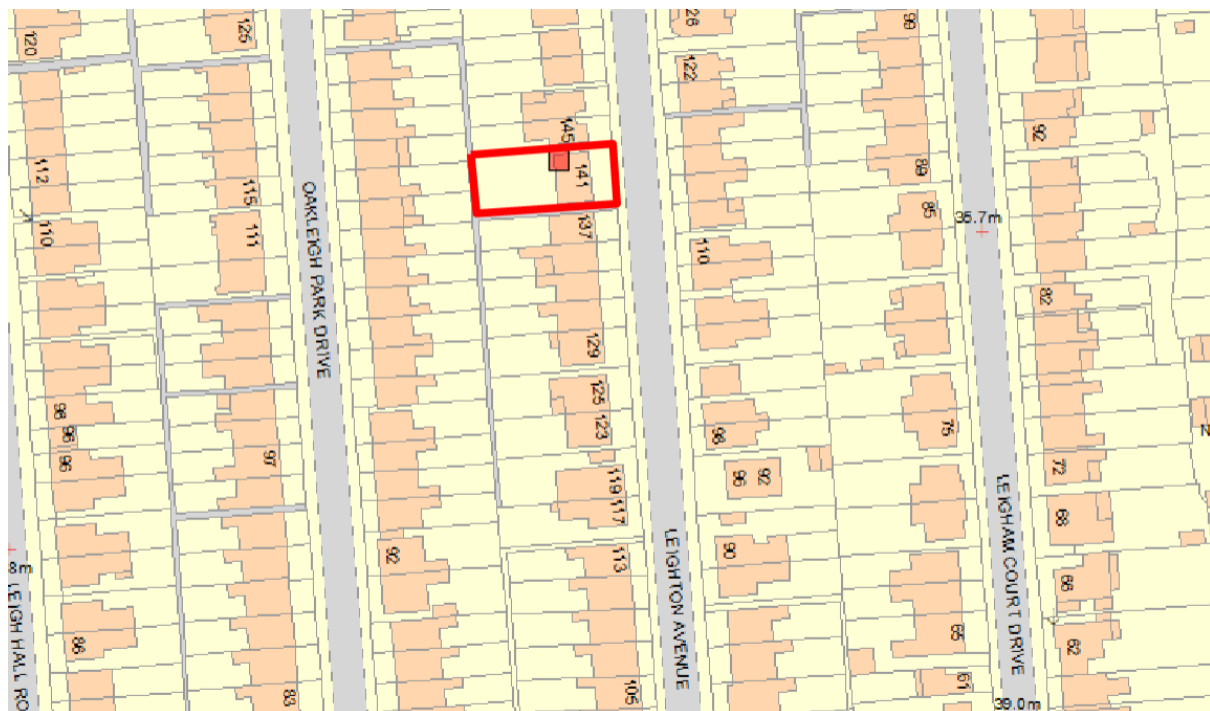


<b>Reference:</b>	17/01001/FUL	
<b>Ward:</b>	Leigh	
<b>Proposal:</b>	Demolish existing two storey dwelling house and erect a pair of two storey semi-detached dwelling houses, layout associated parking and form vehicular accesses on to Leighton Avenue	
<b>Address:</b>	141 Leighton Avenue, Leigh-On-Sea, Essex, SS9 1PX	
<b>Applicant:</b>	Mr Herrtage	
<b>Agent:</b>	Mr John Beuvink	
<b>Consultation Expiry:</b>	18.08.2017	
<b>Expiry Date:</b>	13.09.2017	
<b>Case Officer:</b>	Janine Rowley	
<b>Plan No's:</b>	17-101 PO1C; 17-101 P02; 17-101 P03; 17-101 PO4 & 17- 101 P05	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## 1 The Proposal

- 1.1 Planning permission is sought to demolish the existing two storey dwelling at 141 Leighton Avenue and erect 2 no., two storey, three bedroom, semi-detached dwellinghouses. The dwellings would have gabled roofs to the flank elevations and double storey front gable projections, single storey outriggers to the rear with accommodation in the roof and flat roof dormers to the rear.
- 1.2 Materials to be used would include UPVC windows, aluminum and timber doors, clay tiles and the external walls would be finished in render with clay hanging tiles. The front hardstanding would be paved with permeable block paving. The properties would be by timber boarded fencing.
- 1.3 The proposed dwellings would measure 11m wide x 13m deep at ground floor and 11m deep at first floor. They would be 6.2m high to the eaves, with a maximum height of 9.7 metres. The flat roof rear projection would have a maximum height of 3.7m. The proposed dormers to rear would measure 4m wide x 1.5m high, projecting out the deepest point by 2.6m.
- 1.4 The proposed dwellings would have a kitchen, lounge, dining room to the ground floor, 3 bedrooms to the first floor and family room to the second floor.
- 1.5 Amenity space would be provided to the rear of the properties and would measure approximately 64.6sqm for house 2 and 56.6sqm for house 1. Two parking spaces per dwelling perpendicular with the highway and a line of landscaping would be installed between the two semi-detached dwellings. One additional vehicle crossover is to be formed and the existing one extended. A refuse store is proposed to be located to the rear garden of each dwellinghouse. No cycle store has been shown in the plans submitted.
- 1.6 It should be noted this application has been submitted following the refusal of application 17/00422/FUL, which sought planning permission to demolish the existing dwellinghouses and erect a pair of semi-detached dwellinghouses. The application was refused for the following reasons
  1. *"The proposal fails to meet the minimum off-street parking standards and therefore, it would result in unacceptable additional on-street parking to the detriment of highway safety and the local highway network contrary to the National Planning Policy Framework, Policy CP3 of the DPD1 Southend Core Strategy (2007) and Policy DM15 of the Development Management Document DPD2 (2015)".*
  2. *"The proposed crossover to the north would be located within the root protection area of a street tree and would therefore result in damage to the tree's roots, to the detriment of its health and amenity value of the tree within the streetscene. This is contrary to the National Planning Policy Framework, Southend Core Strategy DPD1 (2007) Policies KP2 and CP4, policies DM1 and DM3 of the Development Management Document DPD2 (2015) and the Design and Townscape Guide (2009)".*

- 1.7 It should be noted the overall design and scale of the dwellings remains unchanged from application 17/00422/FUL. The main changes are that two parking spaces are now proposed together with the formation of a 4.8m wide vehicle crossover to each dwelling. This would result in removal of the existing street tree. The revised application includes an Arboricultural Report and the Councils Arboricultural Officer has visited the site to assess the tree supporting the removal of the tree due to its overall condition.

## **2 Site and Surroundings**

- 2.1 The site is located on western side of Leighton Avenue, south of London Road and it is occupied by a detached house. The size of the existing plot is almost double the size of the neighbouring plots to the north and south. The rear garden of the property is also larger in relation to the neighbouring properties. The property is a shallow pitched, gabled, roof two storey dwelling with bow windows at ground floor and at first floor corner windows. Half of the front curtilage of the dwelling is hard surfaced and used for parking, while this other half is landscaped and enclosed by a low stone wall.
- 2.2 The area is residential in character, comprising predominantly two storey semidetached and terraced dwellinghouses. Whilst the properties in the surrounding area are not of the same design, they are all of traditional design with similar features. The dwelling on the western side of the road, with the exception of the application dwelling, have two storey front gable projections, with characteristic steep gables and vertically proportionated windows. It is noted that a mature street tree is sited on the highway to the front of the application site.

## **3 Planning Considerations**

- 3.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area including the impact on the existing street tree, living conditions for future occupiers, impact on neighbouring properties, any traffic and transport issues, sustainability, CIL liability and whether the proposal has overcome the previous reasons for refusal of application 17/00422/FUL.

## **4 Appraisal**

### **Principle of Development**

**National Planning Policy Framework 2012; Core Strategy 2007 Policies KP2, CP4, and CP8; Policies DM1, DM3, DM8 and DM15 of the Development Management Document 2015 and the Design and Townscape Guide**

- 4.1 The property is located within a residential area and it is currently occupied by a detached two storey dwelling. As noted above, the prevailing character of the area is for two storey dwellinghouses with narrower frontages than the

application site. On that basis, no objection is raised to the principle of the proposed residential use, which has also been accepted under application 17/00422/FUL.

- 4.2 Amongst other policies to support sustainable development, the National Planning Policy Framework seeks to boost the supply of housing by delivering a wide choice of high quality homes. Policy KP2 of the Core Strategy requires that "all new development contributes to economic, social, physical and environmental regeneration in a sustainable way". Policy CP8 of the Core Strategy identifies the need of 6,500 homes to be delivered within the whole Borough between 2001 and 2021.
- 4.3 Policy DM3 of the Development Management Document promotes *"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 The application site is located within a residential area and as such, residential development within the area is considered acceptable in principle. Although the frontage of the property is almost double the size of the frontages of the adjacent properties, the proposal is a more intensive residential use and the erection of two dwellings needs to be assessed in relation to all material planning considerations including design and impact on the character of the area, living conditions of the future occupiers, residential amenity, and parking provision, all of which are fully assessed below.
- 4.5 It should be noted that good design is a fundamental requirement of new development in order to achieve high quality living environments. Its importance is reflected in the National Planning Policy Framework, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that "the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."
- 4.6 Paragraph 56 of the National Planning Policy Framework states that *"good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* One of the core planning principles of stated in the National Planning Policy Framework requires *"to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings"*.
- 4.7 Policy DM1 of the Development Management Document states that all development should *"add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features"*.

- 4.8 According to Policy KP2 of the Core Strategy states that new development should "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of the Core Strategy requires that development proposals should "maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development".
- 4.9 Paragraph 201 of the Design and Townscape Guide advises that *"infill sites are development sites on the street frontage between existing buildings. These areas are usually spaces left over after earlier development or the redevelopment of small industrial units or garages. The size of the site together with an analysis of local character and grain will determine whether these sites are suitable for development. In some cases the site may be too small or narrow to accommodate a completely new dwelling (including usable amenity space and parking) and trying to squeeze a house onto the site would significantly compromise its design quality and be detrimental to neighbouring properties and local character. In these circumstances, unless an exceptional design solution can be found, infill development will be considered unacceptable. Other options, such as an extension to an adjacent building or a garage may be more achievable. However, in certain situations, where the density, grain and openness of an area are integral to its special character, infill development of any kind will not be appropriate in principle... where it is considered acceptable in principle, the key to successful integration of these sites into the existing character is to draw strong references from the surrounding buildings. For example, maintaining the scale, materials, frontage lines and rooflines of the neighbouring properties reinforces the rhythm and enclosure of the street. This does not necessarily mean replicating the local townscape, although this may be an option."*
- 4.10 The proposed development would retain the existing front building line of the existing dwelling and the total width of the two properties would be marginally wider than the existing dwelling (700mm wider). To the rear the property would project significantly further back than the existing property; however, its depth would not be dissimilar to the depth of the neighbouring properties. The pitch of the roofs would resemble the pitches of the neighbouring properties. It is therefore considered that the siting of the proposed dwellings would be acceptable and it would not have a discordant visual impact.
- 4.11 The west side of this section of Leighton Avenue is made of neat runs of two storey terraced dwellings to the south and a pair of semi-detached properties to the north. Although the dwellings are not uniform in character, they have similar architectural characteristics. Topographically the area slopes downwards to the north, resulting in variations to the ridge heights, with properties to the north being sited marginally lower from those to the south of them. The proposal is to form two, two storey gabled dwellings with double storey front bay features, single storey mono-pitched rearward projections and flat roof rear dormers. The proposed dwellings reflect the scale and general size of the neighbouring dwellings and the ridge and eaves line are maintained. Although the design of the front projections is a contemporary

interpretation to the design of the neighbouring traditionally designed features, on balance given that the main proportions, in terms of the width of the projections and steepness of the gable tops and the size of fenestration, are maintained, no objection is raised to an alternate design for the projecting features. It is therefore considered that the development would draw satisfactorily reference from the neighbouring dwellings and would not be detrimental to the character of the wider area.

4.12 There is no objection to the proposed single storey rear extension, given that it would be of an appropriate scale and design. The scale and overall bulk of the proposed rear dormers is considered acceptable, given that they would be set in from side elevations, ridge and eaves heights. Although they would have a flat roof and a box style, they would not be visible from public vantage points, and thus, on balance, they would not have a harmful impact on the appearance of the proposed dwellings or the wider area.

4.14 A mature street is located on the highway in front of the application site. The proposal seeks to install vehicle crossovers, 4.8m each in width with a pavement either side, to provide two parking spaces per dwelling. Previously (under application 17/00422/FUL) the siting of the vehicle crossover was in very close proximity to the street tree and its roots and it was therefore considered to potentially detrimentally affect its health and subsequently its visual amenity. However, since determination of the previously refused application the applicant has provided additional supporting information in relation to the overall condition of the tree. Excavation of the pavement to determine the direction and depth of the tree roots plan has been undertaken and this has established that both direct and indirect damage is being caused to the boundary wall and pavement by the tree. The tree is a mature specimen and has amenity value. The Councils Arboricultural Officer has assessed the tree and states that the Maple tree outside of 141 Leighton Avenue is showing significant root trespass on the property. He confirms it is causing both direct and indirect damage to the boundary wall, supporting the applicants view. The Councils Arboricultural Officer has confirmed there are no means of mitigating the damage other than by removing the tree. The applicant has offered to replace the street tree. Whilst the loss is regrettable the tree is not a suitable species for long term retention and the Council will seek for a two for one replacement when dealing with the landscaping condition. It should be noted the applicant has agreed to providing a two for one replacement of the street tree, which is welcomed. In light of this the positioning of the vehicle crossovers serving each dwellinghouse is now considered acceptable and has overcome reason of refusal 02 of application 17/00422/FUL.

### **Living Conditions for Future Occupiers**

**National Planning Policy Framework 2012, Core Strategy Policies 2007 KP2, CP4 and CP8; policies DM1, DM3, DM8 of the Development Management Document 2015 and National Housing Standards; Design and Townscape Guide 2009**

- 4.15 Delivering high quality homes is one of the Government's requirements according to the National Planning Policy Framework. Since 1<sup>st</sup> of October 2015 Policy DM8 of the Development Management Document has been superseded by the National Housing Standards regarding the minimum internal floorspace standards
- 4.16 The proposal is for the erection of two no. two storey (with roof accommodation), three bedroom (5 persons) dwelling. According to the above standards the internal floorspace requirement for each dwelling would be minimum of 99sqm. The proposed dwellings would be around 154sqm and as such, they would meet the above national standards even if the family room to the second floor was converted to a 4<sup>th</sup> bedroom.
- 4.17 With regard to the bedroom sizes, the double bedrooms would meet the minimum floorspace requirement as set in the National Housing Standards. Although the single bedrooms would be smaller than 7.5sqm (6.1sqm), given that the size of the proposed dwellings is significantly larger than the overall internal floorspace requirements, it is considered that this element of the proposal is acceptable in this instance. All habitable rooms would be provided with adequate light, outlook and ventilation and as such, .no objection is raised in relation to living conditions.
- 4.18 With regard to the amenity space, policy DM8 of the Development Management Document states that all new dwellings should "*make provision for usable private outdoor amenity for the enjoyment of intended occupiers*". On balance, it is considered that adequate and sufficient rear gardens would be provided for both dwellings and therefore, no objection is raised in relation to the outdoor amenity space requirements of the future occupiers.
- 4.19 According to Design and Townscape Guide refuse storage and recycling should not be visible from the streetscene and as such, it should be located either internally to the development or to the rear of the property, to minimise the adverse visual impact. Refuse has been shown to be provided to the rear garden which is considered to be an appropriate location.
- 4.20 Policy DM3 (ii) of the Development Management Document (adopted since October 2015) has been substituted by building regulation M4 (2). These requirements include a step-free access to the dwelling and any associated parking space, a step-free access to a WC and any private outdoor space, accessible accommodation and sanitary facilities for older people or wheelchair users and socket outlets and other controls reasonably accessible to people with reduced reach. The applicant has submitted a statement, demonstrating that the proposed dwellings would comply with all the above. It is therefore considered that the proposed two storey dwellings would be accessible and adaptable dwellings.

### **Impact on Neighbouring Properties**

**National Planning Policy Framework; Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policies DM1 and**

### **DM3; Design & Townscape Guide (2009)**

- 4.21 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities *"having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."*
- 4.21 With regard to the impact on the property No. 145 Leighton Avenue to the north, the proposal would be located approximately 850mm off the shared boundary and 1.7m away from the south flank wall of the neighbouring dwelling. The rear wall of the single storey element of the development would be positioned in line with the rear of 145 Leighton Avenue to the north, whilst the first floor set back 2.3m. To the front, the dwellings would not project beyond the existing dwelling to the north. As such, the proposed development would not adversely impact on light on the windows to the rear and front elevations of the property and it would not result in an undue sense of enclosure.
- 4.22 A clear window is located in the south elevation at ground floor of 145, although the window appears to serve a non-habitable room and on balance it is considered that it would not have a detrimental impact on the amenity of nearby occupiers of no. 145 Leighton Avenue. It is noted that no objections were raised in relation to this issue under application 17/00422/FUL. Two windows are proposed to be installed to the north elevation, which of house 2, which would serve a kitchen and bathroom and will be conditioned to be glazed in obscure glass to prevent possible overlooking.
- 4.23 The proposal would be located only 850mm away from the property to the south. The ground floor projection would project 800mm back from the rear of the neighbouring single storey rear extension and around 1.3m beyond the rear wall of the first floor. Given that this is a limited rearward projection at ground and first floor beyond the rear walls (at ground and first floor) of the adjacent dwelling to the south, it is not considered that the proposal would have a detrimental impact on the residential amenity of the occupants of the No. 137 Leighton Avenue, by way of overshadowing or domination. Although there are two windows at first floor on the north elevation of the property to the south, they are glazed in obscure glass and taking into account the relationship of the existing two storey dwelling with the neighbouring property, it is not considered that the impact of slightly increased height of the proposed dwellings would be materially greater than that caused by the existing property. The proposed dwellings would be positioned in line with the front building line of the dwelling to the south and thus, they would not have any materially harmful impact in terms of loss of light or domination.
- 4.24 The proposed single storey element of the dwellings would be sited around 10 metres away from the rear site boundary, while the first floor would be sited an additional 2.3m away from this boundary. This separation distance between the rear elevation of the proposed dwellings and the rear boundary is considered sufficient to prevent from unacceptable overshadowing or



overlooking impact on properties to the rear.

- 4.25 The proposed windows in the front elevation would overlook the highway and neighbouring front gardens, which is considered acceptable.

### **Traffic and Transport Issues**

#### **National Planning Policy Framework; Core Strategy (2007) policy CP3, policy DM15 of the Development Management Document (2015), Design and Townscape Guide (2009)**

- 4.26 Policy DM15 of the Development Management Document requires all development to provide adequate parking. The provision of a minimum of two off-street parking spaces is required per proposed dwelling.
- 4.27 Previously under application 17/00422/FUL, one parking space per dwelling was proposed. The applicant is now intending to provide two off street parking spaces per dwelling and would therefore comply with policy DM15 of the Development Management Document overcoming reason 01 of the previously refused application 17/00422/FUL. Previously the siting of the vehicle crossovers under application 17/00422/FUL would be located in close proximity to the root protection zone of the mature street tree, which was considered to have a detrimental impact on the health and resulting visual amenity of the street tree. However, as stated above in paragraph 4.14, additional information has been provided whereby the existing Maple tree outside of 141 Leighton Avenue is showing significant root trespass onto the property. It is causing both direct and indirect damage to the boundary wall. The Councils Arboricultural Officer has confirmed there are no means of mitigating the damage other than removing the tree, therefore no objections are raised in relation to the installation of the crossovers and therefore the proposal has overcome reason 01 of application 17/00422/FUL.
- 4.28 Although no cycle store has been shown on the plans submitted, should permission be granted, this will be dealt by condition, given that the rear gardens of the proposed dwellings provide adequate space to accommodate a cycle store.

### **Use of on Site Renewable Energy Resources and Sustainable Construction**

#### **National Planning Policy Framework 2012, Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policy DM2; Design & Townscape Guide (2009)**

- 4.29 Policy KP2 of the Core Strategy requires that *"at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in SPD 1 Design and Townscape Guide, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration.* Policy DM2 of the

Development Management Document also states that *"to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions"*

- 4.30 Whilst the applicant has illustrated solar panels to be installed on the roof, further details will be dealt with by condition to ensure the proposal complies with policy KP2 of the Core Strategy.
- 4.31 Policy DM2 (iv) of the Development Management Document requires all new development to provide "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 can be dealt with by condition.

### **Permitted Development Rights**

- 4.32 It is noted that given the limited size of the plot, any alterations/extension of the dwellings allowed by the General Permitted Development Order may have an unacceptable living conditions for future occupiers (i.e. should the rear amenity space be significantly reduced by a rear extension) or impact on the neighbouring properties (i.e. increased overlooking from additional dormer windows). For this reason it is considered reasonable that permitted development rights for the proposed dwellinghouses be removed if the application is deemed acceptable.

### **Community Infrastructure Levy**

#### **CIL Charging Schedule 2015**

- 4.33 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 316sqm, which may equate to a CIL charge of approximately £20,856 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

## **5 Conclusion**

- 5.1 Having taken all material planning considerations into account, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The dwellinghouses by reason of their design, scale, amenity space and parking provision would provide a positive addition within the streetscene protecting the overall character and appearance of the surrounding locality while providing

adequate amenities for future occupiers whilst protecting the amenities of neighbouring properties, adequate parking is provided to meet the needs of occupiers. The proposal has therefore overcome the previous reasons for refusal of application on 17/00422/FUL, and is considered acceptable.

## **6 Planning Policy Summary**

- 6.1 National Planning Policy Framework (2012): Section 4 (Promoting sustainable transport), Section 6 (Delivering a wide choice of high quality homes) and Section 7 (Requiring good design)
- 6.2 Core Strategy 2007 Policies KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), and CP8 (Dwelling Provision).
- 6.3 Development Management Document 2015: Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards) and DM15 (Sustainable Transport Management)
- 6.4 Design & Townscape Guide, 2009
- 6.5 CIL Charging Schedule 2015
- 6.6 National Housing Standards 2015

## **7 Representation Summary**

### **Transport 7 Highways**

- 7.1 The application has provided 2 car parking spaces per dwelling this meets current policy guidance. The applicant will also replace the existing street tree on a two for one basis which our parks team has agreed. It is not considered that the application will have a detrimental impact upon the public highway. The applicant will be required to apply to highways to construct the new vehicle crossover.

There are no highway objections to this proposal.

### **Design and Regeneration**

- 7.2 No comments received.

### **Aboricultural Officer**

- 7.3 The maple outside this address is showing significant root trespass onto the property. It is causing both direct and indirect damage to the boundary wall. There are no means of mitigating the damage other than removing the tree; it is too close to root trench.

As the applicant has offered to replace the tree it would be to the benefit of the street scene to accept this and remove the tree which is not a suitable species for long term retention in any case.

#### **Environmental Health**

- 7.4 No objection. However, demolition and construction can give rise to some nuisance issues, which can be controlled, by the imposition of conditions

#### **Public Consultation**

- 7.5 12 neighbours have been consulted and a site notice posted on site and two letters of representation have been received stating as follows:

One letter of objection

- Revisions do not remove additional pressure for parking
- Disturbance during construction
- 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.

One letter of support

- Full support of demolition of existing house
- The tree should be removed as blocks light to nearby residents

- 7.6 Councillor Arscott has requested this application be dealt with by Development Control Committee.

### **8 Relevant Planning History**

- 8.1 Demolish existing two storey dwelling house and erect a pair of two storey semi-detached dwelling houses, layout associated parking and form vehicular access on to Leighton Avenue- Refused (17/00422/FUL)

### **9 Recommendation**

**Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:**

- 01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.**

**Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990**

- 02 The development shall be carried out in accordance with the approved plans: 17-101 PO1C; 17-101 P02; 17-101 P03; 17-101 PO4 & 17-101 P05.**

**Reason: To ensure the development is carried out in accordance with the development plan.**

- 03 No development shall take place until samples of the materials to be used on all the external elevations, including walls, roof, dormers, porch canopy, paving, and on 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 safeguard character and appearance of surrounding area in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.**

- 04 The development shall not be occupied until four car parking spaces have been provided at the site in accordance with drawing 17-101 PO1C, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.**

**Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy, policy DM15 of the Development Management Document.**

- 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 including new street tree shrubs and plants to be retained and planted together with a planting 11 specification**
- viii. details of measures to enhance biodiversity within the site;**

**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 Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy.

- 07 Prior to the commencement of development details of any trees to be removed shall be submitted to and agreed in writing with the local planning authority. All trees to be felled shall be replaced by trees only a two for one basis of such size, species and location first agreed in writing 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 Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy.

- 08 A scheme detailing how at least 10% of the total energy needs of the dwellinghouses will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development and implemented in full prior to the first occupation of the dwellinghouse. 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 (2007) and policy DM2 of the Development Management Document.

- 09 Prior to occupation of the development 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 (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented 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, Core Strategy policy KP2, Development Management Document policy DM2 and Design and Townscape Guide.

- 10 The development hereby approved shall be carried out in a manner to ensure the houses comply 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, Core Strategy policy KP2, Development Management Document policy DM2 and Design and Townscape Guide.**

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.**

**Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, DPD2 Development Management Document Policy DM1 and Design and Townscape Guide.**

- 12 Prior to their occupation the proposed windows in the flank elevations 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 and shall be retained as such in perpetuity 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. The**

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

- 13 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 Development Management Document.  
Informative**

**01 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](http://www.southend)**

**The Local Planning 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.**