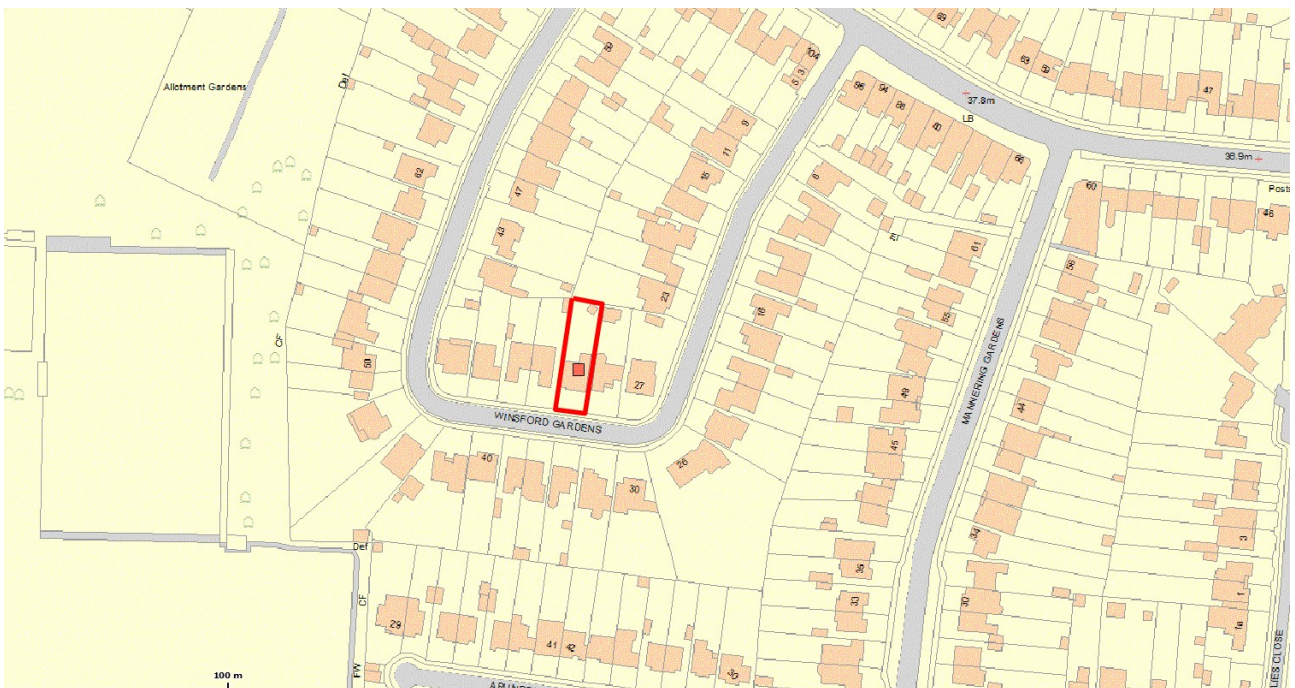


Reference:	22/01649/FULH	
Application Type:	Householder	
Ward:	Prittlewell	
Proposal:	Demolish and replace existing garage to side, extend roof and erect ground floor rear/side and first floor side extensions, flat roof dormer to rear and pitched roof dormer to front, alter elevations (Amended Proposal)	
Address:	31 Winsford Gardens Westcliff-on-sea Essex SS0 0DR	
Applicant:	Hannah Pearce	
Agent:	Simon Campbell of Tolerance Architectural Design	
Consultation Expiry:	15.09.2022	
Expiry Date:	06.11.2022	
Case Officer:	Scott Davison	
Plan Nos:	2200 Rev P01 & 2211 Rev P04	
Additional information:	N/A	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The application site contains a two-storey detached dwelling on the northern side of Winsford Gardens. The dwelling has an attached garage and has been extended to the side and rear. The surrounding area is residential in nature, comprised of dwellings that are similar in scale but different in form and appearance. The site is not within a conservation area, Flood zones 2 or 3 or subject to any site-specific planning policy designations.

2 The Proposal

- 2.1 The existing garage to the side of the dwelling would be demolished. The agent has stated that it is single skinned and the existing footings would not be sufficient to support a new extension above. It is proposed to erect a new garage at ground level with a first-floor side extension over. That would extend beyond the rear of the garage, supported on a pillar, creating a form of undercroft. The roof of the first floor side extension would be half hipped, continuing into the main roof which would become cruciform in pattern. A pitched roof dormer would sit within the side extension's cat slide front roof slope and a flat roof dormer in its rear roof slope. The maximum height of the first floor side extension would be some 7.8m, to match the dwelling's existing ridge height. It would be some 5.8m deep, not projecting forward of the front elevation or beyond the main rear elevation. The pitched roof dormer would be 1.7m wide, 2.8m high projecting to a depth of 1.5m.
- 2.2 A single storey side and rear ground floor extension with a dummy hipped pitched roof is proposed which would be attached to and square off an existing part width rear projection. The proposed extension would be a maximum 3.5m deep by some 5.4m wide, and a maximum 3.8m high. One roof light is proposed in this extension and one within the flat roof of the existing rear projection. An existing door would be removed and replaced with a window in the existing rear projection and new windows inserted in the undercroft side extension.
- 2.3 This application follows refusal of application ref: 22/01201/FULH; *Demolish and replace existing garage to side, extend roof and erect ground floor rear/side and first floor side extensions, pitched roof dormer to front, alter elevations*" for the following reasons:

01 The proposed side extension by reason of its bulk, size, design and siting adjacent to the boundary would appear as [an] incongruous and dominant feature that would significantly reduce the characteristic spacing between the application property and neighbouring property at No.33 Winsford Gardens. It would be significantly harmful to the character of the existing dwelling and the wider street scene and would not maintain the visual amenities of the surrounding area. This would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and guidance contained within the Design and Townscape Guide (2009).

02. The proposed development as a result of its height, size, scale, and design, and siting on the shared flank boundary would appear as an excessively dominant and visually overbearing feature resulting in an unacceptable sense of enclosure and significant harm to amenity of the occupiers of 33 Winsford Gardens. This would be unacceptable and contrary 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).

- 2.4 The main difference between the current proposal and the refused scheme are that the first-floor side extension has been reduced from 9.3m to 8.3m in depth resulting in a change from a crown roof to a half-hipped flank elevation and the introduction of a rear dormer.

3 Relevant Planning History

- 3.1 The most relevant planning history for the determination of this application is shown on Table 1 below:

Table 1: Relevant Planning History of the Application Site

Reference	Description	Outcome
22/01201/FULH	Demolish and replace existing garage to side, extend roof and erect ground floor rear/side and first floor side extensions, pitched roof dormer to front, alter elevations	Refused
97/1011	Extend roof to side and form first floor extension to rear	Granted
95/0907	Demolish garage erect single storey extension with roof accommodation over and dormer window at front and window at rear; erect single storey rear extension and form pitched roof over first floor flat roof.	Granted

4 Representation Summary

Call-in

- 4.1 The application has been called in to Development Control Committee by Councillor Garston.

Public Consultation

- 4.2 Seven neighbouring properties were notified of the application by letter. No letters of representation have been received.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2021)
- 5.3 Core Strategy (2007): Policies KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance).
- 5.4 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management).
- 5.5 Southend-on-Sea Design and Townscape Guide (2009)
- 5.6 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, the design and impact on the character and appearance of the area, residential amenity, traffic and parking implications, CIL liability and whether the proposal overcomes the previous reasons for refusal.

7 Appraisal

Principle of Development

- 7.1 The principle of extending and altering an existing dwelling is considered acceptable and policy compliant, subject to the proposal appropriately addressing the relevant detailed planning considerations. This did not form a reason for refusal of the previous application.

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. Policy DM1 and the Council's Design and Townscape Guide provide further details on how this can be achieved.
- 7.4 The proposed first floor side extension would be clearly visible within the public realm and would be materially higher than the neighbouring pair of bungalows to the west. It would have a degree of subservience in that it would be set back from the front elevation of the existing dwellinghouse at first floor due to the catslide roof design. The ridge height of the proposed development would be the same height as the main roof but would appear relatively subservient given the incorporation of a part gabled/half hipped roof form.
- 7.5 The street scene is made up of semi-detached and detached properties with a degree of spacing and separation between properties. The proposal would reduce the spacing at first floor level between the host property and shared boundary although it is noted that there are examples of dwellings that are set on or close to the site boundaries in the street scene.
- 7.6 The first floor side extension contains a dormer in the front elevation within a cat slide roof over the garage. The side elevation is part gabled, half hipped roof and the rear elevation contains a flat roof dormer at first floor level. Whereas the refused scheme was set hard to the shared boundary with the extent and depth of two storey built form and steep sided crown roof resulting in an incongruous significant visual presence in views from the west, the crown roof section of the previous scheme has been removed and replaced with a hipped roof and subservient dormer which significantly reduces the bulk of the extension in oblique/ angled views of the dwelling, including from the streetscene to the west when viewed, over the hipped roof of No 33 which is a bungalow.
- 7.7 This element of the proposal with its part gabled, half hipped roof design is considered to integrate acceptably with the dwelling given that there are gabled elements with the front and eastern side elevation. The cheek of the new rear dormer would be inset within the pitched roof of the side elevation and set away from shared boundary. The design

ethos would be in keeping with the character and appearance of the existing dwelling and also within the wider street scene and significantly reduces the scale, bulk and visual impact of the proposed first floor side extension compared to the bulky and incongruous side extension of the refused scheme which required a crown roof section. Hipped features are evident at the application property and the hipped roof element of the side extension would respond satisfactorily to the character of the dwelling. On balance it is considered that the proposed side extension would be acceptable and overcomes that basis of the previous reason for refusal.

- 7.8 It is considered that the design, size, siting and scale of the single storey side/rear extension, the first floor rear dormer, and the new windows and doors in the rear/side elevation are such that they would not result in any significant harm to the character and appearance of the site, the street scene and the area more widely.
- 7.9 For the reasons set out above, and subject to conditions, the proposal is considered to be acceptable and complies with policy in the above regards. It therefore overcomes the previous design based reason for refusal.

Amenity Impacts

- 7.10 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.
- 7.11 It is not considered that the single storey side/rear extension, and changes to the single storey projection would result in harm to any neighbouring occupiers' (No's 29 & 33), amenity in any relevant regard, given that this element of the proposal would sit some 0.9m in from both shared boundaries. The single storey side/rear extension would not project beyond the rear elevation of No.33. The existing rear projection to the application dwelling is some 2.0m deeper than the single storey rear projection to No.29 and this relationship would remain unchanged. The rear garden is some 18m deep and adjoins other rear gardens. There are existing first floor windows and it is not considered that the rear dormer would result in materially different impacts than those that presently exist to the neighbouring dwellings and garden areas.
- 7.12 The proposed side extension would be set on the shared boundary with No.33 the neighbouring bungalow to the west. The extension would not be set any further forward than both the front elevation of application property or project deeper than the main rear elevation of the application property and would be some 5.5m in height to its eaves with a half-hipped roof element pitched away from the shared boundary. There are obscured glazed windows and a door opening in the flank elevation of No.33 which face towards the side elevation of No 31's garage which is on the shared boundary and the existing side extension. It is understood that the two obscured glazed windows serve a bathroom/WC and the door and window set serve a kitchen which is not considered to be a habitable room. Given the reduction in depth and the reduced bulk of the proposed amended extension at first floor and roof level, it is considered that as elements which previously led in part to an overall refusal, the height and proximity of the proposal to the common boundary would now be within the margins of acceptability and would not result in a dominant feature or an undue sense of enclosure for the occupants of No.33.
- 7.13 The proposal is considered to be acceptable and policy compliant in the above regards. It therefore overcomes the previous amenity based reason for refusal.

Traffic and Transportation Issues

- 7.14 The NPPF states (para 111) that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or, the residual cumulative impacts on the road network would be severe.”
- 7.15 Policy CP3 of the Core Strategy and Policy DM15 of the Development Management Document aim to improve road safety, quality of life and equality of access for all. Policy DM15 of the Development Management Document 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. Maximum parking standards are set out in relation to the proposed uses.
- 7.16 The existing and proposed garages fail to meet the minimum 7m x 3m size criteria to be considered viable as a parking space. There is sufficient space on the site frontage to accommodate two off street parking spaces and the proposed development is not found to result in any significant parking, traffic or highways safety impacts, materially different from those that presently exist and which are acceptable in their own right.
- 7.17 The proposal is considered to be acceptable and policy compliant in the above regards.

Community Infrastructure Levy (CIL)

- 7.18 The development is not liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended).

Equality and Diversity Issues

- 7.19 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

Conclusion

- 7.20 For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies. 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. The application has overcome both previous reasons for refusal.

8 Recommendation

Members are recommended to:

GRANT PLANNING 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 shall only be undertaken in accordance with the following approved plans: 2200 Rev P01 & 2211 Rev P04**

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

- 03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing property. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.**

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the Development Management Document (2015).

- 04 The roof of the development hereby approved shall not be used as a balcony, roof garden or terrace or for any other purpose at any time without planning permission being granted by the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in the event of an emergency.**

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

Positive and Proactive Statement:

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:

- 1 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.**
- 2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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 city.**