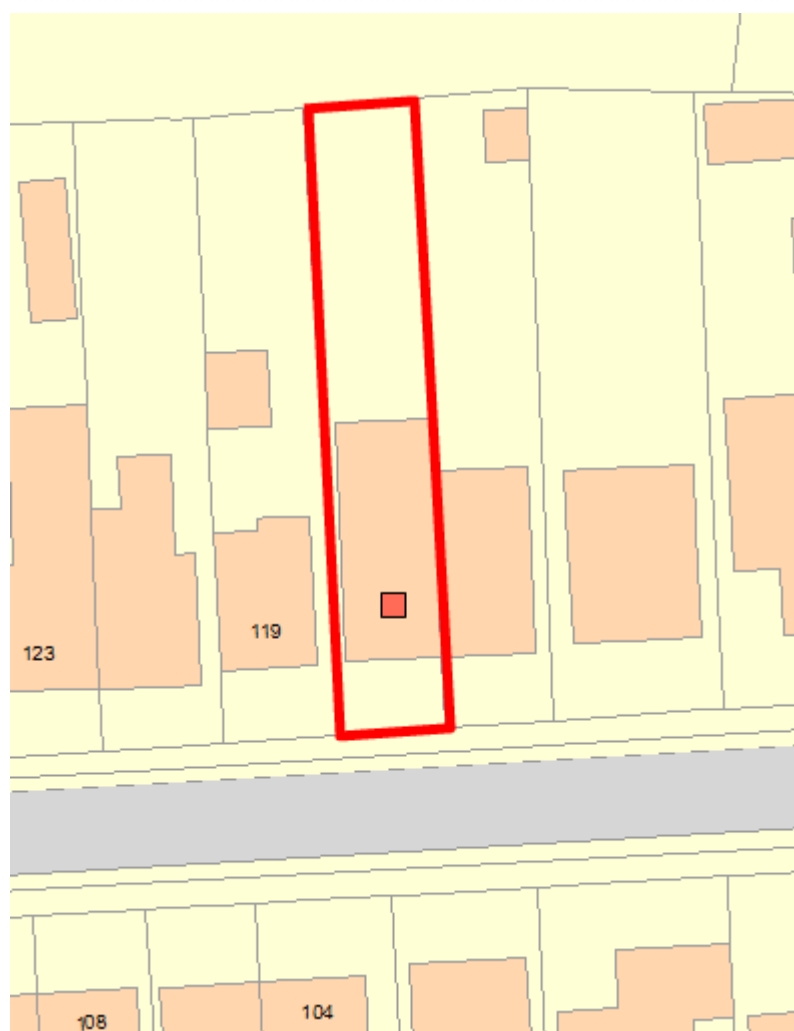


Reference:	20/02096/FULH	
Application Type:	Full Application - Householder	
Ward:	St Laurence	
Proposal:	Erect single storey rear extension (Retrospective)	
Address:	117 North Crescent, Southend-On-Sea, Essex	
Applicant:	Mrs Leah Stoneman	
Agent:		
Consultation Expiry:	6th January 2021	
Expiry Date:	8th March 2021	
Case Officer:	Robert Lilburn	
Plan Nos:	East side elevation (proposed), West side elevation (proposed), Rear elevation (proposed)	
Recommendation:	REFUSE PLANNING PERMISSION	



1 Site and Surroundings

- 1.1 The application relates to a semi-detached chalet bungalow situated within the residential area. It is part of a row of similar dwellings situated along the north side of North Crescent, with rear gardens adjoining open fields beyond. Most dwellings within the row have been subject to modest single-storey rear extensions.
- 1.2 The subject building is finished externally in painted render with plain roof tiles and incorporates a rear box roof dormer. At the time of an earlier site visit in 2017 it was found that the subject building incorporated a single-storey flat-roofed rear projection of some 2.4m depth and occupying most of the width of the building.
- 1.3 The site is not specifically identified on the policies map of the development management document. It is located within flood zone 1.

2 The Proposal

- 2.1 Retrospective planning permission is sought for the erection of a single-storey rear extension. The submitted plans show that the extension that has been constructed is some 6m in depth measured from the former rear wall of the earlier 2.4m rear projection identified above. As a result, the total rear projection measures some 8.4m from the original main rear wall of the original dwelling building. In common with the earlier projection, it occupies most of the width of the host building. The submitted plans show it is 2.85m in height and is situated some 1.8m from the side elevation of no.119 North Crescent.

- 2.2 The extension is flat-roofed and has been finished externally in blue-coloured render. It incorporates a glazed door and a window on the west-facing elevation and a set of glazed doors on the rear elevation. It provides additional living accommodation in association with the established dwelling.
- 2.3 The applicant has submitted a petition in support of the application. The covering statement of the petition states that prior approval was applied for in 2017, in application 17/01285/PA3COU, for a rear extension of 6m in depth from the existing rear wall of the building. This would correspond to the depth of the extension for which planning permission is now sought. It states that the neighbours were contacted, and the council received no objections.
- 2.4 The statement alleges that a decision for the prior approval application was not issued within the time specified, as identified in the conditions of permitted development, and that therefore deemed planning permission exists for the extension as applied for at that time. However, records show that the decision was issued well within the specified period, and therefore no weight is given to this claimed 'fall-back position' that deemed planning permission already exists for the development.
- 2.5 The application 17/01285/PA3COU, seeking prior approval to '*Erect single storey rear extension, projecting 6m beyond the existing rear wall of the dwelling, 2.85m high to eaves and with a maximum height of 2.85m*' was received as valid on 11.07.2017. The file shows that the decision was emailed to the agent on 15.08.2017. It was refused for the following reason:
The proposed extension, by virtue of Sections 55 and 57 of the Town and Country Planning Act 1990 (as amended), constitutes development requiring planning permission. Prior Approval is hereby refused for the proposal under condition A.4 (3) of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), because the proposed development does not comply with the requirements of Sections A.1 (g) and A.1 (ja) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). This is due to the proposed development extending beyond an existing rear extension which is not part of the original dwellinghouse and thereby exceeding 6m in extent beyond the original rear wall.
- 2.6 An application for full planning permission was subsequently received on 24.11.2017 to erect a single-storey rear extension (application 17/02086/FULH). However, this application was not valid on receipt, and was not received as valid until 13.03.2018. This proposed a flat-roofed single-storey rear extension, to be adjoined to the existing flat-roofed single-storey rear projection of 2.4m depth. The submitted plans showed that it would measure a maximum of 5.9m depth, in addition to the existing projection. The applicant stated on the application form that work to build the extension commenced on 17.07.2017.
- 2.7 The application was subsequently refused on 04.05.2018 for the following reasons:
01. The proposed rear extension would, by reason of its length and proximity result in an overbearing feature which would be detrimental to the outlook and rear garden scene of neighbouring properties, in particular nos.115 and 119 North Crescent. 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 guidance contained within the Design and Townscape Guide (2009).

02. The proposed rear extension would, by reason of its length be insufficiently subservient to the main building, and would result in an unduly dominant feature which would be detrimental to the rear garden scene, harming the visual amenities of the area. 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 guidance contained within the Design and Townscape Guide (2009).

- 2.8 A planning statement has been submitted by the applicant in support of the application.
- 2.9 The application has been submitted following a planning enforcement inquiry arising from a complaint received by the Local Planning Authority. The current application has been called in to the Development Control Committee by Councillor Cowan.

3 Relevant Planning History

- 3.1 17/02086/FULH: Erect single storey rear extension. Refused.
- 3.2 17/01285/GPDE: Erect single storey rear extension, projecting 6m beyond the existing rear wall of the dwelling, 2.85m high to eaves and with a maximum height of 2.85m. Refused.
- 3.3 12/00870/CLP: Erect single storey rear extension (Lawful Development Certificate - Proposed). Granted.

4 Representation Summary

Public Consultation

- 4.1 4 neighbouring properties were notified. No letters of representation have been received directly as a result of this consultation.

The applicant has provided copies of 34 letters of support for the application and a petition. The petition details are summarised above. The petition has 14 signatures attached.

- 4.2 The letters of support provided by the applicant in connection with the application can be summarised as follows:
- The development does not affect the appearance of the street;
 - The extension is not too large for the plot;
 - The development does not harm the privacy, daylight or outlook of neighbouring occupiers, one of whom also wishes to extend rearwards;
 - A rear extension means that an upward extension is not required;
 - The extension supports a young and growing family;
 - The extension provides a good family home and supports the ability of the family to stay in the area;
 - Young families should be encouraged to stay locally given the housing crisis and the benefits to community;
 - The impacts on occupiers of a refusal are unfair.
- 4.3 These comments are noted and where relevant to material planning considerations they have been taken into account in the assessment of the application.

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) CP4 (Environment & Urban Renaissance)
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality) DM3 (The Efficient and Effective Use of Land)
- 5.5 Design & Townscape Guide (2009)
- 5.6 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 residential amenity, and CIL (Community Infrastructure Levy).

7 Appraisal

Principle of Development

- 7.1 The dwelling is situated within a residential built-up area and extensions or alterations to the property are acceptable in principle, subject to the detailed considerations discussed below.

Design and Impact on the Character of the Area

- 7.2 Paragraph 124 of the National Planning Policy Framework states that “*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*”.
- 7.3 Policies KP2 and CP4 of the Core Strategy and Policies DM1 and DM3 of the Development Management Document advocate the need for development to secure good relationships with existing development and to respect the existing scale.
- 7.4 The National Design Guide seeks new development that is appropriately integrated into its surroundings.
- 7.5 The Design and Townscape Guide states that extensions to buildings should appear subservient and must be respectful of the scale of the present building.
- 7.6 The submitted plans show that the rear extension for which planning permission is sought combined with the established lawful rear projection create a flat-roofed rear projection from the original building of some 8.4m. This compares with the depth of the original host building which is some 7.35m.

- 7.7 The resulting scale of the total rear projection is such that the extension is not suitably subservient and does not integrate appropriately with the host building. It is harmfully dominant to the character and appearance of the host building.
- 7.8 The extension is not readily visible from the public realm. A reasonable amount of garden ground remains as at this location as the rear gardens are relatively long. Single-storey flat-roofed extensions are also a prevailing feature along the associated row of dwellings. However, these mitigating factors do not overcome the impact of the unusually deep rear projection, the scale and design of which is unacceptable in relation to the host building, the site and the wider area. The development is unacceptable and contrary to the above policies with regard to the quality of design and the protection of the character of the borough.

Impact on Residential Amenity

- 7.9 Paragraph 127 of the National Planning Policy Framework seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.10 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.
- 7.11 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”*.
- 7.12 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”*.
- 7.13 The adjacent property no.115 North Crescent has a rear extension measuring some 4.6m in depth.
- 7.14 The extension for which planning permission is now sought projects some 3.8m from the extended rear face of no.115 North Crescent. The relative extent of the projection to the rear of no.115 North Crescent is such that the effect is visually overbearing and obtrusive, and creates an unacceptable sense of enclosure and loss of outlook to the detriment of the amenities of the occupiers of no.115.
- 7.15 The extension for which planning permission is now sought projects some 6m from the rear face of no.119 North Crescent. Taking account of the scale and proximity to the rear of no.119 North Crescent, including its private amenity space, together with the relative narrowness of the gardens, the extension for which planning permission is now sought is visually obtrusive, overbearing and creates an unacceptable sense of enclosure and loss of outlook to the detriment of the amenities of the occupiers of this property.
- 7.16 As the extension is single-storey and is aligned with its two neighbours in an east-west axis, its impact on daylight and shadowing to those properties and their private amenity spaces are not significantly harmful. The screening provided by the existing boundary fans is considered sufficient to mitigate any potential loss of privacy arising to the rear of

no.119 North Crescent from the west-facing glazed door and window.

- 7.17 The extension fails to maintain the amenities of neighbouring occupiers and is therefore unacceptable and contrary to the above-mentioned policies in this regard.

Community Infrastructure Levy (CIL)

- 7.18 The new floor space created by the proposal is less than 100sqm. Therefore, the development is not CIL liable.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that the principle of an extension is acceptable. However, the design, size and scale of the proposal is inconsistent with the aims of maintaining and enhancing the quality of the area. The extension harms the character and appearance of the host property and the location more widely. The proposal is also found to be overbearing, visually obtrusive and creates an unacceptable sense of enclosure at the neighbouring properties to the significant detriment of the amenities of occupiers.
- 8.2 The desirability of creating stable communities and the need for the provision of suitably-sized family housing is recognised. However, the concerns identified are not outweighed by these considerations, the personal circumstances identified by the applicant or the positive representations provided by the applicant. The development is considered to be unacceptable and fails to comply with adopted planning policies.

9 Recommendation

REFUSE PLANNING PERMISSION for the following reason(s):

- 01. The rear extension, by reason of its design, size, scale and overall length, is insufficiently subservient to the host building, and results in an unduly dominant feature which is detrimental to the character and appearance of the original dwelling, the rear garden scene and the area more widely. This is 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 the advice contained within the Design and Townscape Guide (2009).**
- 02. The rear extension, by reason of its design, size and siting results in an overbearing visually obtrusive feature which creates an unacceptable sense of enclosure and loss of outlook at 115 and 119 North Crescent to the detriment of the amenities of the occupiers of these properties. This is 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 the advice contained within the 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

The extension(s) equates to less than 100sqm of new floorspace and the development would benefit from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge would be payable.