

Reference:	21/01701/FULH
Application Type:	Full Application - Householder
Ward:	St Laurence
Proposal:	Erect single storey rear extension (Amended Proposal)
Address:	28 Fastnet, Eastwood, Essex
Applicant:	Poppy Mackenzie
Agent:	Mr Frazer Day
Consultation Expiry:	14th September 2021
Expiry Date:	13th October 2021
Case Officer:	Robert Lilburn
Plan Nos:	D01 E, D02 E, D03 E, D04 E, D05 E, D06 E
Recommendation:	GRANT PLANNING PERMISSION



1 Site and Surroundings

- 1.1 The application relates to a modern two storey semi-detached dwelling house. The existing building is finished in facing brick and plain roof tiles.
- 1.2 The site is not specifically identified on the policies map of the development management document and is located within flood zone 1. The Borough boundary with Rochford DC lies a short distance to, but not adjacent to the rear of the site.

2 The Proposal

- 2.1 The application proposes the erection of a single-storey rear extension to provide additional living accommodation as part of the existing dwellinghouse.
- 2.2 The extension would have a mono pitch roof, and would extend by some 3.1m including the roof eaves. It would measure some 2.6m in height to eaves level and some 3.4m in height at its junction with the house wall. Proposed external materials are described as exposed brickwork and plain tiles with upvc windows.
- 2.3 The application has been called into Development Control Committee by Councillor Buckley.

3 Relevant Planning History

- 3.1 21/01117/FULH: Erect two storey rear extension, alter elevations. Refused 19.07.21 for the following reason:
As a result of the size, siting scale and design of the extension and in particular the proposed parapet wall, the development would be unduly dominant and result in an undue sense of enclosure, to the detriment of the amenities of the adjoining occupiers. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained with the Southend Design and Townscape Guide (2009).

4 Representation Summary

4.1 Public Consultation

4 neighbouring properties were notified. Two letters of representation have been received from one neighbouring occupier, objecting to the application and the reasons for objection are summarised as follows:

- no prior consultation with neighbour;
- harm to neighbour amenity;
- impacts upon ventilation and cleaning of windows at neighbouring property;
- property boundary concerns;
- detail and quality of information on submitted plans;
- impact upon sewer and access to sewer.

- 4.2 These concerns are noted and where relevant to material planning considerations 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.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance and National Design Guide (2019)
- 5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles) and CP4 (Environment and Urban Renaissance)
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality) DM3 (Efficient and Effective Use of Land)
- 5.5 Design & Townscape Guide (2009)
- 5.6 CIL Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, impacts on residential amenity and CIL.

7 Appraisal

Principle of Development

- 7.1 The dwelling is located within a residential area and extensions to the property are considered acceptable as a general principle subject to other policy objectives being complied with.

Design and Impact on the Character of the Area

- 7.2 Paragraph 130 of the NPPF states that *"Planning decisions should ensure that ... developments are sympathetic to local character ... including the surrounding built environment"*. The National Design Guide notes that well-designed development responds positively to the features of a site and its surroundings.
- 7.3 The importance of good design is reflected in Policies KP2 and CP4. These policies seek to maintain and enhance the amenities, appeal and character of residential areas.
- 7.4 Policy DM1 seeks development that adds to the overall quality of the area and respects the character of the site, its local context and surroundings in terms of its architectural approach. Policy DM3 seeks development that responds positively to local context. It also states 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.
- 7.5 The extension would be of a modest scale and would not have a significant public impact. Its scale, proportions and design would not be inconsistent with domestic projections in the surroundings or what is normally considered acceptable under permitted development rights. Use of matching external materials can be secured through a condition on planning permission in the interests of visual amenity.

- 7.6 The extension would not have a significant harmful effect on the character and appearance of the site and surroundings and the proposal is acceptable and policy compliant on design grounds.

Impact on Residential Amenity

- 7.7 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies 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. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 7.8 By reason of its scale, design and position, the proposed extension would not have a harmful impact on no.30 Fastnet in any relevant regard.
- 7.9 The proposed extension would be situated in close proximity to an existing rear projection at the adjoining dwelling at no.26 Fastnet. This projection includes top hung opening windows at a high level situated along the west elevation and facing into the application site at close proximity.
- 7.10 As a consequence the proposed development would have an impact upon light received through these high level windows. By their nature these are secondary sources of light and outlook, and the rear projection incorporates ample glazing elsewhere. The development would therefore not have a significantly harmful impact upon the amenities of neighbouring occupiers that would justify a refusal of planning permission in these respects.
- 7.11 The development would have an impact upon the capability of occupiers of no.26 Fastnet to open and clean the high-level windows facing the extension. This is a negative aspect of the proposal but would not justify a refusal of planning permission. It is also noted that this type of relationship for similar projects allowed under permitted development rights are not prohibited.
- 7.12 The proposal is acceptable and policy compliant with regards to its impact upon the amenities of neighbouring occupiers.

Community Infrastructure Levy (CIL)

- 7.13 As the proposed extension to the property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal is considered to have overcome the concerns with the previously refused scheme at the site and would have an acceptable impact on the

amenities of neighbouring occupiers and the character and appearance of the application site, street scene and the locality more widely. This application is therefore recommended for approval subject to conditions.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development hereby permitted shall begin 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: D01 E, D02 E, D03 E, D04 E, D05 E, D06 E.**

Reason: To ensure that the development is carried out in accordance with the 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: in the interests of visual amenities further to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea 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.

10 Informatives:

01. 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.

02. You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor

Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy), or the Council's website (www.southend.gov.uk/cil) for further details about CIL.