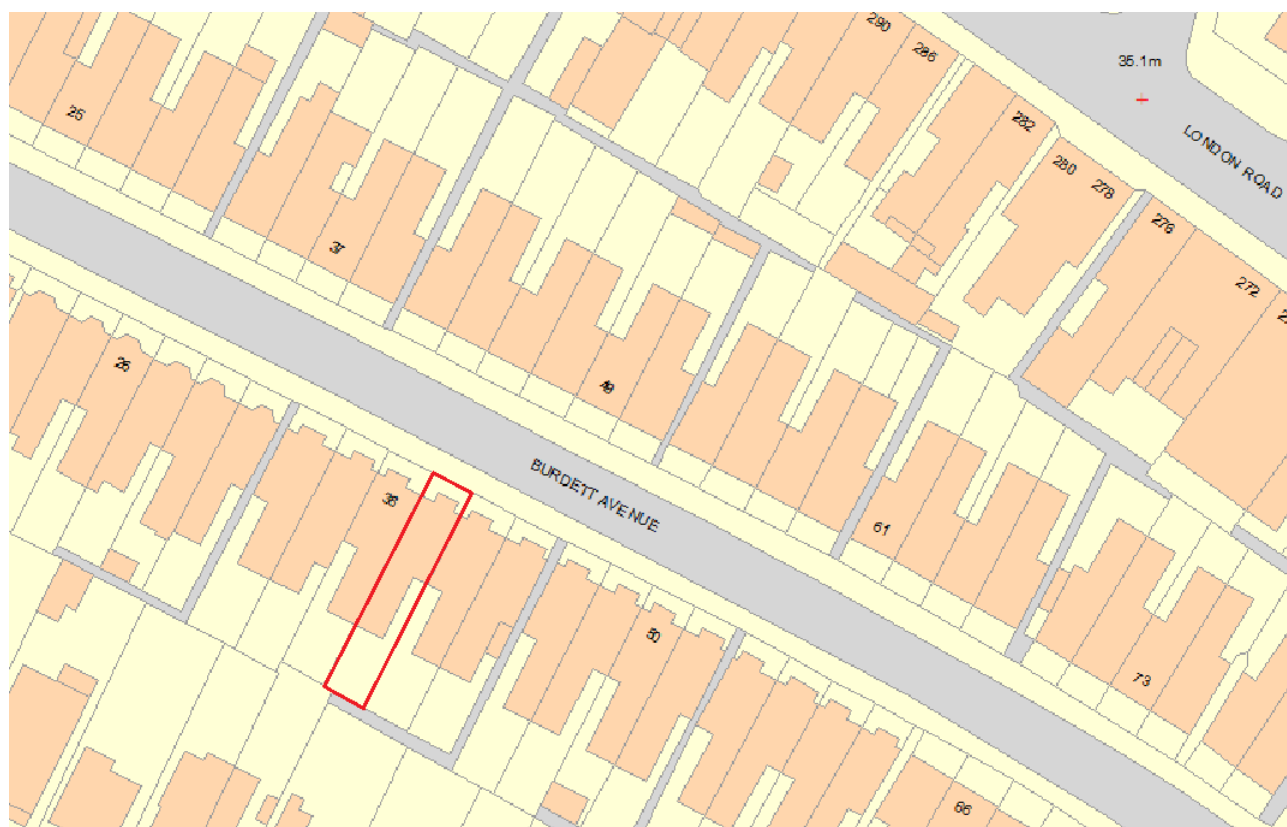


Reference:	22/00702/FUL	
Application Type:	Full Application	
Ward:	Milton	
Proposal:	Replace existing balcony and stairs to rear first floor flat	
Address:	38A Burdett Avenue, Westcliff-on-Sea, Essex, SS0 7JW	
Applicant:	Mr Giles Gilbert	
Agent:	Not applicable	
Consultation Expiry:	8th July 2022	
Expiry Date:	28th July 2022	
Case Officer:	Hayley Thompson	
Plan Nos:	2022/05/38aBA Sheet 01 of 03, Sheet 02 of 03, Sheet 03 of 03	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



## **1 Site and Surroundings**

- 1.1 The application site is located on the south side of Burdett Avenue and is occupied by a mid-terraced dwelling that has been converted into two flats. The surrounding area is residential in nature with two-storey terraced dwellings of similar scale, form and design. Some dwellings in Burdett Avenue have been converted into flats with some examples of external staircases in the wider area. The site is not within a conservation area or subject to any site-specific planning policy designations.

## **2 The Proposal**

- 2.1 The application seeks planning permission to replace an existing timber balcony and staircase to the rear, that serve a first floor flat.
- 2.2 The proposed balcony would measure 1.1m deep, 3.45m wide and would be situated 2.98m above existing ground level.
- 2.3 The proposed balcony measures the same width and height as that existing but would be an additional 0.12m in depth. The proposed replacement staircase would not be as steep and therefore would extend further into the rear garden than the existing staircase.
- 2.4 The stair and balcony would be timber.
- 2.5 This application comes to Development Control Committee because the applicant is an employee of Southend-on-Sea City Council.

## **3 Relevant Planning History**

- 3.1 None.

## **4 Representation Summary**

### **Essex County Fire and Rescue Service**

- 4.1 No objection.

### **Public Consultation**

- 4.2 14 neighbouring properties were notified of the application by letter and 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 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 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.
- 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”*. Policy DM3 of the Development Management Document states that alterations and additions to a building will be expected to make a positive contribution to the character of the original building.
- 6.5 According to Policy KP2 of Core Strategy, new development should “respect the character and scale of the existing neighbourhood where appropriate”. Policy CP4 of the Core Strategy requires that development proposals should “maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”.
- 6.6 The proposal is consistent with the former staircase and landing platform in terms of size, scale and design/materials, with a minimal increase in depth of the balcony and deeper staircase. It has a landing platform at the top, to allow for access to the steps. This would be a stair of functional design for the purposes of access and egress from the existing door at the back of the first floor flat.
- 6.7 It is considered that the scale and character of the proposed balcony and stair would respect the established characteristics of the site and surroundings. As such 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 this regard.

## **Amenity Impacts**

- 6.8 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.
- 6.9 The proposed platform is limited in size such that it allows for access to the rear garden from the flat, rather than creating a sitting out space. It is therefore considered that the proposal would not cause any significant harm to the amenities of surrounding neighbours.
- 6.10 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 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.

## **Other Matters**

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

## **Equality and Diversity Issues**

- 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 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:**

- 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 plans: 2022/05/38aBA Sheet 01 of 03, Sheet 02 of 03, Sheet 03 of 03.**

**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).**

**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 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](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)) for further details about CIL.**
- 2 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.**