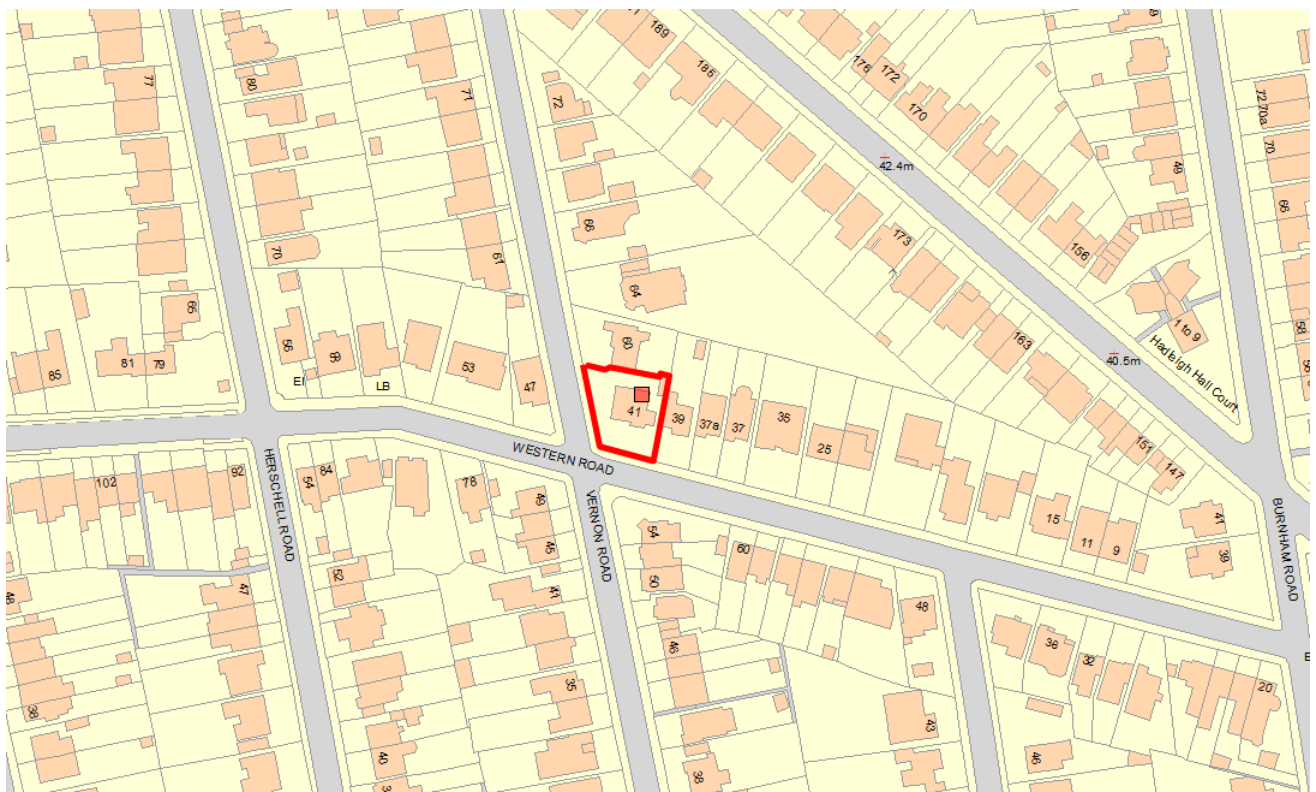


|                             |                                                                                                                                    |  |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Reference:</b>           | 20/00046/FULH                                                                                                                      |  |
| <b>Application Type:</b>    | Full Application - Householder                                                                                                     |  |
| <b>Ward:</b>                | West Leigh                                                                                                                         |  |
| <b>Proposal:</b>            | Erect first floor to convert bungalow into a two storey dwellinghouse and alter elevations (Amended proposal) (part retrospective) |  |
| <b>Address:</b>             | 41 Western Road, Leigh-On-Sea, Essex                                                                                               |  |
| <b>Applicant:</b>           | Mrs Sarah Phillips                                                                                                                 |  |
| <b>Agent:</b>               | Mr Andrew Feasey of CPS Architecture + Design                                                                                      |  |
| <b>Consultation Expiry:</b> | 14th February 2020                                                                                                                 |  |
| <b>Expiry Date:</b>         | 16th March 2020                                                                                                                    |  |
| <b>Case Officer:</b>        | Kara Elliott                                                                                                                       |  |
| <b>Plan Nos:</b>            | 18_1089-100, 18_1089-101, 18_1089-102-B, 18_1089-103-A, 18_1089-104-D, 18_1089-105, 18_1089-107, 18_1089-106                       |  |
| <b>Recommendation:</b>      | <b>GRANT PLANNING PERMISSION subject to conditions</b>                                                                             |  |



## **1 Site and Surroundings**

- 1.1 The site is on the north side of Western Road to the east corner of its junction with Vernon Road. The site formerly contained a detached bungalow which was recently subject of first floor extensions and a new roof to form a two storey dwelling approved under the previous planning permission 19/00019/FULH.
- 1.2 The surrounding area is mainly characterised by two storey semi-detached and detached properties of varying designs and styles with some common features. Interspersed within the two storey properties are pairs of semi-detached bungalows and detached chalets. The majority of the properties within the streetscene are rendered.
- 1.3 The site is not located within a conservation area or subject to any site specific planning policies.

## **2 The Proposal**

- 2.1 On 04.04.2019 planning permission was granted to construct a first floor extension to a hip-roofed, two bedroomed bungalow to form a two storey house. The development has been substantially carried out and provides four bedrooms, (with two en-suites) and a bathroom at first floor. The application is therefore part-retrospective.
- 2.2 The proposal which is the same in these regards as the dimensions approved under 19/00019/FULH, increases the eaves and maximum height of the former bungalow to 5.35m and 8.4m respectively while retaining the existing footprint. The roof is gabled in form and a former chimney has been removed. Elements of the bungalow fenestration including the bay windows and some of the ground floor windows were retained. The majority of the pattern of fenestration undertaken to the extended first floor complements the design of the former bungalow including through the continuation of the bay windows onto the first floor.
- 2.3 The existing garage to the rear of the site has been retained with a new door and its external façade replaced to match the altered main dwelling.
- 2.4 The dwelling was approved with external materials to match those existing in the former bungalow, i.e. roof tiles and render walls.
- 2.5 The current application under consideration is for an identical dwelling to that created from the upward extension of the bungalow approved under 19/00019/FUL, except for the following changes;
  - Front (south) elevation: The ground floor window on the western side has been repositioned.
  - Western elevation: New ground floor window and door with the first and ground floor three pane windows repositioned.
  - Eastern elevation: Ground floor windows removed.

- Rear (north) elevation: New ground floor window proposed.
- The roof tiles of the dwelling would be retained as currently on site i.e. red tiles
- The first floor of the dwelling clad in horizontal timber effect cladding.

### **3 Planning Policy Summary**

3.1 National Planning Policy Framework (2019)

3.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance)

3.2 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (The Efficient and effective use of land), DM15 (Sustainable Transport Management)

3.3 The Design & Townscape Guide (2009)

### **Representation Summary**

**4 Public Consultation**

4.1 4 neighbours were notified by letter and no representations were received.

4.2 The application has been called-in for consideration by the Development Control Committee at the request of Councillor F Evans.

### **5 Planning Policy Summary**

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

5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles and CP4 (Environment and Urban Renaissance).

5.3 Development Management Document (2015): Policies DM1 (Design Quality) and DM3 (Efficient and Effective Use of Land).

5.4 The Design and Townscape Guide (2009).

5.5 CIL Charging Schedule (2015).

5.6 Town and Country Planning Act 1990 (as amended).

### **6 Planning Considerations**

6.1 The principle of the development extending the bungalow upwards with a new first storey and roof has previously been accepted and a two storey building is present on site. The main issues for consideration are limited to the differences from the previously approved scheme, as set out in paragraph 2.5 of this report. These are the design and impact on the streetscene, any impact on neighbours, CIL contributions and whether any new material considerations related to planning

policy or the site circumstances would lead to a different conclusion on the merits of the proposal.

- 6.2 Due to the nature of the development which does not affect the requirements for on-site provision of parking, no material highway or parking issues are raised.
- 6.3 Since determination of the 2019 original permission the local and national planning policy framework remains materially unchanged as regards those considerations material to assessment of the current proposal.

## **7 Appraisal**

### **Principle of Development**

- 7.1 The principle of creating a dwellinghouse from the upward extension of a bungalow in this location was accepted under the original approval ref 19/00019/FULH. The development is substantially completed on site. The current proposal is acceptable in principle, subject to the detailed considerations below.

### **Design and Impact of Character and Appearance**

- 7.2 The form, scale, design, size and overall dimensions of the development remain unchanged from that approved under the previous permission. It is considered that the minor alterations to the fenestration as set out fully in paragraph 2.5 of this report are acceptable as they do not result in a harmful variation to the character and appearance of the building which is of a purposefully more contemporary appearance than the former bungalow. The proposed alterations would not result in demonstrable harm to the character and appearance of the dwelling, the streetscene or the wider area.
- 7.3 The surrounding area is made up mainly of white rendered properties with plain tile roofs. However, instances of variation do occur within the streetscene and close to the application site. For example, properties immediately to the east utilise such materials as dark coloured timber horizontal cladding features and/or hanging tiles to the first floors. There is no strongly defined palette of materials and colours used in the locale which would result in the proposed dwelling appearing incongruent and out of keeping in its setting. The proposal's use of white render in keeping with nearby properties retains a sense of cohesion and due to its corner plot siting, it is considered that the application site offers greater flexibility in terms of the use of materials, in comparison to a dwelling set in the streetscene between two properties. Therefore, on balance, no objection is raised in relation to the changes in external materials including horizontal cladding for the first floor and the use of smooth dark coloured tiles for the roof.
- 7.4 The development is, on balance, considered to be acceptable and policy compliant in these regards.

## **Impact on Residential Amenity**

- 7.5 Policy DM1 of the Development Management Document states that any new development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Paragraph 343 of The Design and Townscape Guide (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.
- 7.6 At the time of the 2019 permission, it was not considered that the proposed development would be materially harmful to the amenities of any neighbouring properties. The alterations now proposed pursuant to that approval do not result in built form extending closer to the neighbouring occupiers. The alterations to the development as proposed maintain the same separation distances and the overall size, scale and bulk of the development does not result in materially increased overlooking, sense of enclosure or a loss of privacy to any neighbouring occupiers.
- 7.7 The minor amendments sought in respect of fenestration and use of materials do not give rise to any material demonstrable harm to the amenities of neighbouring occupiers from dominance, sense of enclosure, loss of light, loss of privacy or overlooking. The proposal is therefore acceptable and policy compliant in these regards.

## **Community Infrastructure Levy (CIL) Charging Schedule.**

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

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that, subject to compliance with the attached conditions, the proposed development would, on balance, be acceptable and compliant with the objectives of the relevant development plan policies and guidance. On balance, the proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the streetscene and the locality more widely. The proposal would not result in any adverse impact on parking provision or highway safety. This application is therefore recommended for approval subject to conditions.

## **9 Recommendation**

### **9.1 GRANT PLANNING PERMISSION subject to the following conditions;**

- 1 The development hereby permitted shall be retained in accordance with the following approved plans: 18\_1089-100, 18\_1089-101, 18\_1089-102-B, 18\_1089-103-A, 18\_1089-104-D, 18\_1089-105, 18\_1089-107, 18\_1089-106.**

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

- 2 The first floor north facing (rear) windows shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the Local Planning Authority) and be permanently fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the room. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.**

**Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and advice in the Design and Townscape Guide (2009).**

- 3 The development hereby permitted shall be completed in the following materials;**

- Walls; white smooth render (ground floor), dark grey horizontal weatherboarding (first floor);**
- Roof; red roof tiles;**
- Windows & doors; dark grey/black upvc.**

**Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Design and Townscape Guide (2009).**

### **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.**

- 2 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.**

**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. The Local Planning Authority is willing to discuss the best course of action in respect of any future application for a revised development.**