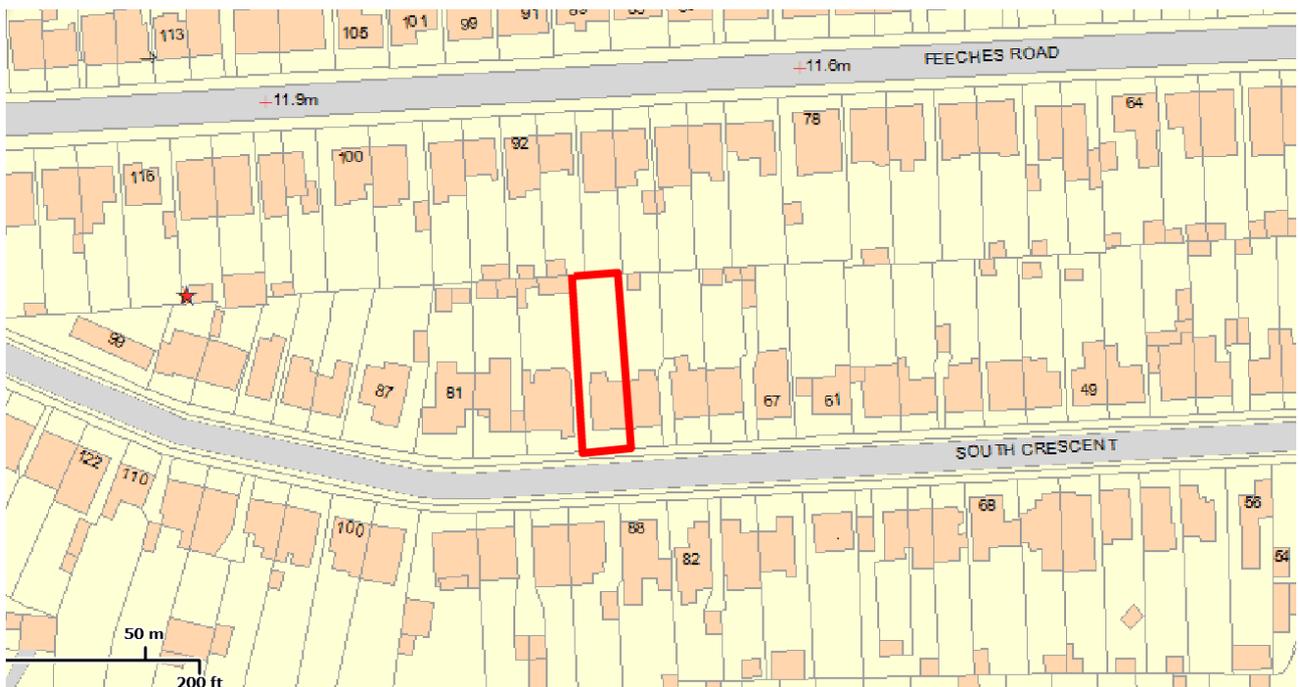


Reference:	21/01906/FULH	
Ward:	St Laurence.	
Proposal:	Erect outbuilding to rear for use as a gymnasium (retrospective)	
Address:	75 South Crescent Southend-on-Sea Essex SS2 6TB	
Applicant:	Mr N Singh	
Agent:	Mr A anwar	
Consultation Expiry:	14.10.2021	
Expiry Date:	03.12.2021	
Case Officer:	Scott Davison	
Plan Numbers:	Location Plan, 101 & 102	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The application site contains a single storey semi-detached dwelling house located on the northern side of South Crescent.
- 1.2 The street scene on South Crescent is characterised by single storey, semi-detached and two storey detached and terraced residential properties. The site is not located within a conservation area or subject to any site-specific planning policy designations.

2 The Proposal

- 2.1 Retrospective Planning permission is sought for an outbuilding located in the rear garden of the application site. The outbuilding is some 8.9m wide, 4.0m deep and 2.75m high and is to be used as a gym. The building has a flat roof and contains windows and door openings in the south facing elevation back towards the host property. The agent has confirmed that the gym will be ancillary to the dwelling house and used by the occupants of the dwelling and not for commercial use.
- 2.2 Councillor McGlone has called the application in for consideration by the Development Control Committee.

3 Relevant Planning History

- 3.1 21/01975/CLP Dormer to rear to form habitable accommodation in roof space, rooflights to front (Lawful development certificate-proposed). Pending Consideration.
- 3.2 21/01996/FUL Erect single storey rear extension, alter elevations. Pending Consideration.

4 Representation Summary

Public Consultation

- 4.1 Nine neighbouring properties were notified of the application by letter. One letter of objection has been received. It is summarised below:
 - . The building is capable of being used as granny annex. The size of the building is such that it fills the width of the plot and is in close proximity to the site boundaries. The Gym has water and sewerage connections.

[Officer Comments: The concerns are noted and those that relate to material planning considerations have been taken into account in the assessment of the application but are not found to represent a reason for refusal.]

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (2021) and National Design Guide (2019)

- 5.2 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility) 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 Community Infrastructure Levy (CIL) Charging Schedule (2015).

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, design quality and impact on the character of the area, impact on residential amenity, traffic and transportation implications and CIL (Community Infrastructure Levy).

7 Appraisal

Principle of Development

- 7.1 The site is occupied by a residential dwelling and in principle, providing habitable accommodation in the form of a separate outbuilding is considered acceptable, providing that it remains ancillary to the main dwelling i.e., it does not form a separate planning unit capable of operating independently from the main house.
- 7.2 The outbuilding is described as accommodating a gym. It is considered reasonable and necessary to impose a condition to any grant of planning permission to ensure that the outbuilding is not occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 75 South Crescent.
- 7.3 Subject to such a condition, the principle of development is considered acceptable. Other material planning considerations are discussed below.

Design and Impact on the Character of the Area.

- 7.4 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.
- 7.5 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.

- 7.6 It is considered that the design, size, siting and scale of the development is such that it does not result in any significant harm to the character and appearance of the site, the rear garden environment and the street scene and area more widely. Whilst the development is relatively large, there are examples of garages and outbuildings in surrounding rear garden environment. The development is therefore considered to be acceptable and policy compliant in terms of its impact on the character and appearance of the site, the street scene and the area more widely.

Amenity Impacts

- 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 The nearest properties to the application site are the attached dwelling, No.73 South Crescent, to the east, the non-attached dwelling No.77, to the west and the dwellings immediately to the north of the site No's 88 & 90 Feeches Road. The development the subject of the application is set some 300mm off the northern boundary with Feeches Road and some 150mm in from the western and eastern shared boundaries.
- 7.9 The development is some 2.75m high and is visible in the outlook from the rear gardens in all of the neighbouring dwellings and also from the rear elevations of these dwellings. The only windows in the development face the host property and whilst the development is located at the north end of the site, the separation distance of the development to the rear elevations of No.88 & 90 Feeches Road is between 16m and 17m. The front of the development is some 15m from both the rear elevations of No's 73 & 77 South Crescent. Account is taken of the presence of an existing 1.8m timber fence on the shared boundaries of the site and also of the presence of outbuildings in the rear gardens of dwellings in Feeches Road to the north that adjoin the site.
- 7.10 It is therefore considered that the design, size, siting, and scale of the development proposed are such that, on balance, it would not result in any significant harm to the amenities of the site, neighbouring occupiers, or wider area in terms of sense of enclosure, overbearing impacts, loss of outlook, light or privacy or any other regard. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts.

Traffic and Transport

- 7.11 Policy DM15 of the Development Management Document requires that dwellings with 2+ bedrooms must provide two parking spaces. The proposal does not impact on the availability of car parking spaces or increase the requirements for them beyond existing policy levels. The impact on traffic, transport and parking is therefore acceptable and policy compliant.

Community Infrastructure Levy (CIL)

- 7.12 The development equates to less than 100sqm of new floorspace therefore 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 For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is granted subject to conditions.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions

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

Reason: Required 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: Location Plan, 101 & 102.**

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

- 03 The outbuilding hereby permitted shall not be occupied at any time other than for purposes wholly ancillary to the residential use of the dwelling known as 75 South Crescent, Southend on Sea and shall not be sold or let separately or used as an independent unit for residential or any other purposes.**

Reason: To ensure a satisfactory standard of accommodation and to protect the amenities of existing and proposed occupiers, to protect the privacy and environment of people in neighbouring residential properties, and to prevent additional parking demand which may not be met within the application site, in accordance with the Core Strategy (2007) policies KP2, CP3 and CP4, the Development Management Document (2015) policies DM1, DM3, DM8, DM15 and advice contained within the Southend 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.

Informatives

- 01** You are advised that as the development 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 the Levy.

- 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.