

<b>Reference:</b>	21/01097/FUL	
<b>Ward:</b>	Chalkwell	
<b>Proposal:</b>	Change of use from 9 bed HMO (sui-generis) to single dwellinghouse (Class C3), raise ridge height with hipped to gable roof extensions, install gabled front roof extension and dormers to front and rear to form habitable accommodation in the loftspace with balcony to front, erect part single/part two storey rear extension, form new basement level with access stairs to rear and alter elevations	
<b>Address:</b>	4 Ailsa Road Westcliff-On-Sea Essex SS0 8BL	
<b>Applicant:</b>	Mr Porges	
<b>Agent:</b>	Mr Maz Rahman of RD Architecture Ltd.	
<b>Consultation Expiry:</b>	26.08.2021	
<b>Expiry Date:</b>	03.09.2021	
<b>Case Officer:</b>	Oliver Hart	
<b>Plan Nos:</b>	105.P1; 205.P1; 210.P3; 220.P2	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION subject to conditions</b>	



## **1 Site and Surroundings**

- 1.1 The site is located on the east side of Ailsa Road and contains a large, detached two storey dwellinghouse of traditional design. There are existing part single/part two storey projections to the rear.
- 1.2 The surrounding area is residential in character comprising two storey detached and semi-detached dwellinghouses of broadly similar size, scale and design generally set in large plots. Roof extensions to the front and rear of properties in the immediate vicinity are fairly prevalent features in the streetscene.
- 1.3 Ground levels are also noted to change, with properties north of the application site sitting at progressively higher levels.
- 1.4 The site is not the subject of any site-specific planning policies.

## **2 The Proposal**

- 2.1 The application seeks planning permission to change the use of the application property from a 9-bed HMO (sui-generis) to a 4-bed dwellinghouse (Class C3). The application also seeks to erect a number of roof extensions, including raising the ridge height of the application property (approx.0.6m), erecting hip to gable roof extensions and erecting a front gabled roof projection to reflect neighbouring properties to the north (with associated balcony). Other alterations include the erection of dormers to the front and rear, part single/part two storey rear extensions and formation of a new basement level.
- 2.2 The front gabled roof projection would be positioned over an existing two storey front bay projection. It would measure some 3.8m in maximum height x 5.3m deep x 4.3m wide.
- 2.3 The dormers to front and rear would both be of flat roof 'box' design. The front dormer would measure some 2.2m in maximum height x 2.1m wide x 2.9m deep. The rear dormer would measure some 1.6m in maximum height x 2.2m deep x 6.7m wide.
- 2.4 The two-storey rear element of the proposal would be confined to the southern side of the rear elevation and would project some 4m in maximum depth. It has a hipped roof and would measure some 4.65m wide and 6.5m in maximum height (5.6m high to eaves). The existing first floor rear projection (positioned to the northern side of the rear elevation) is to be retained, save for its roof form which is proposed to be altered to incorporate the hipped roof design.
- 2.5 The single storey element would be finished with a crown roof incorporating roof lights. It would be L shaped in footprint, extending some 5m in maximum depth adjacent to the northern flank boundary and would measure some 8.3m wide and 3.2m in maximum height (2.75m high to eaves).
- 2.6 Finishing materials are detailed as render to the exterior walls, tile hanging (with lead detailing) to the roof extensions and aluminium framed windows (in anthracite).

- 2.7 Other alterations include moving the main access to the dwelling from the southern flank elevation to the front elevation, fenestration alterations and new access stairs to the rear to enable access to the basement.

### **3 Relevant Planning History**

- 3.1 90/1037 – Use dwellinghouse as house in multiple occupation- Granted

### **4 Representation Summary**

#### **Public**

- 4.1 30no. neighbouring properties were notified and a site notice was displayed. One letter of representation has been received. Summary of representation;

- Concerns regarding the existing HMO occupiers being made homeless.

**[Officer Comment]** All relevant planning considerations have been assessed within the appraisal section of the report. 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.

#### **Call in Request**

- 4.2 The application was called-in to be determined at the Development Control Committee by Cllr Martin Berry.

#### **Highways**

- 4.3 Off street parking for 2 vehicles will be retained for the dwelling therefore no highway objections are raised.

### **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2021), Planning Practice Guidance (PPG) and National Design Guide (NDG) (2021)

- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance) and CP8 (Dwelling Provision).

- 5.3 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type) and DM15 (Sustainable Transport Management)

- 5.4 The Design and Townscape Guide (2009)

- 5.5 CIL Charging Schedule (2015)

### **6 Planning Considerations**

- 6.1 The key considerations in relation to this application are the principle of the development, design and impact on the character of the area, the impact on

residential amenity, parking and highway implications and CIL (Community Infrastructure Levy).

## **7 Appraisal**

### **Principle of Development**

- 7.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework sections 126 and 130 and Core Strategy Policies KP2, CP4 and CP8.
- 7.2 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way and secures improvements to the urban environment through quality design and respects the character and scale of the existing neighbourhood. Policy CP4 requires that new development contributes to the creation of a high quality, sustainable urban environment, respecting the appeal and character of the area. Policy CP8 requires that residential development proposals contribute to local housing needs.
- 7.3 Policy DM7 states that the Council will look favourably upon the provision of family size housing on smaller sites. Policy DM15 states that 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 Design and Townscape Guide seeks to promote a high quality of design in new developments.
- 7.4 The South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprised of a greater proportion of 1-bed units and smaller properties, a consequence of which is that there is a lower percentage of accommodation available of a suitable size for families. For any proposed provision of additional housing the Housing Delivery Test and 5 Year Housing Land Supply weigh in favour of the principle of this type of development. The proposal would be a four-bed unit which is suitable for families, for which there is greater need for this type of housing as identified by the SESHMA.
- 7.5 Nevertheless, the suitability of the proposed development should be assessed in line with other material planning considerations, including character, residential amenity, design, parking and highways impacts which are assessed below.

### **Design and Impact on the Character of the Area**

- 7.6 Good design is a fundamental requirement of new development in order to achieve high quality living environments. The importance of this is reflected in the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy and Policy DM1 of the Development Management Document. The Design and Townscape Guide states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 7.7 Paragraph 126 of the NPPF 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.”*

- 7.8 Development Management Document Policy DM1 states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surrounding 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.”*
- 7.9 Policy KP2 of the Core Strategy states that all development should *“respect the character and scale of the existing neighbourhood where appropriate.”* Policy CP4 of the same document states 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.”*
- 7.10 Paragraph 374 of The Design and Townscape Guide states that *‘extensions that raise the ridge height of an existing building are only considered acceptable in principle where they complement the design of the original building and where they do not break the continuity of the streetscene or appear overbearing.’*
- 7.11 There is variation in the character and scale of development along Ailsa Road, with detached two and three storey dwellinghouses of varying height and with an assortment of roof extensions (to their respective front and rear elevations). Whilst the proposal would materially increase the scale and bulk of the application dwelling, on the basis of the details outlined above and noting the set-back of the application dwelling from the public highway and the prevalence of similar forms of development in the streetscene, the increase in ridge height, front gable projection and gabled roof form are not considered to appear materially out of keeping with the scale and form of development along Ailsa Road or harmful to the character of the application dwelling or wider surrounding area.
- 7.12 Specifically in relation to dormer development, Section 10 of the Design & Townscape Guide states that proposals for additional roof accommodation within existing properties must respect the style, scale and form of the existing roof design and the character of the wider townscape. Dormer windows, where appropriate, should appear incidental in the roof slope. Large box style dormers should be avoided, especially where they have a public impact, as they appear bulky and unsightly.
- 7.13 It is considered that the design, size, siting and scale of the front and rear dormers would appear suitably subservient and incidental to their respective roof slopes and would generally be consistent with other similar forms of development within the streetscene.
- 7.14 The part single/part two storey rear extensions are considered to be of an acceptable size and scale and the set down below the existing ridge is such that the two-storey element would appear suitably subservient to the host dwelling. The hipped roof form of the two-storey element is considered appropriate in this location. On this basis, this element of the proposal is considered to maintain the visual amenity of the wider rear garden scene and wider surrounding area to a satisfactory degree. No objection is raised to the single storey element which is also considered to be of an acceptable size, scale and design, with a suitable roof form and materials

that match the existing dwelling. This would ensure this element of the proposal would appear suitably subservient and integrated.

- 7.15 No objection is raised to the other alterations to the building which are considered to suitably maintain the character and appearance of the host dwelling and the streetscene more widely. There are other front balconies in the streetscene and as such the front balcony proposed would not appear unusual or out of keeping in the area. The proposed basement and fenestration alterations would similarly not harm the character and appearance of the building or wider surrounding area.
- 7.16 On this basis, the proposal is considered acceptable and policy compliant in the above regards.

### **Impact on Residential Amenity**

- 7.17 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”.
- 7.18 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”*.
- 7.19 The application property is bounded by No.6 Ailsa Road (to the north) and by No’s 16-24 Britannia Road to the south.
- 7.20 In terms of No.6, 3no. flank windows in this property present themselves towards the application site. These windows appear to serve as outlooks from the neighbouring property’s stairwell and as a flank window for the neighbour’s bathroom. The non-habitable nature of the windows is such that the extent to which they are protected in planning terms is limited. On this basis, it is not considered that the proposed roof enlargements and additions would have a significant detrimental impact with regard to loss of light or outlook, overlooking, dominance, or undue noise and disturbance in respect to these rooms for the occupiers.
- 7.21 With regard to neighbouring rear windows, it is noted No.6 benefits from a single storey rear extension some 7m deep. The modest projection of the single storey element beyond this neighbouring projection and confinement of the proposed two storey rear extension to the southern side of the rear elevation is such that these elements of the proposal are also not considered to result in a negative impact on the amenities of the neighbouring occupiers. The existing two storey rear projection adjacent to the shared boundary is to remain unchanged save for an alteration to its roof form, from a gabled roof some 7.6m in maximum height to a hipped roof some 6.9m high. This reduction in roof height is considered to have a reduced impact on the amenity of the neighbouring occupants.
- 7.22 6no. first and second floor side windows are proposed to the flank elevation adjacent to No.6. At present, there are 3no. first floor flank openings to the north flank elevation of the application dwelling. The proposed side windows would serve

either non-habitable accommodation or as secondary openings to habitable rooms. On this basis, in the interest of precluding inter and overlooking of the neighbouring properties, it is considered necessary and reasonable to impose a condition requiring these windows be obscure glazed with restricted opening.

- 7.23 The application property is removed from the rear boundaries of properties to the south along Britannia Road by between 2m and 3m. Regard is also had to the length of neighbouring rear gardens (approx.15m). On this basis, it is considered that these dwellings are sufficiently removed from the application property to prevent any significant harm to residential amenity stemming from the proposed extensions. 4no. first and second floor windows are proposed to the flank elevation adjacent to the rear boundaries of these neighbouring properties. At present, there are 3no. first floor flank openings to the south flank elevation of the application dwelling. The proposed windows would again serve either non-habitable accommodation or as secondary openings to habitable rooms. In this context and to mitigate the potential for inter and overlooking of these neighbouring properties, it is considered necessary and reasonable to impose a condition requiring these windows be obscure glazed with restricted opening. It is not considered that additional ground floor flank windows would give rise to a harmful degree of overlooking over and above the existing situation.
- 7.24 Increased views of the public highway and neighbouring rear gardens could result from the balcony and roof additions to the front and the dormer to rear however, the existing two and three storey development that surrounds the site leads to an existing degree of intra-looking of neighbour amenity space and it is not considered that the proposal would give rise to views that are materially worse than the existing situation.
- 7.25 All other dwellings are sufficiently removed from the proposal to prevent any significant harm to residential amenity in any regards. On this basis, the proposal is considered acceptable and policy compliant.

### **Highways**

- 7.26 Policy DM15 of the Development Management Document requires that new development should meet the minimum off-streetcar parking standards. For a dwelling containing 2 or more bedrooms, the requirement is for a minimum of 2no. off street parking spaces.
- 7.27 The proposal would retain 2no. off street parking spaces in accordance with policy requirements and as such would have an acceptable impact on the existing off-street parking situation. It is also noted that the Highways Team have raised no highways objections.
- 7.28 No cycle storage has been shown on submitted plans but it is considered space exists within the application site for acceptable provision.
- 7.29 The proposal is therefore acceptable and policy compliant in the above regards.

### **Community Infrastructure Levy**

- 7.30 This application is CIL liable and there will be a CIL charge payable. In accordance

with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a net gain internal floor area of approximately 167.6sqm, which may equate to a CIL charge of £4,293.91 (subject to confirmation).

## **8 Conclusion**

- 8.1 Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance as well as those contained within the National Planning Policy Framework. This application is therefore recommended for approval subject to conditions.

## **9 Recommendation**

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

- 1 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.**

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 105.P1; 205.P1; 210.P3; 220.P2**

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

- 3 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.**

**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 (2021), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM1, and the advice contained in the Design and Townscape Guide (2009).**

- 4 The first and second floor windows in the northern and southern flank elevations of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4 on the Pilkington scale.**



**Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the national Planning Policy Framework (2021), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and the advice within the Design and Townscape Guide (2009).**

- 5 The flat roof of the single storey rear extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.**

**Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the Core Strategy (2007) policies KP2 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend Design and Townscape Guide (2009).**

## **10 Informatives**

- 01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/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.**