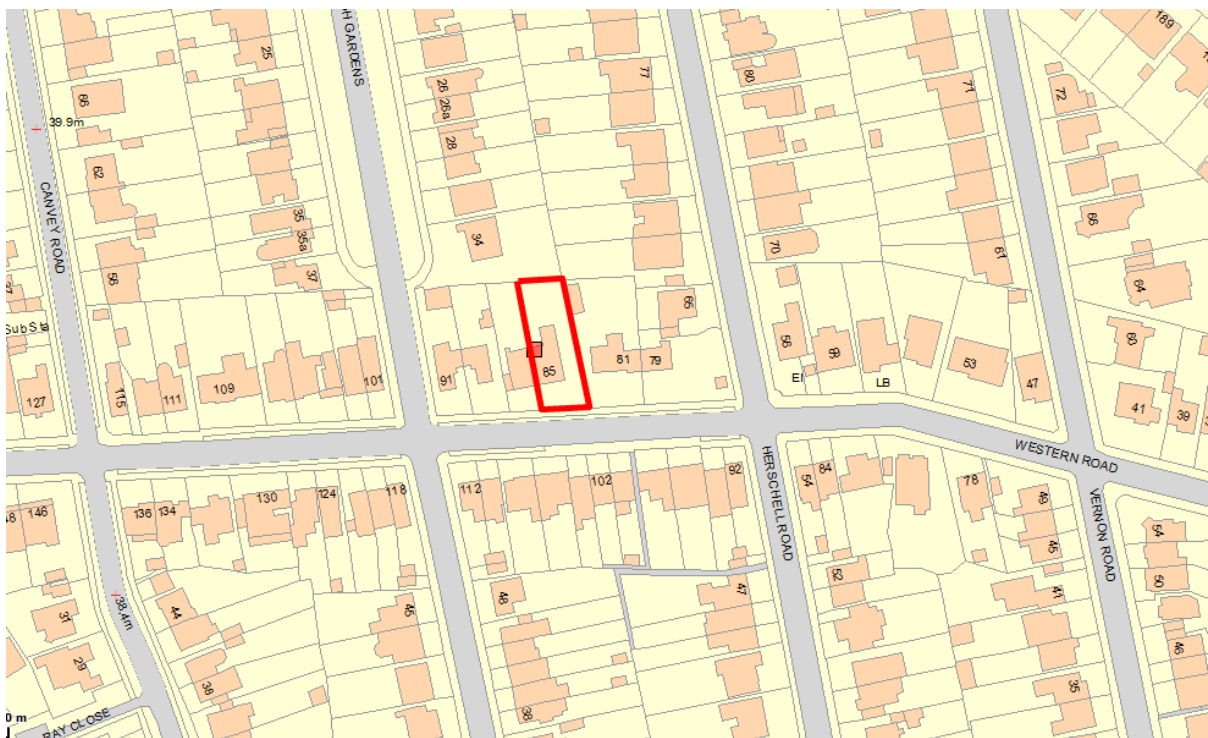


Reference:	20/00655/FUL
Application Type:	Full Application
Ward:	West Leigh
Proposal:	Erect two storey side extension and part two storey first floor and single storey rear and side extension, to form two additional self-contained flats, lay out parking to front, communal amenity space, cycle and refuse stores to rear, alter elevations and form additional vehicular access onto Western Road (Amended Proposal)
Address:	85 Western Road, Leigh-On-Sea, Essex
Applicant:	Mr Lake
Agent:	DAP Architecture
Consultation Expiry:	29th May 2020
Expiry Date:	22nd June 2020
Case Officer:	Robert Lilburn
Plan Nos:	905.001.00, 905.001.01, 905.002.01, 905.003.00, 905.004.00, 905.210.00, 905.211.00, 905.212.00, 905.213.00, 905.214.00, 905.215.00, 21208 se-01, 21208 se-02
Recommendation:	REFUSE PLANNING PERMISSION



1 Site and Surroundings

- 1.1 The application relates to a two-storey semi-detached building within a residential area. The submitted application form states that the existing use of the building is as a single dwelling, however this is updated with a subsequent description as two flats. The occupation as two self-contained flats appears from publicly available photographic records to be a long-standing arrangement of over four years' duration.
- 1.2 The submitted plans show that the existing flats each provide two bedrooms. They show that the ground floor flat provides two 2-person bedrooms and measures some 74sqm gross internal area (GIA). They also show that the first floor flat provides two bedrooms, of which one is a 2-person sized room, and one is 6.5sqm which is below the standard for a one-person bedroom further to the national Technical Housing Standards and is therefore considered a one-bedroom flat. The flat measures some 60sqm GIA.
- 1.3 The existing building is finished externally in white painted render and roof tiles. It has a single storey rear projection measuring approximately 5m in depth, with balustrades on top and the roof of the extension used as a balcony. It has a two-storey bay and decorative timber detailing to the gable above.
- 1.4 The frontage is open with no boundary wall and the space within the frontage has been block-paved for car parking. A fence separates the front and rear, and a rear garden of useable amenity space remains. Boundary treatments include low fences to the front (sides) and higher fencing to the rear garden. The site is relatively flat.
- 1.5 The extensive frontage block-paving, car parking and two main doors (one to the side) are the only obvious indications that the building is not a single dwelling, although these could equally be features of a dwelling house. As well as for the current two flats, there is no record of planning permission having been sought for the formation of a balcony at the rear or the block paving of the frontage. However, these arrangements appear to be long-standing. The character of the building is generally intact as that of a single dwelling and in that regard is wholly consistent with and comfortably situated in and complementary to its surroundings.
- 1.6 The immediate surroundings in Western Road are characterised predominantly by larger dwelling houses.

2 The Proposal

- 2.1 The application seeks planning permission for the extension and reconfiguration of the building to provide four self-contained flats.
- 2.2 The proposal incorporates a two-storey side extension which would measure some 3.7 m in width, half the width of the host semi-detached property, and would have a subservient roof ridge and eaves level relative to the existing building, dropped down at ridge level by some 0.5m. The front face of the side extension would be set back from the existing building by some 0.3m.
- 2.3 The proposal also incorporates a part two storey, part first floor, part single storey rear and side extension which would occupy the position of and extend beyond to both the rear and side of the existing, smaller, single storey rear projection.

- 2.4 The proposed extensions would have hipped, ridged roofs. The proposal also includes some reconfiguration of existing window openings and frames.
- 2.5 The applicant describes the proposed external materials as a white render finish. The submitted plans indicate that the roof would be finished in tiles similar in appearance to the existing.
- 2.6 To the rear of the building a bin store would be provided. The submitted plans show that it would accommodate four 240l wheeled bins. The store building would also provide enclosed accommodation for a cycle store providing space for four bicycles. The submitted plan shows that the bin and cycle store would be flat roofed, finished externally in larch timber cladding with a green roof and metal doors.
- 2.7 The submitted plan shows that following the development 128 square metres of communal amenity space would be available at the rear of the building equating to 43 square metres per flat.
- 2.8 The submitted plans show that Flat 1 at the ground floor rear of the building would measure some 63.6 square metres in gross internal area (GIA) with two bedrooms, accommodating 3 persons. The bedrooms would measure 11.6 square metres and 11.1 square metres respectively.
- 2.9 Flat 2 at the ground floor front of the building would measure some 49.7 square metres GIA with one bedroom, accommodating two persons. The bedroom would measure some 15.4 square metres.
- 2.10 Flat 3 at the first floor rear of the building would measure some 51.6 square metres GIA with one bedroom, accommodating two persons. The bedroom would measure some 12 square metres.
- 2.11 Flat 4 at the first floor front of the building would measure some 49.7 square metres GIA, with one bedroom, accommodating two persons. The bedroom would measure 15.1 square metres.
- 2.12 Four off-street car parking spaces would be provided to the front of the building in an area of hard standing with contrasting hard surfacing indicated on the submitted plans together with incidental soft landscaping to the edges.
- 2.13 It is noted that the submitted site layout plan incorrectly identifies the neighbouring property to the east as no.83; the property to the immediate east on Western Road is no.81 as shown on the location plan. This has not prejudiced the ability of the local planning authority to determine the application.
- 2.14 This application follows a previous application 18/02277/FUL which was refused. That application proposed to erect a two storey side extension and part ground/part first floor rear extension to form two additional self-contained flats, lay out parking to front, with communal amenity space, cycle and refuse stores to rear, alter rear elevation and extend vehicular access onto Western Road. It was refused for the following reasons:

- *The proposed side and rear extensions would by reason of their size and design be poorly integrated and overly dominant additions to the detriment of the character and appearance of the host property, the street scene and the surroundings including the rear garden scene. This would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009);*
- *The proposed rear extension, as a result of its height, rear extent and proximity to site boundaries, would be a dominant, visually overbearing feature to neighbouring occupiers causing an undue sense of enclosure and overbearing impact. This would be harmful to neighbour amenities at nos.81 and 87 Western Road, unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009);*
- *The high density form of the development would introduce the potential for a degree of comings and goings and general activity which would be harmful to the amenities of adjoining occupiers in an area characterised by a lower density of accommodation with significantly less activity. The harm caused by this more intense degree of activity in an extended semi-detached dwelling would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009);*
- *The width of the proposed vehicular crossover would be excessive, and would reduce the extent of dedicated footway unacceptably, harming highway safety and compromising the safe and convenient passage of pedestrians, and the visual quality of the residential environment. This would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2, CP3 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM15 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).*

2.15 The key differences between the application under consideration and the earlier refused application are:

- The two storey side projection would be stepped back from the existing front elevation at both front elevation (by some 0.3m) and at roof level by some 0.5m at ridge;
- The two storey side and rear projection would be set in beyond the main rear elevation by some 0.7 m;
- The two storey element of the side and rear projection would be reduced to a rear of extent of some 4.3m from 6.1m;
- The two storey element of the side and rear projection would be increased in height from the previously proposed 4.8m at eaves level to some 5.4m;
- The frontage car parking spaces would be reconfigured so that the pedestrian

walkway would be positioned centrally rather than to the side;

- The proposed vehicular access would be divided in the middle by an island. A total width of the two crossings would consequently be some 0.8 m wider;
- The cycle store and refuse store would be reconfigured into an enclosed building;
- The proposed roof form would be reconfigured into a less bulky form more consistent with the existing building;
- The range of proposed accommodation would be altered from a previously proposed two x two bed 3-person flats and two x 1-bed two person flats to one x 2 bed three person flat and three x 1-bed two person flats;
- Windows and doors would be reconfigured and windows would be introduced on the east side elevation of the two-storey side projection.
- Two roof lights would be omitted.

2.16 The application has been called in to Development Control Committee by Councillor Evans.

3 Relevant Planning History

3.1 18/02277/FUL: Erect two storey side extension and part ground/part first floor rear extension to form two additional self-contained flats, layout parking to front, communal amenity space, cycle and refuse stores to rear, alter rear elevation and extend vehicular access onto Western Road (Amended Proposal). Refused.

3.2 18/01246/FUL: Erect two storey side and rear extension with access to rear parking, first and second floor rear extension to form three additional self-contained flats, install dormer to rear, refuse and cycle stores, canopy to front, alter elevations and extend vehicular access on to Western Road. Refused.

4 Representation Summary

Public Consultation

4.1 Nine neighbouring properties were notified and a site notice was posted. 15 letters of representation have been received from 13 addresses. Concerns raised are summarised as follows:

- Out of keeping with the character of the area;
- Effect on the sense of community;
- Cramped appearance and overdevelopment, overcrowding the site;
- Loss of privacy to neighbouring occupiers;
- Impacts on daylight and overshadowing to neighbouring occupiers;
- impacts of noise generated by occupiers;
- Overbearing appearance of proposed extensions;
- Impacts of refuse and cycle storage on neighbours;
- Loss of amenity to neighbours and wider area;
- Inadequate car parking for the development;
- Unsafe vehicular access;
- Traffic generation and impacts on highway safety;
- Impact of precedent for further development;
- Effect on house prices;
- Concern at processing of application during public health restrictions;
- Concern at repeated applications.

4.2 These concerns are noted and where relevant to material planning considerations they have been taken into account in the assessment of the application. Those remaining are found not to represent a reasonable basis to refuse planning permission in the circumstances of this case.

4.3 **Highways Team**

One off street car parking space has been provided for each flat. The vehicle crossovers that would serve the spaces are also policy compliant. The site is also in a sustainable location with regard to public transport. No highway objections are raised.

4.4 **Leigh Town Council**

Object to the application as the changes shown have been insufficient and previous objections remain. The proposal would, by reason of its design, size, bulk and mass, represent a cramped form of development and an overdevelopment of the land, which is out of keeping with and detrimental to the character and appearance of the application site and the area more widely.

5 Planning Policy Summary

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

5.2 Planning Practice Guidance and National Design Guide (2019)

5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy) KP2 (Development Principles) CP3 (Transport and Accessibility) CP4 (Environment & Urban Renaissance) CP8 (Dwelling Provision)

5.4 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) DM7 (Dwelling Mix) DM8 (Residential Standards) DM15 (Sustainable Transport Management)

5.5 Design & Townscape Guide (2009)

5.6 Vehicle Crossing Policy & Application Guidance (2014)

5.7 Waste Storage and Collection Guidance (2019)

5.8 National Housing Standards (2015)

5.9 CIL Charging Schedule (2015)

6 Planning Considerations

6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, impact on neighbouring properties, living conditions for future occupiers, any traffic and transport issues and CIL, and whether the application has overcome the earlier reasons for refusal.

- 6.2 Since the application 18/02277/FUL was determined the revised National Planning Policy Framework (2019) came into force, replacing a previous version of the NPPF. It is considered that the contents of the revised NPPF do not materially alter the assessment of the impacts of the proposal.

7 Appraisal

Principle of Development

- 7.1 Government guidance contained within the National Planning Policy Framework (NPPF) encourages effective use of land (para.8) in particular previously developed land (para.117).
- 7.2 Policies KP1, KP2 and CP4 of the Core Strategy (2007) seek to promote sustainable development, including directing the siting of development through a sequential approach, minimising the use of 'greenfield' land.
- 7.3 Policy KP2 requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design and respecting the character and scale of the existing neighbourhood.
- 7.4 Policy CP4 seeks the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development.
- 7.5 Policy CP8 requires that development proposals contribute to local housing needs. It identifies housing targets for Southend and seeks to protect the supply of valuable residential resources including the stock of large single family dwellings.
- 7.6 Policy DM1 seeks design quality that adds to the overall quality of an area and respects the character of a site and its local context. Policy DM3 of the Development Management Document (2015) seeks the efficient and effective use of land, provided it responds positively to local context and does not lead to over-intensification.
- 7.7 The Design and Townscape Guide seeks to promote a high quality of design in new developments. Para.80 of the Guide states that proposed accommodation mixes should reflect the local character.
- 7.8 Policy DM7 sets out a preferred market housing mix of 9% one-bed units, 22% two-bed units, 49% three-bed units and 20% four-bed units. Through Policy DM8 the Council seeks appropriate flexibility and dimensions within the internal accommodation to meet the changing needs of residents.
- 7.9 Policy DM15 states that development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner.

- 7.10 The principle of extensions to the building is acceptable. The site is sustainably located in a reasonably accessible location. The proposal would add to the supply of housing within the urban area, re-using previously developed land. This would generally accord with the objectives of Policies KP1, KP2 and CP8 of the Core Strategy.
- 7.11 Single family dwellings are a unifying characteristic at this location and key to the local character. The existing flats at this location are in a pair of larger units with amenity space and landscaped setting commensurate with the local character, and as such may be regarded as providing family type accommodation. The proposal would continue to provide one unit of family sized accommodation albeit in a different configuration.
- 7.12 However, it would also be a higher density development introducing additional units of relatively small flats. The size of the flats are not such that would contribute to the greatest identified need in the Borough. The consequences of the higher density would be the potential imposition of design and amenity impacts and these are considered further below.
- 7.13 It is considered that the broad principle of residential development at this location is acceptable. However, a higher density development including small flats has the potential to harmfully impact the existing character and amenities, as well as altering the standard of living conditions available to occupiers of the building. Further detailed material planning considerations are discussed below.

Design and Impact on the Character of the Area

- 7.14 Paragraph 127 of the NPPF states that local planning authorities should aim to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.15 Paragraph 130 of the NPPF states that “*permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*”.
- 7.16 The National Design Guide seeks well-designed places in which development integrates and relates well into its surroundings.
- 7.17 The importance of good design is reflected in Policies KP2 and CP4 of the Core Strategy and also in Policies DM1 and DM3 of the Development Management Document. These policies seek to maintain and enhance the amenities, appeal and character of residential areas.
- 7.18 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*” and that “*proposed development [should] make a positive contribution to the local area*”.
- 7.19 At para.64 the Guide states that development should reflect the positive characteristics of its surroundings and extensions should integrate to their surroundings. Para.79 confirms the expectation that appropriate architectural language should be used reflecting the use of the building.

- 7.20 As underlined at para.80 of the Guide, the best use of land should be made without compromising quality of life. Para.85 of the Guide establishes that appropriate scale, height and massing are essential to the successful integration of new development. Para.115 of the Guide seeks cohesive design which responds positively to local context.
- 7.21 The existing building is a semi-detached form of building, and while the subject property is divided into two flats, its appearance is typically characteristic of family dwellings to be found in the area.
- 7.22 The principles underpinning the development plan policies and supplementary guidance relating to domestic extensions are considered relevant to this proposal.
- 7.23 The submitted plans show that the two-storey side extension would measure some 3.7m in width, while the existing semi-detached property is some 7.4m in width. This does not indicate a subservient scale of extension, particularly given the limited setting-back of 0.3m. The extension roof ridge would be dropped by 0.5m from the existing. The design of the extension including its roof form and the proportions of windows would be reasonably consistent with the host building. There would be space separating it from the neighbouring no.81 Western Road in the street scene and there would be no harmful terracing effect.
- 7.24 The limited stepping-back of the front elevation combined with the width of the side extension would not form an appropriately subservient extension. By virtue of this width the extension would have the harmful visual effect of being unduly dominant and would fail to respond appropriately to the existing building. This concern would not be overcome by the use of appropriately matching or contrasting materials, for example. The scale and design of the proposed rear element would be consistent with the scale, design and character of dwellings and buildings in the immediate surroundings. While the extensions would be significant in size, their design would reflect a simple domestic character. However, the scale of the proposed side projection is such that it would fail to integrate into the street scene appropriately. It would not be subservient to the parent building and would fail to respect the scale of the host building. The scale and resulting appearance of the development would thus be harmful to the visual amenities of the area.
- 7.25 The layout of the frontage, providing car parking on a hardstanding in front of the flats, is a negative aspect of the design. However, it would not be sufficiently different to the existing situation, excluding the likely additional cars and the proposed extended dropped kerb, to warrant a reason for refusal in its own right. The loss of the soft verge to the highway would also not be a reasonable ground for refusal in its own right, given the modest length and the existing absence of planting. However, this is also a negative aspect of the current proposal. This does not alter the conclusions outlined above.

Impact on Residential Amenity

- 7.26 Paragraphs 124 and 127 of the National Planning Policy Framework seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy KP2 of the Core Strategy seeks to secure improvements to the urban environment through quality design. Policy CP4 seeks to maintain and enhance the amenities, appeal and character of residential areas.

- 7.27 Policies DM1 and DM3 of the Development Management Document seek to support sustainable development which is appropriate in its setting, and that *“protects the amenity of the site, immediate neighbours, and surrounding area, having regard to matters including privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight”*.
- 7.28 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”* and 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”*.
- 7.29 The part single-storey, part-two storey rear extension would project a further 1m rearward from the main part of the building, compared to the existing single storey rear projection. The separation distance to the rear boundary of the site with the side boundary of no.34 Leigh Gardens would be 12m. It is considered that this would be sufficient as to not create a significant actual or perceived loss of privacy over and above the existing situation.
- 7.30 The rear extension would be situated approximately 3.1m from the boundary with no.87 Western Road in common with the existing extension, and would be sited some 1.8m from the boundary with no.81 Western Road, compared to the existing 4.8m. It would be 1m longer than the existing extension and would have a relative rear projection of some 6.1m compared to the rear face of no.81. Rather than being a single storey it would as a result of the development be two storeys. The two storey element would be some 4.4m in depth.
- 7.31 Having no side windows, the rear extension would functionally eliminate the overlooking to either side currently resulting from the use of the roof as a terrace. This would provide a degree of benefit to neighbouring occupiers. The proposed side facing windows would be obscure glazed secondary windows. They would face on to the driveway of no.81 and towards its rear private amenity space. As they would be obscure glazed, which can be secured by a condition, there would not be a material loss of privacy arising to neighbouring occupiers.
- 7.32 Accounting for the 4.3m depth of the proposed two-storey side and rear element, dropping to single storey for its final 1.8m, and accounting for its height and its orientation and position relative to neighbouring dwellings and private amenity spaces at either side, it is considered that it would not lead to a materially harmful impact on occupiers in any relevant regard.
- 7.33 The proposed development would lead to a significant increase in the potential number of occupiers present in the semi-detached property at any one time. This degree of intensification would at times be discernible to the adjoining occupiers in particular, through general activity and comings and goings. This is a negative aspect of the proposal in the site context which is one characterised by single family dwellings and in which the existing use is two larger flats. However it would not justify a refusal of planning permission given the existing use and configuration of the building.

7.34 It is considered on balance that the proposed development is acceptable and policy-compliant with regard to neighbour amenities.

Living Conditions for Future Occupiers

7.35 At para.127 the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Due regard may be had for the national Housing Technical Standards.

7.36 Policy DM1 of the Development Management Document requires that developments provide an internal and external layout that takes account of all potential users. Policy DM8 states that the internal environment of all new dwellings must be high quality and flexible to meet the changing needs of residents.

7.37 Further to this, from the 1st October 2015 the National Housing Standards have been adopted and state that the following internal floor space is required to ensure the development is in line with Building Control requirements:

- One bed, two person flat: 50sqm;
- Two bed, three person flat: 61sqm.

7.38 The proposed floor areas shown on the submitted plans for Flats 1 and 3 would exceed those required under the National Housing Standards. The slight shortfall with respect to Flats 2 and 4 would not be materially harmful in the context. Satisfactory outlook and daylight conditions would be available to all flats and the earlier concern in relation to the depth of rooms has been overcome by proposed secondary, obscure glazed windows.

7.39 Policy DM8 of the Development Management Document states that all new dwellings must make provision for usable private outdoor amenity space for the enjoyment of intended occupiers. The Council's Design and Townscape Guide states that "*Outdoor space significantly enhances the quality of life for residents and an attractive useable garden area is an essential element of any new residential development*".

7.40 Policy DM8 of the Development Management Document states that all new dwellings should meet the Lifetime Homes Standards, which from the 1st of October 2015 have been substituted by Building Regulation M4(2).

7.41 Part M4(2) of the Building Regulations adopted by the National Technical Housing Standards requires accessible and adaptable dwellings. Building regulations require 'reasonable provision' with reference to Part M4(2) on conversion schemes.

7.42 No details have been supplied to demonstrate that the development would be accessible and adaptable for all. By reason of being a conversion it is considered that it would be unfeasible to require the development to accord with the abovementioned standards. Therefore the application should not be refused on the grounds that it has not been demonstrated that the development would accord with Part M4(2) of the Building Regulations.

- 7.43 The proposal would form a 4 unit apartment building with 129sqm of useable outdoor amenity space. It is considered that this quantity and quality of outdoor amenity space would be adequate to meet the domestic and recreational needs of occupiers.
- 7.44 Refuse and cycle storage has been shown on the submitted plans and this could be required through a condition on any grant of planning permission. It would be situated adjacent a neighbouring outbuilding and, on this basis, would not be materially harmful to neighbour amenities. The proposal is on balance considered acceptable and compliant with the policies relating to living conditions.

Traffic and Transportation Issues

- 7.45 Policy DM15 of the Development Management Document requires that all development should meet the minimum off-street parking standards and as such, one parking space would be required for each proposed flat.
- 7.46 The submitted plans indicate that four off-street car parking spaces would be made available at the site. A cycle storage area has been shown on the submitted plan. Further details of secure cycle storage would be required and could be secured as a condition of any planning permission.
- 7.47 The Council's Vehicle Crossing Policy & Application Guidance is a material consideration. The proposal includes the creation of a vehicular crossover of a minimum 10.6m width with a 1m wide island. The vehicle crossovers would not exceed the maximum permitted width of 4.8m.
- 7.48 The highways officer has not objected to the application. The proposal is considered acceptable and policy compliant in regard to parking and highway safety.

Sustainability

- 7.49 Policy KP2 of the Core Strategy states that *"All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. 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), such as those set out in SPD 1 Design and Townscape Guide"*.
- 7.50 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst details have not been submitted for consideration at this time, this could be dealt with by condition if the application were deemed acceptable.
- 7.51 A condition can be attached to any planning permission, requiring energy efficient design measures, water efficient design measures and permeable surfacing, for example. The proposals are considered acceptable with reference to these matters.

Community Infrastructure Levy (CIL)

- 7.52 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.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that the proposed development would be unacceptable and contrary to the objectives of the relevant development plan policies and guidance. The proposed development of higher density flats would be out of keeping with the general character of the area as larger family dwellings. The amenities of neighbours would be harmed by the degree of general activity introduced by the high density of accommodation in this context. The proposal has overcome the earlier concerns in regard to design and highways matters. However, for the above reasons, the proposed development is unacceptable and fails to comply with planning policy. The benefits of the proposal, such as removing the roof terrace at the rear, and provision of additional dwellings, are not considered to outweigh the harm identified. The revised proposals have not overcome all the earlier reasons for refusal.

9 Recommendation

REFUSE PLANNING PERMISSION for the following reasons:

- 01. The proposed side and rear extension would, by reason of its scale, size, design and width, including the limited set-back from the front elevation of the main building, result in an overly dominant, disproportionate and unsympathetic addition, to the significant detriment of the character and appearance of the existing building and the wider street scene. This would be unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Core Strategy (2007); Policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the adopted 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.

10 Informatives

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.

