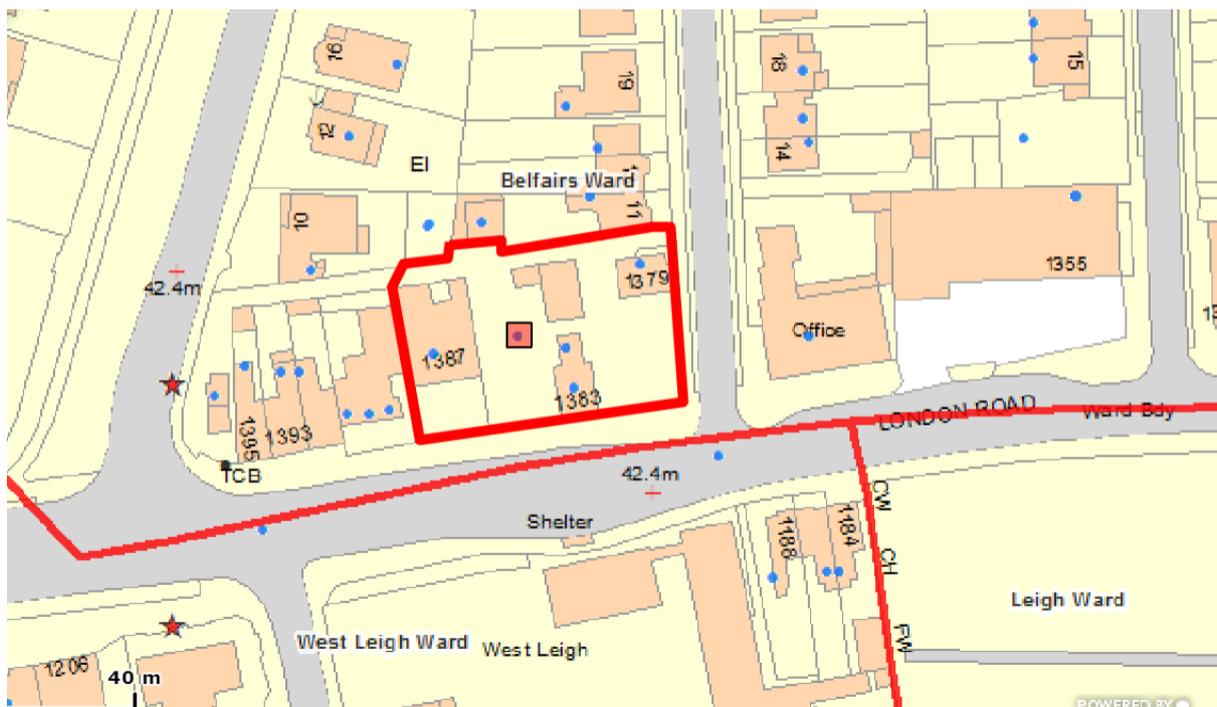


<b>Reference:</b>	17/00875/FUL	
<b>Ward:</b>	Leigh	
<b>Proposal:</b>	Demolish existing buildings, erect 8 no three storey terraced dwelling houses, layout parking and amenity space	
<b>Address:</b>	1379 - 1387 London Road, Leigh-On-Sea, Essex	
<b>Applicant:</b>	Mr Melvin Mason	
<b>Agent:</b>	SKArchitects	
<b>Consultation Expiry:</b>	23.06.2017	
<b>Expiry Date:</b>	04.08.2017	
<b>Case Officer:</b>	Janine Rowley	
<b>Plan Nos:</b>	431 P01 Location and Site Plans; 431 P02 Existing Elevations; 431 P03 Proposed Elevations; 204 P04 Proposed Floor Plans; 204 P05 Visuals	
<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 8 three storey properties with private amenity space and off street parking.
- 1.2 The proposed building would be staggered and have an overall width of 42m (each block would contain four properties with a maximum width of 21m). The depth of the properties is 8.3m with an overall height of 8.6m to the eaves and 11.2m to the pitch of the gable. Each dwelling would feature a balcony fronting London Road, a private garden area to the rear and off street parking for 2 vehicles per dwelling accessed via Belfairs Drive to the east of the site.
- 1.3 The submitted plans and supporting illustrations demonstrate that the building would mostly be constructed from light grey, dark grey and white brickwork with a two toned colour and decorative band coursing and contrasting render to the upper floor to the gables (both flat and recessed). Powder coated aluminium glazing will be introduced for all glazed apertures to compliment the respective brick/render facades. The roof will be covered in a simple plan tile or slate.
- 1.4 The dwellings would measure 98sqm to 102sqm internally and accommodate 3 bedrooms for 4 persons.
- 1.5 Sixteen parking spaces are proposed at the rear of the site which would be accessed from Belfairs Drive. In addition to the roof terraces that are identified above, gardens would be provided to serve the dwellinghouses. These would have an area of approximately 40.6sqm each.
- 1.6 It should be noted during the application the applicant has provided an updated ownership certificate following serving of notice on relevant persons who own the access road to the rear of the site. The applicant is not seeking to block the access road with the proposed development but to have a shared access as existing for commercial and residential properties in London Road and Belfairs Drive.

## **2 Site and Surroundings**

- 2.1 The application site is located at the junction of Belfairs Drive and London Road. The site currently contains a two storey building and ancillary single storey buildings, which have lawful use as car showroom.
- 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 previously was used as the Leigh Sorting Office and is now being converted into flats. To the west of the site are three storey residential properties. To the north of the site are residential properties two storeys in height. There is an existing access road serving the properties along this part of London Road running from Belfairs Drive to Eastwood Road to the west. To the south of the site is West Leigh Infant and Junior Schools.

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 and the character of the area, impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers, traffic and highways issues, sustainability matters and CIL.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework; DPD1 (Core Strategy) policies KP1, 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.
- 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. The existing car sales business at the site 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 under application 10/01330/FULM and 13/00267/EXTM, whereby planning permission was considered acceptable to demolish the existing buildings and erect a part 2/part 3 storey building with a roof terrace incorporating two commercial units (100 sqm and 97sqm) with one flat on ground floor and 13 flats on upper floors.

### **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 dwellings would be taller than the neighbouring properties by 1.8 metres, but the massing would be reduced as the top floor would be set back from the front elevation by 1.5 metres thereby presenting a partially enclosed balcony/terrace at the front of each property. It is also noted that the building would be of comparable height (approximately 0.2 metres taller) to the previously approved development at this site (10/01330/FULM). It is relevant that this development was approved with a bungalow at the adjacent site and therefore the variation to the roofline was far more inconsistent than is now the case. 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.
- 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, and enclosed roof terraces at second floor helps the massing of the building to be broken down.
- 4.11 The main design feature of the terrace is the gabled roofline incorporating front south facing terraces. The terraces have been designed with alternating gable projections to enable privacy screens to be fully integrated into the design. The overall appearance of the development appears to be successfully articulated with brick patterning at the floor levels and around the windows, feature recessed porches and the use of colour variation in the brick work. The overall appearance of the development will add interest to the streetscene. To the flank elevations windows have been added fronting Belfairs Drive, improving the articulation of this frontage, which will be prominent on approach from the east. The rear elevations appear well resolved.
- 4.12 The use of brickwork, including light grey, dark grey and white brickwork integrates successfully with the adjacent properties to the west of the site. 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, it is 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 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods.
- 4.15 The proposed dwellings would be a minimum of 19.5m away from the northern boundary with number 11 Belfairs 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 the Leigh Sorting Office 1373 London Road is currently being converted into flats and whilst there are several windows in the side elevation, taking into account the siting of the development (set 15.2m away) and the fact that any windows to the flank of the proposed development are to be obscure glazed no objections are raised. It is not considered the proposal will be overbearing on the amenities of the future occupiers of the adjacent building nor would it result in unacceptable loss of light or overlooking.
- 4.17 In relation to the impact on residential amenities to the west of the site, the houses would not project beyond the rear wall of existing houses at 1389 London Road. It is not considered the proposal will be overbearing on the amenities of the existing occupiers of the adjacent residential properties nor result in unacceptable losses of light or overlooking.
- 4.18 The proposed buildings would be at least 24m-26m from West Leigh Infant and Junior School to the south of London Road, which is considered sufficient to mitigate against overlooking and loss of privacy.
- 4.19 The proposed development would reduce the overall impact of noise and disturbance in comparison to the associated with the current car showroom, given the scheme is for 8 new family dwellinghouses. Although it is acknowledged the vehicle movements from Belfairs Drive, will increase the noise impact is considered negligible given the existing access road serves a number of existing residential properties fronting London Road already.

### **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.**

4.20 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 three storey, 3 bedroom (4 person bed space) property shall be 90 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.

- 4.21 The dimensions of the proposed residential units are set out above in paragraph 1.4, whereby the dwellinghouses range from 98sqm to 102sqm. 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.
- 4.22 The amenity space provision for four of the dwellings consists of roof terraces measuring between 6.7sqm and 7.6sqm. This is considered useable space together with the private garden area to the rear of each property measuring approximately 40.6sqm. This is found to be entirely adequate to serve the dwellings proposed.
- 4.23 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.**

- 4.24 Policy DM15 states that each dwelling should be served by at least two parking spaces per property and as such the eight dwellings should be served by a total of 16 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.”*

- 4.25 The proposed dwellings will benefit from two off street parking spaces each and would therefore comply with the abovementioned parking standards.

- 4.26 The proposal seeks to utilise an existing vehicle access to the rear of the site where vehicles can enter from Belfairs Drive to the east and Eastwood Road to the west. This serves existing properties fronting London Road including a garage serving number 11 Belfairs Drive. The plans do not propose any blocking of this access for existing residents. A separation of 6.8m will be maintained from the proposed parking spaces to the northern boundary maintaining a sufficient turning area ensuring that vehicles can turn and enter and exit in forward gear, whilst not blocking any other vehicles using the existing access and no objections have been raised by the Councils Highway Officer and this is found to be acceptable approach on highway safety and access grounds.

### *Refuse storage*

- 4.27 There is sufficient space within the rear gardens to provide refuse storage however, a condition will be imposed to ensure full details of appropriate waste management arrangements are provided and implemented.

### *Cycle storage*

- 4.28 There is sufficient space to accommodate cycle storage to the rear gardens and the applicant has indicated space for a shed to accommodate one cycle space per dwelling. A condition will be imposed to ensure this objective is met.

## **Sustainability**

### **Core Strategy Policies KP2, CP4 and CP8, Development Management DPD Policies DM1, DM2 and SPD1**

- 4.29 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 that development promotes the minimisation of consumption of resources. No details have been submitted to demonstrate this proposal would provide 10% of the energy needs, by using on site renewable. However, it is considered this can be required by condition if permission is granted.
- 4.30 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst details have not been submitted for consideration at this time, this would be dealt with by the conditions recommended if the application is deemed acceptable.

## **Community Infrastructure Levy**

- 4.31 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 920 square metres (taking into account a deduction of 482 square metres for existing 'in-use' floorspace that is being demolished). The CIL chargeable rate for residential units in this location is £22 per square metre. Therefore, this equates to £9636.00.

## **Conclusion**

- 4.32 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) KP1 (Spatial Strategy) 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**

### **Design and Regeneration**

- 6.1 London Road is a key route into the town and as such a high quality well detailed development is expected in this location. Although the road has a generally mixed character, including many commercial uses at ground floor, in this particular location there are a number of residential developments so there would be no design objections in principle to residential development on this site. There is also no objection in principle to houses as this relates well to the neighbouring new housing development.

The proposal is 3 storeys, a storey higher than the rest of the street block, however, London Road has a mix of scales and there are a number of other 3 storey development close to the site. There is therefore no objection to 3 storeys in this location. It is noted that the architect has sought to provide references to the neighbouring houses by picking up on the window alignments and building line and this should help to provide a positive relationship between the two housing developments and scales in the streetscene. The building line steps out slightly half way into the site to provide a transition to the more forward building position in the neighbouring block and to break the scale of the terrace in the streetscene and this should work well in this context.

The main design feature of the terrace is the gabled roofline incorporating front south facing terraces. These have been designed with alternating gable projections to enable privacy screens to be fully integrated into the design and this seems to work well and is preferable to leaving this element to a condition as this is the main street elevation and these screens can often appear as a poorly integrated after thought. This solution was refined during the pre app process. At the lower level the design of the terrace is fairly simple and flat fronted, however, articulation has been added through the use of brick patterning at the floor levels and around the windows, feature recessed porches and the use of colour variation in the brick work. This should work well to add interest to the streetscene, however, further clarification of these design features should be sought or conditioned to ensure that they are well detailed and integrated.

It is pleasing to see that since pre app two windows have been added to the flank elevation to Belfairs Drive to improve the articulation of this frontage which will be prominent on approach from the east. It will be expected that these windows would also have the decorative surround feature to ensure that this elevation does not appear too plain.

To the rear the elevations are well resolved and these will need to be complemented by good quality boundary treatments especially to the corner where the boundaries will be fully visible in the streetscene. A wall should be sought for at least the eastern 2 properties. It is pleasing to see that there is room for soft landscaping to the side and to the front of the development and this should help to soften and positively integrate it into the wider streetscene.

Overall this proposal, if well detailed and landscaped, should be a positive addition to the streetscene.

### **Traffic & Highways Network**

- 6.2 There are no highway objections to this proposal. Two parking spaces are provided per dwelling and therefore meet current planning policy guidance. The site also benefits from being in a sustainable location with regard to public transport with good links in close proximity. Consideration has to be given to the use of the site which has the capacity to generate a large number of vehicle movements. The proposal will provide a reduction in vehicle movements at the site and within the local area.

### **Essex and Suffolk Water**

- 6.3 No objection is raised and consent is given for the development on the condition that a water connection is made to the company network for the new dwellings for revenue purposes.

### **Environmental Health Officer**

- 6.4 No objection subject to conditions controlling the hours of construction and contamination.

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

- 6.5 No objections.

## **Essex Fire Service**

### 6.6 Access

More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.

#### Building Regulations

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector.

Local Authority Building Control will consult with the Fire Authority in accordance with "Building Regulations and Fire Safety - Procedural Guidance".

Approved Inspectors will consult with the Fire Authority in accordance with Section 13 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

#### Water Supplies

The architect or applicant is reminded that additional water supplies for fire fighting may be necessary for this development. The architect or applicant is urged to contact the Water Technical Officer at Service Headquarters, telephone 01376-576344.

#### Sprinkler Systems

"There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

## **Public Consultation**

6.7 A site notice was displayed and 16 neighbours were notified of the application. Three letters of objections have been received which raise objections on the following grounds:

- Loss of access, including access to existing residents private parking from proposed.
- The proposal to block off the public pathway, which is co-owned for occupiers in residential properties backing on to the footpath to park vehicles and access garages/parking spaces.
- Houses will overlook Westleigh Primary School.

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.

- 6.8 The application has been called-in to the Council's Development Control Committee by Councillor Butler.

## **7 Relevant Planning History**

- 7.1 10/01330/FULM- Demolish existing buildings, erect part 2/part 3 storey building with roof terrace incorporating two commercial units (100 sqm and 97sqm) with one flat on ground floor and 13 flats on upper floors, lay out parking spaces to rear with access onto Belfairs Drive (Amended proposal)- Granted.
- 7.2 09/00388/FULM- Demolish existing building, erect part 2, part 3 storey building with roof terrace incorporating two commercial units (100 sqm and 97sqm) with one flat on ground floor and 13 flats on upper floors, layout parking spaces to rear with access onto Belfairs Drive (Amended Proposal). Refused.
- 7.3 07/01535/FUL- Demolish existing buildings, erect part 2/part 3/part 4 storey building incorporating two commercial units (100 sqm and 97sqm) and one flat on ground floor and 15 flats on upper floors, lay out parking spaces to rear with access onto Belfairs Drive (Amended proposal)- Refused and dismissed at appeal.
- 7.4 06/00928/FUL- Demolish existing buildings, erect four storey building incorporating two commercial units (138 sqm and 107 sqm) and one flat on ground floor and 20 flats on upper floors, Lay out parking spaces to rear with access onto Belfairs Drive-Refused.

## **8 Recommendation**

**Members are recommended to 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: 431 P01 Location and Site Plans; 431 P02 Existing Elevations; 431 P03 Proposed Elevations; 204 P04 Proposed Floor Plans; 204 P05 Visuals.**

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

- 03 No development shall take place until samples of the materials to be used on all the external elevations, including walls, windows, doors, roofs,**

balustrades to roof terraces, porches, paving, window detailing including brick surround and reveals, brick banding, guttering, balcony hoods and any screen/boundary walls and fences, driveway, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

**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 16 parking spaces (2 per dwelling) shown on the plan 431P01 (Site and Block Plans) hereby approved shall be provided in accordance with plan 431P01 prior to the first occupation of the building hereby approved. Subsequently, the parking spaces shall be retained in perpetuity 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** No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-
- i. proposed finished site levels or contours;
  - ii. means of enclosure, of the site including any gates or boundary fencing;
  - iii. car parking layouts;
  - iv. other vehicle and pedestrian access and circulation areas;
  - v. hard surfacing materials;
  - vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
  - vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
  - ix. details of measures to enhance biodiversity within the site;
  - x. details of the external amenity areas.

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

**Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1**

- 06 A scheme detailing how at least 10% of the total energy needs of the dwellings 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), policy DM2 of the Development Management Document DPD2.**

- 07 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 be retained as such 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).**

- 08 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 DM3, DM8 and DM15 of DPD2 (Development Management).**

- 09 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).**

- 10 Notwithstanding the provisions of Classes A, B, C, 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 and DM3 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy.**

- 11 Prior to their occupation the development hereby approved the ground and first floor windows in the flank elevations (east and west) of the houses hereby approved shall be glazed in obscure glass (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 and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. 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. The windows shall be retained as such in perpetuity thereafter.**

**Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.**

- 12 No meter boxes, flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes are allowed to be attached to the outside of the building facing the street unless they are shown on approved drawings or unless otherwise agreed in writing by the local planning authority.**

**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)**

- 13 Other than the demolition, grubbing up of foundations and site clearance, 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 construction 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 before any construction begins. The site shall be remediated in accordance with the**

approved remediation measures before development the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

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 and these shall be fully implemented before the site is occupied.

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 to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and Policies DM1 and DM14 of the Development Management DPD 2015.

- 14 Demolition or construction works associated with this permission shall not take place outside 07:30hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

- 15 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction

vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

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

- 1 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. 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).
- 2 Consent is given to this development on the condition that a new metered water supply is provided for each new dwelling for revenue purposes for Essex and Suffolk Water.

Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.