

Reference:	24/00061/FULH	
Application Type:	Full Application - Householder	
Ward:	Eastwood Park	
Proposal:	Erect first floor extension and new roof above, single storey rear extension, porch to front and alter elevations	
Address:	38 Tudor Road, Eastwood, Essex, SS9 5AX	
Applicant:	Mr Ben Nock	
Agent:	Mr Marc Bloxham	
Consultation Expiry:	26th March 2024	
Expiry Date:	5th April 2024	
Case Officer:	James Benn	
Plan Nos:	851-01 Rev B; 851-02 Rev B; 851-03 Rev A; 851-04 Rev B; 851-05 Rev B.	
Additional information:	N/A	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The application site contains a detached, dual-pitched roofed, chalet dwelling with rooms in the roof on the eastern side of Tudor Road. The surrounding area is residential and mixed in character. The streetscene along Tudor Road contains a mixture of single storey, chalet and two storey dwellings with a mixture of dual-pitched and hipped roof forms. The application dwelling is set between two, two storey houses with dual-pitched roofs with side gables. The application dwelling has an existing mono-pitched roofed garage attached to the side.
- 1.2 Land levels vary due to local topography and land levels slope upwards south to north.
- 1.3 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 erect a first floor extension with a new hipped roof above to change the chalet into a two storey dwelling, a single storey rear extension with a dual-pitched roof, an open porch to the front with a dual-pitched roof and to alter the existing dwelling's elevations.
- 2.2 The proposed first floor extension would be some 9m deep, 9.5m wide and a maximum of some 6.1m high to the eaves and 7.7m high to the roof ridge. The extension would have three first floor windows in the front elevation and three first floor windows in the rear elevation. A first-floor window is proposed in the southern side elevation. The roof form is a shallow, hipped roof design.
- 2.3 The proposed single storey rear extension would be some 5.2m deep, 9.5m wide and a maximum of some 3m high to the eaves and 4.5m high to the roof ridge. The rear extension would have bi-fold doors in the rear elevation and four rooflights; two in each roof slope. No openings are proposed in the side elevations. An existing single storey rear projection would be removed to accommodate the proposal.
- 2.4 The proposed open porch would be some 0.6m deep, 1.8m wide and a maximum of some 2.9m high to the eaves and 3.8m high to the roof ridge. An existing, mainly glazed front porch would be removed to accommodate the proposal.
- 2.5 The two existing single storey front bay projections would be re-roofed with individual hipped roofs which would replace the existing roof which projects over the bay currently.
- 2.6 The existing upper floor window in the northern side elevation would be removed.
- 2.7 An existing ground floor window in the northern side elevation would be replaced with a new door.
- 2.8 The proposed external materials are roof tiles and off-white render to match the existing dwelling, white UPVC sliding sash windows, an oak front porch, velux rooflights and black aluminium bi-fold doors.

3 Relevant Planning History

- 3.1 None.

4 Representation Summary

Public Consultation

- 4.1 Seven (7) neighbouring properties were notified of the application by letter. At the time of report preparation, one letter of representation had been received which is summarised below. A consultation is continuing following correction to the proposal's description. Any further representations received will be summarised to the Committee through the supplementary agenda.

Summary of comments:

- Insufficient parking provision for the size of the proposed dwelling alteration.
- Parking at the Tudor Road / Springwater Road junction can be problematic with currently no double yellow lines opposite the junction and parked vehicles hindering turning and corner cutting.
- More appropriate parking provision and double yellow lines opposite junction as opposed to on corners only required.

[Officer comment: All relevant planning considerations have been assessed within the appraisal section of the report. These concerns 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 Procedural matters

- 5.1 This application is presented to the Development Control Committee because it has been called in by Cllr Paul Collins.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (NPPF) (2023)
- 6.2 Planning Practice Guidance (PPG) (2023)
- 6.3 National Design Guide (NDG) (2021)
- 6.4 Core Strategy (2007): Policies KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance).
- 6.5 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management).
- 6.6 Southend-on-Sea Design and Townscape Guide (2009)
- 6.7 Community Infrastructure Levy (CIL) Charging Schedule (2015)

7 Planning Considerations

- 7.1 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, the residential amenity for neighbouring occupiers, traffic and parking implications and CIL liability.

8 Appraisal

Principle of Development

- 8.1 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

- 8.2 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.
- 8.3 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.
- 8.4 The streetscene along Tudor Road comprises a mixture of single storey, chalet and two storey dwellings with a mixture of dual-pitched and hipped roof forms. Some dwellings have roof alterations and roof enlargements to the front (e.g. hip-to-gable enlargements, dormers and roof lights). The immediate neighbouring dwellings either side are both two storey. The proposed development would enlarge the host dwelling from a chalet to a two-storey dwelling with a new hipped roof form so altering its appearance in the streetscene. Given the application dwelling's siting between two, two storey dwellings, the mixed character of the existing streetscene and existing examples of hipped roofs in the wider streetscene, it is not considered that it would be visually dominant nor visually out of keeping or appear unusual in the streetscene or wider surroundings. Drawings have been provided demonstrating that the development provides an appropriate step down in height in the streetscene, both at eaves and ridge level aligning with the existing sloping levels in the road and would not appear prominent or out of keeping.
- 8.5 Single storey rear projections of varying designs are common in the surrounding rear garden scene into which the proposed rear extension would integrate acceptably. The fenestration alterations proposed are considered minor and acceptable in design terms. There are examples of wooden open porches at No's 30 and 32 Tudor Road and the proposed open porch is considered to integrate acceptably with the main dwelling and the streetscene. The proposed external materials would integrate acceptably with the existing dwelling, noting that the roof tiles, render and windows would match the existing dwelling.
- 8.6 In the round, 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

- 8.7 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.
- 8.8 The proposed development would be set some 1m from the shared boundary with No 40 to the north and some 2.2m from No 40's side elevation. At first floor the proposal would not project beyond No 40's main rear wall. At ground floor the single storey rear extension proposed would project some 2.9m beyond No 40's main rear wall. The submitted plans show that the proposal would not encroach a notional horizontal 45-degree guideline taken from the centre of No 40's windows nearest the boundary. No 40's side openings have not been identified as primary openings to habitable rooms. Taking these matters in account, noting the relationship with No 40 and the proposed roof form of the single storey rear extension proposed which slopes down to a relatively modest eaves height towards the boundary, it is not considered that the proposal would significantly harm the amenity of the occupiers of No 40 in any relevant regards.
- 8.9 The proposed development would be set some 2.4m from the shared boundary with No 36 Tudor Road to the south and some 3.1m from No 36's side elevation. No 36 has an existing single storey, mono-pitched rear projection which the proposed single storey rear extension would project some 0.6m beyond. At first floor the proposed development would project some 0.7m beyond No 36's main rear wall. The submitted plans show that the proposal would not encroach a notional horizontal 45-degree guideline taken from the centre of No 36's first floor window nearest the boundary. No 36's side openings have not been identified as primary openings to habitable rooms. The first floor side window proposed in the southern side elevation has the potential to cause overlooking and loss of privacy to the occupiers of No 36 so a condition is recommended for this window to be obscure glazed with limited openings. Taking these matters in account, noting the relationship with No 36 and the proposed roof form of the single storey rear extension proposed which slopes down to a relatively modest eaves height towards the boundary, it is not considered that the proposal would significantly harm the amenity of the occupiers of No 36 in any relevant regards subject to the described condition.
- 8.10 The proposed development would be separated from the rear garden rear boundary by a minimum of some 18.8m so would not harm the amenity of residents to the rear in any relevant regards and all other dwellings are sufficiently removed from the proposal to prevent any significant harm in any relevant amenity regards.
- 8.11 Subject to the described condition, and taking account of variations in local ground levels, 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, Transportation and Parking

- 8.12 Paragraph 115 of the NPPF states 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."

- 8.13 Policy DM15 of the Development Management Document states that 2+ bedroom dwellinghouses should be served by a minimum of two off-street parking spaces. The existing dwelling has 4 bedrooms and the proposed dwelling would have 4 bedrooms. The existing garage does not meet the Council's minimum dimensions of 7m by 3m to be considered as a parking space. The existing hardstanding does not meet the Council's minimum dimensions of 4.8m by 2.4m to be considered as a parking space. Therefore, the existing dwelling has no off-street parking. There would be no changes to the existing off-street parking requirements or existing parking arrangement as part of this development and as such, the proposal is not found to result in any significant parking or highways impacts, it is therefore acceptable and policy compliant in these regards.

Community Infrastructure Levy

- 8.14 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 117.1sqm, which may equate to a CIL charge of approximately £3,431.93 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the 'in-use building' test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

Equality and Diversity Issues

- 8.15 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

- 8.16 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.

9 Recommendation

- 9.1 **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: 851-01 Rev B; 851-02 Rev B; 851-03 Rev A; 851-04 Rev B; 851-05 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).

- 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 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).

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** Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to

avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on 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).

- 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.