

<b>Reference:</b>	16/02195/FUL
<b>Ward:</b>	Leigh
<b>Proposal:</b>	Demolish existing buildings, erect three-storey block of five dwellings, form 8 car parking spaces, amenity area, bin and cycle stores, extend vehicular access onto Dundonald Drive.
<b>Address:</b>	Nova Car Sales, 840 - 846 London Road, Leigh-On-Sea, Essex, SS9 3NH
<b>Applicant:</b>	Mr A McNamara
<b>Agent:</b>	SKArchitects
<b>Consultation Expiry:</b>	10/01/17
<b>Expiry Date:</b>	30/01/17
<b>Case Officer:</b>	Ian Harrison
<b>Plan Nos:</b>	P01 B, P02 B, P03 B, P04 B, P05 B (Streetscene Drawings), P05 B (Existing and Proposed Site Plans), P07 B, P08 B, P09 B (Part M 2 <sup>nd</sup> Floor Plan) and P09 B (Construction Details).
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>



## **1 The Proposal**

- 1.1 The application seeks planning permission for the clearance of the existing buildings at the application site and the erection of a terrace of five dwellings with two and three storey accommodation.
- 1.2 The proposed building would have an overall width of 22.4 metres and measure between 10.2 and 13.7 metres deep with the front elevation of each dwelling being set 1.3 metres behind the front elevation of the dwelling to the west. The overall set back of the easternmost dwelling in relation to the westernmost dwelling is therefore 5.2 metres. The three dwellings at the east side of the building would feature three storey accommodation built to a flat roof height of 8.9 metres. The two westernmost dwellings would be two storey dwellings with large amenity areas on the roof partially covered by unenclosed roofs and enclosed by walls to have a similar appearance as the third floor accommodation to the east. Each dwelling would feature a Juliet balcony to the rear elevation, dwellings two and four would feature first floor balconies at the front of the building, a total of six Juliet balconies would be provided to the front elevation of the building and one would be provided to the site elevation of the dwelling that fronts Dundonald Drive.
- 1.3 The submitted plans and supporting illustrations demonstrate that the building would mostly be constructed from two white bricks that would be arranged in single brick thick bands throughout the development to create visual interest.
- 1.4 The dwellings would measure 70.5, 90.6, 119.3, 120.2 and 119.1 square metres in area and all but one of the bedrooms would be double bedrooms that would measure in excess of 11.5 square metres. The sole single bedroom would measure in excess of 7.5 square metres in area.
- 1.5 Eight parking spaces are proposed at the rear of the site which would be accessed from Dundonald Drive. In addition to the roof terraces and balconies that are set out above, gardens would be provided to serve the four larger dwellings which would measure 54, 54, 57 and 63 square metres. Small front gardens are shown to be provided to the front and west side of the proposed building.

## **2 Site and Surroundings**

- 2.1 The application site is located at the junction of Dundonald Drive and London Road, measuring 24.7 metres wide at the London Road frontage and 33 metres long at the west side. The site currently contains a two storey building at the north west corner and two ancillary single storey buildings at the south west corner of the site.
- 2.2 The surrounding area features a variety of properties that are of different designs, scale and uses. Immediately to the east is a two storey building that appears to be used as two flats and at the rear of that site, with the address of Rear of 836 London Road, is a detached building that appears to be in use as a separate dwelling. The properties of Dundonald Drive to the south are used as residential dwellings with most properties featuring being two storey dwellings apart from two bungalows which are to the south west of the application site.

The properties of London Road are used for retail purposes at ground floor with some commercial and residential uses at first floor. Other than the bungalows, the properties of Dundonald Drive are built to a reasonably consistent scale and appearance, but the properties of London Road feature a wide variety of building styles.

2.3 The site is not the subject of any site specific policy designations.

### **3 Planning Considerations**

3.1 The main considerations in the determination of this application are the principle of the development, design and impact on the streetscene, impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers, traffic and highways issues.

### **4 Appraisal**

#### **Principle of Development**

**National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP1, CP4, CP8; Development Management DPD Policies DM1, DM3, DM7, DM8 and DM15 and the Design and Townscape Guide SPD1 (2009)**

4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy DPD Policies KP2, CP4 and CP8. Amongst the core planning principles of the NPPF includes to *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.”* Paragraph 56 of the NPPF states; *“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Paragraph 64 of the NPPF states; *“that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”*

4.2 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design, and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 requires that development proposals contribute to local housing needs and identifies that 80% of residential development shall be provided on previously developed land.

4.3 Policy DM3 states that *“the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.”*

- 4.4 As part of its Strategic Housing Land Availability Assessment (SHLAA) update, the Council has published information on its potential housing supply (5 year supply of housing plus an additional 5% buffer as required by the NPPF). This demonstrates that the Council has a 6 year housing land supply against its adopted targets and therefore, meets the requirements of the NPPF in terms of housing delivery. Thus the authority is able to meet its housing needs targets without recourse to allowing development which would otherwise be unacceptable. Notwithstanding this the principle of providing a new dwelling at the site is considered to be acceptable subject to the considerations set out below.
- 4.5 Policies CP1 and DM11 set out that developments resulting in the loss of employment land outside the designated employment areas of the Borough will be resisted unless specified criteria can be met. As the car sales business is deemed to fall outside of the designated use classes and is not considered to represent an employment use falling with Class B of the Use Classes Order. As the existing use relates to the sale of items rather than a use that is more comparable to an employment use, it is considered that the restrictions set out within these policies cannot reasonably be applied to the existing use. The applicant sets out that employment at the site is minimal and as such the site is not contributing significantly in this regard. This position is accepted in this instance.
- 4.6 For these reasons it is considered that no objection should be raised in relation to the principle of undertaking residential development at the site. Although development plan policies are now materially different, it is considered to be of some relevance that no objection was raised to the loss of employment land at the site when planning permission was refused under the terms of application 14/01354/OUT.

### **Design and Impact on the Character of the Area**

#### **National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1 and DM3 and Design and Townscape Guide.**

- 4.7 In the Council's Development Management DPD, policy DM1 states that 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."
- 4.8 Policy DM3 states that "*all development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:*
- (i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or*
  - (ii) Conflict with the character and grain of the local area; or*
  - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or*
  - (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees."*

- 4.9 The proposed built form would be built to feature three storeys of accommodation, with a flat roof built to a height of 8.9 metres, which is comparable to the ridge height of the buildings to the south of London Road. The buildings to the north of the site are built to two storeys with a flat roof and the single storey building to the west also features a flat roof. In this context it is considered that the height of the proposed building is suitably in-keeping with the varied heights of buildings within the surrounding area and that the use of a flat roof is also in-keeping with the general character of the area, albeit at a higher level. The objection of Leigh Town Council in relation to the proposal to undertake three storey development is noted. However, it is considered that in the context of the mixed heights of the surrounding area the height of the proposed building can be found acceptable.
- 4.10 The proposed building would have a staggered arrangement to reflect the position of the buildings to the east and west of the application site. The staggered arrangement ensures that the building line is respected, but also enables the proposed building to have an element of visual interest through the arrangement of the dwellings. This arrangement and the inclusion of recessed entrances, balconies and enclosed roof terraces at second floor helps the massing of the building to be broken down.
- 4.11 During the course of the application, officers and the applicant have discussed and secured amendments to the proposals to improve certain elements of the proposed development. It was previously a concern that the use of a single brick throughout the front elevation was a little monolithic and therefore the applicant has resolved to use two subtly different bricks to provide visual interest. Other alterations have seen the configuration of the windows and Juliette style openings to create more visual interest to the south and west elevations. Additional details have also been provided in relation to a brick wall that is proposed at the side of the proposed building.
- 4.12 It is noted that the extensive use of brickwork is not in-keeping with a number of the properties within the immediate vicinity of the site as render is the dominant material. However, there are several examples of red brickwork within the surrounding area and for a building of this scale, it is considered that the proposed brickwork approach provides better opportunities to provide high quality visual interest within the development, such as brickwork detailing.
- 4.13 For these reasons and as the abovementioned amendments are considered to represent a material improvement to the proposed development, it is now considered that the development would be of sufficiently high quality and visual interest to be deemed to be in accordance with the abovementioned policies. It is therefore considered that no objection should be raised to the proposal on design grounds.

#### **Impact on Residential Amenity.**

**National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1 and DM3 and Design and Townscape Guide.**

- 4.14 Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management DPD also states 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.”
- 4.15 The proposed dwellings would be a minimum of 14 metres from the north elevation of the neighbouring property to the south (96 Dundonald Drive) and it is noted that the property features no windows in the side elevation of that building. Due to this relationship it is considered that the proposed development would have no significant impact on the sense of enclosure, light or outlook of the neighbouring property and that the only overlooking would be from a reasonable distance and only towards the amenity area of that property. It is therefore considered that the proposal would not impact on the amenities of that property to an extent that would justify the refusal of the application.
- 4.16 The neighbouring building to the east appears to be used as two flats and contains several windows in the side elevation, although it is noted that most of those windows feature obscured glass and are therefore presumed to serve non-habitable rooms. The proposed built form would be positioned 3.6 metres to the side of that property and therefore the impact on light, sense of enclosure and outlook would be reduced. For these reasons and due to the non-habitable use of the windows in the west side elevation it is considered that the proposed built form would not cause an unacceptable loss of light or outlook within the neighbouring properties. Due to the positioning of the proposed and neighbouring buildings, it is considered that the neighbouring property would not be significantly overlooked by the proposed development. Similarly, due to the positioning of the buildings, it is considered that the impact on the building at the rear of 836 London Road would not be at a level that would justify the refusal of the application.
- 4.17 The proposed buildings would be at least 18.4 metres from all other residential properties and it is therefore that case that no other properties would be materially affected by the proposed development to an extent that would justify the refusal of the application on those grounds.

**Standard of Accommodation:**

**National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM8 and the Design and Townscape Guide.**

4.18 Paragraph 17 of the NPPF states that “*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:

- Minimum property size for a two storey, 2 bedroom (3 person bed space) property shall be 70 square metres, a two storey 2 bedroom (4 person bed space) property shall be 79 square metres and a three storey 3 bedroom (6 bed space) property shall be 108 square metres.
- Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m<sup>2</sup> for a single bedroom with a minimum width of 2.15m; and 11.5m<sup>2</sup> for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

Weight should also be given to the content of policy DM8 which states the following standards in addition to the national standards.

- Provision of a storage cupboard with a minimum floor area of 1.25m<sup>2</sup> should be provided for 1-2 person dwellings. A minimum of 0.5m<sup>2</sup> storage area should be provided for each additional bed space.
- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home. Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.
- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

- 4.19 The dimensions of the proposed residential units are set out above and it is accepted that they comply with the abovementioned standards. Furthermore, the bedrooms would be of appropriate size. It is therefore considered that the proposed development would accord with the size criteria set out above.
- 4.20 The amenity space provision for four of the dwellings consists of roof terraces, balconies and gardens and is considered to be entirely adequate to serve the dwellings proposed. Due to the arrangement of the site, the westernmost dwelling is almost entirely reliant on the roof terrace to provide its outdoor amenity space. Whilst this would be an unusual arrangement, it is considered that the unconventional approach would ensure that the amenity space provision is adequate to serve the proposed dwelling and should therefore be found acceptable.
- 4.21 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. It has been demonstrated that the proposed development would accord with the requirements of the Building Regulations. It is therefore considered that it is reasonable and appropriate to impose a condition on any permission to require the development to comply with Part M4 (2) of the Building Regulations.

#### **Highways and Transport Issues:**

#### **National Planning Policy Framework, Policy KP2, CP3 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM15 and the Design and Townscape Guide.**

- 4.22 Policy DM15 states that each dwelling should be served by at least two parking spaces per property and as such the five dwellings should be served by a total of 10 spaces. However, policy DM15 also states that *“Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/ or where the rigid application of these standards would have a clear detrimental impact on local character and context.”*
- 4.23 The three larger dwellings would comply with the abovementioned parking standards as each dwelling would be provided by two parking spaces. The two smaller dwellings would only be served by one parking space and these dwellings would therefore not fully comply with the abovementioned parking standards.
- 4.24 This site is considered to be located in a reasonably sustainably location as it is well served by bus connections of the numerous routes that travel along London Road. The site is also within walking distance of Chalkwell Station (0.7 miles to the south) and the centre of Leigh. It is therefore considered that the site is suitably located for a flexible approach to be taken with respect to parking provision.



- 4.25 Moreover, providing additional parking would be likely to have a detrimental visual impact on Dundonald Drive which also gives grounds to apply the parking standards with some flexibility. Not only would additional hardstanding be required which would result in the hardstanding at the west boundary of the site being more visually dominant, but it would also be likely to require the removal of a street tree which would not be encouraged. Therefore, on balance and due to the flexibility that is set out within policy DM15, it is considered that the proposed level of parking provision can be found acceptable.
- 4.26 The Highway Authority have raised no objection to the proposed development and it is noted that the advice received sets out that they are satisfied that the proposed works would not be likely to harm the street tree. The works are not considered to be more likely to pose a threat to the tree than recent works that have been undertaken by the Highway Authority and it would therefore be unreasonable to object to the application on those grounds.

### **Sustainability**

#### **Core Strategy Policies KP2, CP4 and CP8, Development Management DPD Policy DM2 and SPD1**

- 4.27 Policy KP2 of the DPD1 and the SPD1 require that 10% of the energy needs of a new development should come from on-site renewable resources, and also promotes the minimisation of consumption of resources. No details have been submitted to demonstrate this proposal would provide 10% of the energy needs, it is considered this could be required by condition if permission is granted.
- 4.28 Policy DM2 states that developments should achieve compliance with Level 3 of the Code for Sustainable Homes. It is also stated that water efficient design measures should be incorporated into development. Changes to legislation means that these standards have now been incorporated into Building Regulations and as such it is considered that it is reasonable and necessary to impose conditions to any permission granted at this site to require development to achieve the 'enhanced standard' of building regulations.

### **Community Infrastructure Levy**

- 4.29 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. The proposed development will result in a net increase in gross internal area of 276.7 square metres (taking into account a deduction of 243 square metres for existing 'in-use' floorspace that is being demolished). The CIL chargeable rate for residential units in this location is £20 per square metre. Therefore, this equates to £6087.40.

## **Conclusion**

- 4.30 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. The highways impacts of the proposal are not considered to be such that a refusal of planning permission would be justified and the scheme would provide adequate amenity for its future occupiers. This application is therefore recommended for approval subject to conditions.

## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework
- 5.2 DPD1 Core Strategy Policies CP1 (Employment Generating Development), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance) and KP2 (Development Principles), CP8 (Dwelling Provision)
- 5.3 Development Management DPD Policies DM1, DM2, DM3, DM7, DM8 and DM15
- 5.4 Community Infrastructure Levy Charging Schedule
- 5.5 Design & Townscape Guide 2009 (SPD1).

## **6 Representation Summary**

### **Traffic & Highways Network**

- 6.1 The proposal provides 2 car parking spaces for each of the 3 bedroom dwellings and 1 car parking space for each of the 2 bedroom dwellings bringing the total off street parking spaces to 8. 8 cycle parking spaces have been provided. The site is located within a sustainable location with regard to public transport infrastructure with good links in close proximity. The proposed parking provision is considered acceptable given the information contained within the design and access statement. Consideration has also been given to the existing use of the site which has the capacity to generate a considerable number of vehicle movements more than the proposed use. Therefore the proposal represents a reduction in terms of traffic movements in the local area.

Should the application be approved all redundant vehicle crossovers should be reinstated at the applicant's expense. The applicant should also be made aware of the existing street tree and the root protection zone when constructing the new vehicle crossover alternative construction methods may need to be considered. All highway works will be carried out under a section 278 agreement.

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

- 6.2 No objection is raised and the content of building regulations has been highlighted.

## **Environmental Health Officer**

- 6.3 No objection subject to conditions controlling the hours of construction.

## **Leigh-on-Sea Town Council**

- 6.4 An objection is raised on the grounds that the proposal of a very poor design. The majority of the other buildings in the area are rendered, and are not three storeys, so this building would be out of keeping.

## **Public Consultation**

- 6.5 A site notice was displayed and 14 neighbours were notified of the application. Four letters of objections have been received which raise objections on the following grounds:

- The proposed development has inadequate parking and would affect parking within the vicinity of the site.
- The proposal would impact on property values.
- The proposed development would cause a loss of privacy within neighbouring properties.
- The proposed development would cause noise.
- Three storey development should not be supported.

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

- 6.6 The application has been called-in to the Council's Development Control Committee by Councillors Mulronev and Arscott.

## **7 Relevant Planning History**

- 7.1 Outline planning permission was sought under the terms of application 14/01354/OUT for the erection of a block of nine flats at the site. That application was refused.
- 7.2 The increase of the roof height of the workshop was approved under the terms of application 14/00692/FUL, a single storey valeting bay was approved under the terms of application 87/0846 and advertising at the site was refused under the terms of application 85/0879.

**8 Recommendation**

**GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 The development hereby permitted shall begin not 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 hereby permitted shall be carried out in accordance with the following approved plans: P01 B, P02 B, P03 B, P04 B, P05 B (Streetscene Drawings), P05 B (Existing and Proposed Site Plans), P07 B, P08 B, P09 B (Part M 2nd Floor Plan) and P09 B (Construction Details)**

**Reason: To ensure that the development is carried out in accordance with provisions of the Development Plan.**

- 03 The bricks used in the construction of the development hereby approved shall only be in accordance with the details shown in plan P09 B (Construction Details) hereby approved and arranged/used in accordance with plan P09B (Construction Details) unless otherwise agreed in writing by the Local Planning Authority. Details of all other materials to be used on the external elevations of the building hereby approved, including the window frames and Juliet balconies, shall be submitted to and approved in writing by the Local Planning Authority prior to their use at the application site. The development shall then be implemented in accordance with the approved details before it is occupied.**

**Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area and relates to the host buildings at the application site. In accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)**

- 04 The 8 parking spaces shown on the plans hereby approved shall be provided in accordance with the approved plans prior to the first occupation of the building hereby approved. Subsequently, the parking spaces shall be retained at all times and only used by the occupants of dwellings hereby approved and their visitors.**

**Reason: To ensure that adequate parking is provided at the site. In accordance with the National Planning Policy Framework, policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1, DM3 and DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)**

- 05 A scheme detailing how at least 10% of the total energy needs of the dwelling will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwelling. This provision shall be made for the lifetime of the development.**

**Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1).**

- 06 Prior to occupation of the dwelling hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and retained in perpetuity.**

**Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).**

- 07 Prior to the first occupation of the dwellings hereby approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwellings hereby approved and be retained as such in perpetuity.**

**Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM8 and DM15 of DPD2 (Development Management)**

- 08 The development hereby approved shall be carried out in a manner to ensure the dwelling complies fully with Building Regulation M4 (2) 'accessible and adaptable dwellings'.**

**Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).**

**09 Notwithstanding the provisions of Classes A, B, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or outbuildings shall be erected at the site unless otherwise agreed in writing by the local planning authority.**

**Reason: To safeguard the amenity of neighbours and the character and appearance of the surrounding area in accordance with policies DM1 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy**

**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.**

#### **Informative**

**Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).**