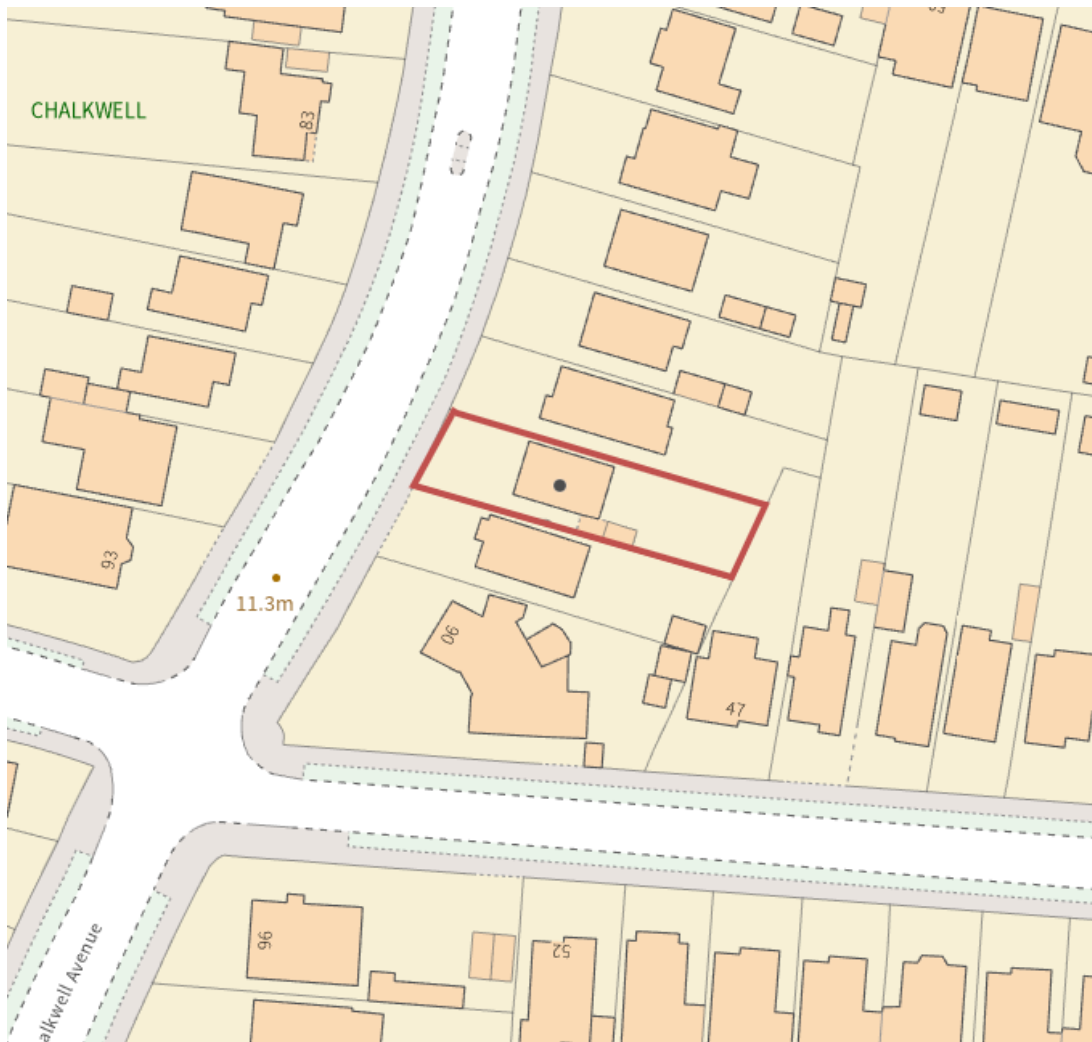


| | | |
|-----------------------------|---|--|
| Reference: | 23/01540/FULH | |
| Application Type: | Full Application - Householder | |
| Ward: | Chalkwell | |
| Proposal: | Erect single storey side/rear extension, first floor side/rear extension, two storey front extension and canopy to front entrance with balcony over | |
| Address: | 86 Chalkwell Avenue, Westcliff-on-Sea | |
| Applicant: | Mr Craig Davies | |
| Agent: | Mr James Collinson of Design Spec Ltd. | |
| Consultation Expiry: | 26th October 2023 | |
| Expiry Date: | 1st December 2023 | |
| Case Officer: | Kara Elliott | |
| Plan Nos: | Sheet 1 of 1 Rev 00 dated Sept 2023 | |
| Recommendation: | GRANT PLANNING PERMISSION subject to conditions | |



1 Site and Surroundings

- 1.1 The application site contains a detached two storey dwelling on the east side of Chalkwell Avenue. The area is residential in character consisting of mainly detached, traditional style dwellings, most of similar style and design. The ground level slopes gently upwards from south to north.
- 1.2 The site is not within a conservation area or subject to any site-specific planning policies.

2 The Proposal

- 2.1 Planning permission is sought for the remodelling of the existing dwelling with a two storey, pitched roof front extension, a first-floor balcony above a new ground floor open porch to the front of the dwelling, and extension of the existing hipped roof to the rear to form a gable end. A gabled first-floor rear extension is also proposed, and a parapet roofed, single storey rear and side extension. Fenestration changes are proposed, including a new ground floor window in the south side elevation of the proposed single-storey extension. The drawings also show solar panels proposed to the southern flank roof and an electric car charging point to the front. The proposed development would be finished in render with brickwork to the lower floors and red tiles to the roofs to match existing.
- 2.2 There is an extant planning permission at the application site for extensions and remodelling of the dwelling. That scheme differs from the current proposal in that it had a mono-pitched roof to a new southern flank extension whereas a similarly positioned side extension in the current proposal is flat roofed and some 150mm higher to the top of the flat roof at the rear (3.6m proposed and 3.45m approved). The front elevation also now includes an inset, secondary pitched roof front projection. The two-storey rear pitched roofed projections would also now extend flush with the main roof. In the approved 2022 scheme they were hipped inset projections.
- 2.3 The northern flank boundary to the front of the site is proposed to have a 1.2m high fence erected with existing evergreen trees to be replaced with silver birch.
- 2.4 The application site is subject of several previous refusals for larger scale development, mainly consisting of side dormers and roof extensions which were found to be unacceptable on character and appearance grounds. The planning history of the site is listed in the relevant section below.

3 Relevant Planning History

- 3.1 The most relevant planning history of the application site is shown in Table 1 below:

Table 1: Relevant Planning History of the Application Site

| Reference | Description | Outcome |
|---------------|--|-----------------------|
| 21/02288/FULH | Hipped to gable and hipped to half hipped roof extensions, install dormer to rear with juliette balcony to form habitable accommodation in the loftspace, erect single storey side and rear extension, erect two storey front bay and canopy over front entrance with balcony over | Refused 07.01.2022 |
| 22/00424/FULH | Hipped to gable and hipped to half hipped roof extensions, install dormer to rear with juliette balcony to form habitable accommodation in the loftspace, erect single storey side and rear extension, erect two | Refused 13.04.2022 |

| | | |
|---------------|---|---|
| | storey front bay and canopy over front entrance with balcony over (Amended Proposal) | |
| 22/01139/FULH | Erect hip to gable roof extension with dormers to side and convert loft into habitable accommodation, first floor rear extension, single storey rear and side extension with bi-folding doors, erect two storey front extension to form bay windows with pitched roof and columned open front porch with balcony at first floor level and alter elevations (Amended proposal) | Refused 16.08.2022 |
| 22/01859/FULH | Erect hip to gable roof extension to rear, single storey rear and side extension with bi-folding doors, first floor rear/side extension, erect two storey front extension to form bay windows with pitched roof and columned open front porch with balcony at first floor level and alter elevations (Amended proposal) | Approved 22.11.2022 (Extant) |
| 23/00497/FULH | Roof extension to rear with dormers to sides to form habitable accommodation in the loftspace, two storey front extension, single storey side and rear extension and first floor side/rear extension, erect porch canopy to front with balcony over and alter elevations | Refused 22.05.2023 Appeal Pending |

4 Representation Summary

Call-in

4.1 The application has been called in to Development Control Committee by Cllr N Folkard.

Public

4.2 Six (6) neighbouring properties were notified of the application by letter. No representations were received.

5 Planning Policy Summary

5.1 The National Planning Policy Framework (NPPF) (2023)

5.2 Planning Practice Guidance (PPG) (2023)

5.3 National Design Guide (NDG) (2021)

5.4 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance), CP6 (Community Infrastructure)

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

5.6 The Southend-on-Sea Design and Townscape Guide (2009)

5.7 Community Infrastructure Levy (CIL) Charging Schedule (2015)T

6 Appraisal

Principle of Development

6.1 Since the determination of the previous applications, there has been an update to the NPPF.

However, this has not altered the relevant material considerations of the proposal or the acceptability of the development in principle. The principle of extending and altering the dwelling in association with additional residential accommodation is considered acceptable. Other material planning considerations are discussed below.

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 Southend-on-Sea Design and Townscape Guide provide further details on how this can be achieved.
- 6.4 Policy DM1 of the Development Management Document states that all development should; “add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features.”
- 6.5 This section of Chalkwell Avenue contains two/three storey dwellings which almost exclusively have strongly defined hipped roofs some with gabled bays and detailing, creating a distinctive and regular pattern of built form in the streetscene as well as a sense of space between the roofs of the detached houses. The proposed development follows this general roof form so is acceptable in this regard.
- 6.6 The proposed two storey front projection is not typical of the prevailing streetscene and does not replicate timber detailing within the gable which is regrettable. However, the 2022 extant permission’s front extension also did not include timber detailing. The proposed gabled front extension is modest in depth, has a roof pitch complementary to the dwelling’s existing front gable and is cohesively designed when assessed on its own merits. It would not appear dominant or overscaled and is acceptable. No design-based objections are raised to the introduction of an open front porch with balcony above, which provides depth and articulation to the front elevation, similar to other properties in the immediate vicinity and which is also a feature of the 2022 scheme which has extant permission. The proposed side addition and rear additions would be proportionate in size and scale to the dwelling and set back from the front building line. They would not harm the character and appearance of the dwelling or streetscene, a finding which is consistent with the basis of decision on the approved 2022 scheme. The flat roofed form of the proposed side extension is not strong design but would align visually with the base of the new front balcony such that no significant harm to the character and appearance of the dwelling or streetscene is identified. It is considered that the proposed rear first floor, gabled roof projections would not appear visually dominant or overly bulky due to their stepped form and modest size and scale. Fenestration would be proportionate to the rear elevations.
- 6.7 The use of render and brickwork as finishing material for the external walls and matching roof tiles can be controlled by condition.
- 6.8 It is considered that the proposed development, on balance, is acceptable and policy compliant in the above regards subject to the described condition.

Amenity Impacts

- 6.9 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.
- 6.10 The application property is neighboured by No 84 Chalkwell Avenue to the north and No.88 to the south. To the rear (east) of the site is No 47 Crosby Road, some 20m away from the rear boundary of the application site.
- 6.11 The proposed single storey side/rear addition to be located on the boundary shared with No 88 to the south would be 3.2m high, 6.5m deep and then rising to 3.6m high towards the rear. Giving due weight to local ground level differences this relationship is considered to be acceptable. For information, the comparative single storey rear extension within the development subject of the extant 2022 permission has a maximum height of 3.9m. The proposed single storey rear projection would project 3m deep along the boundary shared with No.84 which is acceptable and is the same depth as within the extant 2022 permission, but 15cm higher. It is considered that due to its size, scale, height and design the proposed rear/side extension would not result in any significant loss of amenity to either of the side or rear neighbours subject to a condition controlling any future use of the flat roof as a balcony or terrace.
- 6.12 The front balcony would provide a small sitting-out area off a first-floor bedroom facing the street, some 3.55m away from the nearest flank of No 88 to the south. The front balcony would not result in a significant loss of amenity to any neighbouring occupiers in any relevant regard. This finding is consistent with that for the extant permission.
- 6.13 In terms of the first floor rear extensions and the gabling of the existing rear hip, it is considered that these elements do not significantly project beyond the existing roofscape and are in a position and distance such that they would have no significantly harmful impact on the amenities of the occupiers of the neighbouring dwellings in any relevant regards. There are no new first floor flank openings which would overlook neighbouring properties either side. The rear outlook of the application dwelling does not look directly to the rear of any neighbouring properties.
- 6.14 All other dwellings are located such that there would be no significant harm in any relevant amenity regards.
- 6.15 It is considered that the design, size, siting and scale of the development are such that it would not result in any significant harm to the amenities of the site, the neighbouring occupiers or the wider area in any regard. The development is therefore considered to be acceptable and policy compliant in terms of its amenity impacts subject to the described condition.

Other Matters

- 6.16 The development is not liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended).
- 6.17 The proposed development is not found to result in any significant parking or highways impacts and it is therefore acceptable and policy compliant in these regards.

Equality and Diversity Issues

- 6.18 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.

7 Conclusion

- 7.1 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.

8 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 to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out only in accordance with the following approved plan: Sheet 1 of 1 Rev 00 dated Sept 2023.**

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 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 National Planning Policy Framework (2023), 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).

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

- 01 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), 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 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) for further details about CIL.**

- 02 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.**