

Reference:	20/01511/FUL	
Application Type:	Full Application	
Ward:	Westborough	
Proposal:	Erect linked single storey rear extension	
Address:	266 Westborough Road, Westcliff-On-Sea, Essex	
Applicant:	Saunders	
Agent:	Mr Wilton Nodoro of Krystal Architecture Ltd	
Consultation Expiry:	22nd October 2020	
Expiry Date:	11 January 2021	
Case Officer:	Kara Elliott	
Plan Nos:	620-200/1, 620-201/3, 620-202/4, 620-204/3	
Recommendation:	GRANT PLANNING PERMISSION	



1 Site and Surroundings

- 1.1 The site is located to the south of Westborough Road on its corner with Tintern Avenue. The application relates to a former two storey, three bedroom dwelling and a detached two storey workshop building located within the rear garden. The main dwelling and annexe has been converted to a 6 bedroom HMO under permitted development so not requiring express planning permission from the Local Planning Authority.
- 1.2 The applicant has provided information to evidence the occupation of the site as detailed above.
- 1.3 The surrounding area is made up of predominately residential dwellings. However, a car garage/MOT test centre is located immediately to the west of the application site which fronts Westborough Road and a financial planning company occupies a building immediately to the south, within Tintern Avenue.
- 1.4 The site has no specific allocation within the Development Management Document Proposals Map and does not relate to a listed building.

2 The Proposal

- 2.1 Planning permission is sought for a linking extension from the existing single storey rear projection at the rear of the main property connecting to the annexe building. The extension would have a flat roof with a height of 2.95m matching the existing single storey extension and would be 3m wide (also to match) and 3.47m deep. The addition would have no openings to its western flank and would contain two vertical windows to its eastern flank, matching two existing openings within the existing single storey rear extension. No new openings are proposed to the existing buildings.
- 2.2 The proposed linking extension would not provide an increase in occupancy of the site overall, with 6 bedrooms remaining (5 in main dwelling and 1 in the annexe). A separate application on this same Committee agenda is pending consideration seeking a change of use of the two buildings from a six-room HMO, falling within the definition of Use Class C4, to a seven-room HMO which is a Sui Generis use. The applicant confirms that the change of use from a family dwelling to HMO was undertaken under permitted development rights and that the proposed development would improve facilities on site for occupants.

3 Relevant Planning History

- 3.1 03/00533/FUL - Erect two storey store/workshop to rear of premises – Granted;
- 3.2 18/00995/PA3COU - Change of use of rear workshop (Class B1(c)) to dwellinghouse (Class C3) (Prior Approval) – Refused;
- 3.3 18/01804/FUL - Convert existing dwellinghouse and existing ancillary workshop/store (Class C3) to a seven bedroom HMO (Sui Generis) and erect single storey link extension to rear – Refused;
- 3.4 19/00518/AMDT - Application to remove condition 04 premises shall only be used as workshop/store ancillary to residential property (Minor material amendment of planning permission SOS/03/00533/FUL dated 25/06/2003) – Refused;

- 3.5 19/01219/AMDT - Application to remove condition 04 premises shall only be used as workshop/store ancillary to residential property (Minor material amendment of planning permission 03/00533/FUL dated 25/06/2003) (Amended Proposal) – Granted;
- 3.6 20/01520/FUL - Convert existing 6 Bed HMO (Class C4) and existing ancillary building at the rear to a 7 Bed HMO (Sui Generis) and erect single storey linked rear extension – Pending Consideration.

4 Representation Summary

Highways & Parking

- 4.1 No objection. Comments: Consideration has been given to the existing 6 bedroom and the impact on the highway should a 7 bedroom be approved. There are no current parking policies for HMO's. We have to assess the sustainable location of the site. In this case, the site does benefit from being in a sustainable location with cycle, bus and train provision in close proximity. Secure cycle parking should be provided as part of the development. It should also be noted that future occupier will not be eligible for a residential parking permit. It is not considered that the proposal will have a detrimental impact upon the public highway.

Public Consultation

- 4.2 Ten (10) neighbouring properties were consulted and a site notice was displayed. Two (2) letters of representation have been received which make the following objections;
- Loss of family dwelling;
 - Loss of neighbour amenity from loss of light;
 - On-street parking stress;
 - Stress on local services i.e. doctors surgeries, shops etc.
 - Overdevelopment;
 - HMO out of keeping with locality;
 - Increase in rubbish;
 - Fear of crime;
 - Poor design;
 - Out of keeping with character and appearance of locality;
 - Noise pollution;
 - Stress of facilities i.e. water and waste;
 - Disruption from building works;
 - Lack of garden space;
- 4.3 Officer comment: The comments in the representation have been taken into consideration in the assessment of the application but not found to be justifiable reasons for refusing planning permission in the circumstances of this case.
- 4.4 The applicant falls to be decided by members of the Development Control Committee at the request of Cllr Anne Jones.

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 Community Infrastructure Levy (CIL) Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, its impact upon the character and appearance of the site and the wider area, the impact on residential amenity of neighbouring occupiers, any traffic and transportation issues and whether the development would be liable for CIL.

7 Appraisal

Principle of Development

- 7.1 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.”*
- 7.2 In terms of the proposed extension, the addition or alteration of buildings in association with the existing use of the site is not objected to in principle. The proposed development would result in the same levels of occupancy of the site whilst providing improvements to the standard of accommodation. Other material planning considerations are discussed in the following sections of the report.

Design and Impact on the Character of the Area

- 7.3 The National Planning Policy Framework requires new development to respond positively to its surroundings. 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 Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and complement local character.
- 7.5 A single storey linking extension is proposed between the two buildings, located within the rear garden. The extension would have a flat roof with a height of 2.95m matching the existing single storey extension and would be 3m wide (also to match) and would be sited near the western side boundary shared with Westcliff Service Centre MOT garage which neighbours the site. The flat roof extension would be finished in materials to match the existing buildings on site and would feature a symmetrical arrangement of two windows to its eastern flank with an existing door being made into a window on the same elevation.
- 7.6 The proposed development would be partially visible from public vantage points within Tintern Avenue and Westborough Road.
- 7.7 It is considered that in terms of its size, scale, bulk and height, the proposed extension would be visually acceptable and would not result in demonstrable harm to the character and appearance of the dwelling or the wider area. Whilst the extension would create one continuous building form, it is considered that due to its single storey nature and the context of its addition between the existing two, two storey buildings, the resulting development is visually acceptable and would not result in demonstrable harm to the character and appearance of the dwelling, the streetscene or the wider surrounding area.
- 7.8 It is therefore considered that the proposed link extension would be acceptable and policy compliant in the above regards.

Impact on Residential Amenity

- 7.9 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.*
- 7.10 The application site is neighboured by a car MOT garage to the east and a financial services business to the north. Due to the corner position of the plot, there are no immediate residential neighbours to the north and east. The proposed single storey linking extension would be sited against the western side boundary shared with the car MOT garage. Due to its single storey nature, the absence of direct residential neighbouring occupiers and its modest nature, it is not considered that the extension would result in a loss of amenity through overshadowing, loss of light, loss of privacy or an unacceptable level of perceived and actual dominance.
- 7.11 The site would continue to provide 6 bedrooms and would not result in materially increased levels of activity associated with levels of occupation of the site. The proposal is not considered to result in such material harm to the amenities of the nearest neighbouring residents and there are no reported noise complaints registered. HMOs are generally compatible with a residential setting. The development is acceptable and policy compliant in these regards.

Traffic and Transportation Issues

- 7.12 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.
- 7.13 The Council’s adopted parking standards do not prescribe any required standard for HMOs. The proposal would provide one parking space to the front, this is also part of the existing layout. Although there is no parking standard associated with HMOs, the lawful use of the site as a dwelling or as a six-room HMO has the potential to attract some parking need.
- 7.14 The site is located approximately a 20 minute walk to Westcliff train station and a couple of minutes’ walk to London Road for main bus routes. London Road is host to many local services and Hamlet Court Road District Centre is a 15 minute walk away. It is therefore considered that the site is within a relatively sustainable location whereby occupants would not need to rely on the use of a private motor car for their day to day needs.
- 7.15 The application site proposes cycle storage for up to seven bikes. The proposed development does not result in an increase in occupancy of the site and would therefore not result in any additional parking demands. Subject to conditions, the development is acceptable and policy compliant in the above regards.

Community Infrastructure Levy (CIL)

- 7.16 As the development does not create in new floorspace above 100m², 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.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that the development would be acceptable and in line with the objectives of the relevant local and national policies and guidance. The development, subject to conditions, is considered to offer acceptable impact on highway safety and parking. The development would also result in acceptable impacts on neighbouring residential amenity and the character and appearance of the area. 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: 620-200/1, 620-201/3, 620-202/4, 620-204/3.

Reason: To ensure the development is carried out in accordance with the development plan.

- 03** All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

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 the Design and Townscape Guide (2009).

- 04** The development hereby approved shall not at any time be adapted to enable formation of more than six (6) bedrooms and shall not be occupied by more than six (6) people at any one time.

Reason: To ensure the use hereby approved would offer acceptable living conditions for its occupiers in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM8.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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

- 1** You are advised that as the proposed extension(s) or change of use to your property 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 the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (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.