

Reference:	20/01332/FUL
Application Type:	Full Application
Ward:	Leigh
Proposal:	Erect ground floor side extension and alter elevations
Address:	Flat 1, 1 Leigh Park Road, Leigh-On-Sea
Applicant:	M Metson
Agent:	Metson Architects Ltd
Consultation Expiry:	7th October 2020
Expiry Date:	10th December 2020
Case Officer:	Abbie Greenwood
Plan Nos:	101/RENEW-2020, 102/RENEW-2020, 103/RENEW-2020 Planning, Design and Access Statement Heritage Statement
Recommendation:	GRANT PLANNING PERMISSION



1 Site and Surroundings

- 1.1 Whilst the site address is Leigh Park Road the site is actually located on the eastern side of Hillside Road. The site is occupied by a two storey building that has been converted to flats.
- 1.2 The site is within the boundary of Leigh Conservation Area. The Leigh Conservation Area relates to that part of the settlement north of the railway rising up Leigh Hill to the parish church. It was designated a Conservation Area because it has special architectural and historic interest and a unique character. The changing ground levels of the site and the surrounding area are significant to the character of the site and have a material impact on the relationship between properties.

2 The Proposal

- 2.1 The proposal seeks planning permission for the following works:
 - Erect ground floor side extension and alter elevations.
- 2.2 This it is same proposal as approved under application reference 14/01871/FUL, which has since expired, except that two rooflights are now proposed to the rear roofslope. The officer's report from this application is appended to this report.
- 2.3 As with the 2014 scheme the proposed development is a single storey extension to the north of the existing building. The proposed extension would measure between 4 and 4.3 metres wide, 5.6 metres deep (not including bay window) and features a hipped pitched roof with a maximum height of 6.2 metres. The proposed development would provide additional living accommodation for the existing flat.
- 2.4 As part of the proposal the existing chimney to the north elevation of the building will be removed to facilitate the extension. This is the same as previously approved.

3 Relevant Planning History

- 3.1 17/01400/FUL - Replace windows to front and side at second floor level with timber windows- granted
- 3.2 14/01871/FUL - Erect ground floor side extension, lay out bin storage and cycle store to rear (amended proposal) (part retrospective) – granted
- 3.3 14/00045/FUL - Erect ground floor side extension, insert roof light to front elevation, lay out bin storage and cycle store to rear. – refused

4 Representation Summary

Public Consultation

- 4.1 15 neighbouring properties were consulted, a press notice published and a site notice displayed. No letters of representation have been received.

Parks

4.2

No objection provided the proposal does not have a detrimental impact on nearby trees.

[Officer Note: There are no trees close to the site of the proposed extension therefore there will be no impact on trees in the vicinity arising from this proposal.]

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), CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance).

5.3 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (The Efficient and effective use of land), DM5 (Southend on Sea's Historic Environment) and DM15 (Sustainable Transport Management).

5.4 Design & Townscape Guide (2009)

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

5.6 Leigh Conservation Area Appraisal (2010)

6 Planning Considerations

6.1 The main considerations for this application are the principle of the development, and the design including the impact of the development on the character and appearance of the existing building and the wider Leigh Conservation Area, any impact on neighbours, living conditions and highways implications.

6.2 The previous planning permission granted at the site reference 14/01871/FUL, which was for the same proposal except for the addition of rear rooflights, is a material planning consideration. As noted above the officer's report for this application is attached at Appendix A.

7 Appraisal

Principle of Development

7.1 The principle of the development has been previously accepted under application reference 14/01871/FUL. It is noted that the NPPF and local planning policy have been revised since the 2014 decision, however, policy considerations relevant to the current proposal have not changed in any significant regards. The principle of the development remains acceptable.

Design and Impact on the Character of the Area

7.2 The design of the proposal and its impact on the conservation area were considered in detail in relation to application reference 14/01871/FUL. The proposal was found to have an acceptable impact on the character and appearance of the existing building and the wider conservation area.

An assessment of this impact can be found in the officer's report for that application which is appended to this report. The current proposal is the same design except that two rooflights have been added to the rear roof slope. These are of a reasonable size and will not be particularly visible from the public realm. There is therefore no objection to this amendment.

- 7.3 Although the NPPF has been updated and the Development Management Document adopted since the initial decision in 2014, there have been no material changes to policy, the character of the existing building or the character of the conservation area since this time. It therefore follows that the design and heritage impact of the proposal remain acceptable in the above regards subject to conditions relating to materials and details.

Impact on Residential Amenity

- 7.4 The impact of the proposal in relation to neighbours was considered in detail in relation to application reference 14/01871/FUL and was found to be acceptable. An assessment of this can be found in the officer's report for that application which is appended to this report. The proposal has not materially changed in its design and form from this proposal except for the addition of two rooflights to the rear which will have no material bearing on the amenity of neighbours.
- 7.5 Although the NPPF has been updated and the Development Management Document adopted since this time, there have been no material changes to policy since this time. It therefore follows that the proposal remains acceptable in relation to the impact on neighbour amenity.

Traffic and Transportation

- 7.6 The site of the proposed extension is a decked area to the north of the building which appears to have a temporary crossover leading from Hillside Road, however, the applicant has confirmed that this area has not been previously used for parking a car although a motorbike has been stored here on occasion. This is confirmed by site photos from the 2014 application and the recent site visit which show there to be a step up to this area so it would not be possible for it to be accessed by vehicles. It is also noted that the current treatment with decking would not support the weight of a car. It is therefore considered that the proposal would not result in any loss of parking at the site and the additional accommodation would not require additional parking to be provided. This is consistent with the conclusions of the 2014 consent.
- 7.7 The existing flat currently has no cycle storage and none is proposed. Given that the proposal is for an extension only there is no requirement to provide additional cycle storage. This is consistent with the conclusions of the 2014 consent.
- 7.8 The decked area currently has a small storage shed and no boundary to the street. It appears to be currently used to store building materials. The applicant has confirmed that this area is not used for refuse storage. The refuse is currently kept inside the flat until collection day and this is a long standing arrangement. The proposal will therefore not impact on refuse arrangements for this unit. This is consistent with the conclusions of the 2014 consent.

Standard of Accommodation for existing and Future Occupiers

- 7.9 The proposal will provide additional living space for the flat increasing the overall floor area from around 47sqm, which is below the national housing standards, to 70 sqm which is above those standards. As an existing unit there is no requirement to meet these standards, however it is apparent that this extension will make the unit more liveable.

Amenity Space

- 7.10 Whilst the site of the proposed extension could be used as an amenity space for the flat this is not the case at present – the area is currently being used to store building materials. It is noted that an alternative amenity space is located to the front of the building which has direct access from the living area, includes space for sitting out which has a more sunny aspect. This area fronts the street but its lower land level and location on a private drive affords it a degree of privacy from passers-by. This is also a long standing arrangement. The proposed extension includes a small extension to this outside area.
- 7.11 The proposal is a 1 bed unit not family accommodation. The amenity space to the front provides a useable semi-private amenity space and is a longstanding arrangement. It is therefore considered that the proposal would have an acceptable impact on the amenity provision of the existing unit. Overall the impact of the proposal on the standard of accommodation for existing and future occupiers is considered to be acceptable and the proposal is policy compliant in this regard. This is consistent with the conclusions of the 2014 consent.

Community Infrastructure Levy (CIL)

- 7.12 The development for the existing property equates to less than 100sqm of new floor space, 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 be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, street scene and the conservation area more widely. There would be no materially adverse traffic, parking or highways impacts caused by the proposed development. This application is therefore recommended for approval subject to conditions.

9 Recommendation

- 9.1 MEMBERS ARE RECOMMENDED TO GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 The development hereby permitted shall begin not 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: 101/RENEW-2020, 102/RENEW-2020, 103/RENEW-2020

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

03 All new work to the outside of the building (including the windows, the bay surrounds and the columns) must match existing original work in terms of the choice of materials, method of construction, detailed design and finished appearance.

Reason: To ensure the development preserves and enhances the character and appearance of the existing building and the wider Leigh Conservation Area in accordance with the National Planning Policy Framework (2019), policies KP2 and CP4 of the Core Strategy (2007) and policies DM1, DM3 and DM5 of the Development Management Document (2015).

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.

Informatives:

01 You are advised that as the proposed development equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), 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.

02 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.

Appendix A

Reference:	14/01871/FUL
Ward:	Leigh
Proposal:	Erect ground floor side extension, lay out bin storage and cycle store to rear (amended proposal) (part retrospective)
Address:	Flat 1, 1 Leigh Park Road, Leigh-on-Sea, Essex, SS9 2DU
Applicant:	Mr M.C. Metson
Agent:	N/A
Consultation Expiry:	18/12/14
Expiry Date:	09/01/15
Case Officer:	Ian Harrison
Plan Nos:	TP-01-A and TP-02-A
Recommendation:	GRANT Planning Permission

1 The Proposal

- 1.1 The proposed development is a single storey extension to the north of the existing building. The proposed extension would measure between 4 and 4.3 metres wide, 5.6 metres deep and feature a hipped pitched roof with a maximum height of 6.2 metres. A single storey projection would be included to the West of the extension that would provide a bay window. The proposed development would provide accommodation in the form of a living room to an existing flat.
- 1.2 The application also proposes the provision of a bin store and a cycle store on the land to the East of the extension which would serve the flats at the wider site. This part of the application is retrospective as the single storey timber structures are already in place.
- 1.3 The application has been submitted following the refusal of application 14/00045/FUL on the grounds that:

“The proposed development, by way of the inappropriate design, would result in a form of development out of character with and detrimental to the character and appearance of the existing building and conservation area contrary to Policies C4, C11 and H5 of the Borough Local Plan and KP2 and CP4 of the Core Strategy and advice contained within the adopted Design and Townscape Guide (SPD1) and Government guidance contained within the NPPF.”

This application is different to the proposal from earlier in 2014 by featuring a gable-ended pitched roof above the bay window and the removal of a rooflight. In all other respects the application is identical.

2 Site and Surroundings

- 2.1 Whilst the site address is Leigh Park Road the site is located on the eastern side of Hillside Road. The site is occupied by a two storey building that comprises flats.
- 2.2 The site is allocated within the Leigh Conservation Area designated within the Borough Local Plan. The Leigh Conservation Area relates to that part of the settlement north of the railway rising up Leigh Hill to the parish church. It was designated a Conservation because it has special architectural and historic interest and a unique character. The changing ground levels of the site and the surrounding area are significant to the character of the site and have a material impact on the relationship between properties.

3 Planning Considerations

- 3.1 The key considerations of this application are the principle of the development, the design and impact on the character of the area and the impact on residential amenity.

4 Appraisal

Principle of Development

National Planning Policy Framework 2012, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C11 and H5, and SPD1

- 4.1 This proposal is considered in the context of the National Planning Policy Framework 2012 and Core Strategy Policies KP2 and CP4. Also of relevance are Borough Local Plan Policies relating to design. These policies and guidance support extensions to properties in most cases but require that such alterations and extensions respect the existing character and appearance of the building. Subject to detailed considerations, the proposed extension to the dwelling is considered to be acceptable in principle.

Design and Impact on the Character of the Area:

National Planning Policy Framework 2012, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C4, C11 and H5, and SPD1

- 4.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF as well as Policies C4, C11 and H5 of the Local Plan and Policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide (SPD1) also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act imposes a duty to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. This is reiterated in national guidance in the NPPF. Policy C4 only allows new development in conservation areas where it would not be detrimental to the local scene and the character of the area. Policy C11 requires new development to create a satisfactory relationship with its surroundings.
- 4.4 The site is located in the Leigh Conservation Area and therefore special attention

shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

The NPPF states that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation”.

- 4.5 The proposed extension is located to the side of the property and due to its siting would be visible from Leigh Park Road and Hillside Road. The design of the extension has referenced the existing building by providing a bay and referencing the existing hip. This aspect of the design was previously considered acceptable by the Local Planning Authority and this remains the case.
- 4.6 However, it was previously considered that the development had a number of unresolved design issues including the lack of columns on the proposed bay, the detailing of the corner of the extension, the relationship between the eaves of the proposed and existing building, the size of the window above the door and the provision of a rooflight. A concern was also raised with respect to the internal layout on the grounds that the kitchen units would be visible from outside and this might appear unresolved. As such, noting that it is essential that the detailing of the development replicates the existing property and enhances or preserves the character of the conservation area, it was concluded that the proposed development would be detrimental of the character of the area and was therefore refused.
- 4.7 The design of the proposed extension has been substantially modified to address the majority of the concerns that were raised previously. It is considered that the amended proposal would satisfactorily replicate the character of the existing building and as such the proposal would maintain the character of the conservation area, in accordance with the abovementioned policies.
- 4.8 The suitable positioning and appropriate scale of the bin and cycles stores is considered to be acceptable and has no harmful impacts on the character or appearance of the site or the Conservation Area.

Impact on Residential Amenity:

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Southend-on-Sea Borough Local Plan Policy C1; SPD 1 (Design & Townscape Guide (2009))

- 4.9 Paragraph 343 of SPD1 (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. Policy H5 of the Borough Local Plan requires that development respect existing residential amenities, and Policy C11 requires that new extensions create a satisfactory relationship with surroundings.
- 4.10 Although the proposed development would be sited forward of the dwelling to the north, due to the separation distance, the design of the roof and height of the proposal, on balance, it is not considered that this will result in an undue impact

upon the amenity of the adjoining neighbours in relation to overshadowing or domination.

- 4.11 The suitable positioning and appropriate scale of the bin and cycles stores is considered to be acceptable and has no harmful impacts on the amenities of neighbouring residents.
- 4.12 Whilst it is accepted that the existing concrete area has the potential to be used as an amenity area it currently appears to be used for ad hoc storage. Furthermore, the area is open and does not provide a private amenity space at this time. The provision of a 1.8m fence to provide suitable enclosure of the space would require planning permission, due to it being adjacent to a highway, and would be unlikely to be granted due to the impact on the character and appearance of the conservation area. Therefore, it is not considered that the proposed development would have a detrimental impact upon the amenity of the future occupiers due a reduction in amenity space.

5 Conclusion

- 5.1 The principle of extending the existing dwelling can be supported and it has previously been established that a development of the scale proposed would not cause material harm to the amenities of neighbouring residents or cause an unacceptable loss of amenity space. Previous design concerns have been satisfactorily addressed and it is now considered that the extension would suitably maintain the character of the existing building and the Conservation Area in which it sits. The proposal is therefore considered to be sustainable development in accordance with the content of the development plan.

6 Planning Policy Summary

- 6.1 BLP Policies: C4 (Conservation Areas), C11 (New Buildings, Extensions and Alterations), H5 (Residential Design and Layout Considerations)

Core Strategy DPD (adopted December 2007) Policies KP2 (Spatial Strategy) and CP4 (Development Principles)

Design and Townscape Guide SPD (adopted December 2009)

7 Representation Summary

Public Consultation

- 7.1 13 neighbouring properties were notified of the application and a site notice was posted at the site. No letters of objection have been received.
- 7.2 The Leigh Society have stated that they have no objection to the proposal provided that the neighbouring property to the North is not harmed.
- 7.3 Leigh Town Council have objected to the application on the grounds that the development would be an over development of an already densely populated site which provides no car-parking facilities in an area of residential parking stress and cause the loss of private amenity space. The proposal to remove one of a set of

attractive chimneys in the Leigh Conservation Area is also considered contrary to policy.

Design and Regeneration

- 7.4 It is considered that the previous objections have been overcome and it is therefore advised that planning permission should be granted subject to conditions relating to the detailing of the proposed works.

8 Relevant Planning History

- 8.1 Application 14/00045/FUL proposed a similar development. That application was refused on the grounds that are set out and discussed above.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development hereby permitted shall begin not 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: TP-01-A and TP-02-A.**

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

- 03 Condition: All new work to the outside of the building (including the windows, the bay surrounds and the columns) must match existing original work in terms of the choice of materials, method of construction and finished appearance.**

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 Conservation Area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policies C4 and C11, and SPD1 (Design and Townscape Guide).

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.