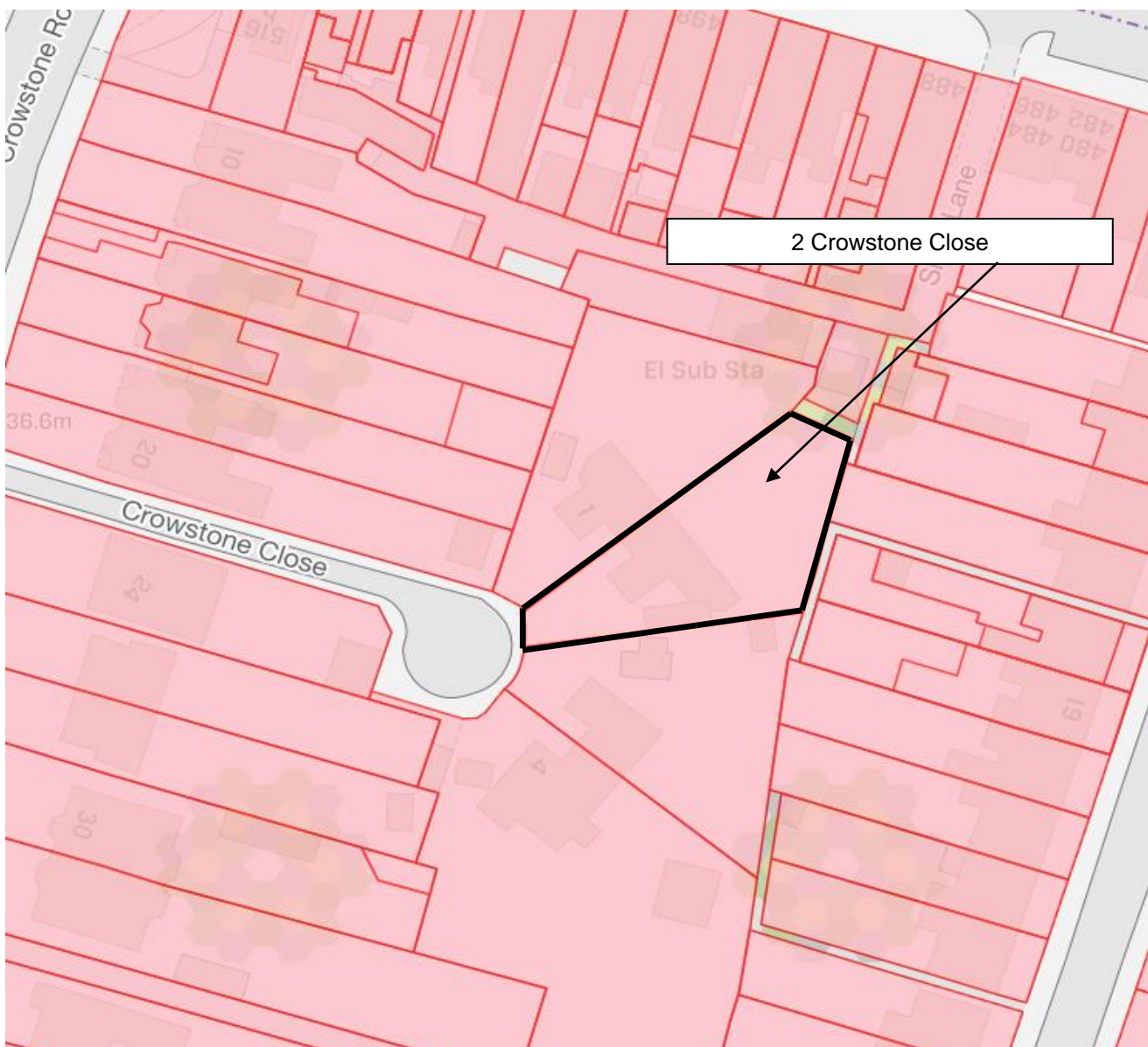


Reference:	18/00228/UNAU_B	
Ward:	Chalkwell	
Breaches of Control	Without planning permission, the erection of a first floor side extension.	
Address:	2 Crowstone Close, Westcliff on Sea, Essex. SS0 8BB	
Case Opened:	24 th July 2018	
Case Officer:	Steve Jones	
Recommendation:	AUTHORISE ENFORCEMENT ACTION	



1 Site and Surroundings

- 1.1 The property the subject of this report is a two storey semi-detached dwelling situated in Crowstone Close, a small cul de sac containing four semi-detached properties all of a similar design and appearance. The wider area is characterised by large detached and semi-detached properties of similar traditional designs and styles.

2 Lawful Planning Use

- 2.1 The lawful planning use is as a single family dwelling house within Class C3 of the Town and Country Planning Use Classes Order 1987 (as amended)

3 Relevant Planning History

- 3.1 18/01705/FULH (Erect first floor side extension (Retrospective)) Submitted following this enforcement case – Refused
- 3.2 18/02119/FULH (Erect first floor side extension (Retrospective) (Amended Proposal) – Approved
- 3.3 19/00255/NON (Replace approved plan number 18.177/01-05 with 18.177/10-13 to increase the roofline to provide additional floorspace in master bedroom (Non-material Amendment to Planning Permission 18-02119-FULH dated 11.1.2019) - Refused
- 3.4 19/00516/AMDT (Application to vary condition 02 (Approved Plans) to increase the roofline to provide additional floorspace (Minor Material amendment of planning permission 18/02119/FULH dated 11.01.2019) – Approved

4. Background

- 4.1 In July 2018 a complaint was received that unauthorised building works in the form of a second storey side extension were taking place at this site.
- 4.2 On 24th July 2018 Enforcement Staff attended the site where the owner was also present. It was noted that a first floor extension was being constructed in timber to the south side of the property above a previously constructed and unauthorised ground floor side extension. It was noted at that time that the rearward element of the bedroom protruded beyond the rear building line of the original rear wall of the main house. The owner explained that the first floor development was for an additional bedroom.
- 4.3 On 25th July 2018 a letter was sent to the owner of the property which included advice that although a full assessment was not at that point complete, it would be very likely that any application to retain the addition in its then form would be refused. It was noted that the flat roof and the fact the addition did not appear subservient to the host building meant that it did not harmonise well with the main house. For that reason a retrospective planning application was not invited although the owner would be at liberty to submit a planning application should they wish.

The owner was additionally advised that to remedy the current breach of planning controls, the addition should be removed in its entirety and the roof of the existing single storey side extension returned to its condition prior to the commencement of works.

- 4.4 On 10th September 2018 retrospective planning application 18/01705/FULH was received to 'Erect first floor side extension'. In essence it sought to retain the unauthorised structure as built. This application was refused by notice dated 5th November 2018 for the following reason:
- 4.5 The proposed development due to the contrived and incongruous design of the first floor side extension together with its size, scale, bulk and resulting prominence would not satisfactorily relate to the main dwelling resulting in material harm to the character and appearance of the host dwelling and the wider streetscene and the rear garden scene.
- 4.6 The Officers Report is at Appendix 'A'
- 4.7 Following the refusal of application 18/01705/FULH an amended proposal was submitted under reference 18/02119/FULH. This revised application added a pitched roof to the side extension, proposed a flush finish with the rear house wall and a render external finish. The extension would therefore have a more traditional appearance. During the course of the application the scheme was further revised to remove a flat roof box element to the side which was out of keeping with the main dwelling and surrounding area.
- 4.8 This application was found to be acceptable and was approved on the 11th January 2019.
- 4.9 The Officers report is at Appendix 'B'
- 4.10 In February 2019 an amendment was sought to the approved application under reference 19/00255/NON which proposed an increase in the roofline to provide additional floorspace. The rear wall of the first floor extension remained flush with the rear wall of the original house. – This was refused on 14th March 2019 as the alteration was material.
- 4.11 A copy of the Officers Report is at Appendix 'C'
- 4.12 In March 2019 a further application was submitted (19/00516/AMDT) which sought approval for further revisions to the roofline to that approved under permission reference no. 18/02119/FULH. Under this revision the rear wall of the extension again remained flush with the rear wall of the original house and this was approved on 10th May 2019.
- 4.13 A copy of the Officers Report is at Appendix 'D'

- 4.14 During June 2019 there was an exchange of emails between the Council's Enforcement Officer and the owner of the property. During the course of these exchanges the owner confirmed that some work had begun on altering the building to accord with the approved plans but financial issues meant he couldn't foresee a completion date. It was explained to him that the existing development is not acceptable in planning terms and he was reminded his application to retain the existing scheme had been refused. As such it would not be possible to leave the timescales open ended.
- 4.15 During November 2019 the owner was contacted by email and asked to provide a timescale for the pitched roof to be commenced. He responded that 'due to financial and health issues he was unable to give a timeline on this.
- 4.16 In November 2019 the Council's Enforcement Officer on visiting the site observed that the exterior of the first floor extension had been rendered and painted and guttering and downpipes were in situ on the south flank. The nature of these works brought into question whether the extension would be altered such as to accord with the approved plans. The owner was mailed by the Enforcement Officer following this inspection and informed that the position would be reviewed at the end of March if the alterations had not been completed.
- 4.17 The owner responded that he would carry out the work necessary to accord with the planning approval by the summer (2020) at the latest.
- 4.18 Further email communication between Enforcement Staff and the site owner into December 2019 did not take the matter any further forward.
- 4.19 In September 2020 Enforcement Staff again wrote to the site owner advising that the flat roof remained in situ and taking into account the 'Covid' situation sufficient time had elapsed to comply with the approved scheme and asking that immediate action be taken or risk an Enforcement Notice.
- 4.20 The owner responded that the Pandemic had impacted on his family financially and that he will continue with the extension in accordance with the approved plan when his financial situation improves.
- 4.21 All planning site inspections have been significantly affected during CV-19 working restrictions. On 18th February 2021 Enforcement Staff viewed the site and noted that the unauthorised extension to the first floor remained in situ as seen during the initial visit in 2018 but in a more completed form. In particular the overhang of the ground floor to the rear of the property had not been made flush to the rear wall and the flat roof was still in place.

5 Appraisal and Policy Considerations:

- 5.1 The key issue to consider in whether to take enforcement action in this case is the degree of harm in terms of the character of the area and appearance of the host dwelling and whether the degree of such harm means it is expedient to take action.

5.2 The appended officer reports for the related planning applications set out a full explanation of the relevant planning policies.

6 Harm caused by the identified breaches:

6.1 The first floor side extension is highly visible within the cul de sac, despite being set back some 5m beyond the front wall of the main house on the south east side.

6.2 The first floor side extension relates poorly to the host dwelling and the flat roof box style up to the eaves of the main dwelling and appears large and incongruous and does not appear subservient to the main dwelling. This results in material harm to the character and appearance of the host dwelling and the wider streetscene. There is a distinct lack of cohesion between the first floor side 'box' extension and the existing dwelling. The contrived modern design includes awkward junctions between the 'box' elements and the boxes are jarring and this is present between the junction of the side extension to the front, side and rear and the combination of which fails to appear subservient to the main dwelling.

Expediency of Enforcement Action

6.3 Given the nature and harmful impacts of the breaches of planning control described in the paragraphs above assessed in the planning policy context set out in the appended officer reports and noting the owner's failure to remedy the identified breaches of planning controls by building out the planning approval secured since the breaches were brought to the owners attention or to otherwise regularise the unauthorised development, it is considered to be necessary and proportionate for an enforcement notice to be served in order to seek to remedy the identified harm. It is also relevant to note that unless such action is taken there is significant risk that the unauthorised development could otherwise become lawful through the passage of time.

7 Recommendation

7.1 Members are recommended to AUTHORISE ENFORCEMENT ACTION to;

- a) Remove the unauthorised first floor side extension, and.
- b) Remove from site all materials resulting from compliance with a) above
- c) Reinstate the single storey side extension to its former condition., or
- d) erect an extension in full accordance with either planning permission reference 18/02119/FULH or as amended by planning permission reference no. 19/00516/AMDT.

7.2 The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

7.3 When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case a compliance period of 4 months is considered reasonable for the removal of the 1st floor side extension or its amendment to comply with the planning permissions specified at 7.1 d).

7.4 Taking enforcement action in this case may amount to an interference with the owners' and/or occupiers' Human Rights. However, it is necessary for the local planning authority to balance the rights of the owners and/or occupiers against its legitimate aims to regulate and control land within its area. In this particular case it is considered reasonable, expedient, and proportionate and in the public interest to pursue enforcement action on the grounds set out in the formal recommendation.

Appendix A – Officers Report 18/01795/FULH

Reference:	18/01705/FULH
Ward:	Chalkwell
Proposal:	Erect first floor side extension (Retrospective)
Address:	2 Crowstone Close Westcliff-On-Sea Essex SS0 8BB
Applicant:	Mr David Pepper
Agent:	BDA
Consultation Expiry:	10 th October 2018
Expiry Date:	5 th November 2018
Case Officer:	Julie Ramsey
Plan Nos:	18.177/01 Rev A, 18.177/02 Rev A, 18.177/03 Rev A, 18.177/04 Rev A, 18.177/05 Rev A, 18.177/06 Rev A
Recommendation:	REFUSE PLANNING PERMISSION

1 The Proposal

- 1.1 The applicant seeks retrospective planning permission to construct a first floor side extension over the existing ground floor side extension.
- 1.2 The first floor side extension measures some 5.75m deep and a maximum of 5.85m wide. The extension has a maximum storey height of some 2.7m, such that the height above ground level is some 5.6m. The overall extension is made up of 3 box type elements, two smaller elements are added to the front and side of the main bulk of the extension. The element to the side is lower in height and has an eaves height of some 1.8m.
- 1.3 The proposed materials are timber cladding, flat roof system and P.P.C aluminium windows. The overall scheme would employ a contemporary design which is in contrast to the traditional 'Art Deco' style of the main property.
- 1.4 The proposed development would provide a master bedroom and en-suite at first floor.

2 Site and Surroundings

- 2.1 Crowstone Close is accessed from the east side of Crowstone Road, and is a small cul de sac containing four semi-detached properties. The site contains a traditional 'Art Deco' designed two storey semi-detached dwelling with a large hipped roof front projection with a detached garage to the side. The property has also been extended to the side at ground floor level. The plot is narrower to the front and widens considerably to the rear. There is hardstanding to the front of the property for parking purposes.
- 2.2 The four properties within the cul de sac are of a similar design and character. The wider area is characterised by large detached and semi-detached properties of similar traditional designs and styles.
- 2.3 The site is not located within a conservation area or subject to any site specific planning policies.

3 Planning Considerations

- 3.1 The key considerations in relation to this application are the principle of the development, design and impact on the character of the area, highway and parking impacts, impacts on residential amenity and CIL contributions.

4 Appraisal

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM15 and the Design & Townscape Guide (2009).

- 4.1 This proposal is considered in the context of the National Planning Policy Framework (2018) and Core Strategy Policies KP1, KP2 and CP4. Also of relevance is policy DM1 which addresses design quality. 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. The dwelling is situated within a residential area and extensions and alterations to the property are considered acceptable in principle, subject to the detailed considerations discussed below.

Design and Impact on the Character of the Area:

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design & Townscape Guide (2009).

- 4.2 The key element within all relevant policies is that good design should be a fundamental requirement of new development in order 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.”*
- 4.3 Policy KP2 of the Core Strategy states new development should “respect the character and scale of the existing neighbourhood where appropriate”. Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 4.4 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”*.
- 4.5 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.’*
- 4.6 Paragraph 351 of the Design and Townscape Guide states that *‘Many properties in the Borough have the capacity to extend to the side. However, side extensions can easily become overbearing and dominate the original property. In order to avoid this, side extensions should be designed to appear subservient to the parent building. This can generally be achieved by ensuring the extension is set back*

behind the existing building frontage line and that its design, in particular the roof, is fully integrated'

- 4.7 The application site has an existing ground floor side extension which extends across to and joins the existing garage. There is no record of planning permission for this side addition. It is of a flat roof design with blue cladding and is not in keeping with the character and style of the main dwelling, which is white render. As part of the development it is proposed to finish the existing ground floor extension in white render to match the main dwelling.
- 4.8 The application plot has a narrower frontage and widens to the rear. The existing garage is set at an angle on the boundary. This screens the majority of the ground floor side extension from the front of the dwelling and the wider streetscene. The proposed first floor side extension would result in a significantly bulky addition to the main dwelling and would be highly visible within the streetscene, despite being set back some 5m beyond the front wall of the main house on the south east side. The proposed extension would overhang the rear and front of the existing ground floor extension and would sit just on the eaves level of the main house. The side extension has an overall width of some 5.5m and given the flat roofed box style design would form a prominent feature to the side of the dwelling and is markedly out of keeping with the design and style of the host dwelling and the wider streetscene.
- 4.9 Policy DM3 of the Development Management Document (2015) recognises the merits of the use of more contemporary design and materials, however, the first floor side extension proposed relates poorly to the host dwelling and the flat roof box style up to the eaves of the main dwelling and would appear large and incongruous and does not appear subservient to the main dwelling. This would result in material harm to the character and appearance of the host dwelling, the wider streetscene and the rear garden scene of the neighbouring properties. There is a distinct lack of cohesion between the first floor side 'box' extension and the existing dwelling. The contrived modern design includes awkward junctions between the 'box' elements and the boxes are jarring and this is present between the junction of the side extension to the front, side and rear and the combination of which would fail to appear subservient to the main dwelling.
- 4.10 The form, size and scale of the development, along with the prominent siting to the side and modern flat roof design of the extension is considered to be unacceptable in this location as it would result in a contrived, unduly prominent and incongruous built form in the streetscene. It is considered that the proposed development would thereby result in significant material harm to the character and appearance of the host dwelling and the surrounding area in terms of its size, scale, siting and design.
- 4.11 In terms of design detail and materials the proposal seeks to create a strikingly modern and contemporary design which sees the formation of a flat roof box like first floor side extension comprising of 3 different elements with varying heights and widths, which overlap the existing single storey element, both to the front and rear. The proposed extension is to be clad with horizontal timber cladding which would clash with the materials used on the main dwelling. This along with the off centre and modern fenestration to the front would further exacerbate the incongruous design and would add to the prominence and obtrusiveness of the

proposed extension within the streetscene.

- 4.12 Therefore it is considered that the overall design approach lacks cohesion resulting in material adverse harm to the character and appearance of the host dwelling and the wider streetscene and the rear garden scene. The development is therefore unacceptable and contrary to policy in this respect and an objection is raised on this basis.

Impact on Residential Amenity:

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design & Townscape Guide (2009).

- 4.13 The Design and Townscape Guide Paragraph 343; under the heading of Alterations and Additions to Existing Residential Buildings states that 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'*. In addition to this Policy DM1 of the Development Management Document also states that development should *"Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight."*
- 4.14 The proposed first floor side extension would increase the bulk of the dwelling and extend the built form closer to the shared boundary with No. 3 Crowstone Close. This would have some impact on this neighbour. The application plot is narrower to the front and widens considerably at the rear. The existing garage is set on the boundary and the neighbouring property is set approximately at a 45 degree angle to No. 2 within a large triangular plot, with No. 2 bordering the rear garden to No. 3. The first floor element is set in by some 3m from this shared boundary and is set within the footprint of the ground floor extension. Given the orientation of the neighbouring dwellings, this would add significant bulk to the side of the dwelling which would form a dominant feature within the rear garden scene of No. 3 and is therefore considered to have some impact on the residential amenities of this neighbour. However, if the extension was to be fully finished, this is not considered to be so materially harmful as to warrant refusal of the application on this basis. There are no side windows proposed which would mitigate any overlooking and loss of privacy issues to the side windows of No. 3.
- 4.15 No.1 Crowstone Close has not been extended, however the bulk of the proposed extension at No. 2 is located away from the shared north west boundary with this neighbour. The first floor side element is located some 13m from the shared boundary with a minimal projection past the rear wall of No.2. It is therefore considered that on balance, the proposed side extension would not give rise to a material increase in overlooking or loss of privacy or result in an overbearing or overshadowing impact on this neighbour.
- 4.16 The application site has a large rear garden and backs onto the rear gardens of No. 61-67 Cotswold Road, which extend along the side eastern boundary and No. 488 London Road with a minimum distance of some 7m from the boundary. The boundary is tree lined and therefore the proposed side extension would be

screened from the neighbouring properties. It is therefore considered that the neighbouring properties to the rear and side would not experience a material loss of residential amenity due to the increase height of the dwelling and the addition of second floor windows to the rear elevation.

- 4.17 The proposal is therefore considered to be acceptable and policy compliant in these regards.

Highways and Transport Issues:

National Planning Policy Framework (2018), Core Strategy (2007) Policy CP3, Development Management Document (2015) Policy DM15 and the Design & Townscape Guide (2009).

- 4.18 Policy DM15 of the Development Management Document (2015) requires all development to meet the minimum off-street parking standards. The dwelling currently has two parking spaces to the front and an existing garage. The increase in bedrooms as part of the development would not increase or alter the parking requirement at the site. The development is therefore acceptable and policy compliant in this respect.

Community Infrastructure Levy

CIL Charging Schedule 2015.

- 4.19 The proposal for the existing property equates to less than 100sqm of new floor space, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

5 Conclusion

- 5.1 Having taken all material planning considerations into account, it is considered that the proposed development due to the contrived, incongruous and design of the first floor side extension and its resultant prominence and obtrusiveness would result in material harm to the character and appearance of the host dwelling and the wider streetscene. The impact on neighbour amenity and transport and highways is considered to be acceptable. The proposal therefore conflicts with the development plan policies and guidance set out above and is recommended for refusal. The benefits of the proposal do not outweigh the material harm raised.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (2018)
- 6.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles) CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance).
- 6.3 Development Management Document (2015): DM1 (Design Quality), DM3 (Efficient and Effective use of land) and DM15 (Sustainable Transport Management)

6.4 Design & Townscape Guide (2009)

6.5 CIL Charging Schedule (2015)

7 Consultations Responses

Public Consultation

7.1 Sixteen properties were notified of the application and one letter of representation has been received.

Matters raised:

- Strongly object to this unlawfully constructed 2nd (first) floor extension.
- Extension has caused a significant detrimental impact to the ambience of this beautiful Art Deco Close.
- The new extension is built on top of existing 1st (ground) storey extension that also did not gain planning permission.
- New extension is being built in a totally inappropriate style which is completely odds with the existing Art Deco architecture.
- New extension has caused a significant detrimental impact to the outlook from kitchen window.
- New extension ruins the views from kitchen as construction is set 45 degrees to neighbouring property and is full two stories in height. New 2nd floor building is so tall that the flat roof finishes above the eaves of the current house and not below as stated in the plans.
- View of trees and sky and now been replaced with two large, architecturally inappropriate oblong type constructions which are overbearing and are unavoidable to the eye from every part of neighbouring kitchen and garden.
- Neighbours believe that the new construction has had a significant detrimental impact to their quality of their home life.
- Represents a significant detrimental impact to the architectural aesthetic of Crowstone Close.

8 Relevant Planning History

8.1 A side extension and loft conversion has been undertaken at the property under building regulations only.

9 Recommendation

9.1 REFUSE PLANNING PERMISSION for the following reason:

01 The proposed development due to the contrived and incongruous design of the first floor side extension together with its size, scale, bulk and resulting prominence would not satisfactorily relate to the main dwelling resulting in material harm to the character and appearance of the host dwelling and the wider streetscene and the rear garden scene. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained with 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.

Informatives

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.

Appendix B – Officer Report 18/02119/FULH

Reference:	18/02119/FULH
Ward:	Chalkwell
Proposal:	Erect first floor side extension (Retrospective)(Amended Proposal)
Address:	2 Crowstone Close Westcliff-On-Sea Essex SS0 8BB
Applicant:	Mr David Pepper
Agent:	BDA
Consultation Expiry:	13 th December 2018
Expiry Date:	11 th January 2019
Case Officer:	Julie Ramsey
Plan Nos:	18.177/01 Rev B, 18.177/02 Rev B, 18.177/03 Rev B, 18.177/04 Rev B, 18.177/05 Rev B, 18.177/06 Rev B
Recommendation:	GRANT PLANNING PERMISSION

1 The Proposal

- 1.1 The applicant seeks planning permission to partly retrospectively construct a first floor side extension over the existing ground floor side extension.
- 1.2 The first floor side extension measures some 5.3m deep and a maximum of 4m wide. The extension has a pitched roof, with an eaves height of 5.75m and an overall height above ground level of some 7.65m.
- 1.3 The proposed materials are render, tiles and P.P.C aluminium windows.
- 1.4 The proposed development would provide a master bedroom and en-suite at first floor.
- 1.5 This application is an amended proposal following a recent refusal - 18/01705/FULH - Erect first floor side extension (Retrospective).

Reason for refusal:

The proposed development due to the contrived and incongruous design of the first floor side extension together with its size, scale, bulk and resulting prominence would not satisfactorily relate to the main dwelling resulting in material harm to the character and appearance of the host dwelling and the wider streetscene and the rear garden scene. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained with the Design and Townscape Guide (2009).

- 1.6 This revised application has added a pitch roof to the side extension and uses render for the external finish. The extension therefore has a more traditional appearance. During the course of the application the scheme was further revised to remove the small flat roof box element to the side due to ongoing concerns regarding the poor design and lack of integration with the main dwelling.

2 Site and Surroundings

- 2.1 Crowstone Close is accessed from the east side of Crowstone Road, and is a small cul de sac containing four semi-detached properties. The site contains a traditional 'Art Deco' designed two storey semi-detached dwelling with a large hipped roof front projection with a detached garage to the side. The property has also been extended to the side at ground floor level. The plot is narrower to the front and widens considerably to the rear. There is hardstanding to the front of the property for parking purposes.
- 2.2 The four properties within the cul de sac are of a similar design and character. The wider area is characterised by large detached and semi-detached properties of similar traditional designs and styles.
- 2.3 The site is not located within a conservation area or subject to any site specific planning policies.

3 Planning Considerations

- 3.1 The key considerations in relation to this application are the principle of the development, design and impact on the character of the area, highway and parking impacts, impacts on residential amenity, Community Infrastructure Levy (CIL) contributions and whether the revised proposal has overcome the previous reason for refusal.

4 Appraisal

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM15 and the Design & Townscape Guide (2009).

- 4.1 This proposal is considered in the context of the National Planning Policy Framework and Core Strategy Policies KP1, KP2 and CP4. Also of relevance is policy DM1 and DM3 which addresses design quality. 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. The dwelling is situated within a residential area and extensions and alterations to the property are considered acceptable in principle, subject to the detailed considerations discussed below.

Design and Impact on the Character of the Area:

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design & Townscape Guide (2009).

- 4.2 The key element within all relevant policies is that good design should be a fundamental requirement of new development in order 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.”*
- 4.3 Policy KP2 of the Core Strategy states new development should “respect the character and scale of the existing neighbourhood where appropriate”. Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 4.4 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”*.

- 4.5 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.’*
- 4.6 Paragraph 351 of the Design and Townscape Guide states that *‘Many properties in the Borough have the capacity to extend to the side. However, side extensions can easily become overbearing and dominate the original property. In order to avoid this, side extensions should be designed to appear subservient to the parent building. This can generally be achieved by ensuring the extension is set back behind the existing building frontage line and that its design, in particular the roof, is fully integrated’*
- 4.7 The application site has an existing ground floor side extension which extends across to and joins the existing garage. There is no record of planning permission for this side addition. It is of a flat roof design with blue cladding and is not in keeping with the character and style of the main dwelling, which is white render. As part of the development it is proposed to finish the existing ground floor extension in white render to match the main dwelling. This is a positive improvement.
- 4.8 The application plot has a narrower frontage and widens to the rear. The existing garage is set at an angle on the boundary. This screens the majority of the ground floor side extension from the front of the dwelling and the wider streetscene. The proposed first floor side extension is set back some 5m from the highway and although a large addition to the dwelling, the use of matching materials and the formation of a pitched roof over the extension would integrate the extension well with the main dwelling. Whilst the extension is visible within the streetscene the amended proposal would result in a subservient appearance which would be in keeping with the design and style of the host dwelling and the wider streetscene.
- 4.9 The revised form, size, scale and design of the development, which has removed the contrived modern flat roof box-design of the previously refused extension is considered to be acceptable in this location. This along with the use of traditional render to both the ground and first floor elements of the existing and proposed extensions and the formation of a pitched roof to reflect that of the main dwelling has overcome the previous reason for refusal on design grounds.
- 4.10 Therefore the overall design approach is, on balance considered to be acceptable and would not be out of keeping with the rear garden scene, the host dwelling or the wider streetscene. Therefore the proposal is considered to be acceptable and policy compliant in these regards.

Impact on Residential Amenity:

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design & Townscape Guide (2009).

- 4.11 The Design and Townscape Guide Paragraph 343; under the heading of Alterations and Additions to Existing Residential Buildings states that 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'*. In addition to this Policy DM1 of the Development Management Document also states that development should *"Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight."*
- 4.12 The proposed first floor side extension would increase the bulk of the dwelling and extend the built form closer to the shared boundary with No. 3 Crowstone Close. This would have some impact on this neighbour. The application plot is narrower to the front and widens considerably at the rear. The existing garage is set on the boundary and the neighbouring property is set approximately at a 45 degree angle to No. 2 within a large triangular plot, with No. 2 bordering the rear garden to No. 3. The first floor element is set in by approximately 3m from this shared boundary and is set within the footprint of the ground floor extension. Given the orientation of the neighbouring dwellings, this would add significant bulk to the side of the dwelling, however the revised design would, on balance, integrate satisfactorily with the main dwelling. The flat roof box like element has been removed and it is considered that once fully finished, the impact would be acceptable. There are no side windows proposed which would mitigate any overlooking and loss of privacy issues to the side windows of No. 3.
- 4.13 No.1 Crowstone Close has not been extended, however the bulk of the proposed extension at No. 2 is located away from the shared north west boundary with this neighbour. The first floor side element is located some 13m from the shared boundary with a minimal projection past the rear wall of No.2. It is therefore considered that on balance, the proposed side extension would not give rise to a material increase in overlooking or loss of privacy or result in an overbearing or overshadowing impact on this neighbour.
- 4.14 The application site has a large rear garden and backs onto the rear gardens of No. 61-67 Cotswold Road, which extend along the side eastern boundary and No. 488 London Road with a minimum distance of some 7m from the boundary. The boundary is tree lined and therefore the proposed side extension would be screened from the neighbouring properties. It is therefore considered that the neighbouring properties to the rear and side would not experience a material loss of residential amenity due to the increase height of the dwelling and the addition of second floor windows to the rear elevation.
- 4.15 The proposal is therefore considered to be acceptable and policy compliant in these regards.

Highways and Transport Issues:

National Planning Policy Framework (2018), Core Strategy (2007) Policy CP3, Development Management Document (2015) Policy DM15 and the Design & Townscape Guide (2009).

- 4.16 Policy DM15 of the Development Management Document requires all development to meet the minimum off-street parking standards. The dwelling currently has two parking spaces to the front and an existing garage. The increase in bedrooms as part of the development would not increase or alter the parking requirement at the site. The development is therefore acceptable and policy compliant in this respect.

Community Infrastructure Levy

CIL Charging Schedule 2015.

- 4.17 The proposal for the existing property equates to less than 100sqm of new floor space, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

5 Conclusion

- 5.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be appropriate 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, impact on highways and the character and appearance of the application site, the street scene and the locality more widely. This application has satisfactorily overcome the reason for refusal of application 18/01705/FULH and is recommended for approval subject to conditions.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (2018)
- 6.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles) CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance).
- 6.3 Development Management Document (2015): DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 6.4 Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule (2015)

7 Consultations Responses

Public Consultation

7.1 Sixteen properties were notified of the application and one letter of representation has been received.

Matters raised:

- The amended extension is more overbearing and dominant than the original proposal. The larger size and resulting prominence impacts even more detrimentally on the residential amenities and wide streetscene.
- Amended design still includes an overbearing and jarring flat roof structure which is at odds with the traditional Art Deco style of the main property and those in Crowstone Close.
- The flat roof box design is architecturally inappropriate to character and style and due to the height and prominence would be highly visible from the wider streetscene.
- The addition of the hipped roof to the extension makes the building even higher and larger in terms of size and scale. This would lead to a further loss of light and increase the impact on the residential amenities to the neighbouring property.
- The box like modern structure remains and plans for rooms in roof would increase the overbearing nature of the extension and have a detrimental impact on the rear garden scene.
- The first floor extension is to be built on the top of a ground floor extension of which there is no record of planning permission. The additional request for a large overly dominant 1st floor extension would impact further on the local area.
- The proposed extension is larger than the previous application and may increase the number of bedrooms or the number of people living within the property, which would then increase the environmental impact into and parked in an already overcrowded close with limited parking spaces.
- The extension would be unduly large and prominent and the box part of the design jarring, prominent and unacceptable in this location and would be materially harmful to the character and appearance of Crowstone Close

7.2 [Officer Note: Amendments to the proposed scheme have been submitted during the course of the application to remove the modern box like addition to the extension.]

7.3 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 the circumstances of this case.

8 Relevant Planning History

8.1 18/01705/FULH - Erect first floor side extension (Retrospective) – Planning permission refused.

8.2 A side extension and loft conversion has been undertaken at the property under
Development Control Report

building regulations only.

9 Recommendation

9.1 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: 18.177/03 Rev B, 18.177/04 Rev B, 18.177/05 Rev B, 18.177/06 Rev B

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 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: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (2018), Core Strategy (2007) Policy CP4, Policy DM1 of Development Management Document (2015) and the Design and Townscape Guide (2009).

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

01 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.

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 C – Officers Report 19/00255/NON

Reference:	19/00255/NON
Ward:	Chalkwell
Proposal:	Replace approved plan numbers 18.177/01-05 with 18.177/10-13 to increase the roofline to provide additional floorspace in master bedroom (Non-material Amendment to Planning Permission 18-02119-FULH dated 11.1.2019)
Address:	2 Crowstone Close Westcliff-On-Sea Essex SS0 8BB
Applicant:	Mr David Pepper
Agent:	BDA
Consultation Expiry:	N/A
Expiry Date:	14 th March 2019
Case Officer:	Julie Ramsey
Plan Nos:	18.177/10, 18.177/11, 18.177/12, 18.177/13
Recommendation:	Refuse Non-Material Amendment

1 The Proposal

- 1.1 The application seeks a non-material amendment to a development that was granted planning permission under the terms of application 18/02119/FULH dated 11th January 2019.
- 1.2 The following non-material amendment is being sought with approved plan numbers 18.177/01 to 05 being replaced with new plan numbers 18.177/10 to 13. The non-material amendment sought is to extend the previously approved side extension with a further small pitched roof addition, measuring 2.45m deep, 1.75m wide, with an eaves height of 2.1m and a pitched roof to match the approved side extension with a maximum height of 3.3m.

2 Site and Surroundings

- 2.1 Crowstone Close is accessed from the east side of Crowstone Road, and is a small cul de sac containing four semi-detached properties. The site contains a traditional 'Art Deco' designed two storey semi-detached dwelling with a large hipped roof front projection with a detached garage to the side. The property has also been extended to the side at ground floor level. The plot is narrower to the front and widens considerably to the rear. There is hardstanding to the front of the property for parking purposes.
- 2.2 The four properties within the cul de sac are of a similar design and character. The wider area is characterised by large detached and semi-detached properties of similar traditional designs and styles.
- 2.3 The site is not located within a conservation area or subject to any site specific planning policies.

3 Planning Considerations

- 3.1 The key considerations in relation to this application are whether the proposed alterations fall within the scope of being considered 'non-material'.

4 Appraisal

Principle of Development

Section 96a of The Town and Country Planning Act 1990. Planning Practice Guidance.

- 4.1 Section 96a of The Town and Country Planning Act 1990 allows changes to be made to an existing planning permission. The proposed amendments involve an addition to the previously approved first floor side extension which was a retrospective application.
- 4.2 Government Planning Practice Guidance states that *"there is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application under*

Section 96a of The Town and Country Planning Act

- 4.3 Paragraph 2 of Section 96a also states that *“in deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.”*
- 4.4 The proposal seeks to add a small addition to the side of the previously approved first floor side extension which measures 2.45m deep, 1.75m wide, with an eaves height of 2.1m and a pitched roof to match the approved side extension with a maximum height of 3.3m.
- 4.5 As this extension would increase the size of the previously approved extension, it cannot be considered to be a non-material amendment. Also it represents a material change to the approved scheme that would warrant neighbour consultation.
- 4.6 As such, the proposed extension is not considered to be minor or inconsequential variations to the detail of the approved scheme.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (2019)
- 5.2 Core Strategy (2007), KP1 (Spatial Strategy), KP2 (Development Principles) and CP4 (Environment & Urban Renaissance)
- 5.3 Development Management Document (2015), Policies DM1 (Design Quality) and DM3 (Efficient and Effective Use of Land)
- 5.4 Design & Townscape Guide (2009)
- 5.5 CIL Charging Schedule (2015)

6 Relevant Planning History

- 6.1 18/02119/FULH - Erect first floor side extension (Retrospective) (Amended Proposal) – Planning permission granted
- 6.2 18/01705/FULH - Erect first floor side extension (Retrospective) – Planning Permission refused

7 Recommendation

- 7.1 It is recommended that the non-material amendment be REFUSED for the following reason:**

The changes shown within the submission are considered not to be a minor and inconsequential variation to the detail of the approved scheme. The alterations raise new issues for consideration, exceeding the scale of what can reasonably be considered non-material amendments and would warrant the submission of a fresh planning

application. For this reason the application for a non-material amendment is refused.

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 refuse to approve a non-material amendment 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.

Reference:	19/00516/AMDT
Ward:	Chalkwell
Proposal:	Application to vary condition 02 (Approved Plans) to increase the roofline to provide additional floorspace (Minor Material amendment of planning permission 18/02119/FULH dated 11.01.2019
Address:	2 Crowstone Close Westcliff-On-Sea Essex SS0 8BB
Applicant:	Mr D Pepper
Agent:	BDA
Consultation Expiry:	10th April 2019
Expiry Date:	13th May 2019
Case Officer:	Julie Ramsey
Plan Nos:	18.177/10, 18.177/11, 18.177/12, 18.177/13
Recommendation:	GRANT PLANNING PERMISSION

1 Site and Surroundings

- 1.1 Crowstone Close is accessed from the east side of Crowstone Road, and is a small cul de sac containing four semi-detached properties. The site contains a traditional 'Art Deco' designed two storey semi-detached dwelling with a large hipped roof front projection with a detached garage to the side. The property has also been extended to the side at ground floor level. The plot is narrower to the front and widens considerably to the rear. There is hardstanding to the front of the property for parking purposes.
- 1.2 The four properties within the cul de sac are of a similar design and character. The wider area is characterised by large detached and semi-detached properties of similar traditional designs and styles.
- 1.3 The site is not located within a conservation area or subject to any site specific planning policies.

2 The Proposal

- 2.1 Permission is sought to vary Condition 02 of planning permission 18/02219/FULH which was granted on 11th January 2019 - 017 to '*Erect first floor side extension (Retrospective)(Amended Proposal)*'. Condition 02 states:

The development hereby permitted shall be carried out in accordance with the following approved plans: 18.177/03 Rev B, 18.177/04 Rev B, 18.177/05 Rev B, 18.177/06 Rev B

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

The applicant therefore seeks to replace approved plans 18.177/03 Rev B, 18.177/04 Rev B, 18.177/05 Rev B, 18.177/06 Rev B with 18.177/10, 18.177/11, 18.177/12, 18.177/13

- 2.2 The minor material amendments being sought relate to a small pitched roof addition to the previously approved side extension, measuring 2.45m deep, 1.75m wide, with an eaves height of 2.1m and a pitched roof to match the approved side extension with a maximum height of 3.3m.

3 Relevant Planning History

- 3.1 19/00255/NON - Replace approved plan number 18.177/01-05 with 18.177/10-13 to increase the roofline to provide additional floorspace in master bedroom (Non-material Amendment to Planning Permission 18-02119-FULH dated 11.1.2019) – Refused
- 3.2 18/02119/FULH - Erect first floor side extension (Retrospective)(Amended Proposal) – Planning permission granted
- 3.3 18/01705/FULH - Erect first floor side extension (Retrospective) – Planning permission refused.
- 3.4 A side extension and loft conversion has been undertaken at the property under building regulations only.

4 Representation Summary

4.1 Public Consultation

16 neighbouring properties were consulted and no letters of representation have been received.

5 Planning Policy Summary

5.1 The National Planning Policy Framework (2018)

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): DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)

5.4 Design & Townscape Guide (2009)

5.5 CIL Charging Schedule (2015)

6 Planning Considerations

6.1 The main considerations in relation to this application are the design and impact on the character of the area. However, the principle of the development, impact on residential amenity and any traffic and transport issues are also assessed.

7 Appraisal

Principle of Development

7.1 The principle of the development was accepted under the previously approved planning application. There are no new policies or variations to the development plan which would alter this view, subject to the detailed considerations discussed below.

7.2 The proposed changes are considered to fall within the remit of a minor material amendment in principle.

Design and Impact on the Character of the Area

7.3 The key element within all relevant policies is that good design should be a fundamental requirement of new development in order 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.”*

7.4 Policy KP2 of the Core Strategy states new development should “respect the character and scale of the existing neighbourhood where appropriate”. Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with*

- existing development, and respecting the scale and nature of that development”.*
- 7.5 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”.*
- 7.6 Paragraph 351 of the Design and Townscape Guide states that *‘Many properties in the Borough have the capacity to extend to the side. However, side extensions can easily become overbearing and dominate the original property. In order to avoid this, side extensions should be designed to appear subservient to the parent building. This can generally be achieved by ensuring the extension is set back behind the existing building frontage line and that its design, in particular the roof, is fully integrated’*
- 7.7 The application plot has a narrower frontage and widens to the rear. The existing garage is set at an angle on the boundary. The previously approved first floor side extension is set back some 5m from the highway, the addition of the proposed small scale addition is considered to be acceptable, the use of white render and the formation of a pitched roof over the new side extension would integrate well with the main bulk of the approved extension. Whilst the extension is visible within the streetscene the small addition to the side would maintain the subservient appearance and is in keeping with the design and style of the host dwelling and the wider streetscene.
- 7.8 It is therefore considered that the small additional side extension is minor and an acceptable addition which would not result in demonstrable harm to the character and appearance of the site or the wider rear garden scene. This is due to the extension maintaining the subservience to the main dwelling and given the set back has limited views from the public highway. On this basis therefore, the proposed amendments are considered to be acceptable and policy compliant in this regard.

Impact on Residential Amenity

- 7.9 The Design and Townscape Guide Paragraph 343; under the heading of Alterations and Additions to Existing Residential Buildings states that 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’.* In addition to this Policy DM1 of the Development Management Document also states that development should “*Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”*
- 7.10 The previously approved application considered that the proposed extension to the dwelling would not result in demonstrable harm to the amenities of surrounding properties.
- 7.11 The proposed addition to the previously approved side extension would not adversely impact on the adjoining neighbour No. 1 or those neighbours to the rear.
- 7.12 The proposed additional side extension would increase the bulk of the dwelling and extend the built form closer to the shared boundary with No. 3 Crowstone Close. However given the small scale nature of this proposed addition, it is not considered to have a materially harmful impact over and above that already considered and found to

be acceptable. The first floor element is set in from this shared boundary and is set within the footprint of the ground floor extension. Given the orientation of the neighbouring dwellings, this does not add significant bulk to the side of the approved extension and would, on balance, integrate satisfactorily with the bulk of the main previously approved extension. It is considered that once fully finished, the impact would be acceptable. There are no side windows proposed which would mitigate any overlooking and loss of privacy issues to the side windows of No. 3.

- 7.13 The proposal is therefore considered to be acceptable and policy compliant in these regards.

Traffic and Transportation Issues

- 7.14 Policy DM15 of the Development Management Document requires all development to meet the minimum off-street parking standards. The dwelling currently has two parking spaces to the front and an existing garage. The increase in bedrooms as part of the development would not increase or alter the parking requirement at the site. The development is therefore acceptable and policy compliant in this respect.

Community Infrastructure Levy (CIL)

CIL Charging Schedule (2015)

- 7.15 The proposal for the existing property equates to less than 100sqm of new floor space, 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 regard to all material considerations assessed above, it is considered that subject to compliance with the attached conditions, the proposal would be acceptable as a minor material amendment to the development granted permission under reference (18/02219/FULH), as it would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance. The proposed development is not considered to result in demonstrable harm upon the amenities of neighbouring occupiers or the character and appearance of the application site or wider area.

9 Recommendation

9.1 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: 18.177/10, 18.177/11, 18.177/12, 18.177/13**

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 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: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (2018), Core Strategy (2007) Policy CP4, Policy DM1 of Development Management Document (2015) and 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 the 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.**