Refused;

3.3 18/01151/GPDE - Erect single storey rear extension, projecting 7.15m beyond the existing rear wall of the dwelling, 2.71m high to eaves and with a maximum height of 2.99m – Refused;

3.4 18/01092/FULH - Erect single storey rear extension (Amended Proposal) – Refused;

3.5 19/00277/FULH - Erect single storey rear extension (Amended Proposal) - Refused

### **4 Representation Summary**

#### **Public Consultation**

4.1 Seven neighbours were notified and three letters of representation were received which made the following objections;

- Harm to residential amenity;
- Excessive scale and height not in keeping with existing dwelling or local area;
- Impact harmfully upon neighbours; loss of light, loss of privacy, overbearing, sense of enclosure;
- Overlooking from windows to neighbouring properties;
- Impact on streetscene;
- Overdevelopment;
- Drainage concerns;
- No improvement from previous refusal;
- Detrimental impact on health of neighbours from loss of light;
- Extension takes up too much of applicants garden;
- Light pollution from security lights;
- Incongruous design

4.2 Officer comment: The representations have been noted and considered when assessing the application. Except for the specific reasons contained in Section 9 of this report the remaining grounds of objection are not found to represent a reasonable basis for refusing permission on their individual merits.

4.3 The application falls to be determined by the Development Control Committee at the request of former Councillor R Woodley.

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (2019)
- 5.2 Core Strategy (2007) Policies CP4 (Environment and Urban Renaissance) and KP2 (Development Principles)
- 5.3 Development Management Document (2015) Policy DM1 (Design Quality), DM3 (Efficient and Effective Use of Land and DM15 (Sustainable Transport Management)
- 5.4 The Design & Townscape Guide (2009)
- 5.5 CIL Charging Schedule 2015

## **6 Planning Considerations**

- 6.1 The key considerations in relation to this application are the principle of the development, design and impact on the character of the area, impact on residential amenity, CIL contributions and whether the proposed development overcomes the previous reasons for refusal. Due to the nature of the development in which the requirement for parking is not increased and existing on-site arrangements are retained, no material highway or parking issues are raised. The planning history and basis of previous decisions, irrespective of their outcome, carries significant weight in the assessment of this proposal.

## **7 Appraisal**

### **Principle of Development**

- 7.1 The principle of extending the dwelling to provide facilities in association with residential accommodation is considered acceptable and was not a reason for refusal of the previous applications. Other material planning considerations are discussed below.

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

- 7.2 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF (National Planning Policy Framework), in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that; *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 7.3 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”.*

- 7.4 Policy DM3 (5) also advises that; *'Alterations and additions to a building will be expected to make a positive contribution to the character of the original building and the surrounding area through:*
- (i) The use of materials and detailing that draws reference from, and where appropriate enhances, the original building, and ensures successful integration with it; and*
  - (ii) Adopting a scale that is respectful and subservient to that of the original building and surrounding area; and*
  - (iii) Where alternative materials and detailing to those of the prevailing character of the area are proposed, the Council will look favourably upon proposals that demonstrate high levels of innovative and sustainable design that positively enhances the character of the original building or surrounding area.'*
- 7.5 According to Policy KP2 of Core Strategy new development should; *"respect the character and scale of the existing neighbourhood where appropriate"*. Policy CP4 of the Core Strategy requires that development proposals should; *"maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development"*
- 7.6 Some dwellings in the site's immediate vicinity have been extended, mainly conservatories and similar modestly scaled structures. They are generally subservient in scale and form to their host dwellings and this informs the grain and character of the immediate area and typical setting of dwellings to their rear. The proposed development would result in a single storey addition projecting a maximum of 4.25 metres from the main rear elevation with a width of 8.6 metres. The extension would have a flat roof and would reach a total height of 3.3 metres. The proposed flat roof rear addition is considered to be of poor architectural merit due to the degree of projection of the flat roof above the eaves of the existing dwelling. This results in an awkward and incongruous appearance.
- 7.7 Two previous refusals proposed an extension depth of 5 metres which was considered to be unacceptable. The most recent refusal was at 4.25 metres as is now proposed and it was considered that whilst the width of the extension matched that of the existing dwelling, a development of that size, scale and bulk would represent an unacceptable addition to the property, lacking the subservience necessary to reflect the prevailing character of the rear garden scene and so would be detrimental to the character and appearance of the dwelling. The current change to a flat roof does not alter this and the proposal remains unacceptable.
- 7.8 Therefore, due to its excessive depth, bulky size and scale, coupled with a lack of architectural merit in terms of its flat roof 'box' design (which has been considered in refused applications 17/02103/FULH and 18/01092/FULH), the proposed development, on balance, is not considered to overcome the previous reasons for refusal. There has been no intervening material change in policy or site circumstances particular to this proposal. Therefore, attaching due weight to the planning history and the design of the scheme, the proposal would, on balance, result in material harm to the character and appearance of the dwelling and the wider area.

- 7.9 It should be noted that whilst only minor views of the proposed development are available from the public vista, paragraph 348 of The Design and Townscape Guide , under the heading of Rear Extensions, is clear that *“whether or not there are any public views, the design of the rear extensions is still important and every effort should be made to integrate them with the character of the parent building, particularly in terms of scale, materials and the relationship with existing fenestration and roof form.”*
- 7.10 For the reasons set out above, the proposed development is unacceptable and contrary to planning policy.

### **Impact on Residential Amenity**

- 7.11 Paragraph 343 of the Design and Townscape Guide under the heading of ‘Alterations and Additions to Existing Residential Buildings’ states that *“extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.”*
- 7.12 The application property is neighboured by 470 and 474 Woodgrange Drive. The proposed extension would be located approximately 1m from the boundary shared with No.474 at a depth of 4.25 metres and would be located 4.85 metres away from the boundary shared with 470 at a depth of 3.4 metres. Due to the close relationship with the boundary shared with no.474 and its bulky size and depth, and consistent with the basis of previous decisions, the proposed extension is, on balance, considered to result in demonstrable material harm to the amenity of these adjoining residents due to perceived and actual dominance, an unacceptable overbearing impact and excessive sense of enclosure.
- 7.13 Due to the single storey nature of the proposed development and the small size and high position of the windows proposed to the west elevation, it is not considered that the proposed development would result in demonstrable harm to the amenities of the neighbouring occupiers at no.470 from perceived or actual overlooking or a loss of privacy.
- 7.14 Due to its distance of approximately 10.5 metres to the rear boundary and single storey nature, it is not considered that the proposed development would result in a material loss of amenity to the neighbours at the rear of the site; 62 Chelsworth Crescent.
- 7.15 The proposed development is therefore considered to result in material harm to the amenities of the neighbouring occupiers at 474 Woodgrange Drive and the development is therefore unacceptable and conflicts with policy on this basis.

### **Equality and Diversity Issues**

- 7.16 The Equality Act 2010 (the Act) sets a general duty on public bodies in Section 149 of the Act. The duty requires the Council to have due regard to the need to eliminate discrimination and promote equality with regard to those with protected characteristics, such as race, disability, and gender, including gender reassignment, religion or belief, sex, pregnancy or maternity, and foster good relations between different groups when discharging its functions.

7.17 Equality duties require public authorities to demonstrate that any decision it makes is reached in a fair, transparent and accountable way, considering the needs and the rights of different members of the community.

This is achieved through assessing the impact that changes to policies, procedures and practices could have on different protected groups.

7.18 The submitted application highlights the potential benefits of the proposal to the applicant.

7.19 The proposal would be demonstrably harmful to the character and quality of the built environment and the amenity of neighbours. Personal circumstances generally referred to would not warrant a grant of planning permission having regard to the extent of conflict with relevant development plan policies and the absence of any mitigating factors to outweigh this. Members are advised that several offers were made to the applicant to discuss potential revisions to the submitted scheme to seek to resolve the identified harm but these have been declined and the applicant wishes their proposal to be determined in its submitted form.

### **CIL Charging Schedule**

7.20 The proposed development equates to less than 100sqm of new floorspace. As such, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and no charge is payable.

## **8 Conclusion**

8.1 Having regard to all material considerations assessed above, it is considered that the proposed development would have an unacceptable impact upon the character and appearance of the application site and the locality due to its excessive size, scale, and bulk as well as its lack of architectural merit from its flat roof 'box' form. Furthermore, the proposed development would, on balance, result in demonstrable harm to the amenity of the occupiers of 474 Woodgrange Drive by way of perceived and actual dominance and a sense of enclosure due to its excessive size, depth, bulk and height. The proposal is therefore recommended for refusal.

## **9 Recommendation**

**REFUSE planning permission for the following reasons:**

**1 The proposed development by reason of its size, scale and bulk as well as its lack of architectural merit would result in a dominant and incongruous feature and would result in a detrimental impact upon the character and appearance of the existing dwelling and the wider area. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Southend Core Strategy (2007) policies KP2 and CP4, Southend Development Management Document (2015) policies DM1 and DM3 and the advice contained with the Southend Design and Townscape Guide (2009).**

- 2 The proposed development by reason of its siting, size, height and rearward projection would materially harm the amenity of the occupiers of 474 Woodgrange Drive by way of perceived and actual dominance, overshadowing and sense of enclosure, contrary to the National Planning Policy Framework (2019), Southend Core Strategy (2007) policies KP2 and CP4, Southend Development Management Document (2015) policies DM1 and DM3 and the advice contained with the Southend 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.

#### **Informative**

- 1 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](http://www.southend.gov.uk/cil) for further details about CIL.