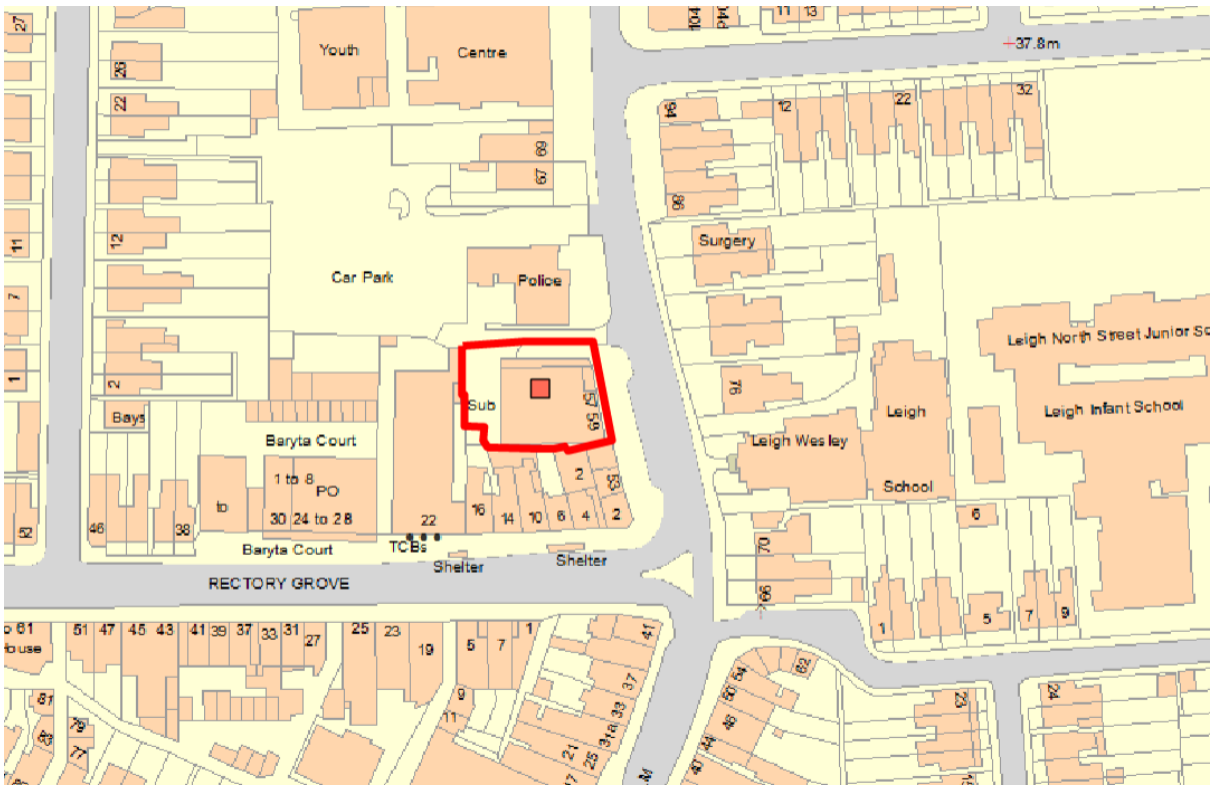
Reference:	16/01572/FUL	
Ward:	Leigh	
Proposal:	Erect two storey roof extension comprising of six self-contained flats with balconies, relocate extraction flue, erect refuse and cycle stores and alter elevations (Amended Proposal).	
Address:	The Sarah Moore Public House, 57 - 59 Elm Road, Leigh-On-Sea, Essex	
Applicant:	Mr M. Thornton (Stronghold Estates)	
Agent:	BGA Architects	
Consultation Expiry:	21/10/16	
Expiry Date:	11/11/16	
Case Officer:	Ian Harrison	
Plan Nos:	0-001, 0-002, 0-200, 1-001, 1-002 A, 1-003, 1-050, 2-001, 2-002, and 15-001	
Recommendation:	**GRANT PLANNING PERMISSION**	



1 The Proposal

1.1 Planning permission is sought to extend the existing building to enable the creation of 6 flats and other ancillary alterations to the building and the site.

1.2 The site currently contains a two storey building that is used as a public house at ground floor and as offices at first floor. The existing building has a frontage width of 16 metres and a depth of between 20 metres (at the North elevation) and 23 metres (at the South elevation.) The first floor features a false façade at the South part of the front elevation. The main part of the building features a flat roof built at a height of 7.9 metres.

1.3 The proposed extensions to provide two additional floor of accommodation would be positioned flush with the rear elevation of the existing building and the south flank wall, except for a small indent to provide balconies at the rear elevation. The North facing elevation of the extension would be recessed from the existing North flank wall by a minimum of 1.5 metres. At second floor, the frontage would be recessed by a maximum of 2.7 metres and a minimum of 1.5 metres and at third floor the frontage would be recessed by a further 2.4 metres with the flat roof areas in front of the recess being used as terraces. In the existing open area at first floor, the building would be extended forward by 4.4 metres to provide a lift and lobby area. The extended building would feature a flat roof built to a maximum height of 14 metres with the second floor having a roof height of 10.8 metres and a slightly taller projection (to a maximum height of 14.4 metres) being provided above the lift area.

1.4 The proposed development would feature render and timber cladding, with two balconies provided at the north west corner of the building, two provided at the rear and two terraces being formed through the recessing of the front elevation of the top two floors from the floor below.

1.5 The other ancillary developments at the site include the extension of an existing extraction flue at the rear of the site to increase its height to project above the rear elevation of the extended building by 0.8 metres. The proposal would also involve the removal of the existing false façade at the frontage of the building. Single storey bin and cycle stores are proposed at the rear of the site, within an existing service area.

1.6 This application follows the refusal of similar application 14/01913/FUL for the following reasons:

1. The proposed development by reason of its detailed design, scale and bulk would result in a form of development out of keeping with the character of the surrounding area contrary to the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, policies C11, H5 and H7 of the Borough Local Plan and the Design and Townscape Guide, 2009 (SPD1).

2. Insufficient evidence has been submitted to demonstrate that the commercial uses at the site could be carried out without resulting in undue noise and disturbance to the amenities of future occupiers of the proposed flats proposed. The proposal would therefore be contrary to Core Strategy Policies KP2 and guidance contained within the NPPF.

An appeal was submitted with respect to that application and that appeal decision is included as an appendix to this report. The main findings of the Planning Inspectorate are as follow:

- The proposed development, with two additional floors of flats being provided above the existing building, should not be objected to on the grounds of the scale or appearance of the development. In summary the Inspector stated that *"the proposed development, by reason of its design, would not cause harm to the character and appearance of the area or the setting of the neighbouring heritage asset."*

- The conclusion of the Local Planning Authority with respect to the second reason for the refusal of the application was sound. In summary, the Inspector stated that *"on balance, due to the limited survey undertaken, the evidence submitted by the appellant has not demonstrated that the commercial uses at the site could be carried on without resulting in undue noise and disturbance to the living conditions of future occupiers of the proposed flats. The proposal would therefore fail to accord with the aims of CS Policy KP2 and guidance contained within the Framework, in so far as each relates to the protection of the living conditions of residential occupiers and the need to safeguard and promote the vitality and viability of existing town and local centres."*

2 Site and Surroundings

2.1 The application site is located to the west of Elm Road, measuring 0.06 hectares in area. The application site is located within the Defined Shopping Centre of Leigh and is allocated as part of the Secondary Shopping Frontage as defined by the Council's Development Management DPD.

2.2 The site contains a two-storey flat roofed building that is described above. The building features a mostly rendered frontage with a mix of brickwork, render and timber boarding on the north side elevation and brickwork and concrete to the rear along with metal fire escapes.

2.3 The surrounding buildings are used for a variety of commercial, community and residential purposes and include buildings of varied scale and architectural detailing. To the North of the site is a locally listed building that is used as a police station.

3 Planning Considerations

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

4 Appraisal

Principle of the Development

The National Planning Policy Framework, DPD1 (Core Strategy) policies KP2, CP1, CP2, CP4 and CP8; DPD2 (Development Management) policies DM1, DM3, DM7, DM8 and DM15.

4.1 Policy CP1 states that permission will not normally be granted for development proposals that involve the loss of existing employment land and premises. Similarly, policy CP2 states that the provision of shopping facilities and services will be maintained within the District Centre of Leigh.

4.2 The proposal would not result in the loss of any retail space or the public areas of the existing public house and the majority of the existing office space would be retained. It is therefore the case that the proposal would only represent the provision of additional residential units and not the material loss of any existing employment, retail or community floorspace. This is considered to be in accordance with the abovementioned policies.

4.3 Policy CP8 identifies that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough. Policy CP8 also expects 80% of residential development to be provided on previously developed land. From this basis, it is considered that the principle of undertaking residential development at this site should be supported, subject to the following detailed considerations. This is especially the case given that one of the 12 core principles of sustainable development that are identified within the NPPF is to "promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas." This approach is supported by Development Management DPD policy DM3.

Design and Impact on the Character of the Area:

The National Planning Policy Framework*;* DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) policies DM1, DM3 and DM5 and the Design and Townscape Guide.

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 DM1 and DM3 of the Council's Development Management DPD and Policies KP2 and CP4 of the Core Strategy. 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 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.

4.6 The NPPF states that *"The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people".*

4.7 The Design and Townscape Guide (SPD1) states that *The successful integration of any new development is dependent upon the appropriate scale, height and massing in relation to the existing built fabric. Buildings that are over scaled will appear dominant… the easiest option is to draw reference from the surrounding buildings."* It goes on to state that *"Schemes that propose buildings that are taller than their neighbours will be required to justify why an increased height is acceptable. This ranges from buildings that are one or two storeys higher to ones which are many storeys higher."* The guidance also identifies five scenarios where increases in height are considered to be appropriate.

4.8 The character of the surrounding area is defined by buildings of mixed scale. To the West of the application site is a part three storey, part four storey building that measures approximately 17 metres tall. To the North is a two storey, locally listed building that measures approximately 12.5 metres tall and the buildings to the South and East are mostly two storey. However, the wider area features several three, four and five storey buildings and it is therefore considered that there is scope to increase the height of the building without material harm to the character of the surrounding area. This opinion is consistent with conclusions that have previously been reached by the Local Planning Authority and the Planning Inspectorate with respect to proposals to add additional floors to the building.

4.9 The extension would be recessed from the frontage of the site by increasing amounts as the height increases and therefore the extension would have a reduced impact on the street-scene when viewed from immediately adjacent to the site. A concern was raised previously about the height of the building, which would be obvious in longer views of the site, particularly from Elm Road to the north and south but also partially from Rectory Grove to the south and from the Leigh Town Council car park. In this respect it was a concern that the top floor of the extension would be visible above the neighbouring buildings to the south and the front of the extension would be visible forward of the locally listed building to the north. It was also considered that the bulk of the built form, which would be viewed in the same context of the locally listed building of the adjacent police station, would be harmful to the character and appearance of the application site and the streetscene of Elm Road.

4.10 However, the recent findings of the Planning Inspector carry significant weight. In this regard it is noted that the Local Planning Authority has recently had a costs award granted against it following an appeal at Legra Grange and Brushes Warren where an earlier conclusion of the Planning Inspector was not given sufficient weight.

4.11 The summary of the appeal decision is set out above, but the further detail of the appeal decision, particularly paragraphs 6 and 7, highlight that the scale and appearance of the development should be found acceptable. It was stated that *"the proposed development would, on balance, overall serve to enhance the street scene as well as the character and appearance of the area while not causing demonstrable harm to the setting of the neighbouring heritage asset"*

4.12 The balconies that are proposed are considered to provide interest and break-up the massing of the built form without becoming unduly prominent features of the street-scene. Moreover, it is considered that the positioning of the refuse and cycle storage facilities and the extended extraction vent at the rear of the site is appropriate given that these aspects of the development would not contribute positively to the street-scene and should therefore be located discreetly. Therefore, noting that the visual impact of the development is identical to that which was previously found to be visually acceptable by the Planning Inspectorate, it is considered that the architectural detailing of the building and the scale and massing of the building would have an acceptable impact on the streetscene of Elm Road and would not cause material harm to the setting of the adjacent locally listed building and the character and appearance of the application site.

Traffic and Transport Issues

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; DPD2 (Development Management) policies DM3 and DM15.

4.13 Policy DM15 requires that parking is provided at a rate of one parking space per flat however the policy also states that *"Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/ or where the rigid application of these standards would have a clear detrimental impact on local character and context."*

4.14 The application form that has accompanied the planning application states that there are currently 4 parking spaces at the site and that 2 additional spaces would be provided at the site as part of this development. These provisions are not shown on the submitted plans.

4.15 On visiting the site it is noted that there is space for the parking of 6 cars at the North part of the site and additional informal parking to the rear of the building. It is therefore considered reasonable to conclude that there is capacity at the site to park 6 cars associated with the upper floors and additional parking at the rear of the site for use in conjunction with the public house, as appears to be the current situation.

4.16 It is clear that the ratio to people living or working at the site and the number of parking spaces would change and this is likely to cause additional demand for parking off-site, be it within public highways or public car parks. The applicant's submissions do not provide any indication of how the six car parking spaces would be used.

However, in the case of the previous application it was verbally confirmed that the existing parking would serve the existing uses at the site and the residential units would be served by no parking and it is implied that this would remain the case in this instance.

4.17 The applicant makes the case that the site is particularly sustainable with good connections to local bus routes and a train station within walking distance and all other facilities required for day-to-day living within walking distance of the site. The site is therefore considered to be in a sustainable location and as such the creation of residential units without parking is not considered to be contrary to the abovementioned parking standards.

4.18 The Highway Authority has raised no objection to the proposed development and it is therefore considered that the application should not be refused on those grounds. Although the Inspector focussed on the Council's reasons for the refusal of the application, Inspectors do consider the proposal in its entirety and it is to be presumed that, as no comment was made, there was no basis to disagree with the previous conclusions of the Local Planning Authority. As no objection has been raised previously by the Local Planning Authority or the Planning Inspectorate it is considered that it would be unreasonable to raise an objection to this application on the grounds of parking provision.

Impact on Residential Amenity:

The National Planning Policy Framework; DPD2 (Development Management) Policy DM1 and SPD1 (Design and Townscape Guide).

4.19 The proposed development would result in the height of the building being increased. As commercial properties abut the site on three sides, it is considered that the consideration of amenity for occupiers of these properties is largely irrelevant, although it is noted that there are two first floor residential properties to the South and South West of the application site, above existing shops.

4.21 To the East of the site is a string of residential properties that face the application site. The front garden of those properties and the highway land between the properties and the application site ensure that there is a minimum separation distance between buildings of 25 metres.

4.22 The proposed balconies at the frontage of the site would face the neighbouring properties and be at an elevated level. Whilst there would be an increase of overlooking from the proposed development, it is considered that the separation distance ensures that the impact would not be harmful to an extent that would justify the refusal of the application on the grounds of the impact on the privacy of neighbouring residents.

4.23 The proposal would have some impact on the outlook from within the neighbouring properties, but would not cause an unreasonable sense of enclosure to be formed. As the properties are located to the East and North and separated by at least 25 metres, it is considered that the impact on direct sunlight would be minimal. Any impacts would be limited to the late afternoon in winter and the late evening in summer.

Moreover, due to the separation distances, it is considered that the proposal would not cause an unacceptable loss of daylight within the neighbouring properties.

4.24 The first floor flats to the south and south west have windows and doors that face the proposed extension, but the main outlook and source of light for those properties appears to be to the south. As such it is considered that the proposed extensions, which would be separated by approximately 10 metres in the case of the flat to the south, would not have a harmful impact on residential amenity to an extent that would justify the refusal of the application on those grounds. There would be no windows in the side elevation that face those properties and therefore there would be no impact on privacy.

4.25 Notwithstanding the comments of the owner of the neighbouring property that were raised with respect to the previous application at this site and repeated in relation to this application, there are no planning policies within the Development Plan that require the amenity of officer buildings to be maintained in the same way as residential buildings. The increase in height of the building would have an impact on outlook from within the neighbouring offices and there would be some impact on daylight, but this does not provide a basis for the refusal of the application, especially as the office space is served by other windows and the recessed first floor frontage would be retained.

Living Conditions for Future Occupiers

National Planning Policy Framework 2012, DPD2 (Development Management) Policies DM1 and DM8 and SPD1

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

- Minimum property size for a 1 bedroom (2 person bed space) flat shall be 50 square metres, a 2 bedroom (3 person bed space) flat shall be 61 square metres and a 2 bedroom (4 person bed space) flat shall be 70 square metres.

- Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7.5m^2 for a single bedroom with a minimum width of 2.15m^2 ; and 11.5m^2 for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.

- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.

- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

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

- Provision of a storage cupboard with a minimum floor area of 1.25m^2 should be provided for 1-2 person dwellings. A minimum of 0.5m^2 storage area should be provided for each additional bed space.

- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.

- Storage: Suitable, safe cycle storage with convenient access to the street frontage.

- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home. Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.

- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

4.27 With respect to amenity space, each flat would be served by a balcony of sizes ranging between 4.5 square metres and 23 square metres. Two flats would be well served with amenity space, two would be reasonably well served and two would be poorly served. The smallest balcony would be enclosed by the proposed building on three sides and would be in close proximity to the taller building to the West and as such it is considered that the light reaching the balcony would be restricted and the outlook from the balcony would be limited. However, it is considered that the balcony would be adequate to ensure that the occupants of that flat have some outside amenity space and therefore it is considered that this should not form a reason for the refusal of the application. This was not raised as a concern previously and it is noted that the Planning Inspector raised no concerns with respect to this matter.

4.28 The flats and bedrooms are shown to be of sizes that comply with the abovementioned standards. Half of the units would include storage cupboards and it is considered that there would be ample space within the other flats to provide such storage although this has not been shown on the submitted plans. Cycle and refuse storage is also indicatively provided within the service area at the rear of the site.

4.29 It has previously been a concern that the commercial use of surrounding properties, particularly the ground floor public house, may cause noise and disturbance to the detriment of living conditions for future occupiers and it was previously concluded (in 2003) that the applicant had not demonstrated that the residential use of the upper floors of the site would not be harmfully affected by the use of the ground floor. Similarly, the previous applications were refused on the grounds that the Local Planning Authority was not able to guarantee that the living conditions would not be unacceptable and this was supported at appeal by the Planning Inspector.

4.30 The applicant's submissions to accompany this application include a Noise Assessment that includes a far more robust assessment of noise than that which has been undertaken previously, including noise recordings taken across a particularly active weekend that included the FA Cup Final and music event and from four recording positions. This represents a material change in comparison to the content of the previous applications. In summary, this report identifies and discusses the relevant noise-related policies of the National Planning Policy Guidance and noise assessment methodology, undertakes monitoring of noise levels at the site and reaches the conclusion that the use of appropriate glazing and sound insulation between floors would be sufficient to ensure that the occupants of the proposed residential units are not subjected to undue noise.

4.31 It is considered that this noise assessment is far more robust than that which was submitted with previous application, which only took readings on a Thursday night and therefore did not fully assess the worst-case scenario.

4.32 Officers and the Planning Inspector have previously assessed that a 30dB standard should be applied and met for a development to be acceptable at this site. The applicant's submissions, which allows for significant mitigation to be achieved through the provision of sound insulation between floors, demonstrates that a 20dB standard would be achieved which is considered to be above and beyond the reasonable expectations of the Local Planning Authority.

4.33 From this basis, noting that no objection has been raised to the application by the Council's Environmental Health Officer, it is considered that the previous concerns have been satisfactorily addressed and it is therefore considered that no objection should be raised on those grounds. Also any future occupant would be well aware of the presence of the public house before occupying the property and would therefore have the choice to occupy the property or not.

4.34 For these reasons, it is considered that the previous reason for the refusal of the application has been overcome.

4.35 National and local planning policies emphasise the importance of supporting community facilities. It was previously a concern that the provision of six additional residential units in close proximity to a public house would be likely to pose an additional constraint on the operations of the public house and this may affect the ability of the public house to continue to contribute to the evening economy of Leigh. As set out above, it is considered that the noise submissions suitably address this matter and therefore there is no reason to consider that the proposed residential properties would prevent or unduly restrict the use of the ground floor public house.

Sustainable Construction:

The National Planning Policy Framework*;* DPD1 (Core Strategy) policies KP2, CP4 and CP8.

4.36 Policy KP2 of the Core Strategy states; "*All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources"* and that *"at lest 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)".* The provision of renewable energy resources should be considered at the earliest opportunity to ensure an integral design

4.37 No details have been provided by the applicant to demonstrate how this matter will be addressed. It would however be possible to secure the submission and agreement of details of sustainable construction under the terms of a condition.

Community Infrastructure Levy

4.38 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. The proposed development will result in a net increase in gross internal area of 516 square metres. The CIL chargeable rate for residential units in this location is £60 per square metre. Therefore, this equates to £30,960.

5 Conclusion

5.1 The proposed development would enable the creation of six additional residential units without causing material harm to the amenities of neighbouring residents. On balance, it is considered that the provision of no parking is compliant with the Council's adopted parking standards.

5.2 As set out above, it is considered that the proposal should not be objected to on the grounds of the scale or appearance of the development, particularly given that no objection was raised to the previous application on those grounds by the Planning Inspectorate. Moreover, it is considered that previous concerns about the compatibility of the residential uses with surrounding commercial uses have been satisfactorily addressed and this should no longer represent a reason for the refusal of the application.

6 Planning Policy Summary

6.1 National Planning Policy Framework.

6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), and CP8 (Dwelling Provision).

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

6.4 Development Management DPD policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM5 (Southend-on-Sea's Historic Environment), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).

6.5 Community Infrastructure Levy Charging Schedule

Representation Summary

Highway Authority

7.1 The site is considered to be in a sustainable location with regard to public transport with good links in close proximity. 6 secure cycle parking spaces have been provided. It should be noted that future occupiers will not be eligible for any parking permits within the local area. No objection is raised.

Environmental Health Officer

7.2 No objection has been received.

London Southend Airport

7.3 No objection has been raised to the proposal.

Public Consultation

7.4 27 neighbouring properties were notified of the application and a notice was posted at the site. 1 neighbour response has been received which raises the following ground of objection:

- The proposed development would block a north facing window within the neighbouring office property.

Leigh Town Council

7.5 Leigh Town Council has objected to the application on the grounds that the proposed building would be too tall and dominant of the street scene. It is also considered that the provision of no parking should be found unacceptable and the application form shows insufficient information on how the waste water will be disposed of. It is considered that the proposal is no different to the previously refused developments at this site.

8 Relevant Planning History

8.1 This application follows the refusal of application 14/01913/FUL, which proposed two additional storeys of residential development, for the reasons that are discussed above. Subsequent application 15/00993/FUL proposed a similar development with just one additional floor and three flats. That application was refused for similar reasons to application 14/01913/FUL.

8.2 Planning application SOS/97/0694 was allowed at appeal with permission thereby being granted for the provision of five one bedroom flats within a single additional floor of built form. The built form would have had a mansard style roof that would have been slightly taller than the neighbouring building to the South. In the appeal decision the Inspector concluded that adding an additional floor of accommodation to the building would enhance the appearance of the building. Application 00/01133/OUT sought permission to extend the time for the submission of reserved matters. That application was approved.

8.3 Application 03/01652/OUT sought a further extension to the time for the submission of reserved matters. That application was refused for the following reason:

"The proposal to extend the time for submission of reserved matters is unacceptable because circumstances have changed, in that the ground floor of the building is now used as a public house and no evidence has been submitted to establish that occupiers of the proposed dwellings will not experience an unacceptable level of disturbance by reason of noise, extract ventilation and general activity from the ground floor use, to the detriment of residential amenity and contrary to Policy U2 of the Borough Local Plan."

8.4 The existing building has been the subject of various applications relating to the change of use of the building, minor alterations to the building and alterations to restrictive planning conditions. That planning history is considered to be of little relevance to this application other than to note that the provision of an additional floor of accommodation, for use as offices or residential purposes, has been supported on a number of occasions.

9 Recommendation

9.1 **It is recommended that planning permission is GRANTED subject to the following conditions:**

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

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

02 The development hereby permitted shall be carried out in accordance with approved plans 0-001, 0-002, 0-200, 1-001, 1-002 A, 1-003, 1-050, 2-001, 2-002, and 15-001

Reason: To ensure that the development is carried out in accordance with the policies outlined in the Reason for Approval.

03 No development shall take place until samples of the materials to be used on the external elevations including walls, roof, windows, and balustrading shall be 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 National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

04 The acoustic mitigation installations recommended within the submitted Noise Assessment (prepared by Sharps Redmore and dated 09/06/16) shall be installed prior to the first occupation of the flats hereby approved and retained in perpetuity.

Reason: In the interests of residential amenity for future occupants as set out in the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD Policy DM1.

05 Prior to the commencement of the development hereby approved, full details of refuse and bicycle storage facilities at the site shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, refuse and bicycle storage facilities shall be provided at the site in accordance with the approved details prior to the first occupation of any of the flats hereby approved.

Reason: In the interests of residential amenity for future occupants, the provision of adequate parking and visual amenity as set out in the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD Policies DM1, DM8 and DM15.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

Please note that the 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 .