

Southend-on-Sea Borough Council

Agenda
Item

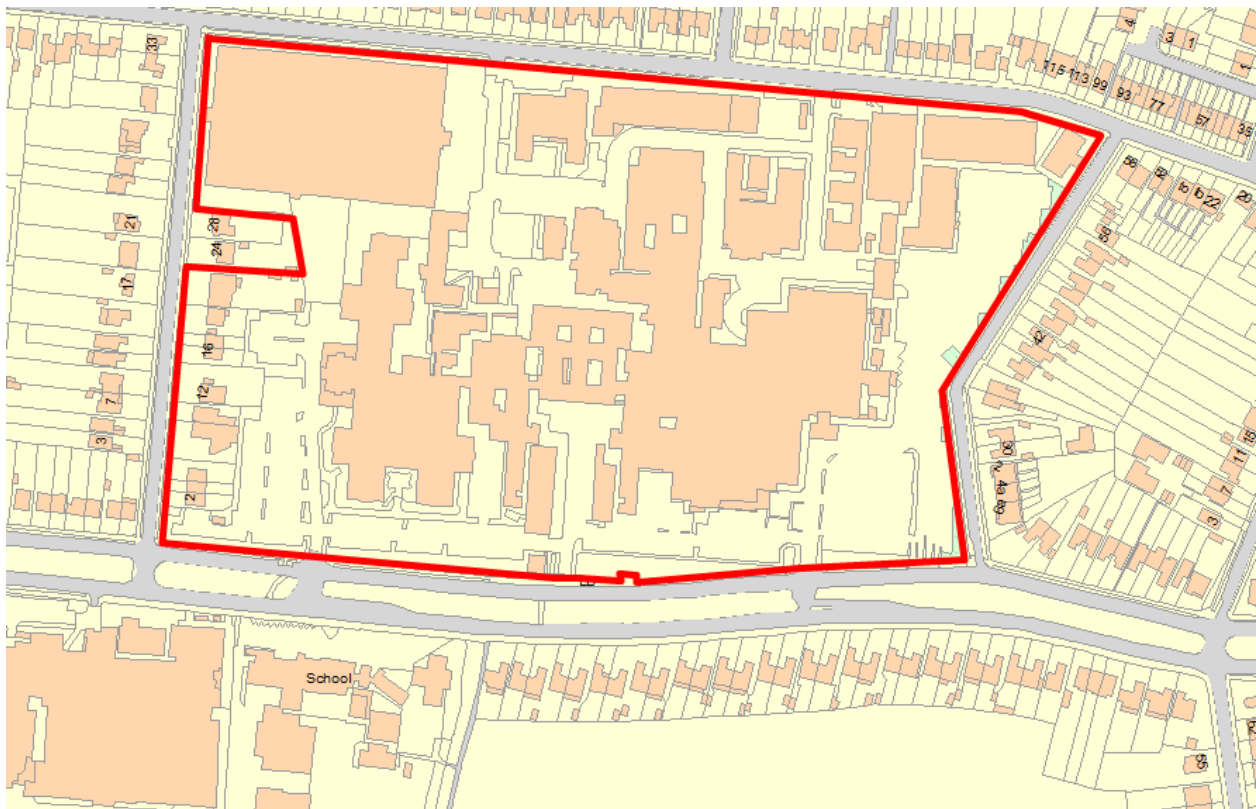
Report of the Corporate Director of Place
To
Development Control Committee
On
09th December 2015

Report(s) on Planning Applications
A Part 1 Agenda Item

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Reference:	15/01449/FULM
Ward:	Prittlewell
Proposal:	Erect second floor extension to existing tower block to form cardiac care unit
Address:	Southend University Hospital, Prittlewell Chase, Westcliff-On-Sea, Essex, SS0 0RY
Applicant:	Southend University Hospital NHS Foundation Trust
Agent:	LSI Architects LLP
Consultation Expiry:	27.10.2015
Expiry Date:	21.12.2015
Case Officer:	Janine Rowley
Plan Nos:	140018-104; 140018-102; 140018-106; 140018-107; 140018-100; 140018-109
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to erect a second floor extension to the existing tower block to form a cardiac care unit.
- 1.2 The proposed extension would be 12.1m wide x 12.9sqm deep x 2.7m high and 13.3m above ground level. The extension would be flat roofed to be clad in dark blue metal panels to match the existing tower block on the south elevation.
- 1.3 The extension will have an internal floorspace of 114sqm and will enable the remodelling of the existing wards to create a new Cardiac Care unit to comply with current standards. The existing two, second floor, wards have 30 bed spaces and the new combined cardiac care unit will have 28 bed spaces. Although resulting in reduced capacity this will enable the hospital to provide larger bed bay sizes and additional support accommodation.
- 1.4 Patients and staffing levels will not increase and the proposal will not result in the loss of any car parking provision.

2 Site and Surroundings

- 2.1 Southend University Hospital main vehicular and pedestrian access points are located on Prittlewell Chase to the south, Cardigan Avenue to the west, Carlingford Drive to the north and Hillborough Road to the east. There are six main vehicular access points to the site, four off Prittlewell Chase and two off Carlingford Drive. A & E access is off Prittlewell Chase and the hospital is easily accessed by public transport given proximity to bus stops and railway stations.
- 2.2 The streetscene surrounding the site is characterised by two storey semi-detached and detached properties. Chase High School is to the south west of the site.

3 Planning Considerations

- 3.1 The main considerations of this application are; the principle of the development, design and impact on the character of the area, traffic and transportation issues, impact on residential amenity and CIL. The planning history of the site is also a material consideration.

4 Appraisal

Principle of the Development

National Planning Policy Framework; DPD1 (Core Strategy) policies KP1, KP2, CP4; DPD2 (Development Management) policy DM1 and the Design and Townscape Guide SPD1 (2009)

- 4.1 Policy CP6 of the Core Strategy supports improvement and expansion plans of Southend Hospital in principle. The proposal is to erect a second floor extension to the existing tower block and will be visible from Prittlewell Chase.
- 4.2 The principle of an extension to the existing hospital facilities is acceptable subject to the other material planning considerations discussed in detail below.

Design and Impact on the Character of the Area:

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; DPD2 (Development Management Document) policy DM1 and Design and Townscape Guide SPD1.

- 4.4 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF as well as Policies KP2 and CP4 of the Core Strategy DPD1, policy DM1 of the Development Management Document DPD2 and The Design and Townscape Guide (SPD1) also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.5 The proposed extension would be sited on the existing tower block visible from the south elevation. The proposal is a simple box form with no windows to the front in an attempt to create a sculptural form which will not compete with the architecture of the tower block. The extension will be constructed from a lightweight steel frame construction with colour coated metal panels to the external walls. Windows proposed to the flank elevation will be clear glazed colour coated aluminum frames to match the cladding. Although no windows are proposed to the front elevation of the extension it is not considered the omission of windows would harm the overall appearance of the tower block. The applicant confirms that this has been discussed with the Trust and the lack of windows is appropriate for the room uses and will not affect potential future users. Roof lights will serve the doctors room and officer and windows to the flank elevation will serve the staff rest room and clean preparation room. The roof of the extension will be constructed from dark grey profiled metal roof cladding with colour coated steel roof edge protection hand railing. It is considered that the success of the extension will rely on the quality of materials and the concealment of fixings, guttering and roof profile, these details will be required to be submitted by a suitable condition. The overall design and scale of the extension appears subservient to the existing building and will not harm the overall character and appearance of the tower block or the wider hospital buildings.

Traffic and Transportation Issues:

The NPPF; DPD1 (Core Strategy) policies KP2, CP3; Development Management Document policy DM15

- 4.6 Policy DM15 of the Development Management Document states that development will be allowed, where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner. Policy DM15 of the Development Management Document required that all development should meet parking standards.
- 4.7 Appendix 6 of the Development Management Document in relation to parking standards state that hospitals are to be 'treated on its merits'. The proposed development will result in 114sqm of additional floorspace at the hospital. Given that the proposal is a remodelling of existing facilities and will not result in any increase of additional staffing or patient numbers it is not considered the proposal will result in any increase in parking provision. The site benefits from 1519 off street parking spaces, 52 motorbike spaces and cycle provision for staff and members of the public. Furthermore, the Councils Highway Officer has raised no objections to this proposal as no additional staffing or patient requirements are needed for the extension in this instance. Therefore it is considered that no additional parking provision is required.

Impact on Residential Amenity:

The NPPF; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management Document) policy DM1 and the Design and Townscape Guide (2009).

- 4.8 Given that the development will not be sited in close proximity to any residential occupiers, it is not considered the development will result in any harm in terms of being overbearing nor result in any overlooking it is therefore considered to be in accordance with policy DM1 of the Development Management Document.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.8 Although this application is CIL liable given the floorspace is 114sqm, Southend Hospital is registered as a charity. The chargeable amount has therefore been calculated as a zero rate as applicable.

Conclusion

- 4.9 The Council, through the Core Strategy and the Development Management Document, seeks to promote and support community infrastructure within the borough. However, this is also balanced against the requirement of creating high quality urban environment with well-designed buildings that are appropriate in design terms and enhance their setting. The proposal is considered acceptable in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy, policy DM1 of the Development Management Document and the Design and Townscape Guide SPD1.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (NPPF).
- 6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance) and CP6 (Community Infrastructure).
- 6.3 Development Plan Document 2: Development Management emerging policies DM1 (Design Quality), DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009).

7 Representation Summary

Highway Authority

- 7.1 There are no highway objections to this proposal as no additional staffing requirements are needed for the extension.

Design and Regeneration

- 7.2 It is proposed to erect a flat roofed meal clad extension on the flat roof adjacent to the snake mosaic above the main entrance to the hospital to provide an extension to the cardiac unit. The proposal is a simple box form with no windows to the front in an attempt to create a more sculptural form which will not compete with the architecture of the tower block. It is considered that the success of this intervention will rely on the quality of materials. There is some concern that metallic panels may not achieve the finish necessary in this location. A modern fibre cement cladding such as <https://www.marleyeternit.co.uk/Facades/EQUITONE/Pictura.aspx> (colour regency blue) or similar may work better in achieving this look. This needs to be installed as a simple box with concealed fixings, no visible guttering and a no visible flat roof or handrail if this is to successfully integrate into the hospital development. **[Officer Comment: The applicant has confirmed that the material to be used will include Kingspan Benchmark architectural flat metal panel system with fine horizontal joints and concealed fixings. The applicant has also confirmed there is no objection to using equitone panels (regency blue) system and this could be dealt with by condition].**

Internally there is some concern that a number of rooms will have no outlook or daylight although the exact uses of the rooms are unclear (- it may be that some rest rooms work better without windows?) Consideration should be given to ensuring the internal arrangement enables the rooms facing to the west and onto the lightwell to be those which would most benefit from outlook and natural daylight. Rooflights may also be an option. **[Officer Comment: The applicant contends the provision of windows has been discussed with the trust and believes that the window provision is appropriate for the room uses. Rooflights are shown on the drawing to the doctor's room and the office. Windows are provided to the staff rest room and clean preparation room. The applicant further states that the provision of windows to the locker room and associated sanitary facilities is not considered appropriate].**

Public Consultation

- 7.3 Two site notices displayed on the 6th October 2015 and no letters of representation have been received.

8 Relevant Planning History

- 8.1 Whilst there is an extensive planning history for the site none of the history is considered relevant to this application.

9 Recommendation

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

- 1 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.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans 140018-104; 140018-102; 140018-106; 140018-107; 140018-100; 140018-109.**

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

- 3 No development shall take place until details including samples of the materials and colour to be used on the external elevations including the cladding, handrail, windows, roofing, have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**

Reason: In interests of visual amenity to ensure that the appearance of the building makes a positive contribution to the character and appearance of the and surrounding area in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy and policy DM1 of the Development Management Document and the Design and Townscape Guide.

Informatives

- 1 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use.**
- 2 You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website http://www.southend.gov.uk/info/200011/building_control for further information.**

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.

Reference:	15/01390/LBC
Ward:	Kursaal
Proposal:	Internal Alterations and Refurbishment (Listed Building Consent)
Address:	The Kursaal, Eastern Esplanade, Southend-on-Sea, Essex
Applicant:	MFA Bowl
Agent:	Giarti Ltd
Consultation Expiry:	2 nd December 2015
Expiry Date:	23 rd December 2015
Case Officer:	Abbie Greenwood
Plan Nos:	04F, 05D, 07E, 009, 17B, 18A, 19, 21A, 22O, 30, 31
Recommendation:	GRANT LISTED BUILDING CONSENT



1 The Proposal

- 1.1 Listed Building Consent is sought in relation to a proposal to accommodate additional leisure facilities within the Kursaal building comprising a Quasar Centre, a new children's play area, additional arcade machines including an adult gaming area, a new toilet arrangement and a coffee shop. The proposals involve alterations to the internal layout and finishes of the listed building which are outlined below

Quasar Centre

- 1.2 The quasar centre will be located in the area to the south east of the lobby in what was formerly Macdonald's. This includes the single storey extension to the Kursaal which now links to the Bourgee Restaurant. The following alterations are proposed in this area:

- The installation of partitions to create a small vesting room and briefing room off the lobby entrance.
- The installation of energiser bases, partitions, vesting racks and built in desk
- The installation of suspended ceiling
- The installation of black film on the inside of the shopfront windows
- The installation of a number of air conditioning units on the rear exterior wall

Children's Play Area

- 1.3 The children's play centre will be located on the northern side of the lobby within the vacant shopfront area adjacent to the existing Tesco's store. The following alterations are proposed:

- Install partitions to create two party rooms
- Install a suspended ceiling
- Free standing play equipment

Arcade Area

- 1.4 It is proposed to install some 13 arcade machines in the lobby area and a screened adult gaming area comprising 10 additional machines behind the lobby to the east. The following alterations are proposed:

- The installation of 1.8m high partitions to the rear of the machines to screen the backs and provide separation to the proposed costa coffee also planned in this area – see below
- The installation of 1.1m screens to the adult gaming area

Coffee Shop

- 1.5 It is proposed to install a Coffee shop in the vacant shop unit to the south west of the central lobby area with associated customer seating under the dome. This will require the following alterations:
- The installation of a serving counter area within the lobby
 - The installation of associated kitchen facilities such as sink, dishwasher etc. within the shopfront area
 - the installation of a suspended ceiling within the shopfront area
 - the installation of vinyl on the shopfront windows

New Toilet Facilities

- 1.6 It is proposed to install additional toilets in the former sweet shop area behind the stairs to the south east of the lobby. This will require the following changes:
- Demolition of the sweet shop frontage in the lobby to reveal the original archway arrangement and installation of a new partition to screen the toilets
 - Alterations to the existing sub divisions in this area to create new public toilets
 - Associated sanitary ware, plumbing and suspended ceiling

Other Alterations

- 1.7 It is also proposed to install a new bar within the bowling alley area on the raised section which currently contains the pool tables.
- 1.8 The submission also mentions new signage but no details have been supplied. This, however, will need separate advertisement consent.

2 Site and Surroundings

- 2.1 The Kursaal was constructed in 1898 as the grand entrance pavilion to the 'Marine Park and Gardens', Southend's first amusement park. It was the most important building on the site and is the only surviving reminder of the former amusement park which was demolished many years ago. It is an attractive red brick building with stone dressings, a colonnade of shops to the west elevation and a feature domed entrance. It is the principal architectural monument to Southend's Edwardian boom period and an important local landmark. The list description identifies the octagonal area beneath the dome and its internal dome glazing and decoration as being of particular significance.
- 2.2 The building currently contains a bowling alley and Tesco Metro store but there are two significant areas of vacant floorspace at ground level to which this application relates.

- 2.3 The Kursaal is located at the eastern end of the central seafront area within the boundary of the Kursaal Conservation Area. The adjacent building, formerly the Minerva PH (now Bourgee Restaurant) is locally listed as is the Britannia PH close by to the east. These are the principle historic buildings in the small conservation area.
- 2.4 The central seafront area is a key destination for visitors to the town and the Kursaal forms part of the leisure offer in this area.

3 Planning Considerations

- 3.1 Planning permission is not required for the above works and uses (with the exception of the air conditioning units). The sole consideration in relation to this application is the impact of the work on the character and appearance of the listed building

4 Appraisal

Design and Impact on the Character of the Listed Building:

NPPF; DPD1 (Core Strategy) policies KP2 and CP4; DM DPD Policies DM1, DM5 and DM6

- 4.1 Paragraph 129 of the NPPF states that: 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.'
- 4.2 Core Strategy Policy KP2 seeks to '....respect, conserve and enhance ...the historic environment..'
- 4.3 Core Strategy Policy CP4 seeks to '....safeguard and enhance the historic environment, heritage and archaeological assets including listed buildings..'
- 4.4 Policy DM5 of the DM DPD states that: 'Any alterations and additions to a heritage asset will need be evidenced. They should be informed by a heritage statement explaining the significance of the building, including any contribution made by its setting, giving a justification for the works, and clearly identifying their impact on the building's fabric and character in a manner appropriate to the significance of the heritage asset.'
- 4.5 There are a number of elements to this proposal which have been outlined above. These will be assessed in turn to evaluate whether the impact on the listed building is considered to be acceptable.

Quasar Centre

- 4.6 As noted above the quasar centre will be located in one of the two large vacant areas that was formerly the Macdonald's restaurant. This area is partly within the old building and partly within a more modern extension. At present it has a concrete floor and plastered walls and a modern metal roof. There are no historic features in this area.
- 4.7 The proposal involves the installation of various partitions, suspended ceiling and other installations required for a quasar laser tag gaming centre. The suspended ceilings will be Armstrong Ultima 600x600x23mm in exposed grid system with white tiles. The frame will be supported on wire hangers which are screwed into the existing ceiling. The suspended ceiling will conceal the services required for this area. The existing doors to the lobby are to be retained and there is no demolition proposed. Given that this area is partly modern and has no historic fabric of note it is considered that the proposed internal works will not have a detrimental impact on the significance of the building.
- 4.8 In addition to the internal works a number of air conditioning units are also proposed to be located on the rear wall of the single storey extension. This area has no public views and therefore this element of the proposal is also accepted subject to planning permission being granted.
- 4.9 The only impact on the public realm will be the proposed installation of black vinyl film on the shopfront windows. This will prevent the opportunity for an active shopfront to the street which is regrettable, however, this has to be balanced against the vacancy of this section of the building for many years and that this is actually a modern extension. On balance it is considered that vinyl on the windows is accepted as it will facilitate the regeneration of the building although the applicant may wish to consider a more artistic approach which adds value to the streetscene.
- 4.10 It is therefore considered that the proposed alterations required for the quasar centre will have a minimal impact on the historic significance of the building and are considered to be acceptable.

Children's Play Centre

Parking

- 4.11 The other large vacant area at ground floor, which is the shop unit adjacent to Tesco Metro is proposed for use as a children's play centre. This will contain an area of essentially free standing large play equipment such as slides, maze, soft play, ball pool etc. Surrounding this will be an area for parent seating and partitions are proposed to create two party rooms to the rear of the unit. The same suspended ceiling is proposed here as for the quasar centre and black film is proposed on the existing shopfront windows.

Cycle parking

- 4.12 At present this area is just a vacant shell. It has a concrete floor and ceiling and plastered walls. There are no features of historical interest here and no demolition is proposed. The existing doors to the lobby are to be retained.
- 4.13 As with the quasar centre it is considered that the changes proposed here will not have a significant impact on the historic character of the listed building. It is regrettable that black film is proposed to the shopfronts rather than something more interesting but the need for screening is noted. The changes proposed are potentially reversible and therefore this element of the proposal is considered to be acceptable.
- 4.14 A Costa Coffee Shop and arcade machines are proposed to be installed in the lobby area. The 'back of house' for the coffee shop will be in the small vacant shopfront area to the west of the lobby which wraps around the stairs and has a section of shop windows to the street. A servery and the customer seating for Costa will be located on the western side of the lobby. A 1.8m partition is proposed within the centre to divide the coffee shop from the area proposed for free standing arcade machines. These will be located within the central area only maintaining a clear path for visitors around the outside of the existing decorative columns. 1.8m partitions are proposed to screen the back of the machines. These will be 100x50mm timber studwork lined with plasterboard. The soleplate to the studwork will require minimal fixings into the existing modern vinyl floor. A separate adult gaming centre is proposed next to the lobby area in the linking section between the lobby and the bowling alley entrance. This will be enclosed with similar but shorter partitions.
- 4.15 The central lobby area is one of the most decorative sections of the building. It is an octagonal space with 4 decorative columns supporting a circular wrought iron balcony feature which runs around the space and the coloured glass inner dome as its top, protected from the elements by the outer lead dome. At the lower level the octagon shape is further defined by a run of simple masonry arches around the space, some of which have been infilled with timber double doors. At present there is no use for this area other as an open lobby and route to the bowling alley. The floor and lower section of the columns have been overlaid with modern materials and a sweet shop canopy, has been fixed over one of the arches on the eastern side, protrudes into the space. Overall this is an impressive space, especially views looking up toward the top of the columns, the balcony, decorative ceilings and the roof and is specifically mentioned in the list description as being of significance.

- 4.16 The proposal here would provide a use for this area other than as an open lobby. Whilst this will have an impact on its character it is considered that at present it is rather under used and has become more of a transient area rather than one to enjoy. The proposal for a coffee shop in this area seems entirely appropriate and would enable customers to better appreciate its special character. The servery would intrude into the area on the west side but is proposed as a modest designed timber counter which will not detract from the historic significance of this area. The back of house area is proposed in the small vacant shopfront to the west. This area is too constrained to be used as a customer area and the new sinks within this area will connect to the existing drain located behind the stairwell. This arrangement seems to work well. There is some concern regarding the proposal to have black film on the existing shopfront windows which will result in a dead street frontage for this retail unit however it is noted that at present a silver film has been applied to this area so this would not be materially different although there would be an opportunity for something more interesting. The proposed coffee shop arrangement is therefore considered to have an acceptable impact on the listed building.
- 4.17 The proposal to install free standing arcade machines in the rest of the central area is likely to have a more significant impact on the character and atmosphere of this area however, the applicant has amended the plans to reduce the number of machines in this area so that views of the columns and a clear passage for pedestrians is maintained around the edge of the space. The machines will require a power source but it is noted that this is available from the existing 4 columns and can then be routed inside the partitions and will have no impact on the historic fabric. The screens themselves will need to be secured to the floor but this is a modern covering and therefore not objected to. Given that the machines and screens are removable features it is considered that on balance a small element of leisure use in this area would be an acceptable impact on this area.
- 4.18 The proposal to remove the sweet shop frontage is particularly welcomed as this will enable the original arched profile of the wall behind to be revealed and this will provide continuity to the ground floor and enhance the space. The applicant has agreed also to re-site the adult gaming area which was originally planned in this area to a space just to the east of the octagon where it will not disrupt the symmetry of the lobby area and this is considered to be an enhancement to the original proposal.
- 4.19 It is also proposed to remove two sets of double doors on the eastern side of the lobby leading to the bowling club entrance. One set of doors will be reused within the arch belonging to the bowling reception, the other pair will be stored so that they can be reused at a later date if required. Matching doors can be found in a number of the arches including the entrances to what is proposed as the children's play area and quasar centre however it is noted that these seem to be of a modern design (but no inappropriate in style) and therefore not part of the original historic fabric. It is also noted that there are instances where the archways are open without any enclosure therefore the removal of these doors is not objected to.

4.20 On balance therefore, subject to the proposed screens not being used for advertising purposes, which would add visual clutter and detract from the historic character of this area, it is considered that the impact of the proposals on the character and fabric of the lobby is acceptable.

New Toilet Facilities

4.21 In order to support the projected increase in visitors using the proposed new attractions it is proposed to install an additional set of toilet facilities in the building. These are proposed in to the north of the proposed quasar centre and to the east of the lobby in an area which currently contains the vacant sweet shop, first aid room and staff room. The proposal will provide for ladies, gents and a disabled/baby change unit. It will involve the removal of the former sweet shop frontage, the infilling of the sweet shop hatch, the insertion of a new door to the area between the lobby and the bowling alley and minor rearrangement of internal partitions in this area. There is no demolition of load bearing walls proposed.

4.22 As noted above the removal of the sweet shop frontage which protrudes into the lobby is seen as an enhancement to the building as it will enable the original arch, currently obscured, to be revealed. The partition arrangement in this area has been amended to ensure that this feature is reinstated and respected.

4.23 It is noted that this area already contains 2 staff toilets and therefore plumbing for this use already exists. The agent has confirmed that the new facilities will integrate with the existing facilities negating the need for new drainage to be installed in this area. New sanitary ware and a suspended ceiling are also proposed but in this instance this is justified and the changes to this area are accepted.

Other Alterations

4.24 It is also proposed to rearrange the bowling alley by swapping the location of the pool tables, which are currently situated on a raised floor area, with the bar area. The only impact on the fabric here is the replacement of the existing modern bar at the lower level with a larger bar on at the upper level. It is considered that this will not have an impact on the character or historic fabric and is considered to be acceptable.

Conclusion

4.25 The proposals, in principle, will bring vacant areas of the building back into use and will increase the leisure offer at the Kursaal. This is compatible with the buildings history as a 'pleasure palace'. On balance it is considered that the proposed alterations to the listed building are reasonable and will not detrimentally impact on the special historic or architectural significance of the listed building.

- 5 Planning Policy Summary:
 - 5.1 National Planning Policy Framework
 - 5.2 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles), CP4 (The Environment and Urban Renaissance).
 - 5.3 Supplementary Planning Document 1: Design & Townscape Guide.
 - 5.4 DPD Policies DM1 (Design Quality), DM5 (Southend's Historic Environment) and DM6 (The Seafront)

6 Representation Summary

Environmental Protection

- 6.1 The following conditions are suggested:

'The rating level of noise for all external plant including air conditioning units should be at least 5dB(A) below the background noise with no tonal elements. The LA90 to be determined according to the guidance in BS:4142 at 3.5m from ground floor facades and 1m from all facades above ground floor level to residential premises.'

The equipment shall not be installed before an acoustic assessment has been undertaken and the proposed installation is designed to be capable of meeting the above criteria. The assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics. The equipment shall be maintained in good working order thereafter. The plan must not have a distinctive tonal or impulsive characteristics.'

Construction

'Demolition or construction works shall not take place outside 07.30 hours to 1800 hours Monday to Fridays and 08.00 hours to 13.00 hours Saturday and at no time on Sundays and Bank Holidays.'

[Officer Comment: The Council's Environmental Protection Officer has provided the following suggested conditions in relation to the external plant proposed for the Quasar Centre however it should be noted that this is a Listed Building Application and all conditions must be restricted to ensuring the protection of the historic character and fabric of the building. Therefore, where appropriate, these conditions will be added to the planning application which is required for this element of the proposal only.]

The Southend Society

- 6.2 No response received.

Public Consultation

35 individual letters were sent to neighbours and a site notice was posted – no representations have been received at the time of writing.

Councillors

6.8 This application was called in by Cllr McMahon.

7 Relevant Planning History

7.1 The site has extensive planning history. That which relates to the sections of the building affected by this application are:

7.2 08/00534/LBC – strip out building (Listed Building Consent) (in relation to former MacDonald’s) – granted 2008

7.3 05/01498/LBC – remove internal wc block and internal walls, form new entrance, doors and separating wall to bowling centre (Listed Building Consent) – granted 2005

7.4 00/00721/LBC - Remove internal entrance stair, install lift shaft and alter section of roof, extend existing canopy with new cladding, form new windows at second floor level and various other internal alterations all in connection with SOS/00/00720/FUL – granted 2000

7.5 00/00720/FUL | Install lift shaft and alter section of roof; install new cladding to entrance canopy, new sign arch to vehicular entrance and new windows at second floor level to west elevation – granted 2000

8 Recommendation

Members are recommended to GRANT LISTED BUILDING CONSENT subject to the following conditions;

01 The development must be begun not later than the expiration of two years beginning with the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (NPPF), DPD 1 (Core Strategy) Policy KP2 and CP4, Development Management Policy DM1 and SPD1 (Design and Townscape Guide).

02 The development hereby permitted shall be carried out in accordance with the approved plans 04F, 05D, 07E,009, 17B, 18A, 19, 21A, 22O, 30, 31

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

- 03 The archway behind the former sweet shop lobby frontage shall be retained and the new partition in this location shall be installed behind the archway.**

Reason: To ensure that this feature is preserved and makes a positive contribution to the historic character of the main lobby area and to protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

- 04 Notwithstanding the provision within the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 the partitions within the main lobby area shall not contain advertising unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

- 05 The existing doors to the lobby area shall be retained except where they are shown as removed on the approved plans.**

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

- 06 The archways to the lobby leading to the bowling centre where it is proposed to remove the doors shall be made good to match the existing. The adult gaming partition on this side shall be sited so that the profile of the arch is maintained to ground level.**

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

- 07 Notwithstanding the details noted on the approved plans, prior to completion of the works, details of the proposed vinyl's for all shopfront windows should be submitted and approved by the Local Planning Authority.**

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

Informatives

- 01 The advertisements for the proposal as a whole and for the individual elements will require a separate Listed Building Consent (inside and out) and Advertisement Consent (outside only) which you are advised to submit to the Local Planning Authority before commencement of the works.**
- 02 It is suggested that the applicant should consider an alternative more artistic approach to the shopfront windows as the proposed black vinyl's would give rise to a dead frontage to the street which would be detrimental to the character of the listed building and the wider conservation area. The desire to screen/black out these areas is noted, however, it is considered that a more decorative artistic solution would be a more appropriate response and would be to the benefit of the listed building, the streetscene and to the proposal itself. Please note this should contain no advertising. Details of this would need to be agreed with the Council by discharging condition 07 above. It maybe that the Council's Cultural Development Officer can assist with developing an appropriate solution.**
- 03 The applicant is reminded that the proposed air conditioning units to the rear of the quasar centre will require Planning Permission in addition to Listed Building Consent and this must be obtained prior to installation.**

Reference:	15/01531/AMDT
Ward:	Shoeburyness
Proposal:	Amend fenestration details and positions and install additional rooflights, revise internal layout (Application to vary condition 02 (approved plans) of planning permission 14/01672/BC4M dated 23rd April 2015)
Address:	Hinguar Primary School, Hinguar Street, Shoeburyness, Southend-On-Sea
Applicant:	Mr Karl Pickering, Tern Development
Agent:	Robert Hutson Architects
Consultation Expiry:	22nd October 2015
Expiry Date:	10th December 2015
Case Officer:	Charlotte Galforg
Plan Nos:	801-PL- 001 A3, 801-PL- 002A, 801-PL- 003B, 801-PL- 004B, 801-PL- 005, 801-PL- 006, 801-PL- 007B, 801-PL- 008B, 801-PL-009A, 801-PL- 0010A, 801-PL- 011B, 801-PL- 012B, 801-PL-013B, 801-PL- 014B, 801-PL- 019, 801-PL- 020A, 801-PL- 021B, 801-PL- 022, 801-PL- 023, 801-PL- 024A
Recommendation:	DELEGATE to the Head of Planning and Transport or Group Manager of Planning & Building Control to GRANT PLANNING PERMISSION subject to completion of a subject to completion of a S.106 Agreement.



1 The Proposal

1.1 Permission was granted in April 2015 for development of the site as follows:

Demolish several outbuildings and existing extensions to the school building, to convert the building into 13 self-contained apartments (a mix of single level and duplex units) and to erect 18 houses within the curtilage of the site as follows:

Former School Building:

3 x 1 bed flats

5 x 2 bed flats

5 x 3 bed flats

Site Curtilage

12 x 3 bed houses

5 x 2 bed houses

1 x 1 bed house

1.2 This current application seeks to amend fenestration details and positions within the original school buildings and to install additional rooflights and in addition to carry out changes to the internal layout of the school building. It is an application to vary condition 02 (approved plans) of planning permission 14/01672/BC4M.

1.3 The details are as follows:

- Front elevation - existing cill heights retained (previously lowered)
- Rear elevation – door replace by window, additional velux installed to roof
- East side elevation – new rooflight installed, new window installed, original window openings reinstated to create full height windows.
- West side elevation – position of proposed window and door swapped and additional window added.
- Internal side elevations - original window and door openings uncovered and window and door reinstated. One rooflight removed, one rooflight added. opened up to create full height windows
- Alter internal layout of units within the school. These alterations changes the unit breakdown as follows:
 - 3 x 1 bed
 - 2 x 2 bed
 - 8 x 3 bed

1.4 The matters for consideration relate solely to the changes that are now proposed.

2 Site and Surroundings

2.1 The site was previously used as a school. The existing building is Victorian, having been constructed in 1886. The frontage of the building is locally listed. The building survives in a good condition with its original layout and fabric maintained due to the continuity of function over time. The school is considered to be a local landmark, making an important contribution to the character of the local streetscene. Design characteristics of the building include, multiple gables, tall windows positioned high off the floor, a crowning cupola and the use of red brick. The side and rear of the site is mainly laid to hard surface and was used as playground space. The site contains several small outbuildings. Vehicular accesses to the site are currently located at the eastern and western ends of the site, with pedestrian accesses located along the frontage.

2.2 The immediate area is characterised by small scale, two storey residential development, mainly in the form of terraces of pitched roof houses. There are also some low rise flats (Sycamore Court) along the northern part of the western site boundary. Immediately to the north of the site lies the London to Fenchurch Street Railway line, including railway sidings and Shoeburyness station. The rear gardens of properties in High Street abut the site boundary to the east. The Shoebury Garrison development and associated Conservation Area lies to the south of the site.

2.3 Hinguar Street a relatively narrow one way street connecting Smith Street to the South to High Street to the east. It is subject to a 30mph speed limit.

2.4 The site has no specific allocation within the Core Strategy or DMDPD.

3 Planning Considerations

3.1 The principle of redevelopment of this has previously been accepted and planning permission granted. The proposed changes do not have any impact on, trees, archaeology, biodiversity, flood risk, or contamination. The planning considerations in relation to this application are therefore the impact of the proposed amendments on: the character of the area, detailed design, traffic and parking, impact on surrounding occupiers, living conditions for future occupiers, sustainability and developer contributions.

4 Appraisal

Design and impact on the character of the area.

Planning Policies: NPPF, DPD1 (Core Strategy) policies KP1, KP2, KP3, CP4, Development Management DPD 2015 Policies DM1 and DM5, 1SPD1 Design and Townscape Guide.

4.1 A core planning principle set out in Paragraph 17 of the NPPF is to seek to secure high quality design and good standards of amenity for existing and future occupants.

4.2 The NPPF also states at paragraph 56:

“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.” The NPPF refers specifically to consideration of applications which impact upon “non designated heritage assets” (which includes Locally Listed buildings) at para 135 and states:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

- 4.3 The school building is Locally Listed (it should be noted that the Victorian elements of the Hinguar Street frontage only are covered by the Local Listing). Policy CP4 of the Core Strategy requires that development proposals should safeguard the character of Locally Listed Buildings.

Policy DM5 of the DMDPD refers to the Historic Environment and states inter alia:

3. Development proposals that result in the loss of or harm to the significance of a non-designated heritage asset, such as a locally listed building or frontages of townscape merit, will normally be resisted, although a balanced judgement will be made, having regard to the scale of any harm or loss, the significance of the asset and any public benefits.

- 4.4 The need for good design is reiterated in policies, DM1 and DM5 of the DMDPD and the Design and Townscape Guide
- 4.5 The development is relatively minor in nature, the changes to the locally listed frontage would see the windows that are affected retained in their original configuration, other changes see windows that had previously been covered also reinstated and would therefore enhance the character of the original building. The changes to the west and internal elevations are relatively minor and not open to wider public view. They are considered to be in keeping with the character of the school building and therefore acceptable.
- 4.6 The design of the development is therefore considered to be acceptable and in accordance with policy CP4 of the Core Strategy and policies DM5 and DM1 of the Development Management DPD and the Design and Townscape Guide.

Traffic, Transport and Parking

Planning Policies: NPPF; DPD1 (Core Strategy) policies: KP1, KP2, KP3, CP3; DM Policy: DM15

- 4.7 The reconfiguration of the layout of the units within the school results in 3 additional bedrooms and therefore, although the impact on traffic generation and servicing will be marginal, it does have potential implications for parking demand.

- 4.8 The development includes 52 car parking spaces. The units that are being increased to 3 bedrooms each have 2 car parking spaces which complies with the current parking standards for 3 bed units as set out on Policy DM15. Thus no objections are raised on parking grounds and the development continues to comply with policy CP3 of the Core Strategy and complies with policy DM15 of the DMDPD.

Impact on amenity of adjacent occupiers and future occupiers of the development.

Planning Policies: NPPF, DMDPD policies DM1. Design and Townscape Guide SPD1.

- 4.9 Policy DM1 of DM DPD refers to the impact of development on surrounding occupiers. The installation of new windows and doors has the potential to increase overlook of neighbouring dwellings and therefore could impact on amenity.
- 4.10 The proposed changes to the windows within the front and rear elevations of the building will not result in increased overlooking.
- 4.11 The east elevation of the development where is lies adjacent to No 4 Hinguar Street is sited some 14m away from the side elevation of that dwelling, which does contain habitable windows. Given that it is only the ground floor windows that will serve habitable accommodation, the separation distance is considered to be sufficient when taken together with existing boundary treatment, to protect the occupiers of No 4 Hinguar street from undue overlooking.
- 4.12 The full length windows within the east elevation, serve only roof voids at upper levels and therefore would not result in overlooking.
- 4.12 With regard to the windows in the west elevation facing 6 Hinguar Street, it is considered that the changes to the windows in the main elevation would result in no greater overlooking than the approved scheme. Additional doors and a window are proposed within the rearward most part of the school building, but given this is sited some 13m from the boundary and cycle store will lay between it and the boundary, it will not give rise to unacceptable overlooking.

Impact on future occupiers

- 4.13 The proposed alterations result in bedrooms being relocated at first floor, leaving an open void above the internal kitchen and breakfast areas, with roof lights giving daylight to the accommodation. This, although unusual, taking into account that this is conversion of an existing building is considered acceptable.

- 4.14 The unit sizes as amended meet the National Technical Standards, with the exception of unit 4, the layout of which has not changed from the original permission. Taking this into account (and the fact it could be built as now proposed under the existing permission) no objection is raised to the amended unit layouts or sizes.
- 4.15 The proposed layout changes would continue to provide acceptable living conditions for occupiers.

Developer contributions.

Planning Policies: NPPF; DPD1 (Core Strategy) policies KP3.

- 4.16 The Core Strategy Police KP3 requires that:
“In order to help the delivery of the Plan’s provisions the Borough Council will:
2. Enter into planning obligations with developers to ensure the provision of infrastructure and transportation measures required as a consequence of the development proposed”.
- 4.17 As the application is made under S73 of the Town and Country Planning Act and does not result in the creation of any additional floorspace, although it is CIL Liable, it is not CIL chargeable. Thus a CIL contribution is not required
- 4.18 *Affordable Housing* – It was previously agreed that the affordable housing for this development would be provided on the Saxon Lodge site (application 14/01744/FULM). 9 affordable units were proposed which are intended to be shared ownership. The 9 units equate to the required 20% AH provision for both sites in line with Policy CP8. This arrangement will remain and is acceptable.
- 4.19 *Highways works* – The works that are required (the highway inside the site should be adopted and yellow lined as required to prevent any obstruction). The required TRO would cost £4500 to implement. This will be required as part of the S106 Agreement and remains as previously agreed.
- 4.20 *Education* - This application falls within the Hinguar Primary School and Shoeburyness High School Catchment areas. Education colleagues have been consulted and confirm that the education contribution sought remains the same for the amended scheme as for the original submission (£156,639).
- 4.21 *Highways improvements* – Travel Packs are required. This remains as previously agreed.
- 4.22 *Public Art* - A public art contribution of £12823.02 was agreed as part of the original permission and this does not change.

Other matters

- 4.23 The S106 Agreement in relation to this application will need to be linked to that for the application at Saxon Lodge in order to link the affordable housing provision.
- 4.24 The contributions proposed are considered to meet the tests set out in the CIL Regulations 2010. Without the contributions that are set out above the development could not be considered acceptable. Therefore if the S106 agreement is not completed within the relevant timescale the application should be refused. An option to this effect is included within the recommendation in section 11.

Other Considerations

NPPF, DPD1 (Core Strategy) policies KP1, KP2, KP3, CP4, CP6; SPD1 Design and Townscape Guide

- 4.25 *Flood risk* - The site is not within an area prone to flood risk.
- 4.26 *Decontamination* – A desktop screening report has been submitted with the application. This identifies that there is a risk of contamination within the site because of the presence of an existing tank and because of industrial and similar activities which have taken place in close proximity to the site. It is therefore recommended that further screening is undertaken and any necessary mitigation measures undertaken. Such works can be required and controlled by the use of an appropriate condition.
- 4.27 *Ecology* – An ecological assessment has been submitted with the application. This concludes that if roof works are proposed to the existing building (which they are) further bat surveys are recommended. This will be required by condition. The reports also identifies potential for harm to nesting birds and suggests mitigation measures be put in place. Again this will be controlled by condition. The report goes on to suggest enhancements to the site by the addition of bird nesting boxes. These have been included within the submitted landscaping plan. This issue is not affected by the amendments to the application and remains acceptable.

5.0 Community Infrastructure Levy Regulations

5.1 The Community Infrastructure Levy Regulations 2010 came into force on 6 April 2010. The planning obligation discussed above and as outlined in the recommendation below has been fully considered in the context of Part 11 Section 122 (2) of the Regulations, namely that planning obligations are:

- a) necessary to make the development acceptable in planning terms; and
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development

The conclusion is that the planning obligation outlined in this report meets all the tests and so constitutes a reason for granting planning permission in respect of application 15/01531/AMDT

6.0 Conclusion

6.1 The principle of this development has already been assessed and accepted, the only matters for consideration now relate to the amendments that are proposed and their impact on the development as outlined above. The external changes have an acceptable impact on the character of the building. The external alterations will not cause harm to the amenities of surrounding occupiers and the size and the accommodation proposed will meet the needs of future occupiers. Notwithstanding the minimal increase in bedroom numbers parking provision on site remains acceptable and meets policy requirements. The development will contribute to affordable housing to meet the needs of the borough and the applicant has agreed to make suitable contributions to address the impact on education facilities within the area and to provide public art.

The proposed development is therefore considered to meet the relevant policies of the NPPF, the Core Strategy and the DM DPD.

7.0 Planning Policy Summary

7.1 NPPF - National Planning Policy Framework: Achieving sustainable development, Core Planning Principles, Policies: 1. Building a strong, competitive economy; 2. Ensuring the vitality of town centres; 4. Promoting sustainable transport, 6. Delivering a wide choice of high quality homes; 7. Requiring good design; 8. Promoting healthy communities; 10. Meeting the challenge of climate change, flooding and coastal change; 12. Conserving and enhancing the historic environment.

7.2 DPD1 (Core Strategy) Policies: KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance); CP6 (Community Infrastructure); CP8 (Dwelling Provision).

7.3 Development Management DPD1: DM1 (Design Quality); DM2 (Low Carbon Development and Efficient Use of Resources; Policy DM3 – Efficient and Effective Use of Land; Policy DM5 – Southend-on-Sea’s Historic Environment; Policy DM7 – Dwelling Mix, Size and Type; Policy DM8 – Residential Standards; Policy DM15 – Sustainable Transport Management.

7.4 Supplementary Planning Document 1: Design & Townscape Guide (2009).

7.5 Supplementary Planning Document 2: Planning Obligations (2010)

8.0 Representation Summary

8.1 **Anglian Water** – no comments received.

8.2 **British Gas** – no comments received.

8.3 **Essex and Suffolk Water** – no comments received.

8.4 **Essex Police** - no comments received.

8.5 **C2C rail** - no comments received.

8.6 **Fire Brigade** - no comments received.

8.7 **Parks** – no comments received.

8.8 **Asset Management** – no comments received.

8.9 **Structural Engineer** – no comments received.

8.10 **Design** –No objections to the proposed changes subject to matching window details.

8.11 **Education** - Seek education contribution of £156,639.

8.12 **Highways** – no comments received

8.13 **Waste Management** – no comments received.

8.14 **Housing** – no comments received.

8.13 **Environmental Health** – no comments received.

9.0 Public Consultation

- 9.1 Site notice posted and 73 Neighbours have been consulted – no comments received.

10.0 Relevant Planning History

Application site

- 10.1 Permission granted April 2015 - 14/01672/BC4M - Demolish outbuilding and associated extensions to Hinguar School, covert building in to 13 self-contained flats, erect 19 dwellinghouses, layout parking, bin store, form hard and soft landscaping. Hinguar Primary School, Hinguar Street, Shoeburyness.
- 10.2 Current Application - Application for approval of details pursuant to conditions 16 and 17 (Noise Impact Assessment) and condition 19 (External Lighting Assessment) of planning permission 14/01672/BC4M dated 23/04/2015
- 10.3 Current application - Application for approval of details pursuant to conditions 3 (Material Samples), 4 (Windows), 5 (Landscaping Plan), 6 (Landscape Management Plan), 7 (Renewable Energy), 8 (Bat Survey), 9 (Parking) 10 (Visibility splays), 11 (Cycle and Bin Stores), 12 (Waste Management Plan), 15 (SUDS), 18 (Site Investigation Report), 20 (Surface Water Management Strategy), 21 (Obscure Glazing) and 24 (Car Park Management Scheme) of planning permission 14/01672/BC4M dated 23/04/2015 (15/01494/AD)

Saxon Lodge

- 10.4 Saxon Lodge - Permission granted April 2015 - 14/01744/BC4M - Saxon Lodge, 20 Smith Street, Shoeburyness Demolish buildings at Saxon Lodge and erect three storey building and two storey building comprising 15 self-contained flats, layout parking, bin store and soft and hard landscaping.
- 10.5 Current application - Saxon Lodge Application for approval of details pursuant to condition 3 (Material Samples), 4 (Details of external finishes), 8 (Landscaping), 14 (SUDS) and 16 (Traffic Management Plan) of planning permission 14/01744/BC4M dated 23/04/2015 (15/01204/AD)
- 10.6 Current application - Application for approval of details pursuant to condition 5 (details of parking spaces), 6 (bin stores), 7 (details of cycle parking spaces), 9 (landscape management plan), 10 (10% renewables), 11 (waste management plan), 14 (SUD's) and 15 (Windows) of planning permission 14/01744/BC4M dated 23/04/2015 (15/01288/AD)

11.0 Recommendation

Members are recommended to:

a) **DELEGATE** to the Head of Planning and Transport or Group Manager of Planning & Building Control to **GRANT PLANNING PERMISSION** subject to completion of a **PLANNING AGREEMENT UNDER SECTION 106** of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to seek the following:

- 9 units of affordable housing (shared ownership)
- Education contribution (£156,639)
- Public art contribution/provision equivalent of £12823.02.
- Highways works – including funding a TRO (£4,500) to facilitate adoption and yellow lining of the site.
- Provision of Travel Packs for residents.

b) The Head of Planning and Transport or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

01 The development hereby permitted shall be begun not later than 24th April 2018.

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

02 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers: 80-PL-001C, 80-PL-002, 80-PL-003A, 80-PL-004A, 80-PL-005, 80-PL-006, 80-PL-007B, 80-PL-008B, 80-PL-009A, 80-PL-0010A, 80-PL-011B, 80-PL-012B, 80-PL-013B, 80-PL-014B, 80-PL-019, 80-PL-020A, 80-PL-021B, 80-PL-022, 80-PL-023, 80-PL-024A.

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, window and doors (including those of the school building), on any screen/boundary walls and fences, refuse and cycle and on any driveway, forecourt, path 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 and the locally listed building in accordance with Policies DM1 and DM5 of the Development Management 2015 DPD and KP2 of the Core Strategy DPD1

04. No development shall commence until details of new and replacement windows, doors, new doorways and rooflights, to the school, at a scale of at least 1:20 and including profile details, have been submitted to and approved by the Local Plan Authority The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area and the locally listed building in accordance with Policies DM1 and DM5 of the and Development Management 2015 DPD, KP2 and CP4 of the BLP

05. Notwithstanding the submitted landscaping plan, no development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping. This shall include details of all the existing trees and hedgerows on the land and within the rear of Sycamore Court and details of any to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established; details of measures to enhance biodiversity within the site and details of the treatment of all hard and soft surfaces (including any earthworks to be carried out) and boundary treatment. The approved details shall be implemented within the first planting season following first occupation of the development.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1of the Development Management DPD 2015 and Policy CP4 of the Core Strategy DPD1

06. A Landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

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

07. The measures to ensure at least 10% of the energy needs of the development will come from on-site renewable options (and/or decentralised renewable or low carbon energy sources) for each stage of the development shall be implemented as detailed in the submitted Energy and Sustainability Statement by AES Southern dated February 2015 and brought into use on first occupation of each phase of the development.

Reason: To ensure the development maximises the use of renewable and recycled energy, water and other resources, in accordance with Policy KP2 of the Core Strategy DPD1 and Policy DM2 of the Development Management DPD 2015.

08. Prior to the commencement of development two dusk emergence and/or dawn re-entry surveys shall be undertaken to determine the presence or absence of roosting bats in the roof, together with mitigation measures as necessary. The bat surveys should follow Natural England and Bat conservation Trust Guidelines and be conducted between May and September during suitable weather conditions by experienced bat surveyors. Any necessary mitigation measures shall be carried out in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: To make sure the conservation status of a protected species is maintained, and so protect the biodiversity of the environment, in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4 and Policy DM2 of the Development Management DPD 2015.

09 The development shall not be occupied until 52 parking spaces have been provided on hardstandings within the curtilage of the site, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy and Policy DM15 of the Development Management DPD 2015.

10 Prior to first occupation of the development visibility splays to the site entrances shall be implemented in accordance with plans 801 – PL – 001 – A3 and shall be permanently retained thereafter.

To ensure safe and efficient vehicular access to the development in the interests of accessibility, highways efficiency and safety in accordance with DPD1 (Core Strategy) 2007 policy KP2, Development Management DPD 2015, and SPD1 (Design and Townscape Guide).

11 Prior to first occupation of the proposed refuse and cycle stores shown on plan 801 – PL – 001 – A3 shall be provided. These stores must be clearly marked and made available at all times to everyone using the school development. Waste and cycles must be stored inside the appropriate stores and waste only put outside just before it is to be collected. The stores must not be used for any other purpose.

Reason: To protect the environment and provide suitable storage for cycles and waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policy KP2, Development Management DPD Policies DM1 and DM15.

12. Prior to first occupation of the development a Waste Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail how the development will provide for the collection of general refuse and re-usable and recyclable waste and what strategies will be in place to reduce the amount of general refuse over time. Waste management at the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

13. The permitted hours for construction and demolition site works including loading and unloading are Monday to Friday 7.30 a.m. to 6.00 p.m. and Saturday 8.00 a.m. to 1.00 p.m. and not at all on Sundays or Bank Holidays.

Reason: In order to the protect the amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM1.

14. During demolition and construction there shall be no burning of waste on site.

Reason: In order to the protect the amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM1.

15. Prior to commencement of the development details of SUDs and a surface water management strategy to serve the development shall be submitted to and approved by the Local Planning Authority and thereafter implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with Policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM2.

16. To protect residential amenity from transport noise the following criteria shall be achieved.

Criteria:

A) Where habitable rooms will be exposed to noise levels that are in excess of NEC A of the adopted Noise Exposure Categories', mitigation should include a scheme of acoustic protection, submitted to and approved by the Council, sufficient to ensure internal noise levels no greater than 30LAeq,T dB in bedrooms and living rooms with windows closed at any time. Where the internal noise levels will exceed 35LAeq,T dB in bedrooms (night-time) and 45LAeq,T in living rooms (daytime) with windows open, the scheme of acoustic protection should incorporate appropriate acoustically screened mechanical ventilation.

B) Within gardens and amenity areas the daytime 07:00 – 23:00 hours level of noise should not exceed 55 dB LAeq,T free field. This excludes front gardens.

To protect the environment of future occupiers in accordance DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD 2015 policy DM1.

17. Any mechanical ventilation or plant associated with the new residential development are assessed and mitigated so as not to be a nuisance to new habitants or existing dwellings. The following criteria would need to be achieved:

With reference to BS4142, the noise rating level arising from the proposed plant should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest property. There shall be no tonal or impulsive characteristics.

To protect the environment of future occupiers in accordance DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD 2015 policy DM1.

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

19. Prior to installation of any external lighting an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the LPA. External lighting shall be directed, sited and screened so as not to cause detrimental intrusion of light into residential properties.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD 2015 policy DM1.

20. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy 2007 and Policy DM2 of the Development Management DPD 2015

21. All windows shown as being obscure glazed on the approved plans shall only 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, 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. 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 neighbouring residential properties, in accordance with DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD Policy DM2 and SPD1 (Design and Townscape Guide).

22. Notwithstanding the provisions of Classes A, B, C, and D of Part 1 and Classes A and C of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extension or alterations to the new houses shall be undertaken unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity and general environmental quality and in accordance with DPD1 (Core Strategy) 2007 policy CP4, Borough Local Plan 1994 policy DM1 and SPD1 (Design and Townscape Guide).

23. Notwithstanding the provisions of Class A of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 1995 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no windows or other openings (other than those shown on the plans) shall be formed in the outside walls of the buildings unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity and general environmental quality in accordance DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1 and SPD1 (Design and Townscape Guide).

Informatives

01. Compliance with this decision notice does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended). Contact 01702 215005 for more information.

02. The developer should also consider control measures detailed in Best Practice Guidance “The control of dust and emissions from construction and demolition”. http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

c) In the event that the planning obligation referred to in part (a) above has not been completed by 10th December 2015 the Head of planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development fails to:- i) provide adoption of highway within the site to provide for a satisfactory method of servicing the development. ii) provide an effective means of delivering Travel packs iii) provide for a satisfactory provision of public art and iv) provide for education facilities to serve the development, v) provide affordable housing to meet the needs of the Borough. As such would result in service vehicles blocking the highway within the site to the detriment of highway and other safety and is likely to place increased pressure on public services and infrastructure to the detriment of the general amenities of the area, contrary to Policies KP2, KP3, CP3, CP4, CP6 and CP8 of the Core Strategy, Policies DM1, DM3, DM7, DM15 and the Design and Townscape Guide (2009).

Reference:	15/01512/FUL
Ward:	Kursaal
Proposal:	Convert dwelling house (Class C3) into two self-contained flats (Class C3)
Address:	10 Beresford Road, Southend-on-Sea, Essex, SS1 2TW
Applicant:	Mr Jazz Walia
Agent:	Marcus Bennett Associates
Consultation Expiry:	25.11.2015
Expiry Date:	24.12.2015
Case Officer:	Janine Rowley
Plan Nos:	10BRSOS/01

Recommendation:

REFUSE PLANNING PERMISSION



1 The Proposal

- 1.1 Permission is sought to convert dwelling house into two self-contained flats (Class C3).
- 1.2 No external alterations are proposed to the front elevation. To the rear elevation a window to the first floor rearward gable projection will be increased in size and the omission of two small windows from the ground floor rear elevation. An existing sash window to the ground floor will also be replaced with a door. To the west elevation the sash window to the first floor is to be omitted and two additional window to the ground floor.
- 1.3 The internal floorspace of the ground floor one bedroom flat is 40.9sqm (excluding the communal hallway) and the two bedroom first floor flat is 48.8sqm (excluding stairwell).
- 1.4 The site does not benefit from off street parking currently and no off street parking is proposed. Bin storage is proposed to the front of the building and the amenity space to the rear equates to 30.3sqm. Cycle storage is proposed within the garden area.

2 Site and Surroundings

- 2.1 The application site relates to a two storey terraced property located on the south side of Beresford Road. The streetscene is characterised by two storey terraced properties to the east and west of the site. The Kursaal estate is located to the north of the site.
- 2.2 The site is located within the Southend Central Area as designated by the Development Management Document.

3 Planning Considerations

- 3.1 The main considerations in the determination of this application are the principle of conversion, design, impact on the character of the area, impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers, parking and waste.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP8; DPD2 (Development Management Document) policies DM1, DM3 and DM7 and the Design and Townscape Guide SPD1 (2009)

- 4.1 This proposal is considered in the context of the National Planning Policy Framework, Core Strategy DPD1 and Development Management Document DPD2 policies relating to design.
- 4.2 The National Planning Policy Framework advocates the need for a mix of housing both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas.
- 4.3 Policy DM3 paragraph 2.41 of the Development Management Document states

“The conversion of existing single dwellings into self-contained flats (in combination with a rise in provision of new build flats) over the last 20 years has led to a higher proportion of 1-bed and 2-bed dwellings in Southend. Indeed, the Thames Gateway South Essex (TGSE) Strategic Housing Market Assessment (SHMA) 2013 identifies that Southend has a higher proportion of flats/maisonettes (36%) relative to the English average and other authorities within the TGSE housing market area (ranging from 9% in Castle Point to 23% in Thurrock). Furthermore, Southend has a housing stock comprised of a greater proportion of 1-bed units (20% in Southend in contrast to an average of 11% across the other TGSE local authority areas) and a higher level of smaller properties (less than 50sqm), a consequence of which is that there is a lower percentage of accommodation of a suitable size for families in Southend, (52% 3+bed dwellings compared to an average of 61% 3+bed dwellings across the other TGSE local authority areas)”.

- 4.4 Paragraph 2.42 of Policy DM3 of DPD2 goes on to state:

“The conversion of existing dwellings can, where appropriately justified, be an effective way of meeting local housing demand and offer opportunities for enhanced sustainability through retrofitting, as set out within Policy DM2. Nonetheless, conversions of single dwellings to more than one self-contained unit can also give rise to a number of problems within an area. These include contributing to pressure on on-street parking capacity, changes in the social and physical character and function of an area. It is also important that conversions do not result in a poor quality internal environment that detrimentally impacts upon the intended occupiers’ quality of life”.

4.5 Paragraph 2.43 of Policy DM3 of DPD2 finally states:

“The cumulative impact from multiple conversions in an area through population growth can also put pressure on local services and infrastructure that is not immediately recognised as part of an individual planning application and may lead to development which is not sustainable for that locality. Applicants wishing to convert an existing property will therefore be required to demonstrate how the proposals will create a high quality internal layout and will not, on its own and in association with other conversion schemes, impact detrimentally upon the surrounding area. In determining whether a conversion has led to a detrimental change of a street’s function the Council will consider, amongst other things, the proportion of single dwelling houses that have already been converted, both existing and committed , within a street block”.

4.6 Policy DM3 of the Development Management Document states that “The conversion of existing single dwellings into two or more dwellings will only be permitted where the proposed development:

- (i) Does not adversely impact upon the living conditions and amenity of the intended occupants and neighbouring residents and uses; and
- (ii) Will not harm the character and appearance of the existing building or wider area; and
- (iii) Will not lead to a detrimental change of a street’s function; and
- (iv) Meets the residential standards set out in DM8 and the vehicle parking standards set out in Policy DM15”.

The detailed design considerations will be discussed in detail below; however it is not considered the proposal will lead to a detrimental change of the streets function given that the street appears to be predominantly houses.

4.7 There is a shortage of family housing and there is an above average supply of 1 and 2 bedroom houses as identified by Policy DM7 of the Development Management Document. Policy supports the more efficient use of land, however it is considered detailed consideration as per policy DM13 will determine the acceptability.

**Design and Impact on the Character of the Area
National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management Document and Design and Townscape Guide.**

4.8 The proposed external alterations include changes to the fenestration to the rear elevation as detailed in paragraph 1.2 above. The window to the first floor rear elevation in terms of its design and proportions fails to relate satisfactorily to the existing building, however given that it will not be visible from any public vantage point no objection is raised. The other external changes to the rear elevation will not harm the character and appearance of the existing dwelling.

- 4.9 The proposed siting of the bin stores to the front of the building will affect the overall character and appearance of the building to the detriment of the character and appearance of the streetscene contrary to policy DM3 of the Development Management Document.

Standard of Accommodation:

National Planning Policy Framework, Policy DM8 of the Development Management Document and The National Technical Housing Standards DCLG 2015

- 4.10 The National Technical Housing Standards as set out by DCLG 2015 were adopted 1st October 2015. These set out minimum space standards for dwellings. The standards state 50sqm is required for a one bedroom (2 persons) 1 storey dwelling and 61sqm for a 2 bedroom (3 persons) 1 storey dwelling. The proposed conversion will provide 40.9sqm to the ground floor one bedroom flat and 48.8sqm to the first floor two bedrooms flat. Both flats would therefore fall short of the National Housing Standards and this will result in an unacceptable living environment for future occupiers given their limited sizes, contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policy DM8 of the Development Management Document, National Housing Standards and the Design and Townscape Guide SPD1. There is also concern in relation to the outlook for the bedroom to the ground floor flat; whilst it is acknowledged there are windows to the flank elevation and a door to the rear elevation. The outlook and daylight entering this room will be limited.
- 4.11 Policy DM8 (iii) states that all new dwellings should meet the Lifetime Home Standards, unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Home Standards has now been superseded by the National Technical Housing Standards adopted from October 2015 and all new dwellings are required to meet building regulation M4 (2)- 'accessible and adaptable dwellings'. The applicant has not submitted information demonstrating that the two flats meets the building regulation M4(2) requirements and therefore, an objection is raised in relation to the submission of insufficient information which demonstrates that the two flats can be accessible and adaptable for older people or wheelchair users.
- 4.12 Policy DM8 of the Development Management Document DPD2 states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this can take the form of a balcony or semi-private communal amenity space.

4.13 Paragraph 143 of the Design and Townscape Guide, 2009 (SPD1) states:

“There is no fixed quantitative requirement for the amount of amenity space as each site is assessed on a site by site basis according to local character and constraints. However, all residential schemes will normally be required to provide useable amenity space for the enjoyment of occupiers in some form...”

Communal amenity space should be a useable size and shape.

4.14 The existing garden to the rear is 30.3sqm for a 3 bedroom dwellinghouse. The ground floor flat will have access to the amenity to the area, however the two bedroom flat to the first floor will not have access. Given the type of family accommodation proposed at first floor this is not considered an acceptable.

4.15 Refuse storage is proposed to the front of the building, this would be detrimental to the amenities of existing and future occupiers in terms of its siting and impact on the living room serving the ground floor flat. Whilst it is acknowledged the refuse will be covered the siting will affect not only the potential future occupiers of the site and surrounding residents and the visual amenities of the wider area given that is not characteristic of the area, and is therefore contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management Document and SPD1 (Design and Townscape Guide).

4.16 Taking into account the limited living standards, lack of amenity space available for all users of the flats, siting of the refuse storage results in a contrived development to the detriment of future occupiers contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policies DM1, DM3 and DM8 of the Development Management Documents, the National Technical Housing Standards DCLG.

Impact on Residential Amenity:

National Planning Policy Framework, Policy CP4 of the Core Strategy, DPD2 (Development Management Document) policy DM1 and Design and Townscape Guide.

4.17 It is not considered the proposed conversion by reason will harm the amenities of existing occupiers in terms of overlooking, loss of light or noise and disturbance.

Parking and Access:

National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, DPD2 (Development Management Document) policy DM15 and the Design and Townscape Guide.

- 4.18 The existing dwelling does not benefit from off street parking. Parking along Beresford Road is restricted by permits. The site is located within the Southend Central Area as designated by the Development Management Document and greater flexibility is given to sites within sustainable locations. The Design and Access Statement accompanying this application states the site is within walking distance of the bus interchange as well as stations for both mainline railway lines. However, the site is not located in the High Street and access to public transport would not be readily available for all potential future occupiers. In accordance with Policy DM15 of the Development Management Document the existing the dwellinghouse should therefore have access to one parking space. The proposal is to convert the dwelling into two flats (1 x 1 bedroom and 1 x 2 bedroom), in light of this, in accordance with policy DM15 of the Development Management Document two parking spaces would be required.
- 4.19 The proposed development would therefore result in a shortfall of one space and will cause additional on street parking in an area of parking stress to the detriment highway safety and the local highway network contrary to guidance contained within the NPPF, Policy CP3 of the DPD1 (Core Strategy), Policy DM15 of the Development Management DPD2, and the Design and Townscape Guide (SPD1).
- 4.20 Cycle storage is proposed to be accommodated within the building for the first floor flat at ground floor within an area of 1.3m wide x 3.7m deep next to the stairwell and to the rear garden area for the ground floor flat. In accordance with policy DM15 of the Development Management Document one cycle space is required per flat. If the application is deemed acceptable a suitable condition can be imposed to have further details.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.21 The existing dwellinghouse has an internal floorspace of 96.6sqm and the proposed conversion to two dwellings will not result in any increase of internal floorspace. The proposal is therefore exempt from CIL under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 DPD1 Core Strategy Policies CP3 (Accessibility and Transport) CP4 (Environment & Urban Renaissance) and KP2 (Development Principles), CP8 (Dwelling Provision)
- 5.3 DPD2 Development Management Document Policies DM1 (Design Quality), DM3 (Efficient and effective use of land), DM7 (Dwelling Mix), DM8 (Residential Standards), DM15 (Sustainable Transport Management).
- 5.4 Design & Townscape Guide 2009 (SPD 1).

6 Representation Summary

Design & Regeneration

- 6.1 No comments.

Traffic & Highways Network

- 6.2 There is a highway objection to this proposal. no parking has been provided for either of the dwellings, whilst it is noted that there is currently no parking for the dwelling it is considered that the proposal with no associated off street parking will have detrimental impact on the surrounding highway network which already suffers from considerable parking stress.

Private Housing

- 6.3 Fire separation
No requirement for additional fire resistance, but walls and floors should be of sound, conventional construction. Doors should be of sound, solid construction.

Fire detection and alarm system

The following fire detection is required in the property:

BS 5839 Part 1 Grade D, LD3 system comprising interlinked mains wired smoke alarms with integral battery back-up located in the escape route at all floor levels and hallways and an additional interlinked mains wired heat alarm located in kitchen.

Fire fighting equipment

It is recommended a fire blankets are provided in each kitchen.

Natural light and ventilation

All habitable rooms to have an openable window area equivalent to at least one-twentieth of the floor area of the room.

Public Consultation

- 6.4 A site notice displayed on the 4th November 2015 and 9 neighbours notified of the proposal. One letter of representation has been received stating that no. 7 Northumberland Avenue was refused planning permission to convert a dwelling into 2 flats, which is very similar to this proposal.

Ward Councillor

- 6.5 Councillor McMahon has requested the application be dealt with by Development Control Committee.

7 Relevant Planning History

- 7.1 None.

- 8 Members are recommended to REFUSE PLANNING PERMISSION for the following reasons:**

- 01 The proposal, by reason of the limited internal size of the units, the lack of information to demonstrate accessibility and adaptability of the units, and lack of outdoor amenity space, would not result in a high quality living environment and is indicative of overdevelopment. This would be contrary to the NPPF, policies KP2 and CP4 of the Core Strategy, policy DM3 and DM8 of the Development Management DPD2 and National Technical Housing Standards 2015 DCLG 2015.**
- 02 The proposed conversion by reason of unsatisfactory level of parking will cause additional on street parking in an area of parking stress to the detriment highway safety and the local highway network contrary to guidance contained within the NPPF, Policy CP3 of the DPD1 (Core Strategy), Policy DM15 of the Development Management DPD2, and the Design and Townscape Guide (SPD1).**
- 03 The poor siting of the refuse store to the front of the building would result in visual harm to detriment of the character and appearance of the building and the wider area contrary to guidance contained within the NPPF, Policy CP3 of the DPD1 (Core Strategy), Policy DM15 of the Development Management DPD2, and the Design and Townscape Guide (SPD1)..**

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.

Informative

- 1 You are advised that as the proposal does not create any new floorspace therefore the Community Infrastructure Levy Regulations 2010 (as amended) is not applicable and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

Reference:	15/01591/FUL
Ward:	Chalkwell
Proposal:	Demolish existing buildings at 658-664 London Road, erect four storey block with retail use at ground floor and nine self-contained flats at first, second and third floors with associated parking and refuse/cycle stores
Address:	658 London Road, Westcliff-on-Sea, Essex, SS0 9HQ
Applicant:	Leslie B. Holmes (Securities) Ltd.
Agent:	Knight Gratrix Architects
Consultation Expiry:	27.11.2015
Expiry Date:	18.11.2015
Case Officer:	Janine Rowley
Plan No's:	010 Revision F, 012 Revision E, 013 Revision C
Recommendation:	GRANT PLANNING PERMISSION



1 The Proposal

- 1.1 Planning permission is sought to demolish the existing buildings at 658-664 London Road and erect a three storey block with retail use at ground floor and nine self-contained flats at first, second and third floors with associated parking and refuse/cycle stores
- 1.2 The proposed new building would be 17.7m wide x 12.4m high (15.5m high including lift shaft) x 18.6m deep; flat roofed.
- 1.3 The building will include two ground floor commercial units a mix A1, A2 and B1 uses 51sqm and 95sqm. The nine flats:

Flat	Bedroom/Bed spaces	Internal Floorspace	Balcony
Flat 1	1 bed (2 bed spaces)	54sqm	7.3sqm
Flat 2	2 bed (3 bed spaces)	69sqm	5.6sqm
Flat 3	2 bed (3 bed spaces)	76sqm	None
Flat 4	1 bed (2 bed spaces)	54sqm	7.3sqm
Flat 5	2 bed (3 bed spaces)	69sqm	5.6sqm
Flat 6	2 bed (3 bed spaces)	76sqm	None
Flat 7	1 bed (2 bed spaces)	54sqm	4sqm
Flat 8	2 bed (3 bed spaces)	63sqm	None
Flat 9	2 bed (3 bed spaces)	76sqm	5.4sqm

- 1.4 The proposed roof garden will include an area of 66sqm is useable for potential future occupiers. Twelve car parking spaces are proposed to the rear of the site including 12 cycle spaces. Separate commercial and residential refuse stores are proposed.

2 Site and Surroundings

- 2.1 The application site is located on the southern side of London Road. The streetscene in this part of London Road is made up of a variety of different styles and designs. The existing site is a two storey building with roof accommodation including offices, a retail unit and café/restaurant. Parking is to the rear of the site access with a number of garages also.
- 2.2 The site is not the subject of any site-specific policy designations.

3 Planning Considerations

- 3.1 The main considerations in relation to this application are the principle of the development, design (including the impact of the proposed works on the character and appearance of the building), impact on neighbouring properties, living conditions for existing/future occupiers, planning contributions and traffic and parking issues.

4 Appraisal

National Planning Policy Framework; DPD1 (Core Strategy) policies KP1, KP2, CP4, CP8; DPD2 (Development Management) policies DM1, DM3, DM7, DM14 and the Design and Townscape Guide SPD1 (2009)

4.1 Policy CP1 of the Core Strategy states that permission will not be granted for proposals involving the loss of business use. Part 5 of policy DM11 of the Development Management Document DPD2 states that outside of employment areas, proposals for alternative uses on sites used (or last used) for employment purposes, including sites for sui-generis uses of an employment nature, will only be permitted where it can be demonstrated that:

- (i) it will no longer be effective or viable to accommodate the continued use of the site for employment purposes; or
- (ii) Use of the site for B2 or B8 purposes gives rise to unacceptable environmental problems.

It will need to be demonstrated that an alternative use or mix of uses will give greater potential benefits to the community and environment than continued employment use.

4.2 The proposed development proposes two commercial units to the ground floor equating to 146sqm with a flexible uses of A1/A2/B1. The existing office Class B1 floorspace equates to 181sqm. In order to preserve the employment use of B1a offices in accordance with policy DM11 of the Development Management Document a suitable condition will be imposed to ensure the ground floor units will be used solely for 146sqm of employment uses, which is only a 34sqm reduction from the existing office floorspace on site. There are no planning policies are in place to safeguard the current A1 and A3 uses.

4.3 On balance, no objection is raised to the reduction in employment floorspace and a condition will be imposed to ensure the two commercial units to the ground floor are retained as Class B1a uses to safeguard such employment uses in accordance with policy CP1 of the Core Strategy and policy DM11 of the Development Management Document.

4.4 There is no objection in principle to residential development at upper floors.

Design and impact on the character of the area

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; DPD2 (Development Management Document) policies DM1 and DM3 and Design and Townscape Guide SPD1.

4.5 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”.

4.6 Paragraph 60 of the NPPF states:

“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles”.

4.7 Policy KP2 of the Core Strategy requires all new developments to respect the character and scale of the existing neighbourhood where appropriate. Policy CP4 of the Core Strategy states that development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend.

4.8 Policy DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and complement the local character.

4.9 The proposed development in relation to scale will not appear at odds with the streetscene given the four storey building to the east of the site and three storeys to the west. The building line relates to the existing properties to the east and west following the slope of the site. The overall width of the building will match existing and the depth into the site to the rear will also increase.

4.10 The overall design and appearance of the building is of a simple form with stacked boxes, stepped to provide a positive relationship to the sloped building line and the scale of the adjacent offices to the east and west, which are four and three storeys in height. The proportions and shaping provides a positive relationship to the streetscene. The detailing of the development has simplified form with articulation from the change of materials for the projecting element, which will provide greater interest in the streetscene. The overall scale and design will not appear out of keeping with the existing urban grain and provide a positive relationship to the adjacent buildings.

- 4.11 In relation to the layout of the building, the gates proposed will ensure there is no creation of a void in the frontage created by the vehicular access. The vehicular access will increase in width creating a shared access for potential occupiers of the development. The parking to the rear of the building will be sited in the same position as existing and additional landscaping is proposed to the borders of the car park to enhance the overall appearance.
- 4.12 The proposed materials in terms of render and brickwork will match with the existing streetscene and adjoining buildings, respecting the existing character and appearance of the area.

Living Conditions for Future Occupiers

National Planning Policy Framework, Development Management Document policy DM8, The National Technical Housing Standards DCLG 2015 and Design and Townscape Guide (SPD1)

- 4.13 It should be noted from the 1st October 2015 the National Housing Standards have been adopted and state 50sqm floorspace per one bedroom flat (2 bed spaces) and 61sqm per two bedroom flat (3 bed spaces) is required to ensure the development is in line with building control. The proposed internal sizes of the flats are given at paragraph 1.3 above. All of the flats would be in excess of the required standards and therefore no objection is raised. Furthermore, all flats will have sufficient outlook and daylight for future occupiers.

Policy DM8 of the Development Management Document DPD2 states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this can take the form of a balcony or semi-private communal amenity space.

- 4.14 Paragraph 143 of the Design and Townscape Guide, 2009 (SPD1) states:

“There is no fixed quantitative requirement for the amount of amenity space as each site is assessed on a site by site basis according to local character and constraints. However, all residential schemes will normally be required to provide useable amenity space for the enjoyment of occupiers in some form...”

Communal amenity space should be a useable size and shape.

- 4.15 Six of the nine flats will have access to private balconies and a communal terrace to the roof via a lift to an area of 66sqm. On balance, taking into account the location of the site and provision of balconies and a roof terrace and easy access to Chalkwell Park to the west of the site no objection is raised.

- 4.16 Part M4(2) of the Building Regulations adopted by the National Technical Housing Standards 1st October 2015 requires the need to provide accessible and adaptable dwellings. The applicant has submitted drawing 015 to include a step free access to the flats and associated parking space, private outdoor space and accessible accommodation and sanitary facilities for older people or wheelchair users and sockets outlets and other controls reasonably accessible to people with reduced reach. It is considered the proposed flatted development would be accessible and adaptable dwellings for older people or wheelchair users. A suitable condition will be imposed to ensure the development is carried out in accordance with Part M4(2) of the Building Regulations.

Impact on Neighbouring Properties

National Planning Policy Framework, Core Strategy Policy CP4, Development Management Document policy DM1, and Design and Townscape Guide (SPD1)

- 4.17 Policy DM1 of the Development Management Document states that any new 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. 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.
- 4.18 It is not considered the proposed development will result in any harm to adjoining properties in terms of being overbearing or resulting in overshadowing. Whilst the depth of the development is greater than existing building taking into account the commercial premises to the east of the site at Chalkwell Lawns and west of the site at Aldi, of which both buildings have blank flank elevations the proposal will not result in any material harm.

The overall height of the building will not be overbearing to adjoining buildings nor to the amenities of properties to the north of the site located 25m given the existing three storey and four storey buildings to the east and west of the existing height and this development will be no higher.

- 4.19 In terms of overlooking whilst balconies are proposed to the rear elevation, given the separation distance from the nearest residential properties to the south of the site is mitigated against by the tennis courts directly behind the site no objection is raised.
- 4.20 The proposed roof terrace will be surrounded by a 1.8m screen and is sited in excess of 29m to the nearest residential properties to the north and 78m to the nearest residential boundary to the south of the site, which are sufficient distances to mitigate against any overlooking or loss of privacy.

Traffic and Parking

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; DPD2 (Development Management Document) policy DM15; and the Design and Townscape Guide SPD1.

- 4.21 The site is located along London Road with access to a number of bus routes. The existing vehicle access is 2.7m wide and serves 12 parking and garage spaces to the rear of the site. The proposed development will result in an increase width of the access road to 4.2m creating a shared vehicle access for both pedestrians and vehicles to use including pavement areas that will be constructed from different surfaces.
- 4.22 The existing site includes 12 parking spaces for the A1, A5, B1 and C3 uses. Policy DM15 of the Development Management Document requires one parking space per flat to be provided on site. The applicant has applied for a mix of A1, A2 and B1, the parking requirement varies from 1 space per 14sqm for A1, 1 space per 20sqm for A2 and 1 space per 30sqm for B1.
- 4.23 The application form and associated drawings indicate that 12 parking spaces can be accommodated on site. Since the formal submission of this application the applicant has confirmed 9 parking spaces will be allocated for the residential flats and 3 parking spaces for the commercial premises. On balance, taking into account the sustainable location of the site with access to a number of bus services and walking distance to a number of amenities and given a number of premises along London Road that do not have off street parking provision. Material planning consideration has to be given to a recent appeal dismissed at 845-849 London Road (Reference: 3001906) in relation to parking whereby the inspector concluded that whilst the commercial premises would not meet the parking requirements of policy DM15 of the Development Management Document there is time controlled on-street parking bays, which would enable visitors or vehicles to unload without inhibiting the free flow of traffic.

Refuse

- 4.24 Refuse storage has been provided to the rear and separated between commercial and residential. The site of the refuse falls outside the scope of the waste management guide collection area. In light of this a condition would be required if this application is deemed acceptable with full details to be submitted and agreed.

Renewable Energy

NPPF, Core Strategy Policy KP2, Development Management Document policy DM2 and SPD1

- 4.25 Policy KP2 of the DPD1 and the SPD1 require that 10% of the energy needs of a new development should come from onsite renewable resources, and also promotes the minimisation of consumption of resources. Policy DM2 of the Development Management Document states that all new development should contribute to minimising energy demand and carbon dioxide emissions. The Design and Townscape Guide advises that options for renewable power must be considered at the beginning of the design process so that they are an integral part of the design scheme. Solar panels have been shown on the roof however, no details have been submitted to demonstrate the proposal will meet the 10% requirement however it could be dealt with by condition.
- 4.26 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 can be dealt with by condition.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.27 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. CIL is payable on net additional gross internal floorspace. The existing floorspace of the site calculates to approximately 409sqm. The proposed development will result in 156.4sqm for the commercial floorspace (£10 per sqm) and 701.7sqm for the residential floorspace (£20 per sqm zone 1). The proposed development will therefore, result in a CIL liability of approximately £8272.51.

5 Planning policies

- 5.1 National Planning Policy Framework 2012.
- 5.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources) CP3 (Transport and Accessibility) CP4 (The Environment and Urban Renaissance), and CP8 (Housing).

- 5.3 Development Plan Document 2: Development Management policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, size and type), DM8 (Residential Standards), DM11 (Employment Areas), (DM14 (Environmental Management), DM15 (Sustainable Transport Management)
- 5.4 Supplementary Planning Document 1: Design & Townscape Guide, 2009.
- 5.5 Waste Management Guide

6 Representation Summary

Design and Regeneration

- 6.1 There is no objection to the redevelopment of this site and the proposed 4 storeys seem reasonable in this location given the context of surrounding buildings. The design of the proposal, which is essentially a series of stacked boxes the western one of which has been skewed and stepped out slightly, has enabled the proposal to provide an appropriate response to the sloped building line and a positive transition between the scale of the 4 storey flatted block to the east and the adjacent new offices to the west which are only 2 tall storeys. It is pleasing to see that the materials have been amended to include some feature brickwork which will add texture to the development and help to break up the massing. The increase in transparency at the upper level is also welcomed and will make this section appear more lightweight and now better relates to the detailing of the feature core and this too has enhanced the scheme.

At ground level the residential entrance seems a little tight but this is a constrained site and the proposal to glaze the side of the lobby will help to make it more welcoming. It is pleasing to see that the position of the vehicular gates has been moved forward and this will provide better enclosure to the streetscene provided they are well detailed. The design of this element should not be utilitarian but instead should provide a positive contribution to the streetscene.

The success of this development in the streetscene will depend on the quality of materials and the detailing of key elements including the entrance canopy and gates, feature stair tower, timber panel detail and feature shopfront signage the and these elements should therefore be conditioned.

To the rear it is a shame that the single windows detail have not picked up on the glazing pattern of the front as this would give rise to a more complete scheme but it is noted that this elevation has no public impact.

Internally the properties seem to be of a reasonable size and layout and it is pleasing to see useable balconies and a terrace.

Sustainability

It is noted that pvs are proposed on the roof. This would seem acceptable in principle although the 10% energy will need to be demonstrated.

Traffic and Highways

- 6.2 To access the rear of the site currently vehicles drive through an existing service road which measures approximately 2.5m in width. There are no current restrictions when entering the site from the east or west. To the rear consists of 12 garages, 6 to the north and 6 to the south with a small turning area to allow vehicles to manoeuvre and exit the site in a forward gear.

The proposal comprises of 2 commercial units with 3 parking spaces and 9 dwellings with 9 car parking spaces and 12 cycle spaces. Refuse collection points for the commercial and residential elements have been provided however these are located outside current collection distance, therefore alternative collection arrangements will need to be made on the day of collection. The commercial element provides three parking spaces and consideration has been given to the sustainable location of the site with regard to public transport which has good public transport links in close proximity, therefore no objections are raised in relation to parking provision for the commercial premises.

In terms of traffic generation there are 12 existing garages currently in use, the proposal provides 12 car parking spaces for the residential and commercial properties, therefore the number of vehicle movements will remain the same and will utilise the same access point but with a greater width of up to 4.2m, improving the existing situation. The vehicles using the car parking spaces also have the required 6m turning distance to ensure vehicles leave the site in a forward gear. The applicant will be required to remove some of the road markings within the central reserve (hatched area) within London Road to enable vehicles to turn right into and out of the site.

With regard to visibility, the proposal will improve the existing situation due to the access width increasing thereby increasing visibility both for pedestrians and vehicles. The applicant should also provide traffic calming features within the access road to further reduce speed of vehicles existing. The applicant should also provide signage to ensure vehicles entering the site have priority over vehicles exiting. Diagram 615 & Diagram 615.1 from the traffic signs regulation and general directions 2002 should be used to ensure the free flow of traffic on the London Road.

Given the above information a highway objection is not raised as the existing site has the potential to generate the same amount of traffic volume as the proposal. The proposal does improve the current situation with the increase of the access width and the aforementioned traffic calming and road marking improvements.

Public Consultation

6.3 A site notice displayed on the 6th November and 50 neighbours notified of the proposal 7 letters of representation have been received stating:

- Increase in traffic would be disastrous for bus times
- Safety issue relating to children going to Chalkwell Hall Junior School
- Disruption with the building of a new complex that would be huge along London Road and it is an intensely busy area; also there have been a few accidents on the pavement already. Chalkwell Lawns has the same proposed entrance as the new complex, which also creates danger to school children
- Offices across the road (The Reach) already remain empty and it does not make sense to destroy thriving local businesses to create more office spaces
- Overdevelopment of the area- there are 15 examples of flatted developments within the area
- Impact on overcrowded doctors in Westborough
- Impact on schools in the area
- Impact on parking and servicing
- Design and impact of the development on the wider environment

A petition has also be received with 391 names and objections on the following grounds:

- Inadequate parking and access- the proposed development does not provide sufficient parking spaces in an area of already intense on street parking pressures on London Road. The proposal will result in harm to the highway safety and residential amenity **[Officer Comment: The Council Highway Officer states in terms of traffic generation there are 12 existing garages currently in use, the proposal provides 9 car parking spaces for the residential properties and 3 spaces for the commercial premises in accordance with policy DM15 of the Development Management Document].**
- Road safety issues- The road width and markings in the London Road do not permit safe vehicular access and egress, especially for motor vehicles turning right from the public highway into the proposed development and traffic turning right from the proposed development into the public highway. There is not roundabout nearby for motor vehicles to turn around to effect a safe entrance and exit. The vehicular access and egress is wholly inadequate and insufficient **[Officer Comment: The Council Highway Officer states the number of vehicle movements will remain the same and will utilise the same access point but with a greater width of up to 4.2m, thereby improving the existing situation. The vehicles using the car parking space also have the required 6m turning distance to ensure vehicles leave the site in a forward gear].**

- Danger to pedestrians and children- the proposed development will create significant danger to pedestrians and the number of school children walking along the pavement. There will be low visibility and poor and restricted sight lines for motor vehicles entering and leaving. A similar problem exists with the adjoining properties Aldi and Chalkwell Lawns where there have been road traffic accidents **[Officer Comment: The Council Highway Officer states with regard to visibility the existing vehicle width is increasing thereby increasing visibility both for pedestrians and vehicles. The applicant could also provide traffic calming features within the access road to further reduce speed of vehicles existing. The applicant will be required to provide signage to ensure vehicles entering the site have priority over vehicles exiting. Diagram 615 & Diagram 615.1 from the traffic signs regulation and general directions 2002 should be used to ensure the free flow of traffic on the London Road]**Asbestos- proposed demolition will involve the removal of a huge amount of toxic and lethal asbestos covering the roof of the existing outbuildings. There could be as much as 300sqm of toxicity. This requires careful and detailed supervision and the Council should consider using its powers to enforce controlled and safe hours of operation and other restrictions that may make the removal safe not only for the contractors but also the adjoining and adjacent occupiers residents, office workers and the public in general **[Officer Comment: This is an issue for the HSE]**. Loss of light and overshadowing- the proposed development is huge. It will result in significant loss of light and overshadowing to neighbouring and adjoining properties.
- Need for demolition- The proposed development is obtrusive and unnecessary. Brand new offices next door cannot be let, which suggests that there has been an overdevelopment of the area. An adjoining property 'The Reach' which has similar appearance has been successfully refurbished without the need for demolition. We believe that the proposed redevelopment is an expansion too far. Loss of small commercial units/amenities for the public- the proposed development will result in the loss of three small independent commercial units depriving owners of an opportunity to earn a livelihood. There is a loss of small businesses in the area already, with large national chains of supermarkets and multi nationals squeezing out small independent occupiers with large chain supermarkets.Overlooking and loss of privacy- the proposed development will extend far into the garden and will result in overlooking and loss of privacy to the neighbouring and adjoining properties. The development will result in serious crammingVisual amenity- the size and density of the proposed development is out of place with similar properties within the vicinity. This is an unattractive development no consideration has been given to landscaping.
- Noise and disturbance- the proposed development will add noise and disturbance to neighbouring and adjoining properties it will bring buildings closer together and interfere with neighbour and adjoining properties and surrounding residential occupiers are entitled to enjoy their garden
- Layout-density- the proposal will create an increased density within a mixed residential and commercial area. Adequate distance has not been created

between the development and neighbouring and adjoining properties. There is no screening by natural barriers.

- Design, appearance and materials- Insufficient details have been given about the proposed design, appearance and materials and it would be out of place with the surrounding area.

7 Relevant Planning History

7.1 None.

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 approved plans 010 Revision F, 012 Revision E, 013 Revision C.**

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

- 03 The B1 space hereby approved shall only be used for purposes falling within B1 of the Town & Country Planning (Use classes) Order, or any order superseding, and for no other purposes, without the full written consent of the Local Planning Authority.**

Reason: To define the scope of this permission in terms of employment floorspace, in accordance with policies KP1 And CP1 of the Core Strategy DPD1, policy DM11 of the Development Management Document DPD2 and the NPPF.

- 04 No development shall take place until samples of the facing material to be used, including elevations, undercroft gate for parking, brickwork, glazing, doors, shopfront, window, balustrades, cladding, canopy, roof, boundary treatments and paving have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials 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 Document) policy DM1, and SPD1 (Design and Townscape Guide).

- 05** Details of the canopy, stair tower, vehicular gates, shopfronts and feature timber panelling shall be submitted and 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 Document) policy DM1, and SPD1 (Design and Townscape Guide).

- 06** The vehicle access shall be carried out in accordance with drawing 010F and the nine flats shall not be occupied until the vehicle access has been constructed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway efficiency and safety in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management Document) policy DM15.

- 07** 12 car parking spaces (1 space per flat (9) and 3 spaces for the commercial premises) shall be provided in accordance with drawing 010F and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of the new dwellings and commercial premises and for no other purpose unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).

- 08** No flats hereby approved shall be occupied until cycle parking spaces have been provided in accordance with the approved plans, unless otherwise and cycle parking shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that satisfactory off cycle off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).

- 09** No development shall commence until details of traffic calming and associated signage has been submitted to and agreed in writing by the local planning authority and shall be installed prior to occupation of the residential and commercial premises. The agreed details shall be permanently retained.

Reason: In the interest of highway and pedestrian safety in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).

- 10** No flat roofed areas of the proposed development, with the exception of the roof terrace specified on plan 012E, are to be used for sitting out or any type of amenity space unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the privacy and environment of people in neighbouring residential properties, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

- 11** Details of a glazed screen to the communal roof terrace shall be submitted and 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 Document) policy DM1, and SPD1 (Design and Townscape Guide).

- 12 No development shall commence until full details of soft landscape works for the new development have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority. These details shall include, for example: proposed finished levels or contours; means of enclosure; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or storage units). Soft landscape works shall include details of existing trees and shrubs to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site. If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species**

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Policy CP4 of the Core Strategy DPD1 and DPD2 (Development Management) policy DM1.

- 13 Prior to the commencement of development a renewable energy assessment shall be submitted to and agreed in writing with the Council to demonstrate how at least 10% of the energy needs of the development will come from onsite renewable options (and/or decentralised renewable or low carbon energy sources. The scheme as approved shall be implemented and brought into use on first occupation of the development unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) policy DM2 and SPD1 (Design and Townscape Guide).

- 14 No development hereby permitted shall commence until details of surface water attenuation for the site, based on SUDS principles, have been submitted to and approved by the Local Planning Authority. The works agreed shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure satisfactory drainage of the site in accordance with policy KP2 of the Core Strategy DPD1 and DPD2 (Development Management) emerging policy DM2.

- 15 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 (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.

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).

- 16 The development hereby approved shall be carried out in accordance with drawing 015 to ensure the flats complies 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).

- 17 Prior to the first occupation of the residential units and commercial premises hereby approved, a waste management plan shall be submitted to and agreed in writing by the local planning authority.

Reason: In the interests of amenity and waste management 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) and the Waste Management Guide.

Informatives

- 1 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 .
- 2 You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website http://www.southend.gov.uk/info/200011/building_control for

further information.

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.