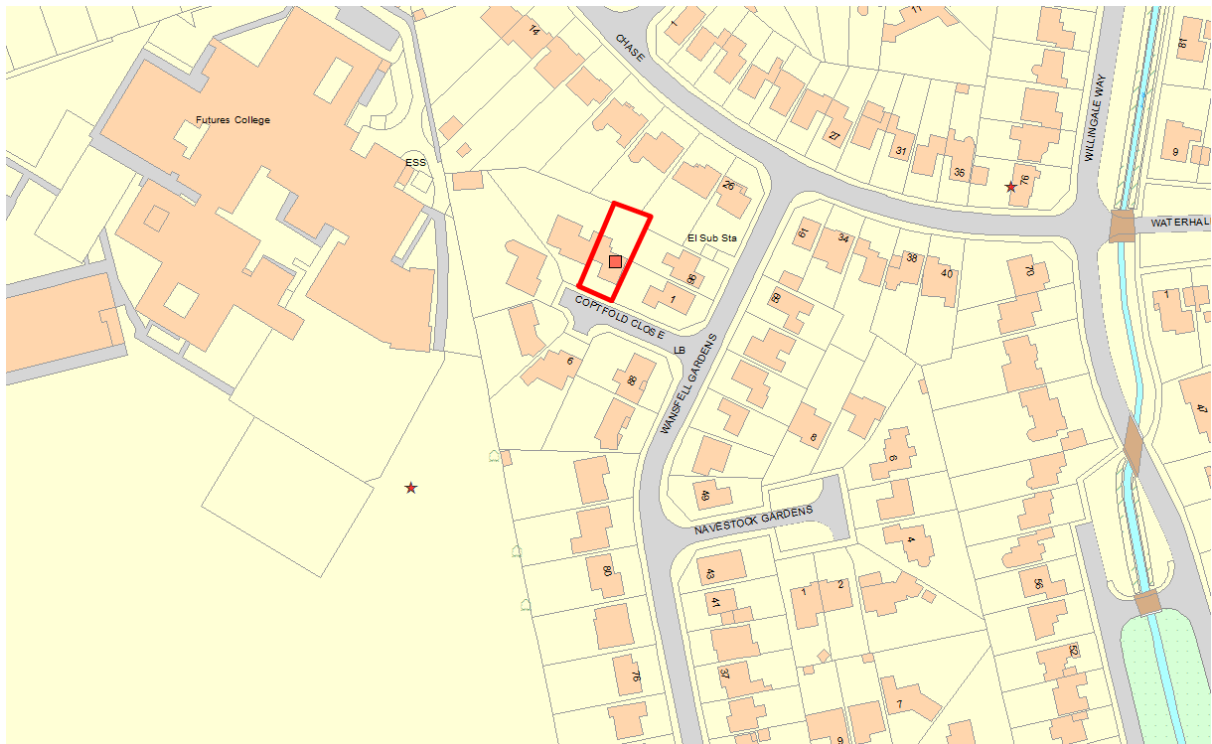


Reference:	20/00800/FUL	
Application Type:	Full Application	
Ward:	Southchurch	
Proposal:	Convert dwellinghouse into two self-contained flats, erect part single/two storey side extension, erect part single/part two storey rear extension, alter elevations, layout parking to front	
Address:	2 Coptfold Close, Southend-On-Sea, Essex	
Applicant:	Mr A Bysouth	
Agent:	Mr Paul Seager of APS Design Associates Ltd	
Consultation Expiry:	1st July 2020	
Expiry Date:	28th July 2020	
Case Officer:	Spyros Mouratidis	
Plan Nos:	3012 01, 3012 01 REV A, 3012 02, 3012 03, 3012 04, 3012 05	
Recommendation:	REFUSE PLANNING PERMISSION	



1 Site and Surroundings

- 1.1 The application site is located on the north side of Coptfold Close, a cul-de-sac off Wansfell Gardens within the Wick Leas estate. The site is currently occupied by a semi-detached, two-storey dwellinghouse with a flat-roofed garage. As the dwellinghouse on site is attached to the neighbouring property only by way of its single-storey garage, the property has an appearance of a detached dwellinghouse. The surrounding area is residential in character, predominantly of detached, two-storey dwellings. No planning-related designations affect the application site or the area.

2 The Proposal

- 2.1 Planning permission is sought for the conversion of the dwellinghouse into two (2no.) self-contained flats and the erection of a part two-storey, part single-storey side extension and a two-storey rear extension. The proposed ground floor flat would have two bedrooms and four bed spaces while the first floor flat would have three bedrooms and six bed spaces.
- 2.2 The single storey element of the side extension would have a depth of some 15m along the west of the main building, projecting about 2m to the rear of the existing rear elevation, and a width of some 4.5m. It would have a flat roof over its rear part and a pitched roof at the front. A new front entrance to the building along with a window to serve one of the proposed bedrooms would be incorporated to its front elevation. Sliding doors would be at the rear elevation and a single window would be located at the rear part of the side elevation facing the main part of the building, both serving a proposed bedroom.
- 2.3 The two-storey element of the side extension would have a hipped roof over its front part which would be connected to the main part of the existing roof and with a matching ridge height, approximately 7m. At its rear part it would have a type of mansard roof with a flat top of some 6.1m in height. The eaves height would be the same as the main building, some 5.2m. The two-storey element of the side extension would extend approximately 3.3m from the west elevation of the existing building and would have a depth of approximately 9.2m. It is proposed to create two first floor windows to the front and a window to the rear.
- 2.4 The pitched-roof, two-storey, rear extension would have the same eaves height, approximately 5.2m, ridge height, approximately 7m, and width, some 6.8m, as the existing building and would project some 3.2m rearwards. Two windows would be located at first floor and bi-fold doors at ground floor level facing to the rear.
- 2.5 An existing first floor eastern flank window which currently serves a stairwell, would be replaced with two windows, one at ground and one at first floor level. The proposed extensions would be finished in brickwork at ground floor level to match the existing. At first floor level the front part would be clad in hanging tiles and the side and rear would be rendered and painted white as per the finishing of the existing building. The hipped and pitched roofs would be finished with tiles to match the existing roof.

- 2.6 Within the submitted application form it is stated that two parking spaces would be retained and one would be lost. No details have been given about any arrangements for the separation of the existing private amenity space and as such it is considered that only the ground floor flat could have access to it on the basis of the information supplied.
- 2.7 It should be noted that planning permission under 20/00191/FULH (the “2020 Permission”) was granted for the extension of the existing dwellinghouse in a similar manner as the proposal. The officer’s report for the 2020 Permission is appended to this report as Appendix 1 and details of the decision are given in section 3 of this report. The differences between the current proposal and the scheme permitted with the 2020 Permission are listed below:

Change of use

- Proposed change of use to two flats.

Physical alterations

- Deeper side extension at first floor level by 2m.
- Mansard-style roof over the additional depth of first floor side extension.
- Replacement of existing window on the eastern elevation with two windows.
- Altered design of pitched roof over the front part of single-storey element of side extension.
- Loss of garage.
- Omission of garage door from the front elevation and creation of a window instead.
- Folding doors instead of window at ground floor rear elevation.
- Smaller window at rear elevation, first floor level.

3 Relevant Planning History

- 3.1 The relevant planning history of the site is shown on Table 1 below:

Table 1: Relevant Planning History

Reference	Description	Outcome
02/00388/FUL	Demolish garage and erect part single/part two storey side and rear extension with integral garage	Refused [10.07.2002]
20/00191/FULH	Erect part single/two storey side extension, two storey rear extension alter elevations.	Permission Granted [23.04.2020]

4 Representation Summary

- 4.1 The application has been called in for consideration by the Development Control Committee by Councillor Bright.

Public Consultation

- 4.2 Nine (9) neighbouring properties were consulted and a site notice was displayed. Forty (40) representations objecting to the application have been received and are summarised as follows:

- The proposal would be out of character in the area and is an overdevelopment of the site.
- There are no other flats in the area.
- If allowed the proposal would set a precedent.
- The covenants of the property prohibit the proposed change of use.
- Inadequate parking provision on site.
- Impact in neighbours' residential amenity in relation to overlooking, overshadowing and creation of an overbearing environment.

4.3 The comments have been taken into consideration and those relevant to planning matters are discussed in the relevant sections of the report. Other than the reasons stated in section 9 of this report the objecting points raised by the representations are not found to represent material reasons for recommending refusal of the planning application in the circumstances of this case.

Environmental Health

4.4 No objections subject to conditions regarding construction hours and waste management.

Parks

4.5 No objections.

Fire Brigade

4.6 No objections.

5 Planning Policy Summary

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

5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2019)

5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), , CP3 (Transport and Accessibility), CP4 (Environment and 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 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM15 (Sustainable Transport Management).

5.5 Design & Townscape Guide (2009)

5.6 National Housing Standards (2015)

5.7 Technical Housing Standards Policy Transition Statement (2015)

5.8 Waste Storage, Collection and Management Guide for New Developments (2019)

5.9 Community Infrastructure Levy (CIL) Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application include the principle of the development, design and impact on the street scene and wider area, residential amenity for future and neighbouring occupiers, traffic and parking implications, energy and water sustainability, refuse and recycling storage and CIL. The planning history of the site is a material consideration which carries significant weight in the determination of this application due to the circumstances on site and the planning policy context not having changed in any material regard since the grant of the 2020 Permission.

7 Appraisal

Principle of Development

Physical alterations

- 7.1 The principle of acceptability of the physical alterations on the building was established with the grant of the 2020 Permission and was discussed in paragraph 7.1 of Appendix 1 which remains relevant.

Change of use to two flats

- 7.2 Paragraph 117 of the NPPF states: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other users, while safeguarding and improving the environment and ensuring safe and healthy living conditions." Furthermore, the NPPF requires development to boost the supply of housing by delivering a wide choice of high quality homes.
- 7.3 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the Borough. Similarly, the Council's Five Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the Borough. The HDT and 5YHLS carry some weight in favour of the principle of the development given the proposed creation of one additional unit.
- 7.4 Policy CP8 of the Core Strategy states that the Council will: "[...] 2. resist development proposals that involve the loss of existing valuable residential resources, having regard to the limited land resources in the Borough, the need to safeguard an adequate stock of single family dwellinghouses and to protect the character of residential areas".
- 7.5 The proposal would result in the loss of a dwellinghouse suitable for families. This type of housing is considered to be a valuable resource for the Borough. The South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprised of a greater proportion of 1-bed units and smaller properties a consequence of which is that there is a lower percentage of accommodation of a suitable size for families. Whilst one of the proposed flats would accommodate three bedrooms, given the limited amenity space, that flat is found to be unacceptable and unlikely to be suitable for a family. The proposed provision of additional housing on site has been weighed in the balance and found not substantial enough to outweigh the loss of an acceptable family sized unit. The principle of the proposed development is therefore unacceptable. Other material planning considerations are discussed in the following sections of the report.

Design and Impact on the Character of the Area

- 7.6 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, 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.”
- 7.7 Paragraph 124 of the NPPF states that: “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.” 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 When the 2020 Permission was granted by the LPA it was found that the proposed alterations to the property would be acceptable as per the discussion in paragraphs 7.2 to 7.7 of the appended report. Given the similarities between the previously approved and the currently proposed scheme, these findings are relevant to this permission. The external changes between the two schemes as listed in paragraph 2.7 of this report, would not render the external appearance of the proposed scheme unacceptable. The replacement of the garage door at ground floor level and the amendment of the roof shape over the single storey aspect of the front part of the side extension would not materially harm the streetscene or wider surrounding area. The proposed changes to the eastern and rear elevation would have an acceptable visual impact. The additional width to the two-storey aspect of the side extension would not be visible from public vistas and would not be materially harmful to the rear gardenscape of the locality. Conditions controlling the use of materials could be secured by condition if the proposal were otherwise acceptable. Overall, the proposal would have an acceptable impact on the character and appearance of the area and would be policy compliant in the above regards.

Standard of Accommodation and Living Conditions for Future Occupiers

- 7.9 Delivering high quality homes is a key objective of the NPPF. Policy DM3 of the Development Management Document states that 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

- 7.10 All new homes are required to meet the Nationally Described Space Standards (NDSS) in terms of floorspace, bedroom size and storage sizes.

7.11 The required overall sizes for residential units and the minimum standards for bedrooms are shown on the following table. The relevant dimensions of the proposed scheme are also shown on the table below:

	Area (m ²)	Bedroom 1	Bedroom 2 (and 3)	Storage area (m ²)	Amenity space (m ²)
Standard for 3 bed 6 person (one storey)	95	11.5m ² Wmin=2.75m	N/A	2.5	
Standard for 2 bed 4 person (one storeys)	70	11.5m ² Wmin=2.75m	11.5m ² Wmin=2.55m	2	
Proposed GF flat 2 bed 4 person	133.2	26.9m ² W = 3.9m	18.2m ² W=2.85m	0	133.2
Proposed FF flat 3 bed 6 person	103.7	21.7m ² W = 2.9m	12.1m ² (12.2m ²) W=2.9m (3.1m)	0	0

7.12 The table shows that the proposed flats would meet the overall space, the bedroom area and dimensions requirement but would fail to provide the minimum internal storage space required by the NDSS. It is considered that the size of the proposed units could accommodate additional internal storage space and this could be secured by condition were the application otherwise acceptable.

Daylight, Sunlight and Outlook from Habitable Rooms

7.13 All habitable rooms would have acceptable outlook and benefit from acceptable levels of daylight and sunlight. These arrangements are considered acceptable and policy compliant in this regard.

M4 (2) – Accessibility

7.14 Given that the proposal is for a conversion of an existing building, the policy requirement is that the proposal is no less compliant with Building Regulation M4(1) when compared to the existing property. The proposal would be in line with policy in this regard.

Amenity Provision

7.15 The amenity provision for the ground floor flat is considered acceptable. The upper floor flat would have no access to private amenity areas. Given the size and type of the dwelling it is not considered that no access to private amenity is acceptable. Furthermore, as already discussed, the level of amenity space would result in the upper floor flat being materially less likely to be suitable for a family. It is considered that the proposed arrangements would be detrimental to the living conditions of future occupiers, contrary to planning policy.

Noise and disturbance

7.16 The submitted illustrations show the retention of two parking spaces to the front of the window of a ground floor bedroom.

- 7.17 Whilst no details have been provided, given policy requirements, it is assumed that the proposed parking provision would be one space for each flat. The location of the parking is not considered a positive of the scheme given the potential noise and disturbance implications. However, it is not considered that any harm to the living conditions of the ground floor flat would be so detrimental that would justify the refusal of the application on this ground. Furthermore, the Council's Environmental Health team has raised no concerns about noise issues. Details of noise attenuation measures for the bedroom window could be requested with a condition if the proposal were otherwise to be found acceptable.
- 7.18 Overall, it is considered that the proposal, by reason of its failure to provide suitable amenity space for the first floor flat, would result in substandard accommodation for future occupiers and as such it would be detrimental to their living conditions. The proposal is therefore unacceptable and contrary to relevant policies in these regards.

Impact on Residential Amenity

- 7.19 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: "having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."
- 7.20 Paragraphs 7.8 to 7.12 of Appendix 1 discuss the impact of the majority of the proposed alterations to the residential amenity of neighbouring occupiers. The findings for the 2020 Permission are relevant to this application due to the similarities in built form. The proposed changes to the front and rear elevation would not have a materially different impact to neighbouring occupiers than that already identified when the 2020 permission was granted. The proposed replacement of the window on the eastern elevation with two windows is acceptable given that these windows serve non-habitable rooms and could be required to be obscure glazed. Regarding the additional depth of the upper floor element of the side extension given its separation distance from neighbouring properties and the fact that it would sit well behind a notional 45 degree guideline taken from the nearest first floor window at no.3 Coptfold Close, it is not considered it would have any materially overbearing impact, loss of light, creation of sense of enclosure or loss of outlook to any neighbouring property. A condition to control the hours of construction could be imposed were the application found otherwise to be acceptable. The proposed development is acceptable and policy compliant in the above regards.

Traffic and Transportation Issues

- 7.21 Policy DM15 of the Development Management Document states: "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". The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards.
- 7.22 For any type of flats, a minimum of one off-street parking space should be available. The proposal is policy compliant in this regard. The access arrangements would not be altered. The provision of one cycle storage space is required. No details have been provided about this.

- 7.23 While the upper floor flat would not have access to the rear garden, the required cycle storage spaces could be provided within the communal areas and details could be secured by condition. The proposal is acceptable and policy compliant in these regards.

Refuse and Recycling Storage

- 7.24 For schemes smaller than five units, the policy expects that the Council's kerb collection service would be used. The location of the development is convenient for the use of the service. The current proposal is acceptable and policy compliant in this regard.

Energy and Water Sustainability

- 7.25 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.
- 7.26 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 provided any such externally mounted technologies respect the character and appearance of the area if the proposal were otherwise found to be acceptable. This aspect of the proposal is therefore considered to be acceptable and policy compliant in this regard, subject to conditions.

Flooding and surface water drainage

- 7.27 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. The proposed extensions would be built within undeveloped land, an area of the ground where surface water would otherwise permeate. Adequate drainage should be installed to ensure that there is no increased risk of flooding on site or elsewhere. Details of drainage arrangements incorporating principles of Sustainable Drainage Systems could be secured by condition. Subject to such a condition, the development would be acceptable and policy compliant in these regards.

Community Infrastructure Levy (CIL)

- 7.28 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 subsequently allowed, the CIL liability will be applied. Any revised application may also be CIL liable.

Other matters

- 7.29 Most of the objections received by third parties mentioned that the residential estate is covered by restrictive covenants which prohibit the conversion of a single dwellinghouse to flats.

This is a private, legal matter for the owners and occupiers of the estate, not a planning related matter. If permission were to be granted, it would have no effect on restrictive covenants registered against the legal ownership title of the property. The existence of such covenants has no bearing in the consideration of the planning application.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, including the previous permission granted under 20/00191/FUL which carries significant weight, it is found that the proposed development is unacceptable and contrary to local and national planning policies. The proposed development would result in the loss of a family dwellinghouse, a type of housing which is a valuable resource for the borough and would result, by reason of absence of any provision of private amenity space, in poor living conditions for the future occupiers of the proposed first floor flat. The benefits of the proposal, including the minor provision of one additional dwelling, do not outweigh the significant and material harm identified. The application is, therefore, recommended for refusal.

9 Recommendation

9.1 REFUSE PLANNING PERMISSION for the following reasons:

- 01 **The development would result in the loss of a family-sized dwelling, a type of unit for which there is a particular identified need, to the detriment of the Borough's housing supply. No benefits which outweigh this harm have been advanced. This application is therefore is unacceptable and contrary to the National Planning Policy Framework (2019), Policies KP1, KP2, CP4 and CP8 of the Southend-on-Sea Core Strategy (2007), and Policy DM3 of the Southend-on-Sea Development Management Document (2015).**
- 02 **The proposed development, by reason of its failure to include adequate private amenity space would provide substandard living conditions for the future occupiers of the proposed first floor flat, to the detriment of their amenity. This 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 (as amended by the Technical Housing Standards Policy Transition Statement (2015)) of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).**

APPENDIX 1

Reference:	20/00191/FULH
Application Type:	Full Application - Householder
Ward:	Southchurch
Proposal:	Erect part single/two storey side extension, two storey rear extension alter elevations
Address:	2 Coptfold Close, Southend-On-Sea, Essex
Applicant:	Mr A Bysouth
Agent:	Mr Paul Seager of APS Design Associates Ltd
Consultation Expiry:	27th February 2020
Expiry Date:	27th April 2020
Case Officer:	Kara Elliott
Plan Nos:	2970/02, 2970/03/A, 2970/04/A
Recommendation:	GRANT PLANNING PERMISSION subject to conditions

1 Site and Surroundings

- 1.1 The application site relates to a detached two storey dwelling located on the north side of Coptfold Close, a small cul-de-sac from Wansfell Gardens. The street is residential in character and contains two storey dwellings of various appearances. The dwelling is attached by its single storey garage to no.3 to the west but due to the main part of dwelling being attached, is considered to be a detached dwelling.
- 1.2 The application site does not relate to a listed building or conservation area.

2 The Proposal

- 2.1 The application seeks planning permission for a part two storey, part single storey side extension and a two storey rear extension. The two storey side extension would have a hipped roof from the main dwelling, with a ridge height matching the main dwelling (approximately 7 metres) and would extend approximately 3.25 metres from the west flank of the dwelling. The two storey side extension would have a depth of approximately 7.5 metres and an eaves height of approximately 5.3 metres, matching that of the existing dwelling. There would be two first floor front windows and a window to the rear. No windows are proposed to the west flank elevation. From the front, it would be clad in hanging tiles, as would the first floor of the existing front elevation of the main dwelling. The remainder of the two storey side extension would be rendered and painted white.
- 2.2 The single storey element of the side extension would have a depth of approximately

15 metres along the west of the dwelling and would have a flat roof for its main part, with a pitched roof at the front providing a front entrance to the dwelling including a timber garage door and front door. The single storey extension would have an overall width of approximately 4.5 metres and would contain a glazed lantern towards the rear. A single window would be located at the rear, serving a utility room. The single storey element of the side extension would be finished in facing brickwork to match the existing.

- 2.3 The pitched roof two storey rear extension would continue from the heights and size of the existing rear of the dwelling, projecting 3 metres rearwards. The first floor would at the rear would be finished in render with the ground floor and eastern flank in brickwork to match existing, to continue with the rest of the dwelling. Two windows would be located at first floor and bi-fold doors to the ground floor to the rear. An existing first floor eastern flank window is to remain as existing and serves a stairwell.

3 Relevant Planning History

- 3.1 02/00388/FUL - Demolish garage and erect part single/part two storey side and rear extension with integral garage – Refused.

4 Representation Summary

Public Consultation

- 4.1 9 neighbouring properties were consulted. One letter of representation was received which raises the following objections;

- Loss of neighbour amenity from;
 - loss of sunlight;
 - overlooking;
 - loss of privacy

- 4.2 Officer comment: These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in this instance.

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 & 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, impacts on residential amenity, CIL contributions. Due to the nature of the development which does not

materially affect the need for, or on-site provision of, parking there are no adverse highway safety or parking impacts.

7 Appraisal

Principle of Development

- 7.1 The principle of extending the dwelling and providing facilities in association with residential accommodation is considered acceptable. Other material planning considerations are discussed below.

Design and Impact on the Character of the Area

- 7.2 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policies DM1 and DM3 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 Paragraph 124 of the NPPF states that; *“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.”*
- 7.4 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”.*
- 7.5 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.’*
- 7.6 The proposed extension is considered to be visually acceptable and would not result in demonstrable harm to the character and appearance of the dwelling or the wider area. This is due to the subservient scale, size, bulk, position and height of the extension and its use of materials to match the existing dwelling, as well as its absence from public view.
- 7.7 The proposed development is considered to acceptable and policy compliant in these

regards.

Impact on Residential Amenity

- 7.8 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."*
- 7.9 The application property is neighboured by 81 and 92 Fairfield Gardens. The proposed two storey element of the development extends 2.335 metres and would be located approximately one metre from the boundary shared with no.92 which contains no habitable room windows in its nearest flank wall. The single storey element would extend 4.35 metres along this boundary at a height of 2.8 metres and set approximately one metre in from the boundary itself. The proposed two storey extension would not surpass a notional 45 degree guideline taken from the edge of the extension to the nearest first floor window at no.92. Noting this and its modest projection, pitched roof design for the two storey element, the lack of side openings and the single storey element, it is not considered that the proposed development would result in material harm to the amenities of the occupiers of no.92 from a loss of outlook, loss of light, loss of privacy or an overbearing, dominant impact.
- 7.10 The existing dwelling is already set behind no.81. The proposed two storey element of the extension would not have any material impact upon these neighbours due to a separation distance of approximately 4 metres. The single storey element of the extension would have a modest height at 2.8 metres and would extend 3.5 metres deep closest to the boundary with this neighbour. The rear single storey extension would not be located adjacent to the existing built form of no.81. It is not considered that the proposed development would result in material harm to the amenities of the occupiers of no.81 from a material loss of outlook, loss of light, loss of privacy or an overbearing, dominant impact.
- 7.11 The extension is sufficiently removed from any other neighbouring properties such that it would not harm their amenity in any regards.
- 7.12 It is therefore considered that the proposed development would not have an adverse impact on residential amenity. The proposed development is therefore acceptable and policy compliant in this regard.

Community Infrastructure Levy

- 7.15 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 subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework. The proposed development would have an acceptable impact on the

amenities of neighbouring occupiers and the character and appearance of the application site 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

GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development hereby permitted shall begin no later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: R03/B, R2134/C01/A, 134/C00.**

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

- 03 The external finishes used for the external walls and roof of the development hereby permitted shall be match those of the host dwelling.**

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).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

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 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.