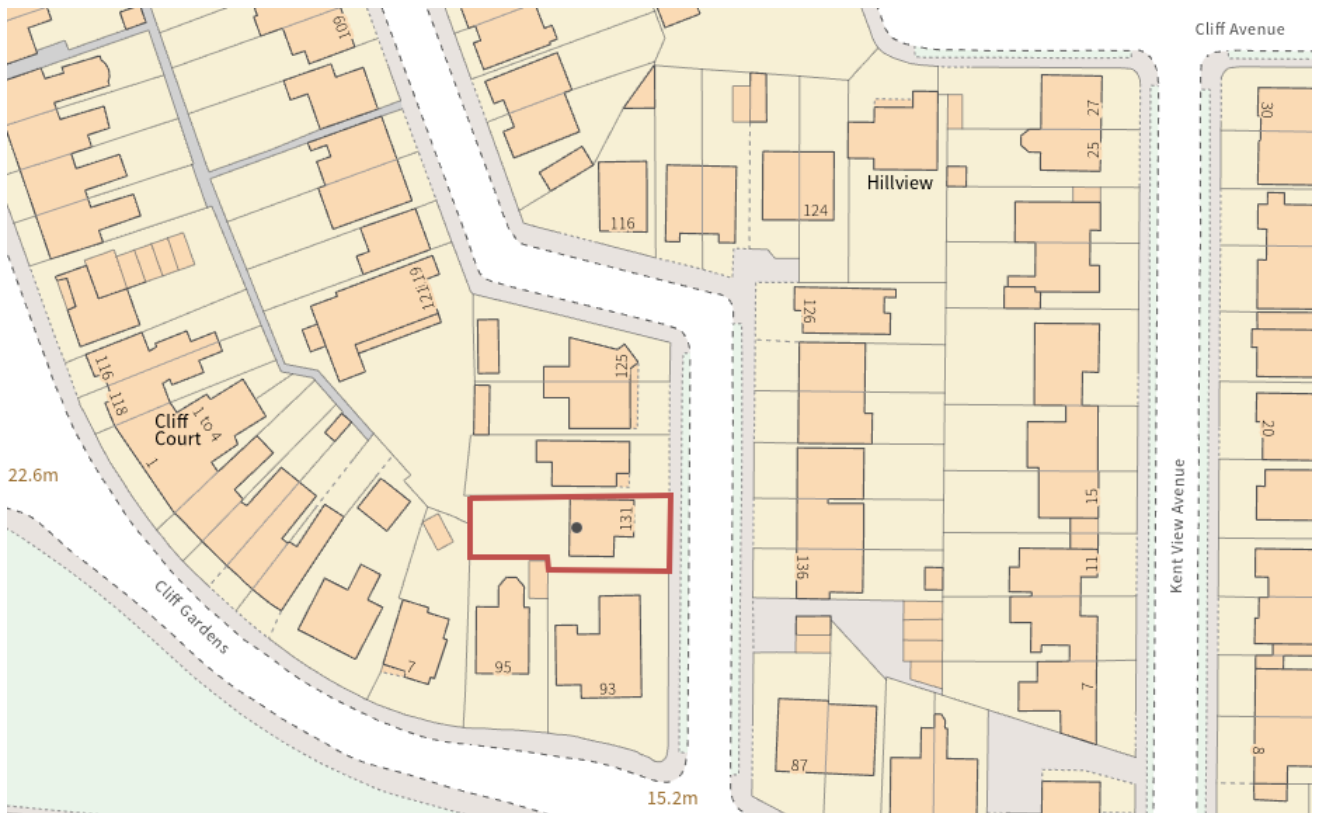


Reference:	23/01226/FULH	
Application Type:	Full Application - Householder	
Ward:	Chalkwell	
Proposal:	Erect first floor front extension with pitched roof, rooflight to side and alterations to front and side elevations (Amended Proposal)	
Address:	131 Beach Avenue, Leigh-on-Sea, Essex, SS9 1HD	
Applicant:	Mr Chambers	
Agent:	Knight Gratrix of Knight Gratrix Architects	
Consultation Expiry:	31st August 2023	
Expiry Date:	20 th October 2023	
Case Officer:	Gabriella Fairley	
Plan Nos:	010 (Rev B)	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1. Site and Surroundings

- 1.1. The site contains a detached dwelling, which has a gabled roof to the sides, a catslide roof and dormer to the front and is on the west side of Beach Avenue. The site's frontage is a mixture of paving and landscaping with a low brick wall fronting the public highway.
- 1.2. The area is residential in nature comprising detached, semi-detached and terraced two-storey dwellings, most of which are traditional in design. Gabled and pitched roof designs are common in the immediate streetscene. There are some examples of more contemporary architecture having been incorporated in the vicinity of the site.
- 1.3. The site is not within a conservation area or subject to any site-specific planning policy designations. Ground levels at the site slope down from north to south. Land levels vary between plots due to local topography.

2. The Proposal

- 2.1. The application seeks planning permission to erect a first-floor front extension with pitched roof, install a rooflight to the side elevation and alter the front and side elevations.
- 2.2. The proposed front extension would be pitched roof and above an existing front outrigger to the same width and depth at 6.4m and projecting 3.3m beyond the front elevation of the main dwelling. The extension would be some 7.3m high to the ridge and some 4.6m high to the eaves. It would be set down 0.9m below the existing roof ridge. The extension would contain two windows at first floor and two windows at ground floor level, which mirror each other.
- 2.3. A window on the southern flank elevation would be installed at first floor level serving a landing and a window on the southern ground floor flank elevation, which would serve a W/C. A door is also proposed to the southern flank elevation. The existing dwelling is brick built with some render to a small section to the front elevation. A rooflight is also proposed to the roofslope of the proposed first floor front extension on the southern side. It is proposed to finish the extension in render with timber cladding to the front elevation of the proposed extension.
- 2.4. This proposal is a resubmission following the refusal of planning application 22/01252/FULH (the "2022 Application"). The proposed front extension has the same depth as the previously refused 2022 application. The proposal differs from the 2022 Application as follows:
 - the maximum height of the proposed front extension has been reduced by some 0.6m;
 - the proposed front extension is set further below the ridge of the main dwelling;
 - the use of timber cladding has been introduced; and
 - a rooflight at roof level and a window at ground floor southern flank elevation are proposed.
- 2.5. Amended plans were submitted during the course of the application. The amendments included alterations to the design of the front elevation of the proposal.

3. Relevant Planning History

- 3.1. 01/00185/FUL - Convert garage into habitable room (Relaxation of Condition 03 imposed on planning consent P4698 approved 4.7.66 which permanently reserved the garage for the use of one car) (Retrospective) – Granted.

- 3.2. 22/01252/FULH - Erect first floor front extension with pitched roof. Refused (10.08.2022). Reason for refusal:

01 "The proposed development would, by reason of its forward siting, form, scale and detailed design represent a dominant, visually incongruous and poorly designed addition to the dwelling. This would be detrimental to the character and appearance of the host property, the streetscene and the area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2021); 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 advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009)".

4. Representation Summary

Call In

- 4.1. The application was called in to Development Control Committee by Councillor Courtenay.

Public Consultation

- 4.2. Eighteen (18) neighbouring properties were notified of the application by letter. Two letters of representation have been received and the following comments have been summarised:
- Roof height will be significantly increased close to the boundary, which would result in loss of light and a sense of enclosure.
 - Neighbouring properties have experienced uninterrupted light for over 20 years.
 - The proposal extends the property beyond the property's own building line and beyond the front of neighbouring properties.
 - The proposal is not in keeping with the Seafront Character Zone.
- 4.3. (**Officer comment:** All relevant planning considerations have been assessed within the appraisal section of the report. The concerns within the representations that are planning considerations are noted and they have been taken into account in the assessment of the application but were not found to justify refusing 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 (PPG) – National Design Guide (NDG) (2021)
- 5.3. Core Strategy (2007): Policies KP1 (Spatial Strategy), 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 & Townscape Guide (2009)
- 5.6. Community Infrastructure Levy (CIL) Charging Schedule (2015)

6. Appraisal

Principle of Development

- 6.1. 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.

Design and Impact on the Character of the Area

- 6.2. 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.
- 6.3. 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.
- 6.4. The neighbouring properties in the surrounding area have a traditional design with predominantly gabled and pitched roofs. The application property too, is of a traditional design although dating from the 1960s is of a more recent era than most of the nearby dwellings. The neighbouring dwelling immediately to the north, No.129 Beach Avenue, is a detached dwelling with a two-storey front gabled projection. The proposal would extend some 0.9m forward of No. 129. No. 93 Cliff Gardens, directly to the south projects some 0.4m forward of the proposed front extension. The streetscene is made up of a mix of materials, including brick and render. Timber cladding is not evident within the surrounding streetscene. The proposed use of the timber cladding does not cover the entire frontage of the site and consists of a small section of the front elevation to provide architectural interest. It is considered that its limited use would not significantly harm the character and appearance of the host dwelling or the streetscene more widely. The forward siting of the proposed front extension has not been altered when compared to the 2022 application, but as explained in the following paragraph, the three other key component factors of form, scale and detailed design have been resolved resulting in the remaining consideration of the forward siting of the proposed front extension no longer leading to a dominant and incongruous addition.
- 6.5. The altered roof form, increased set down from the ridge of the main dwelling and design has resulted in a more subservient addition to the original dwelling when compared to the previously refused scheme. The proposed windows on the front elevation of the proposal create a sense of hierarchy and contribute to the overall design of the proposal. The form and scale of the proposed pitched roof front extension would reflect pitched roof elements seen within the streetscene and with a contemporary appearance due to the use of timber cladding would result in the character and appearance of the dwelling being cohesive and suitably resolved. Provided the character and appearance of a streetscene and wider surroundings is not harmed, national planning guidance would not discourage the identity of non-protected buildings such as this being given a different architectural style including a contemporary theme. In this instance there are no designations offering specific protection for the current traditional style and form of the dwelling. More widely, there are some examples of contemporary themed dwellings, such as 116 Beach Avenue. Therefore, it is considered that the amended proposal has overcome the previous reason for refusal of the 2022 Application and is therefore acceptable in design terms.
- 6.6. It is considered that the design, including the proposed siting, form, scale, appearance and

materials of the development proposed are such that it would not result in significant harm to the character and appearance of the existing dwelling, the streetscene and the area more widely. Therefore, the proposal is acceptable and policy compliant in these regards.

Amenity Impacts

- 6.7. 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.
- 6.8. There would be some 10m between the southern flank of the dwelling and the rear elevation of No 93 Cliff Gardens to the south (some 6m from the closest rear elevation, which contains a garage) and some 15m from the southern flank of the proposed first floor front extension and the rear elevation at No. 93, which is considered to be an acceptable relationship. The proposal would not result in an increase in depth at ground floor and the proposed first floor side window serves a non-habitable room (a landing). Taking these factors into consideration, it is not considered that the additional bulk to the roof and front elevation and additional window would have a significantly harmful impact on the light, outlook, privacy and sense of enclosure of this neighbouring dwelling.
- 6.9. The application dwelling sits 0.9m forward of No 129 Beach Avenue to the north and the proposed roof enlargement would be separated from this neighbouring dwelling by 1.9m. Due to the position and orientation of the proposed roof enlargement, the development would have some increased impact on the receipt of light to the habitable windows in the front and flank elevations of No.129 as a result of the applicant dwelling's proposed front projection. However, due to the modest 0.9m projection beyond the front elevation of No. 129, it not considered that the additional bulk to the roof would have a significantly harmful impact on the light, outlook, privacy and sense of enclosure of this neighbouring dwelling.
- 6.10. 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 the site, neighbouring occupiers or wider area in any regard. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts. This is not considered to overcome the harm outlined in the above sections of this report.

Other Matters

- 6.11. Consistent with the basis of decision on the 2022 application, the proposed development is not found to result in any significant parking or highways impacts, it is therefore acceptable and policy compliant in these regards.
- 6.12. The development equates to less than 100sqm of new floorspace and therefore benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

Equality and Diversity

- 6.13. 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

- 6.14. For the reasons outlined above, it is considered that the proposal has overcome the previous reason for refusal and 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.

7. Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

- 1. 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.

- 2. The development shall only be undertaken in accordance with the following approved plan: 010 (Rev B).**

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).

- 3. 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).

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.

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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.