

Reference:	21/01491/FULH	
Ward:	Prittlewell	
Proposal:	Erect part single/part two storey side and rear extension, alter elevations (amended proposal)	
Address:	237 Prittlewell Chase Westcliff-On-Sea Essex SS0 0PP	
Applicant:	Mr & Mrs Matthew & Sarah Harding	
Agent:	Mr Danny Knott	
Consultation Expiry:	30.09.2021	
Expiry Date:	08.10.2021	
Case Officer:	Oliver Hart	
Plan Nos:	3598-01-H	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The application site is located on the northern side of Prittlewell Chase, at the junction with Eastbourne Grove and contains a detached two storey hipped roof dwelling. There is an existing single storey extension and outbuilding to the rear and hardstanding to the front for parking. The site is enclosed by a low stone wall, which continues along the return frontage to Eastbourne Grove and increases in height along the boundary of the rear garden.
- 1.2 The surrounding area is residential in nature and is characterised by groups of detached and semi-detached dwellings of varying styles and designs but with traditional features in common. Opposite the site is Chase High School and further east is Southend University Hospital.
- 1.3 The site is not located within a Conservation Area or subject to any site-specific planning policies. The site is located within Flood Zone 1 which has a low risk of flooding.

2 The Proposal

- 2.1 The application seeks planning permission to construct a part single/part two storey rear extension.
- 2.2 The proposed ground floor element measures 5.75m deep and 6.65m wide, with a flat roof and eaves height of some 2.9m. The first-floor element measures 4.5m deep to the western side and is stepped in depth to the eastern side, forming an 'L' shaped addition with a maximum width of 5.3m. The first-floor element extends the hipped roof ridge rearwards and reduces in height to form a hipped end to the rear. Other minor external alterations are also proposed.
- 2.3 The proposed external materials are white render, roof tiles and white uPVC windows and doors to match the existing dwelling.
- 2.4 This is an amended proposal following the refusal of planning permission (Ref. 21/0002/FULH) which sought to: '*Erect part single/part two storey side and rear extension, install Juliet balcony to rear, alter elevations*'. That application was refused for reasons pertaining to its design and character impact as follows:

01 By reason of its size, siting, scale and poor design, the proposed development would appear contrived and incongruous and fail to integrate satisfactorily with the existing dwelling. As a result the proposal would appear as an unduly prominent, discordant and obtrusive feature, harmful to the character and appearance of the existing property and the wider streetscene. 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 Design and Townscape Guide (2009).



Figure 1: Application previously refused (App ref. 21/0002/FULH)

2.5 This latest submission differs from the previous refusal in that:

- The flank wall of the first-floor rear extension has been set in line with the rear/flank wall of the application dwelling, reducing the width of this element of the proposal from 6.2m to 5.3m.
- The roof form of the first-floor rear extension has been altered from a gable end to a hipped roof.
- 2no. additional first floor flank windows to the western flank elevation have been added.
- Removal of the Juliette balcony to the first-floor rear elevation



Figure 2: Current proposal for consideration

2.6 Also of relevance to this application is planning permission ref. 20/01231/FULH which enables the single storey element of the current proposal to be erected regardless of the outcome of this application. This forms a material consideration of significant weight in the assessment of the application.

2.7 The application has been called in by Councillor Garston. The application qualifies for consideration at Committee in any event as the applicant is an employee of the Council.

3 Relevant Planning History

- 3.1 21/00721/FULH- Erect part single/part two storey side and rear extension, install juliette balcony to rear, alter elevations (amended proposal)- Withdrawn
- 3.2 21/00326/FULH - Erect timber single storey granny annexe for ancillary use to main dwelling (amended proposal) (part retrospective) - Planning permission granted
- 3.3 21/00002/FULH - Erect part single/part two storey side and rear extension, install juliette balcony to rear, alter elevations - Planning permission refused
- 3.4 20/01231/FULH - Erect single storey rear extension (Amended Proposal) – Planning permission granted
- 3.5 20/00977/CLP - Demolish existing detached garage to rear and siting of a mobile home for ancillary use to the main dwelling (Lawful development certificate-proposed) – Certificate Granted
- 3.6 20/00976/FULH - Demolish existing detached garage to rear and erect timber single

storey granny annexe for ancillary use to main dwelling – Planning permission granted

3.7 20/00577/FULH - Erect single storey rear extension – Planning permission refused

4 Representation Summary

Public

4.1 7no. neighbouring properties were individually notified. 10no. letters of representation from 7no. properties have been received. Summary of representations:

- Overdevelopment of relatively modest site.
- Large outbuilding already constructed on site. Additional shed has also been erected in the garden area.
- Development imposing to junction with Eastwood Grove.
- Detriment to the amenity of the area.
- Overscaled within streetscene – contrary to policy.
- Harm to amenity of neighbouring occupiers.
- Overlooking from 3no. additional first floor flank windows. Condition should be attached requiring obscure glazing condition.
- Loss of value to neighbouring properties.
- Concerns with neighbour consultation.
- Development contrary to policy.
- Applicant is an employee of the council.

[Officer Comment] All relevant planning considerations are assessed within the appraisal section of the report (Section 7). The above concerns are noted and they have been taken into account in the assessment of the application. However, they were not found to represent justifiable reasons for refusal of the application in the circumstances of this case.

5 Planning Policy Summary

5.1 The National Planning Policy Framework (NPPF)(2021)

5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles) and CP4 (Environment and Urban Renaissance),

5.3 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)

5.4 The Design and Townscape Guide (2009)

5.5 CIL Charging Schedule (2015)

6 Planning Considerations

6.1 Consistent with the assessment of the previously refused application, it is not considered that the proposal would have any material highway implications as it

does not increase the on-site parking requirements nor reduce on site provision when assessed against the Council's minimum parking standards. The key considerations in relation to this application are therefore the principle of the development, design and impact on the character of the area, the impact on residential amenity, CIL (Community Infrastructure Levy) and whether the proposal has overcome the reasons for refusal of application 21/00002/FULH.

7 Appraisal

Principle of Development

- 7.1 The principle of development was previously found to be acceptable. The dwelling is situated within a residential area and an extension or an alteration to the property is considered acceptable in principle, subject to detailed considerations discussed below.

Design and Impact on the Character of the Area

- 7.2 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.3 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm.
- 7.4 The previous refusal at the property (21/00002/FULH) was on design grounds having regard to the size, scale, siting and poor design of the proposed development which was considered to result in a dominant and incongruous development materially out of keeping with and harmful to the character and appearance of the dwelling, the surrounding area and the rear garden scene.
- 7.5 The proposed single storey element was found to be consistent with a recent approval at the property for this element in isolation (ref. 20/001231/FULH). In the absence of any material changes to local and national policy or site circumstances in the interim, it is considered that the single storey element remains an acceptable part of the current proposal when considered in isolation.
- 7.6 With regards to the first- floor element of the proposal, this application has sought to overcome the previous reason for refusal by setting the flank wall of the first-floor rear extension in line with the rear/flank wall of the application dwelling, so reducing the maximum width of this element from 6.2m to 5.3m and incorporating greater separation to the flank highway boundary with Eastbourne Grove. In addition, the roof form of the first-floor rear extension has been altered from gable ended to hipped roofs reducing the scale and bulk of the extension here. Regard is also had to the incorporation of additional windows to the first-floor flank elevation which suitably break up the otherwise large expanse of wall that was so apparent in the previous refusal.

- 7.7 These revisions are considered to be positive responses to the previously refused scheme. When considered together with its position to the rear of the site and use of matching materials (which can be conditioned), on balance, the impact of the proposed development on design and character is considered to be acceptable.
- 7.8 The proposal is considered, on balance, to be acceptable and policy compliant in the above regards and has overcome the previous reason for refusal.

Impact on Residential Amenity

- 7.9 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.
- 7.10 The proposal, with regard to its impacts on neighbouring amenities did not form a reason for refusal in the previous application (21/00002/FULH). It is noted that the proposed roof form over the first-floor element has been altered from a gable end to a hipped roof. Compared to the impact of the previously refused scheme, this is considered to significantly reduce the scale, bulk and potential impact of the proposed first floor element of the proposal on neighbouring amenity.
- 7.11 The application property is neighboured by No. 235 (to the east) and No's 243 Prittlewell Chase and No.5 Eastbourne Grove to the west. No's 243 and No.5 are located across the junction of Eastbourne Grove so they are not considered to be impacted by the resultant-built form of the proposed development in any harmful way. Whilst third party concerns have been raised about the potential for overlooking from proposed first floor flank windows, the separations between the properties (in excess of 12m to the neighbouring garden area and 16m from the flank elevation of No.235 Prittlewell Chase and some 20m to front windows of No.5 Eastbourne Grove) would preclude any significantly harmful degree of overlooking.
- 7.12 No. 235 is a large semi-detached, two storey dwelling set within a wider plot than the application site such that there is an existing 2.3m separation between No.235 and the shared boundary provided by way of an attached garage. No. 237 has an existing single storey rear extension located towards this boundary with a depth of 3.3m, therefore the proposal at ground floor extends the built form rearwards by an additional 2.5m. At first floor the depth of the proposed extension is some 3m.
- 7.13 The proposed extension is set in some 0.35m from this shared boundary and a further 2.3m of separation distance is provided by the No 235's garage building. On this basis, and having regard to the limited height and flat roof form of the proposed ground floor element, which is comparable to the existing extant approval (20/01231/FULH), the impact of this element of the proposal on the amenity of No. 235's occupiers is considered to be acceptable. The first-floor element by way of its limited depth along this boundary and hipped roof form has been designed to avoid projecting beyond a notional 45 degree guideline taken from the first floor windows of No. 235. It is considered that the increase in built form extending beyond the rear wall of No 235 would not result in any significantly harmful overshadowing or

overlooking, a material loss of outlook and light, unacceptable dominance or a harmfully increased sense of enclosure. An obscured window is shown to the first-floor flank window. Subject to a condition to ensure that window is obscured, the proposal is considered to acceptably maintain neighbour privacy.

- 7.14 The application site is bordered at the rear by the flank elevation of No. 6 Eastbourne Grove and a degree of screening is afforded by the existing outbuilding located on this shared boundary. The development at first floor would bring the built form closer to this shared boundary, however it is not considered that the overlooking or loss of privacy impacts would be more harmful than those experienced currently on site from the existing first floor windows. It is not considered that the proposal would significantly harm the amenity of the occupiers of this or any other neighbouring residential properties.
- 7.15 On this basis the proposal is considered to be acceptable and policy compliant in this regard.

Community Infrastructure Levy

- 7.16 The proposed development equates to less than 100sqm of new floorspace. As such, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and 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 proposed development would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework. On balance this application is considered to have overcome the reason for refusal of the previous application and is recommended for approval subject to conditions.

9 Recommendation

GRANT PERMISSION Subject to the following conditions:

- 01 The development hereby permitted shall begin no later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plan: 3598-01-H**

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 approved plans.

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 advice contained in the Design and Townscape Guide (2009).

- 04 The flat roof of the single storey 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).

- 05 The first-floor flank window to the eastern flank elevation adjacent to the No.235 hereby approved must only be obscure-glazed (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and non-opening, unless the parts of the window which can be opened are more than 1.7metres above the finished floor level of the room in which the windows are installed and it shall be retained as such in perpetuity.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the 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

- 1 You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development would benefit from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge would be payable. 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 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.**