

Reference:	17/00077/FUL
Ward:	Milton
Proposal:	Change of use from B1 (Light industrial) to C3 (residential) to form four self-contained flats, alter elevations, layout associated parking, demolish existing garage to form amenity space with cycle store and erect bins store adjacent parking spaces for 204 London Road (Amended Proposal)
Address:	Rear of 206 London Road, Southend-On-Sea, Essex, SS1 1PJ
Applicant:	Roger Essex
Agent:	N/A
Consultation Expiry:	17/02/17
Expiry Date:	19/05/17
Case Officer:	Ian Harrison
Plan Nos:	Location Plan, Site Plan, BAK-GF-PLAN-PROP-203 Rev 001, BAK-GF-PLAN-PROP-204 Rev 001, BAK-GF-PLAN-PROP-205 Rev 001, BAK-GF-PLAN-PROP-206 Rev 001, BAK-GF-PLAN-PROP-207 Rev 001, BAK-GF-PLAN-PROP-208 Rev 001, BAK-GF-PLAN-PROP-209 Rev 001, BAK-FF-PLAN-PROP-320 Rev 001, BAK-FF-PLAN-PROP-321 Rev 001, BAK-FF-PLAN-PROP-322 Rev 001, BAK-FF-PLAN-PROP-323 Rev 001, BAK-FF-PLAN-PROP-324 Rev 001, BAK-FF-PLAN-PROP-325 Rev 001, BAK-FF-PLAN-PROP-326 Rev 001, BAK-FF-PLAN-PROP-327 Rev 001, BAK-CONST-GF-PLAN-808 Rev 001, BAK-CONST-FF-PLAN-809 Rev 001, BAK- STANNAH-810 Rev 001, BAK-CONST-E-ELEV-803 Rev 001, BAK-CONST-S-ELEV-804 Rev 001, BAK-CONST-E-ELEV-807 Rev 001, BAK-P1-SEC-ORIG-500 Rev 000, BAK-P1-SEC-PROP-500 Rev 001, BAK-P2-SEC-ORIG-501 Rev 000, BAK-P2-SEC-PROP-501 Rev 001, BAK-P3-SEC-ORIG-502 Rev 000, BAK-P3-SEC-502 Rev 001, BAK-SS-SEC-ORIG-503 Rev 000, BAK-SS-SEC-PROP-503 Rev 001, BAK-3DSE-ORIG-600 Rev 000, BAK-3DNE-ORIG-601 Rev 000, BAK-3DNW-ORIG-602 Rev 000, BAK-3DSW-ORIG-603 Rev 000, BAK-TSLPLAN-S Rev 1 (Site Plan), BAK-TSLPLAN-S Rev 1 (3D Drawing), BAK-TSLPLAN-NW Rev 1, BAK-TSLPLAN-E Rev 1, BAK-204-PLAN-WASTE-250 Rev 1, BAK-204-PLAN-WASTE-251 Rev 1, BAK-TSLPLAN-AMENITY-252 Rev 1, BAK-204-PLAN-RCARPARK-253 Rev 1, BAK-204-PLAN-FIRE-254 Rev 1, BAK-204-PLAN-RCP-255 Rev 1, BAK-204-W-ELEV-WASTE-257 Rev 1, BAK-204-E-ELEV-WASTE-258 Rev 1, BAK-204-S-ELEV-WASTE-259 Rev 1, BAK-204-N-ELEV-WASTE-260 Rev 1, BAK-204-3D-

	<p>ELEV-WASTE-261 Rev 1, BAK-GF-PLAN-ORIG-200, BAK-GF-PLAN-PROP-200 Rev 001, BAK-GF-PLAN-ORIG-201, BAK-GF-PLAN-PROP-201 Rev 001, BAK-GF-PLAN-ORIG-202, BAK-GF-PLAN-PROP-202 Rev 001, BAK-F.F-PLAN-ORIG-300, BAK-F.F-PLAN-ORIG-301, BAK-FF-PLAN-ORIG-302, BAK-RF-PLAN-ORIG-400, BAK-RF-PLAN-PROP-400 Rev 001, BAK-E-ELEV-ORIG-100 Rev 000, BAK-E-ELEV-PROP-100 Rev 001, BAK-W-ELEV-ORIG-101 Rev 000, BAK-W-ELEV-PROP-101 Rev 001, BAK-N-ELEV-ORIG-102 Rev 000, BAK-N-ELEV-PROP-102 Rev 001, BAK-S-ELEV-ORIG-103 Rev 000, BAK-S-ELEV-PROP-103 Rev 001, BAK-GATES Rev 1, Proposed Colours Rev 001</p>
<p>Recommendation:</p>	<p>GRANT PLANNING PERMISSION</p>



1 The Proposal

1.1 Planning permission is sought for the conversion of the existing building at the application site to form four flats.

1.2 The application site comprises of a finger of land that is located to the south of 206 to 210 London Road, east and west of the properties of Milton Road and Avenue Road respectively and north of a recent residential development. The main two storey part of the existing building measures 13.1 metres by 9.3 metres with a double pile roof built to a valley height of 5.5 metres and ridge heights of 7.3 metres. To the north is a two storey projection that measures 7.3 metres wide and 6.4 metres deep with a partially pitched roof built to a maximum height of 7.4 metres and a flat roof built to a height of 5.5 metres. To the south is a single storey projection that measures 9.3 metres deep and 10 metres wide. The roof of the single storey projection is partially flat (2.6 metres tall) and partially formed from a continuation of the main roof at the west side to a minimum height of 2.6 metres. The door features a variety of windows and doors to the East elevation and a smaller number of windows and doors to the other elevations.

1.3 The application proposes the adaptation of the existing building to enable the creation of four flats. The works of alteration to the external elevations of the building include the following:

- The garage element of the single storey projection at the south end of the building would be removed.
- The equivalent space and the finger of land to the south of the buildings would be enclosed by fencing to provide amenity space with an area of 105 square metres.
- The majority of the windows on the east elevation would be replaced with white upvc windows. A first floor door and window would be infilled on the east elevation, a new window would be created at the south end of that elevation and two entrance doors would be created at the north end. The size of all other doors and windows would be modified.
- Two existing first floor windows on the west elevation would be replaced with upvc windows.
- Two existing windows on the north elevation would be replaced with upvc windows and a door would be infilled.
- One existing window on the north elevation would be replaced with upvc windows and one would be retained. Two entrance doors would be created.

1.4 The four flats would feature the following accommodation:

- Flat 1 – 87 square metres, two bedrooms measuring 12.1 and 12.5 square metres.
- Flat 2 – 93 square metres, two bedrooms measuring 12.2 and 11.7 square metres.
- Flat 3 – 101 square metres, two bedrooms measuring 11.6 and 11.7 square metres.
- Flat 4 – 60 square metres, one bedroom measuring 11.6 square metres.

- 1.5 The yard area to the south of the buildings that would not be enclosed by the abovementioned amenity space would be used to create a car park for 7 cars. 1 allocated parking space would be provided for each flat and three spaces would be allocated to the adjacent workshop. A waste storage area is also shown to the North East of the building that measures 9 square metres in area and would be enclosed with palisade fencing.
- 1.6 This application follows the refusal of similar application 16/00833/FUL for the following reason:

“It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed dwellings and its amenity space would not be subjected to unreasonable noise disturbance by virtue of the proximity of the residential units to an existing commercial use at a neighbouring site. The proposal is therefore contrary to the National Planning Policy Framework 2012 and National Planning Practice Guidance, Development Management DPD Policies DM1, DM3 and DM8 and SPD1.”

2 Site and Surroundings

- 2.1 The application site and the existing building at the site is described above. The other land that is shown to be within the applicant’s control includes the means of accessing the site from London Road and the buildings to the east of the application site that appear to be in use for car maintenance purposes.
- 2.2 The site is located within an area of mixed uses including residential uses and commercial buildings within London Road.
- 2.3 The site is not the subject of any site specific policies. The Milton Conservation Area is located to the east of the application site and the boundary of the Southend Central Area is to the north of the application site.

3 Planning Considerations

- 3.1 The key considerations are the principle of the development, the division of the planning unit, the design and impact on the character of the area, the impact on residential amenity and highway implications.

4 Appraisal

Principle of the Development

The National Planning Policy Framework, DPD1 (Core Strategy) policies KP2, CP1, CP4 and CP8; DPD2 (Development Management) policies DM1, DM3 and DM11.

- 4.1 Policy CP8 identifies that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough. Policy CP8 also expects 80% of residential development to be provided on previously developed land.

From this basis, it is considered that the principle of undertaking residential development at this site should be supported, subject to the following detailed considerations. This is especially the case given that one of the 12 core principles of sustainable development that are identified within the NPPF is to “promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas.”

- 4.2 Policy CP1 states *“that permission will not normally be granted for development proposals that involve the loss of existing employment land and premises unless it can be clearly demonstrated that the proposal will contribute to the objective of regeneration of the local economy in other ways, including significant enhancement of the environment, amenity and condition of the local area.”* Furthermore, policy DM11 states that the loss of employment land outside of designated areas will only be supported where it is no longer effective or viable to continue the employment use of the site.
- 4.3 To address this matter the applicant’s submissions set out the full history of the site and the affected building dating back to 1920 when it was first constructed as a grain store and its subsequent use as a bakery and an electrical goods warehouse until 2000. The building was marketed for four years with no tenants being identified which could obtain planning permission given the residential use of the surrounding properties. It is therefore stated that the building has not been in use for over 15 years.
- 4.4 There is no reason to dispute this site history, but it is noted that the evidence that has been submitted is dated and does not therefore address the marketing requirements that are set out within DPD2. Notwithstanding this, noting that an intensive employment use would be likely to generate noise to the detriment of the amenities of neighbouring residents. In this instance, noting the abovementioned policies which support residential development, it is considered that no objection should be raised to the loss of employment land.

Design and Impact on the Character of the Area:

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) policies DM1 and DM3 and the Design and Townscape Guide.

- 4.5 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.”
- 4.6 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.

- 4.7 The NPPF states that *“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”*.
- 4.8 The Design and Townscape Guide (SPD1) states that *The successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant... the easiest option is to draw reference from the surrounding buildings.”*
- 4.9 The proposed conversion would be brought about without any significant works of extension or development being required to the existing building. The works that are proposed mostly relate to the refurbishment of the existing building and the formation of enclosures and areas of hardstanding.
- 4.10 From this basis, noting the low quality appearance of the existing site and its proximity to a Conservation Area it is considered that the works of conversion and the introduction of a new use to the site would represent the overall enhancement of the appearance of the site and the surrounding area.
- 4.11 The prominence of the proposed bin store and the materials used in its construction are considered to not cause material harm to the character or appearance of the site or the surrounding area.

Traffic and Transport Issues

National Planning Policy Framework, Policy KP2, CP3 and CP8 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM15 and the Design and Townscape Guide.

- 4.12 Policy DM15 states that each flat should be served by one parking space. The proposal complies with these requirements and is therefore in accordance with the development plan.
- 4.13 Moreover, the site is a particularly sustainable location for residential development with good connections to local bus routes and a train station within walking distance and all other facilities required for day-to-day living within walking distance of the site.
- 4.14 Based on this policy background and the location of the application site it is considered that the proposal would comply with the abovementioned policy.
- 4.15 A location for cycle parking is shown on the submitted plans which addresses the requirements of policy DM15.

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.

- 4.16 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.”
- 4.17 Residential properties surround the application site, with the exception of the workshop to the east and some commercial properties within Milton Road and London Road. In this regard it is considered that the use of the building for residential purposes would generate less noise than a commercial use of the site. Although it is a long time since the building has been put to such a use, it is considered that the proposal would represent an amenity improvement in comparison to a potential use of the building that could be introduced through the fallback position that is offered by the buildings former use.
- 4.18 The proposal is not dependent on works of extension and as such it is considered that the resultant buildings would not cause the creation of an overbearing outlook or relationship, loss of light or increased sense of enclosure to any property that is materially different to the existing situation. It is noted that the residential use of the building would change the manner in which windows are used. In this respect it is noted that all windows are a significant distance from neighbouring properties and face away from those properties with the exception of the two windows in the west elevation. It is noted that the adjacent properties are used for commercial purposes at ground floor and as flats at first floor. The separation of distance of 15 metres between properties, the fact that the windows already exist and the presence of outbuildings between the properties which would partially obscure views from the window ensures that the impact on privacy caused by additional or different overlooking from the first floor windows would not be harmful to an extent that would justify the refusal of the application.

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.

4.19 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 1 bedroom (2 person bed space) dwelling shall be 50 square metres and a 2 bedroom (4 person bed space) dwelling shall be 70 square metres.
- Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m² ; and 11.5m² 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 1.25m² should be provided for 1-2 person dwellings. A minimum of 0.5m² 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.

- 4.20 Each flat would have internal dimensions that exceed the abovementioned standards and the bedrooms are shown to be of a size that would comply with the abovementioned standards. Appropriate amenity space and cycle and refuse storage facilities are proposed to be provided at the site.
- 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. However as this proposal relates to the conversion of an existing building rather than a new build it is considered that this application should not be enforced.
- 4.22 Unlike the previous application, the applicant has submitted a noise assessment which demonstrates that the building can achieve suitable internal living conditions for future occupiers. This has been assessed by the Council's Environmental Health Officer and is considered to be acceptable subject to the detailed conditions that are set out below. The proposal is therefore acceptable in this regard subject to the conditions recommended to ensure that suitable internal noise conditions are provided.
- 4.23 Therefore, on balance and despite some deficiencies, it is considered that the standard of amenity for future occupants of the building would be acceptable.

Sustainability

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

- 4.24 Policy DM2 states 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. As the proposal relates to the conversion of an existing building rather than the erection of a new building it is considered that the requirement to generate 10% of the energy needs of the site through on-site renewable resources should not be imposed.

Community Infrastructure Levy

- 4.25 This application is CIL liable. 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 the formation of four flats that measure 341 square metres in internal area. The proposed development would therefore require a CIL payment of £7,502.

5 Conclusion

- 5.1 The principle of development can be supported at this site, the proposed development would not cause significant harm to the amenities of neighbouring residents and it is considered that the external works would accord with the character and appearance of the application site and the surrounding area as required by policies DM1, DM3, KP2 and CP4 of the Development Plan. Moreover, it is considered that the floorspace of the building is adequate to comply with the Technical Housing Standards and that the standard of living accommodation should be found adequate. It is therefore considered that the proposed development should be found acceptable.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework
- 6.2 DPD1 Core Strategy Policies KP2 (Development Principles), CP1 (Employment Generating Development) CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance) and CP8 (Dwelling Provision)
- 6.3 Development Management DPD Policies DM1,DM2, DM3, DM7, DM8, DM11 and DM15
- 6.4 Community Infrastructure Levy Charging Schedule
- 6.5 Design & Townscape Guide 2009 (SPD1).
- 6.6 Technical Housing Standards 2015

Representation Summary

Environmental Health

- 7.1 In relation to noise within the building at the site it is stated that there were originally concerns about the location of the proposed for residential use due to noise from the adjacent industrial unit. A noise assessment has been carried out by the applicant's acoustic consultant and noise mitigation measures have been proposed including enhanced glazing, acoustic insulation and operating the building with windows closed to exclude external noise. The report details, that in order to achieve the internal ambient noise levels set out in British Standard 8233:2014, a number of mitigation measures are required.

In relation to the amenity area, the noise assessment predicts that the amenity noise levels will exceed the WHO guidance of 55dBLAeq and it should be noted that there is a requirement for the development to be designed to achieve the lowest practicable noise levels possible. The report details that in order to reduce noise levels in the amenity area that mitigation measures are required in the form of acoustic fencing.

The construction phase should be controlled to ensure that noise and dust is not harmful to public health.

External lighting should be directed, sited and screened so as not to cause detrimental intrusion of light into residential property.

The site is also classed as being potentially contaminated land. Therefore this issue needs to be addressed.

As the building will have to operate with windows closed to exclude external noise it will be necessary for the building to be provided with adequate means of ventilation to ensure that the building does not suffer excess heat gain during summer time particularly in heat waves. The Acoustic reports details that wall vents and acoustic trickle vents are to be installed as ventilation is assumed as not being provided by open windows.

Public Consultation

7.2 41 neighbouring properties were notified of the application and a notice was posted at the site. One letter of representation has been received which objects on the following grounds:

- The change of use would cause noise and disruption.
- The proposed development would cause overlooking and a loss of privacy.
- The car parking and tenants would create a security risk.
- The proposed development would cause a loss of property value.
- The proposal has been refused previously.

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.

7.3 The application has been called-in to the Council's Development Control Committee by Cllr Ware-Lane.

8 Relevant Planning History

8.1 This application follows the refusal of similar application 16/00833/FUL for the following reason:

"It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed dwellings and its amenity space would not be subjected to unreasonable noise disturbance by virtue of the proximity of the residential units to an existing commercial use at a neighbouring site. The proposal is therefore contrary to the National Planning Policy Framework 2012 and National Planning Practice Guidance, Development Management DPD Policies DM1, DM3 and DM8 and SPD1."

8.2 Further planning history relates to 204 and 206 London Road but not the buildings at the application site.

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: Location Plan, Site Plan, BAK-GF-PLAN-PROP-203 Rev 001, BAK-GF-PLAN-PROP-204 Rev 001, BAK-GF-PLAN-PROP-205 Rev 001, BAK-GF-PLAN-PROP-206 Rev 001, BAK-GF-PLAN-PROP-207 Rev 001, BAK-GF-PLAN-PROP-208 Rev 001, BAK-GF-PLAN-PROP-209 Rev 001, BAK-FF-PLAN-PROP-320 Rev 001, BAK-FF-PLAN-PROP-321 Rev 001, BAK-FF-PLAN-PROP-322 Rev 001, BAK-FF-PLAN-PROP-323 Rev 001, BAK-FF-PLAN-PROP-324 Rev 001, BAK-FF-PLAN-PROP-325 Rev 001, BAK-FF-PLAN-PROP-326 Rev 001, BAK-FF-PLAN-PROP-327 Rev 001, BAK-CONST-GF-PLAN-808 Rev 001, BAK-CONST-FF-PLAN-809 Rev 001, BAK-STANNAH-810 Rev 001, BAK-CONST-E-ELEV-803 Rev 001, BAK-CONST-S-ELEV-804 Rev 001, BAK-CONST-E-ELEV-807 Rev 001, BAK-P1-SEC-ORIG-500 Rev 000, BAK-P1-SEC-PROP-500 Rev 001, BAK-P2-SEC-ORIG-501 Rev 000, BAK-P2-SEC-PROP-501 Rev 001, BAK-P3-SEC-ORIG-502 Rev 000, BAK-P3-SEC-502 Rev 001, BAK-SS-SEC-ORIG-503 Rev 000, BAK-SS-SEC-PROP-503 Rev 001, BAK-3DSE-ORIG-600 Rev 000, BAK-3DNE-ORIG-601 Rev 000, BAK-3DNW-ORIG-602 Rev 000, BAK-3DSW-ORIG-603 Rev 000, BAK-TSLPLAN-S Rev 1 (Site Plan), BAK-TSLPLAN-S Rev 1 (3D Drawing), BAK-TSLPLAN-NW Rev 1, BAK-TSLPLAN-E Rev 1, BAK-204-PLAN-WASTE-250 Rev 1, BAK-204-PLAN-WASTE-251 Rev 1, BAK-TSLPLAN-AMENITY-252 Rev 1, BAK-204-PLAN-RCARPARK-253 Rev 1, BAK-204-PLAN-FIRE-254 Rev 1, BAK-204-PLAN-RCP-255 Rev 1, BAK-204-W-ELEV-WASTE-257 Rev 1, BAK-204-E-ELEV-WASTE-258 Rev 1, BAK-204-S-ELEV-WASTE-259 Rev 1, BAK-204-N-ELEV-WASTE-260 Rev 1, BAK-204-3D-ELEV-WASTE-261 Rev 1, BAK-GF-PLAN-ORIG-200, BAK-GF-PLAN-PROP-200 Rev 001, BAK-GF-PLAN-ORIG-201, BAK-GF-PLAN-PROP-201 Rev 001, BAK-GF-PLAN-ORIG-202, BAK-GF-PLAN-PROP-202 Rev 001, BAK-F.F-PLAN-ORIG-300, BAK-F.F-PLAN-ORIG-301, BAK-FF-PLAN-ORIG-302, BAK-RF-PLAN-ORIG-400, BAK-RF-PLAN-PROP-400 Rev 001, BAK-E-ELEV-ORIG-100 Rev 000, BAK-E-ELEV-PROP-100 Rev 001, BAK-W-ELEV-ORIG-101 Rev 000, BAK-W-ELEV-PROP-101 Rev 001, BAK-N-ELEV-ORIG-102 Rev 000, BAK-N-ELEV-PROP-102 Rev 001, BAK-S-ELEV-ORIG-103 Rev 000, BAK-S-ELEV-PROP-103 Rev 001, BAK-GATES Rev 1, Proposed Colours Rev 001.**

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

- 03 The materials used in the development hereby approved shall be as shown on the approved plans unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

- 04 Prior to the first occupation of the flats hereby approved, the amenity space, car parking, cycle parking and refuse storage areas shown on the plans hereby approved shall be provided and made available for use by the occupants of the proposed flats and be retained in perpetuity thereafter.**

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

- 05 Prior to occupation of the dwellings 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).

- 06 Prior to the occupation of the development hereby approved details of the glazing, acoustic insulation and ventilation details for the development shall be submitted to, and approved by, the Local Planning Authority. The glazing and ventilation should be selected with relevant acoustic properties as outlined in section 5.4 and 5.5 of the Noise Assessment dated 24th March 2017 unless otherwise agreed in writing by the Local Planning Authority. No dwelling shall be occupied until such time that all of the approved details to serve that dwelling have been fully installed. The approved glazing, acoustic insulation and ventilation shall be maintained in the approved condition thereafter in perpetuity.**

Reason: To ensure the provision of adequate internal living conditions in accordance with policies DM1 and DM8 of DPD2 (Development Management)

- 07** Prior to the occupation of the development hereby approved details of acoustic fencing to the amenity area shall be submitted to, and approved by, the Local Planning Authority. No dwelling shall be occupied until such time that the acoustic fencing has been fully installed. The approved acoustic fencing shall be retained and maintained in the approved condition thereafter in perpetuity.

Reason: To ensure the provision of adequate internal living conditions in accordance with policies DM1 and DM8 of DPD2 (Development Management)

- 08** No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution in accordance with the national Planning Policy Framework and Southend-on-Sea Core Strategy (2007) policy KP2.

- 09** All first floor windows in the west elevation of the building (as shown on the approved plans) shall be fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority before the dwellings are occupied and be permanently 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.

Reason: To protect the privacy and environment of people in the proposed and neighbouring residential properties, in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

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.

Informative

Please note that the proposed development 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 CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil.