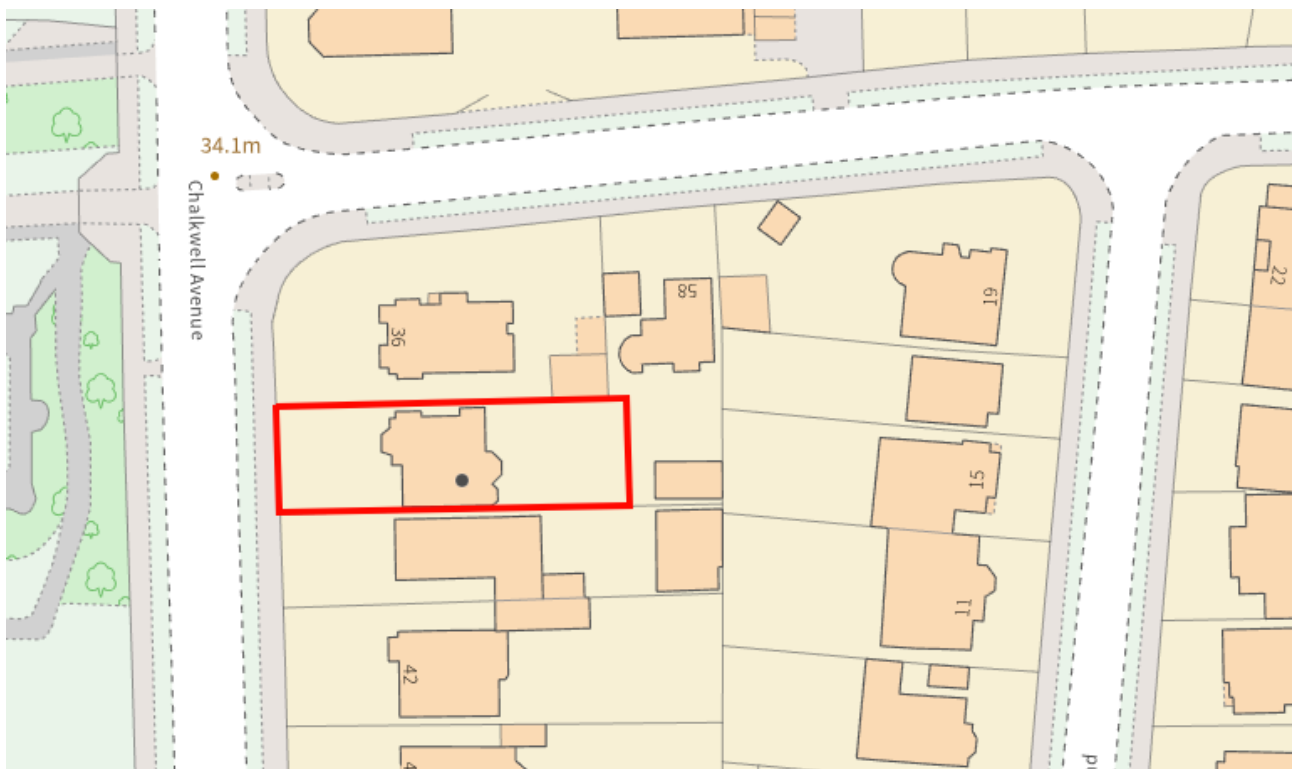


|                                |   |  |
|--------------------------------|---|--|
| <b>Reference:</b>              | 23/01771/FULH   |  |
| <b>Application Type:</b>       | Full Application - Householder  |  |
| <b>Ward:</b>                   | Chalkwell   |  |
| <b>Proposal:</b>               | Erect part single/part two storey rear extension and two storey front extension with new porch, convert integral garage into habitable accommodation and alter elevations |  |
| <b>Address:</b>                | 38 Chalkwell Avenue, Westcliff-on-Sea, Essex, SS0 8NA   |  |
| <b>Applicant:</b>              | Mr I Jennings   |  |
| <b>Agent:</b>                  | Ms R Warren of SKArchitects   |  |
| <b>Consultation Expiry:</b>    | 24th January 2024   |  |
| <b>Expiry Date:</b>            | 2nd February 2024   |  |
| <b>Case Officer:</b>           | James Benn  |  |
| <b>Plan Nos:</b>               | <b>P01; P02; P03 Rev E</b>  |  |
| <b>Additional information:</b> | <b>Client feedback 17.12.2023</b>   |  |
| <b>Recommendation:</b>         | <b>GRANT PLANNING PERMISSION subject to conditions</b>  |  |



## **1 Site and Surroundings**

- 1.1 The application site contains a large two-storey, detached dwelling on the east side of Chalkwell Avenue. The dwelling has a main gabled roof with varying projecting roof forms to the front and rear, including a front gable with a feature bay, a projecting gable canopy over a first-floor front balcony and a two-storey flat roofed element over an integral garage to the front. To the rear of the dwelling is a two-storey gabled projection, a two-storey flat roofed element and a series of ground floor projections including a conservatory.
- 1.2 The surrounding area is predominantly residential in character. The dwellings along Chalkwell Avenue are typically large and set back in large plots and are varied in form and roof forms but which have similar overall pleasant Arts and Crafts style characters. Many of the dwellings in the surrounding area appear to have been extended previously, predominantly to their rear. Land levels vary between plots due to local topography with land levels sloping down to the south.
- 1.3 To the west of the site is Chalkwell Park which is designated as Protected Green Space within the Development Management Document Policies Map.
- 1.4 The site is not within a conservation area or subject to any site-specific planning policy designations.

## **2 The Proposal**

- 2.1 Planning permission is sought to remodel the existing dwelling by erecting a part single/part two storey rear extension, a two-storey front extension with a new porch, a garage conversion and altering the elevations.
- 2.2 The existing single storey rear projections would be removed. The ground floor part of the rear extension would have a flat roof with a rooflight and would be a maximum of some 5m deep from the dwelling's main rear wall, 13.2m wide and 3.4m high.
- 2.3 The first-floor elements of the proposal to the rear would be situated above the flat roofed ground floor elements.
- 2.4 The existing two-storey rear gabled projection to the northern side of the building would be extended rearwards by some 1.4m to some 5.4m deep from the dwelling's main roof ridge. It would be some 5.1m wide and a maximum of some 8.5m high. Attached to the rear of this would be a new two-storey rear gabled projection which would be some 1.9m deep, 4.1m wide and a maximum of some 7.5m high.
- 2.5 A new two storey rear gabled projection is proposed towards the southern side of the dwelling. It would be some 5m deep from the dwelling's main rear wall, 4.5m wide and a maximum of some 8.1m high. It would have a rooflight in the southern side roof slope.
- 2.6 The existing two-storey flat roofed element to the rear (which would be central between the two rear gable projections) would be extended rearwards by some 1.4m to some 3.1m deep from the dwelling's main rear wall. It would be some 1.8m wide and 6m high. A new rooflight would be installed in the flat roof.
- 2.7 The existing gable canopy, first-floor balcony and two-storey flat roofed element to the front elevation would be removed. A new two-storey front gabled projection is proposed which would be some 5m deep from the dwelling's main front wall, 3.5m wide and a

maximum of some 7.2m high.

- 2.8 There would be a two-storey, flat roofed element to the front extension which would be set centrally between the proposed front gable projection and the existing two-storey front gable projection. It would be some 4.6m deep from the dwelling's main front wall, 2.4m wide and 5.9m high. Cornice detailing is proposed to the front elevation.
- 2.9 The hanging tiles to the existing front bay feature would be removed and rendered.
- 2.10 The front elevation of the existing front porch would be altered with a new replacement main entrance door installed and new windows surrounding it. It would have a new mono-pitched roof canopy to the front which would project some 1.5m deep from the front elevation of the porch.
- 2.11 Two rooflights are proposed in the dwelling's existing main front roof slope and one roof light is proposed in the northern side roof slope of the existing two-storey gabled rear projection.
- 2.12 A new first floor window is proposed in the dwelling's existing southern side elevation.
- 2.13 Two existing ground floor windows in the dwelling's northern side elevation would be replaced, one with a new door and window and the other with a new window design.
- 2.14 The existing integral garage would be converted into habitable accommodation.
- 2.15 An existing chimney to the rear would be removed.
- 2.16 The proposed external materials are render and brick and roof tiles to match the existing dwelling, aluminium windows and timber and aluminium doors.
- 2.17 The applicant has submitted a supporting document which explains that the proposal would provide additional space for their children who have disabilities and carers who may need to stay at the property.

### 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**

| <b>Reference</b> | <b>Description</b>  | <b>Outcome</b>   |
|------------------|---|--|
| 22/00041/FULH    | Raise ridge height and alter roof to form habitable accommodation in the roofspace, erect part single/part two storey rear/side extensions, two storey front extension and porch to front, alter elevations.  | Granted.<br><br>Extant until 8 <sup>th</sup> March 2025. |
| 20/00487/FULH    | Raise ridge height and form hipped to gable roof extensions to side and rear to form habitable accommodation in the roofspace, erect single storey rear extension, part single/part two storey rear extension, two storey front extension and porch to front, alter elevations. | Granted.   |
| 17/00313/FULH    | Demolish existing conservatory to rear, erect single storey rear extension with roof lantern's and  | Granted.   |

|         |                                      |          |
|---------|--------------------------------------|----------|
|         | alter roof of side extension.        |          |
| 90/0020 | Use dental surgery as dwellinghouse. | Granted. |

## 4 Representation Summary

### Call-in

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

### Public Consultation

4.2 Six (6) neighbouring properties were notified of the application by letter and a site notice was displayed. No letters of representation have been received at the time of writing this report. Due to an amendment to the description of the development, neighbours have been re-consulted and the expiry date for neighbour consultation is 24<sup>th</sup> January 2024. Should any representations subsequently be received the Development Control Committee will be notified in the Supplementary Report.

## 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 KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance).

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)

## 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 impacts, traffic and parking implications and CIL liability.

## 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.

### 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 front extension and the alterations to the front elevation, namely the porch alterations, the bay feature alteration and rooflights, would materially alter the front elevation of the dwelling and its appearance in the streetscene. These, together with associated changes to the building's external finishes, would result in removal of some key features which contribute to the dwelling's prevailing Arts and Crafts character which in turn contributes to the streetscene and character of the area. Equally, this is not a Conservation Area nor is the dwelling a heritage asset so the key consideration is whether the proposed remodelled dwelling will suitably integrate with the character and appearance of its surroundings. As part of a balanced assessment, it is noted that the extant permission (ref. 22/00041/FULH) similarly removes some existing features which contribute to the dwelling's Arts and Crafts character, such as hanging tiles to the front bay feature and the front balcony and its projecting front gable canopy, and this permission forms a realistic fall-back position.
- 7.5 The proposed front extension would be set down from the dwelling's main roof ridge by some 1.2m and would be smaller in scale than the existing two storey front gabled projection. This would result in the two front gabled projections having an asymmetrical relationship and the front extension appearing sufficiently subservient. The two-storey flat roof element to the front elevation is a negative aspect of the proposal. However, it would be set centrally between both front gabled projections and is set back by some 0.4m from their front elevations. Together with the cornice detail proposed to the front elevation and the dwelling's position set back some 14m from Chalkwell Avenue, this would reduce the visual impact of the flat roof in the streetscene. It is also noted that the dwelling has an existing two storey flat roofed element to the front which is more visually prominent than this part of the proposal albeit that is a pleasant Arts and Crafts feature. In the round, noting the variety of roof forms along Chalkwell Avenue, it is not considered in this particular instance that the proposed front extension and alterations to the front elevation would appear significantly out of keeping or harmful to the site's appearance or unusual in the streetscene.
- 7.6 The proposed rear extension would have glimpsed public views from a distance in Imperial Avenue to the north. Two-storey and/or single storey rear extensions with various roof forms are a relatively common feature in the surrounding area. It is considered that the proposed rear extension adopts a design and scale which is reasonably subservient to the main dwelling and consistent with the surrounding built form such that it is acceptable in design terms.
- 7.7 The new first floor window in the southern side elevation, the replacement ground floor fenestration and new rooflight in northern side elevation, would have limited visual impact on the dwelling and surrounding area and are therefore considered acceptable in design terms. It is not considered that the removal of the garage door to the front elevation, which would be replaced by a ground floor window in the front elevation of the front extension, would result in any significant harm to the character and appearance of the dwelling or surrounding area.
- 7.8 Overall, 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 character and

appearance of the site, the streetscene and the area more widely. The proposal is therefore considered to be acceptable and policy compliant in terms of its impact on the character and appearance of the site, the streetscene and the area more widely.

### **Amenity Impacts**

- 7.9 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.
- 7.10 Due to the position of the proposed rooflights within the roof above eye-level, it is not considered that they would result in any significantly harmful overlooking or loss of privacy harmful to neighbouring occupiers.
- 7.11 The proposal would be set up to the shared boundary with No 40 Chalkwell Avenue to the south and would be set some 1.1m from No 40's flank wall. No 40 has an existing single storey rear projection which the proposed development would not project beyond. It would project some 0.85m beyond No 40's main rear wall and some 0.5m forward of No 40's main front wall. No 40's existing side dormer currently looks out onto No 38's existing gabled roof and the proposed development would have a potential impact on the dormer window's light and outlook. However, it is understood that the window serves a stairwell and as such little to no weight can be attached to potential impacts on it. Even if this window served a habitable room, given the location of the dormer and the extent of the existing built form at the application site, and noting the roof design which slopes away from this dormer, it is not considered that the impact of the development in terms of light and outlook to this dormer would be significant or warrant a reason for refusal on this basis. A condition is recommended for the first-floor window proposed in No 38's southern side elevation to be obscure glazed with limited openings to prevent the potential for any significant harmful overlooking and loss of privacy to the occupiers of No 40. Subject to such a condition, due to the separation distance and the proposal's relatively limited depth beyond No 40's main rear wall and forward of No 40's main front wall, it is not considered that the proposal would significantly harm the amenity of the occupiers of No 40 in any relevant regards.
- 7.12 The proposal would be set some 4.5m from the flank wall of No 36 Chalkwell Avenue to the north. It would not project beyond No 36's front or rear elevations which are two-storey. None of the openings in the southern flank wall of No 36 have been identified as primary openings to habitable rooms therefore limited weight can be attached to them when assessing amenity impacts. The new ground floor fenestration proposed in the northern side elevation of No 38 replaces existing windows, and due to its position at ground floor and the existing boundary treatment some 1.8m-2m high it is not considered that it would result in significantly harmful overlooking or loss of privacy to the occupiers of No 36. Due to the separation distance and noting that the proposal would not project forward or beyond No 36, it is not considered that it would result in any significant harm to the amenity of the occupiers of No 36 in any relevant regards.
- 7.13 The fenestration proposed in the front elevation would look out into the street which is already open to public views. The fenestration proposed in the rear elevation would look out in the rear garden some 16.2m deep to the rear boundary. It is not considered that this would cause overlooking or loss of privacy to the neighbouring occupiers to the flanks which is over and above the existing situation or significantly harmful to their

amenity when assessed in its own right.

- 7.14 All other dwellings are sufficiently removed from the proposal to prevent any significant harm in any relevant amenity regards.
- 7.15 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.

### **Traffic and Transportation Issues**

- 7.16 Policy DM15 of the Development Management Document requires that all development should meet the minimum off-street parking standards. A provision of a minimum of two off-street parking spaces is required for a 2+ bedroom dwelling.
- 7.17 The existing garage does not meet the Council's minimum dimensions of 7m by 3m to be considered as a useable parking space. There would be no change to the existing off-street parking arrangements within the frontage which is capable of providing a minimum of 2 off-street parking spaces. It is therefore not considered that the proposal would have any harmful impacts on parking or highway safety.

### **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 taken into account the family circumstances explained by the applicant and in 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 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 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: P01; P02; P03 Rev E**

**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 proposed first-floor window in the southern side 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 prior to the first use or occupation of the development hereby permitted and shall be retained as such thereafter. 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 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).**

- 05 The rear roofs 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 express planning permission being granted. The roofs 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 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.**

**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](http://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.**