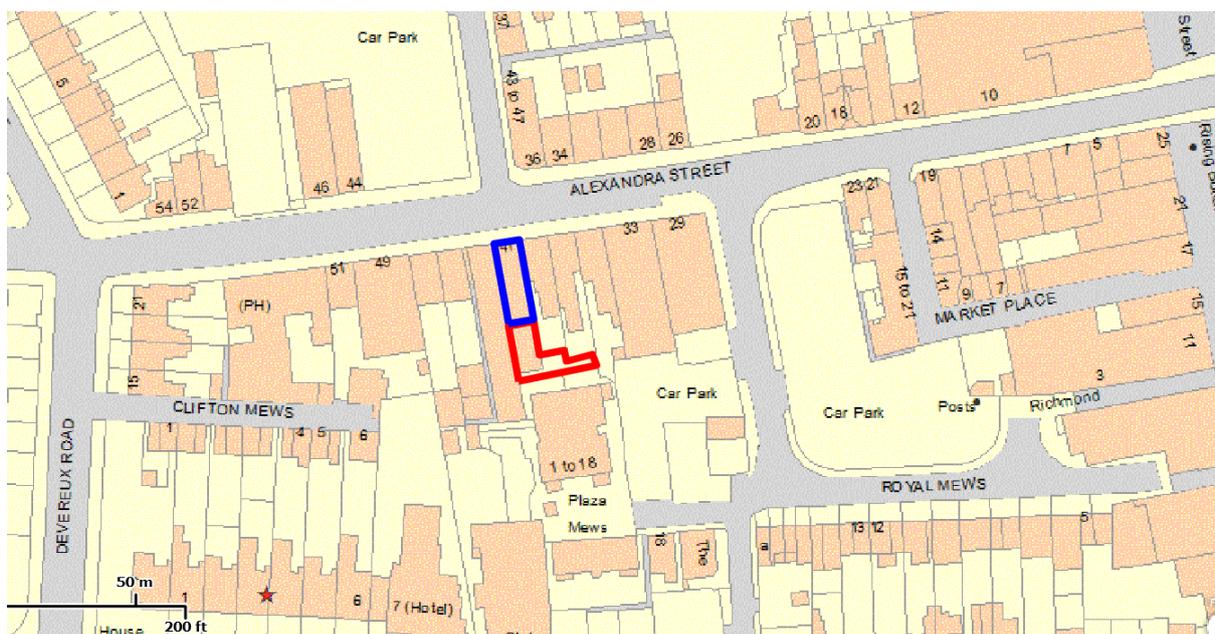


Reference:	21/01813/FUL	
Application Type:	Full Application	
Ward:	Milton	
Proposal:	Erect single storey extension and convert existing store room at rear to form one self-contained flat	
Address:	41 Alexandra Street Southend-on-sea Essex SS1 1BW	
Applicant:	Mr S Wakefield	
Agent:	Mr Paul Seager of APS Design Associates Ltd	
Consultation Expiry:	30.09.2021	
Expiry Date:	03.12.2021	
Case Officer:	Oliver Hart	
Plan Nos:	3116-01; 3116-02; 3116-03B	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The application site contains a single storey storage building of some 54sqm to the rear of 41 Alexandra Street, which is a three storey mid-terrace property on the southern side of the street. The latter does not form part of the application site. The store is used in association with the ground floor locksmiths fronting Alexandra Street.
- 1.2 The rear of the application site is accessed via a side alleyway from Royal Mews (east), which also serves as an access point for other flats and commercial premises within the wider terrace.
- 1.3 Alexandra Street is characterised by commercial premises at ground floor with self-contained residential accommodation above. There are a number of large, single storey rear additions serving predominantly as storage areas in association with their respective commercial premises. A four-storey flatted block, The Plaza, is directly south of the application site.
- 1.4 The site is within the Town Centre area identified on the policies map of the Development Management Document. It lies within the Town Centre primary shopping area and is identified on the policies map of the Southend Central area Action Plan (SCAAP) as part of a town centre secondary shopping frontage within the Clifftown Policy Area and part of a Frontage of Townscape Merit. The site is within Flood Zone 1.

2 The Proposal

- 2.1 Planning permission is sought to convert the existing storage area to a self-contained residential unit and to erect a pitch roofed single storey extension to its east side to increase the unit's footprint. The extension would be 3m wide, 3.4m deep and 3.8m in maximum height (dropping down to 2.9m at eaves). Exterior finishing materials are yellow face-brick to match the existing.
- 2.2 The proposed dwelling would be a one-bed, two person unit of some 63.5sqm in an open plan arrangement. An amenity space of approx. 6.5sqm is proposed to the south and east of the application site with planting also detailed. Cycle and refuse storage facilities are proposed to the main access route from Royal Mews. No off-street car parking is proposed.
- 2.3 The application is presented to this Committee as the applicant is an elected member of the council.

3 Relevant Planning History

- 3.1 None.

4 Representation Summary

Public Consultation

- 4.1 35 neighbouring properties were consulted and a site notice displayed. No letters of representation have been received.

Environmental Health

- 4.2 No objections subject to conditions including submission of Noise Impact Assessment and refuse and recycling details as well as restricting construction hours.

Highways

- 4.3 There are no highway objections to this proposal the site benefits from being in a sustainable location with regard to public transport. Secure cycle parking has been provided, future occupiers will not be eligible for a town centre or residential parking permit.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2019)
- 5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance) and CP8 (Dwelling Provision).
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management).
- 5.5 Design & Townscape Guide (2009)
- 5.6 Technical Housing Standards Policy Transition Statement (2015)
- 5.7 Southend Central Area Action Plan (SCAAP) (2018): Policies DS1 (A Prosperous Retail Centre), DS5 (Transport, Access and Public Realm) and PA6 (Cliff town Policy Area Development Principles)
- 5.8 Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 5.9 Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, the design and impact on the character of the streetscene and wider area, impact on residential amenity, living conditions for future occupiers, any traffic and transportation issues and CIL and RAMS.

7 Appraisal

Principle of Development

- 7.1 Government guidance contained within the National Planning Policy Framework encourages effective use of land, in particular previously developed land (para.119).
- 7.2 Policy KP1 of the Core Strategy identifies Southend Town Centre and Centre Area as the primary focus of regeneration and growth with 6,500 new jobs and at least 2,000 additional homes to be provided within this area between 2001 and 2021.
- 7.3 Policy CP8 of the Core Strategy identifies that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough.
- 7.4 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the Borough. Similarly, the Council's Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the Borough. 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 one-bed units and smaller properties, a consequence of which is that there is a lower percentage of accommodation of a suitable size for families.
- 7.5 Although there is greater need for housing suitable for families as identified by the SESHMA, the site is located within a town centre location where higher density provision may be reasonably expected. In these circumstances, the provision of additional housing is a consideration which should be given increased weight in a balancing exercise. The small net quantum and capacity of dwelling proposed would however have limited effect on the overall supply of housing.
- 7.6 Policy DS1 of the SCAAP states that; *'Delivering new homes within Southend Central Area, including residential above ground floor commercial, will contribute to creating sustainable communities that will add critical mass to support the vitality and vibrancy of the town centre, throughout the day and evening economy'*.
- 7.7 Paragraph 86(f) of the NPPF states that planning should *'recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites'*.
- 7.8 Policy CP1 of the Core Strategy seeks to resist planning permission for proposals which would involve the loss of existing employment land, including the enhancement of the town centre's role as a cultural and intellectual hub, unless it will contribute significantly to the objective of regeneration of the economy in other ways, including significant enhancement of the environment, amenity and condition of the local area.

- 7.9 Policy DM13 states that secondary shopping frontages within Southend will be managed to reinforce their attractiveness, vitality and viability within the daytime and night-time economies. The character and function of both types of frontage will be protected and enhanced.
- 7.10 The incorporation of residential use at the site through converting an ancillary space and extending the building would accord generally with the objectives of national and local planning policy in re-using previously developed land and introducing a residential use in the town centre which can enhance the vitality of the area. The applicant has confirmed that the existing storage building is surplus to the successful operation of the business as a locksmiths and key cutters. Conversion of the unit would not directly result in any proposed reduction in employee numbers. The development would not materially affect the proportion of active commercial frontage within the Secondary Shopping Frontage.
- 7.11 The proposal would provide additional housing on previously developed land and in a generally sustainable location. It would not involve the significant loss of any commercial or employment land. On this basis, the application is acceptable and policy compliant in general principle.

Design and Impact on the Character of the Area

- 7.12 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.
- 7.13 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. Policy DM1 and the Design and Townscape guide provide further details on how this can be achieved.
- 7.14 The main three storey building fronting Alexandra Street forms part of a Frontage of Townscape Merit but the application concerns only the rear storage building so having no impact on that policy consideration.
- 7.15 The proposed extension is of a limited size and scale in relation to the existing storage building such that it is considered to appear suitably subservient in form. Glimpsed views of the extension would be possible from Royal Mews (east) however, noting the separation that would be retained to the public highway (in excess of 30m), the proposal is not considered to appear as a dominant or materially incongruous addition that would cause harm to the setting thereof. No objection is raised to the proposed use of yellow face-brick to match the existing exterior walls such that the proposal is considered to appear suitably integrated to the host property and surroundings development. Details of materials can be secured by condition.

- 7.16 The other works associated with the conversion of the property are internal and have no material external design or character impacts.
- 7.17 The proposal would therefore be acceptable and policy compliant in the above regards.

Standard of Accommodation and Living Conditions for Future Occupiers

- 7.18 Delivering high quality homes is a key objective of the NPPF. Policy DM3 of the Development Management Document states that proposals should be resisted where they harm the living conditions and amenity of existing and future residents or neighbouring residents.

Space Standards

- 7.19 All new homes are required to meet the Nationally Described Space Standards (NDSS) in terms of floorspace, bedroom size and storage size. The required size for a one bedroom two-person dwelling is 50sqm. The internal floorspace of the bedroom proposed meets this requirement.

Daylight, Sunlight and Outlook from Habitable Rooms

- 7.20 Having regard to the presence of rooflights serving the bedroom area and noting the position of windows and the open plan arrangement of the unit with little distinct separation of habitable rooms and with a living area served by east facing doors looking onto an amenity area with obscure glazed secondary flank windows to the south, it is considered the proposed unit would, on balance, benefit from sufficient outlook and daylight levels.

M4 (2) – Accessibility

- 7.21 The application does not include any information on the accessibility of the unit. Nevertheless, the proposal involves the conversion of an existing property, not the erection of a new dwelling. Policy DM8 states that accessibility for all new dwellings should be of a standard of optional requirement M4 (2) of the Building Regulations but this optional requirement is stated not to be applicable to changes of use, as is the case here.

Amenity Provision

- 7.22 A proposed external amenity area some 6.5sqm to the east of the application site with 1.8m high screening to its southern boundary. This provision is considered to reasonably meet the needs of the occupiers. It is noted the site is adjoined by 'The Plaza', a four-storey flatted block with windows in reasonably close proximity. It is considered there will be a degree of overlooking of the amenity space but noting its town centre location and screening which will assist, the identified harm is not considered to be to a degree of significance that would justify refusal in the specific circumstances of this case. On this basis the nature of the amenity provision is considered acceptable.

Noise and Disturbance

- 7.23 Concerns have been raised by Environmental Health about the position of the dwelling adjacent to neighbouring commercial uses. It is considered these concerns could reasonably be addressed by way of condition for a Noise Impact Assessment to be carried out and the details submitted to the local planning authority for approval and implementation of any mitigation requirements prior to occupation of the dwelling.
- 7.24 Overall, subject to conditions it is considered that the proposal would result in suitable accommodation for future occupiers and would be acceptable with regard to their living conditions. The proposal is therefore acceptable and policy compliant in the above regards.

Impact on Residential Amenity

- 7.25 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.
- 7.26 The nearest neighbouring dwellings affected by the proposal are north facing ground and first floor flats within the 'The Plaza'. A separation in excess of 4m would be retained following the development. Regard is had to the existing relationship between the storage building and the nearest neighbouring openings adjacent which is not considered to have a significantly detrimental impact on their receipt of light and outlook. The extension proposed is of a limited size and scale and is of a reduced height than the existing storage building. Together with its roof form (which pitches away from the shared boundary and so reduces its scale and bulk) the proposal is not considered to significantly harm neighbour amenity by way of a loss of light or outlook nor an undue increased sense of enclosure over and above that that already exists.
- 7.27 2no. windows are proposed to the southern elevation of the proposed dwelling would lie adjacent to the neighbouring openings at the ground and first floor flats in 'The Plaza'. The proposed windows are obscure glazed and this is considered sufficient to preclude any harmful intrusive over or inter-looking between the properties. A third window proposed to the southern elevation of the extension would serve as a secondary window to a lounge area. It is considered oblique views would be afforded from this window to all openings within 'The Plaza's' north facing elevation however, the variance in the siting of these windows at different levels relative to the proposed dwelling is such that these views are not considered to be significantly intrusive or harmful. To this end, neighbour privacy would be sufficiently retained.

- 7.28 Having regard to the limited size of the proposed dwelling (1 bed 2 person), it is not considered that potential noise and disturbance from occupants and visitors would give rise to materially elevated levels of activity over and above the existing or neighbouring uses such as to significantly harm surrounding residents' amenity.
- 7.29 Having regard to the commercial nature of surrounding premises, it is considered that the design, size, siting and scale of the development proposed are such that it would not result in any significant harm to the amenities of other neighbouring premises in any relevant regard. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts.

Traffic and Transportation Issues

- 7.30 Policy DM15 of the Development Management Document requires all development to provide adequate parking and sets a minimum parking standard of 1 parking space per dwellinghouse in this location. Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport. No off-street parking is proposed however, it is in a highly accessible town centre location, within walking distance of Southend Central Station and is close to cycle and bus routes. The storage floorspace generates a notional parking demand which should be weighed in the balance. No objection is raised in this instance.
- 7.31 Adopted standards require provision of one cycle storage space per unit and refuse storage. Submitted plans detail the provision of secure and covered cycle parking within the wider application site and this could be controlled by planning condition.
- 7.32 Secure and covered storage for the residential is also provided.
- 7.33 Subject to conditions the proposal is acceptable and policy compliant in the above regards.

Other Matters

Permitted Development

- 7.34 Given the site's close relationship to the neighbouring properties it is considered reasonable and necessary to restrict permitted development rights for this proposal via condition, to enable the Council to fully assess the impact of any future extensions and additions to this dwelling which could otherwise offer potential harm to neighbours' amenity. A condition is hereby attached.

Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and Ecology.

- 7.35 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS). It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The RAMS Supplementary Planning Document (SPD) which was adopted by Full Council in October 2020 requires that a tariff of £127.30 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement.
- 7.36 The payment has been made and the proposal is therefore policy compliant in that regard.

Community Infrastructure Levy (CIL)

- 7.37 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. Any existing floor area that is being retained/demolished that satisfies the 'in-use building' test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

8 Conclusion

- 8.1 It is considered, having taken all material planning considerations into account, that the proposed development would comply with the objectives of National and local planning policies. The design and layout of the development would maintain the character and appearance of the area, subject to conditions. The development would have no significantly harmful impact on residential amenity and provides satisfactory living conditions for future occupiers of the site. The parking and highway implications are satisfactory. This application is therefore recommended for approval subject to conditions.

9 Recommendation

- 9.1 **GRANT PLANNING PERMISSION subject to the following conditions:**

01 The development hereby permitted shall begin no later than three years of 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: 3116-01; 3116-02; 3116-03B

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

03 Notwithstanding the information submitted with the application and otherwise hereby approved, no development above ground level shall take place until full details of the materials to be used on all the external elevations of the dwelling have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out and completed in accordance with the approved details.

Reason: To safeguard the character and appearance of the surrounding area in accordance with policy DM1 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

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 Before the construction of the proposed extension above ground floor slab level a Noise Impact Assessment must be conducted by a competent person, submitted to the Local Planning Authority and approved by them in writing. The document submitted shall assess the potential impact of existing noise sources on the occupiers of the approved dwelling and provide full details of any mitigation to be used to provide adequate noise conditions for future occupiers of the dwelling. The assessment must be made using the appropriate standards and methodology for the noise sources and the relevant best practice. The dwelling otherwise hereby approved shall be implemented in full accordance with the details and mitigation provided in the Noise Impact Assessment before it is occupied and shall be maintained as such in perpetuity thereafter.

The mitigation provided in the report shall ensure that the internal ambient noise levels of the proposed development shall not exceed the guideline values in BS8233:2014 Table 4 as follows:

07:00 to 23:00

-Resting - Living room 35 dB LAeq,16hour

-Dining - Dining room/area 40 dB LAeq,16hour

-Sleeping/Daytime Resting - Bedroom 35 dB LAeq,16hour

23:00 to 07:00

-Sleeping/Night time Bedroom 35 dB LAeq,8hour

External areas shall be designed to ensure that amenity areas are protected on all boundaries as to not exceed 50 dBLAeq,16hr. If a threshold level relaxation to 55 dBLAeq,16hr is required for external areas full justification shall be provided for this in the assessment.

Reason: In the interest of the residential amenity of future occupiers 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).

05 Prior to the occupation of the dwelling hereby approved, details of refuse/recycling and cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided and made available for use by the occupants of the dwelling hereby approved prior to its first occupation and shall be retained as such for the lifetime of the development.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

06 No development above ground level shall take place unless and until full details of the soft and hard landscape works have been submitted to and approved in writing by the local planning authority. The approved landscaping works shall be completed within the first planting season following the completion of the development hereby approved.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the proposed development in accordance with Policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

07 The windows to the southern flank elevation 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 of the room or area served by that window. 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).

08 Hours of construction works associated with this consent shall be 8am - 6pm Monday to Friday, 8am - 1pm Saturday. No works shall be carried out on Sundays or Bank Holidays.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Design and Townscape Guide (2009).

09 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved specified within Schedule 2, Part 1, Classes A, AA, B and C of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

Informatives:

- 1 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on 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).

- 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.**