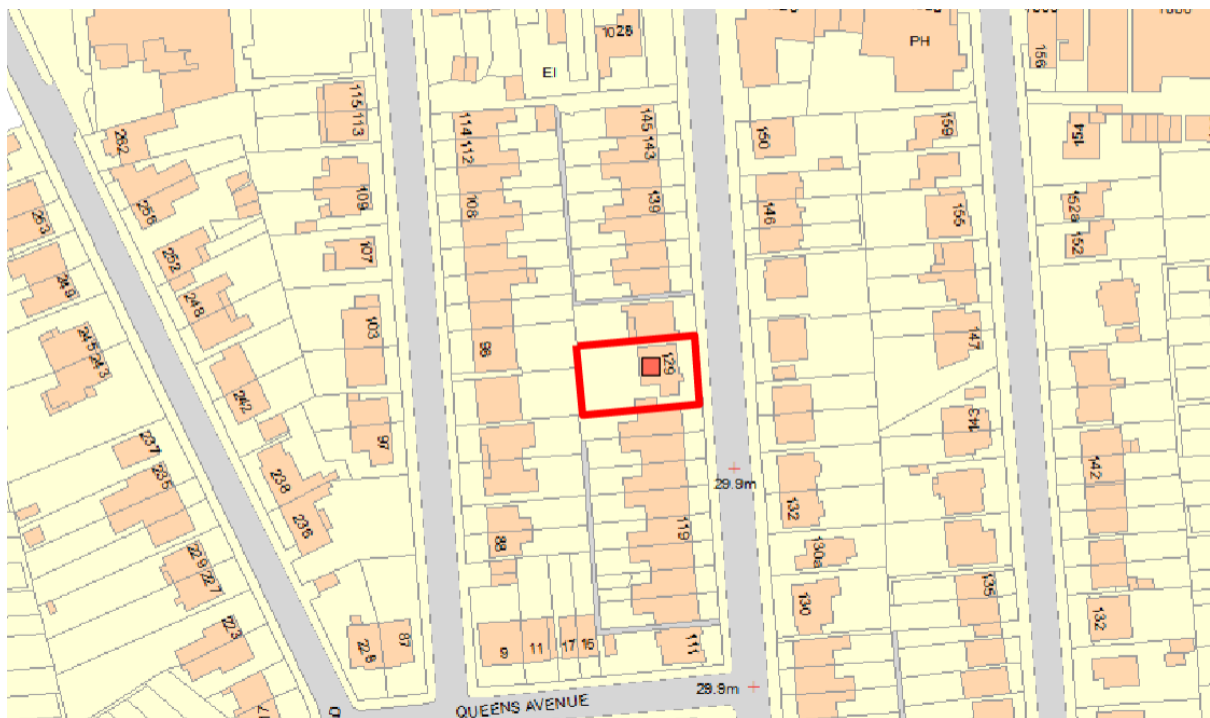


Reference:	16/01601/FUL	
Ward:	Leigh	
Proposal:	Demolish existing bungalow and erect a pair of semi-detached dwellinghouses and lay out hardstanding (Amended Proposal)	
Address:	129 Leigh Hall Road, Leigh-On-Sea, Essex, SS9 1QY	
Applicant:	Mr Benjamin Surgett	
Agent:	BGA Architects	
Consultation Expiry:	4 th November 2016	
Expiry Date:	16 th November 2016	
Case Officer:	Anna Tastsoglou	
Plan No's:	15-184 0-001; 15-184 0-100 B; 15-184 1-100 A; 15-184 1-101& 15-184 2-101 A	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to demolish the existing bungalow at 129 Leigh Hall Road and erect two no. two storey, two bedroom semi-detached dwellinghouses. The dwellings would have gabled roofs to the side elevations, double storey front gabled bays and single storey flat roof rear projections.
- 1.2 Materials to be used would include white UPVC windows and doors, red/brown interlocking tiles and the external walls would be finished in red facing brickwork and render. The proposed front hard surfaced area would be formed with brown block paving. The properties would be bounded by close boarded fence panels to the side and rear.
- 1.3 The proposed dwelling would measure 6.3m wide x 12.5m deep at ground floor and 9.7m at first floor x 6.1m high to the eaves, with a maximum height of 9.2 metres to ridge and it would be set approximately 1.1 metres back from the neighbouring properties to the north and south.
- 1.4 The proposed dwellings would have an open kitchen/diner/living area, a separate lounge, WC and utility rooms at ground floor and two double bedrooms (one ensuite) and a bathroom at first floor. The proposed houses would measure approximately 115sqm in total, the master double bedroom 20sqm and the double bedroom to the rear would measure 12sqm.
- 1.5 Approximately 65sqm amenity space would be provided to the rear of each property. Two parking spaces per dwelling are proposed to be provided to the front of the properties, perpendicular with the highway. Refuse and cycle store are shown to the rear of the proposed dwellings.
- 1.6 Evidence regarding M4(2) Building Regulations has been submitted to support the application.
- 1.7 A similar application (15/01848/FUL) was previously refused for reasons relating to design, siting of buildings and lack of front soft landscaping, insufficient information regarding M4(2) building regulations, failure to provide adequate off-street parking and overlooking and loss of privacy of the adjoining neighbours to the rear (No's 96 and 98 Dawlish Drive). Amendments have been incorporated to the revised proposal since the refusal, including the following:
 - The maximum ridge height of the dwellings has been increased to match the neighbouring dwellings to the south.
 - Minor amendments have been incorporated to the detailed design of the front elevation, including the slight alteration of the eaves height.
 - The dwellings have been repositioned marginally forward (300mm).
 - The previously proposed rooms in the roof and associated rear dormers have been omitted from the proposal.
 - The two storey rearward projection has been omitted from the proposal.
 - The size of the rear garden and distance to the rear boundary has been increased.
 - The number of bedrooms has been reduced from three to two.
 - The proposed off-street parking spaces would be provided perpendicular to rather than parallel with the highway.

- Soft landscaping has been incorporated to the front curtilage of the properties.
- Evidence regarding compliance with M4(2) building regulations has been submitted.
- Details of refuse and cycle storage have been submitted with the current application.

1.8 Following discussion with the applicant during the course of the application, front open porches with brackets and gabled roof have been added to the front elevation above the main entrance and the width of the front crossovers has been reduced to a maximum acceptable of 4.8m.

2 Site and Surroundings

2.1 The site is located on western side of Leigh Hall Road, south of London Road and it is occupied by a detached bungalow. The width of the existing plot is more than double the size of the neighbouring properties to the south. The rear garden of the property is also larger than the neighbouring properties. Currently the property forms one of a pair of two detached bungalows of similar size, style and design, with gabled roofs, and front mono-pitched projecting canopies. The property has an existing side extension and a garage up to the southern boundary. The front curtilage is partially hard surfaced and used for parking. A wide crossover extends in front of the application site.

2.2 The area is residential in character, comprising predominantly two-storey semi-detached and terraced houses of similar mass, form and design, with same ridge height, double storey front projecting features, recessed entrances, finished in red bricks and white render. Amongst these two storey properties there are also examples of detached bungalows and chalet style dwellings.

3 Planning Considerations

3.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, living conditions for future occupiers, impact on neighbouring properties, any traffic and transport issues, sustainability, CIL liability and whether the previous reasons for refusal have been overcome.

4 Appraisal

Principle of Development

National Planning Policy Framework 2012; Core Strategy Policies KP2, CP4, and CP8; Policies DM1, DM3, DM8 and DM15 of the Development Management DPD

4.1 Amongst other policies to support sustainable development, the NPPF requires to boost the supply of housing by delivering a wide choice of high quality homes. Policy KP2 of the Core Strategy requires that “*all new development contributes to economic, social, physical and environmental regeneration in a sustainable way*”. Policy CP8 of the Core Strategy identifies the need of 6,500 homes to be delivered within the whole Borough between 2001 and 2021.

- 4.2 Policy DM3 of the Development Management DPD promotes *“the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.”*
- 4.3 Policy DM3 (4) quotes that *“The conversion or redevelopment of single storey dwellings (bungalows) will generally be resisted. Exceptions will be considered where the proposal:*
- (i) Does not create an unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and*
 - (ii) Will not result in a net loss of housing accommodation suitable for the needs of Southend’s older residents having regard to the Lifetime Homes Standards.”*
- 4.4 Since the 1st of October 2015 Policy DM3 (ii) of the Development Management DPD has been substituted by building regulation M4 (2). This advocates a step-free access to the dwelling and any associated parking space, a step-free access to a WC and any private outdoor space, accessible accommodation and sanitary facilities for older people or wheelchair users and socket outlets and other controls reasonably accessible to people with reduced reach. The applicant has submitted a drawing, including statement, demonstrating that the proposed dwellings would comply with all the above. It is therefore considered that the proposed two storey dwelling can be an accessible and adaptable dwelling. The site abuts a highway to the east and the proposal would represent an intensification of the use of the site and it should therefore be assessed if the site is suitable for the proposed development.
- 4.6 The property is located within a residential area and it is currently occupied by a detached bungalow. The provision of a residential use within the area is considered acceptable in principle. As noted above, the frontage of the property is almost double the size of the frontage of the properties to the south and therefore, it is considered that the provision of two dwellings in this site would be acceptable. Living conditions, residential amenity, design and parking availability are assessed below. As noted above, the prevailing character of the area is for two storey dwellinghouses. The application dwelling is located between a two storey dwelling and a bungalow. On that basis a two storey dwelling, in this location would not result in breaking the continuity of the streetscene, in terms of ridge heights or dwellings style and as such, is considered acceptable in principle.
- 4.7 Policy DM3 (2) requires that all development on a land that constitutes backland and infill development will be resisted where the proposal:
- “(i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or*
 - (ii) Conflict with the character and grain of the local area; or*
 - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or*
 - (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.”*

These issues would be discussed in detail later in the report.

- 4.8 As part of its Strategic Housing Land Availability Assessment (SHLAA) update, the Council has published information on its potential housing supply (5 year supply of housing plus an additional 5% buffer as required by the NPPF). This demonstrates that the Council has a 6 year housing land supply against its adopted targets and therefore, meets the requirements of the NPPF in terms of housing delivery. Thus the authority is able to meet its housing needs targets without recourse to allowing development which would otherwise be unacceptable. However, in this case the principle of development is considered acceptable.

Design and Impact on the Character of the Area

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; SPD 1 (Design & Townscape Guide (2009)); Policies DM1 & DM3 of the Development Management DPD

- 4.9 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 4.10 Paragraph 56 of the NPPF states that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* One of the core planning principles of stated in the NPPF requires *“to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.
- 4.11 Policy DM1 of the Development Management DPD states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.
- 4.12 According to Policy KP2 of the Core Strategy states that new development should *“respect the character and scale of the existing neighbourhood where appropriate”*. Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 4.13 Paragraph 201 of the Design and Townscape Guide states that *“where it is considered acceptable in principle, the key to successful integration of these sites into the existing character is to draw strong references from the surrounding buildings. For example, maintaining the scale, materials, frontage lines and rooflines of the neighbouring properties reinforces the rhythm and enclosure of the street. This does not necessarily mean replicating the local townscape, although this may be an option.”*

- 4.14 The development is proposed to be set approximately 1.1 metres back from the neighbouring dwellings to the north and south (apart from projecting bays), while the existing bungalow maintains this strong front building line. Although the area is unbroken in terms of the frontage line of the dwellings on the road, it is considered that a setback would be, on balance, acceptable in this instance given that it would result in a less prominent development and also allow provision of parking. The set back of the proposed dwellings has been reduced by 300mm from the previously refused application, which is considered positive, as this reduces the impact to the established frontage line.
- 4.15 Although dwellings in Leigh Hall Road are not uniform in character, there are neat runs of two storey houses which appear to be built in small groups. Those sited to the south of the application site and north of No. 131 Leigh Hall Road have a very strong rhythm of bays with detailed gable tops and oriel windows and recessed front arched entrances. The proposal is to form two, two storey, gabled roof to flank elevations dwellings with double storey front bay features and single storey flat roof rear extensions. The proposed dwellings would be of matching eaves and ridge heights with the adjacent dwellings to the south. Furthermore, whilst the width of the proposed dwellings and the front projecting features would be marginally wider from the properties to the south, given that are already slight variations to the detailed design of the runs of terraces in the area, no objection is raised to a marginal variation in proportions of the dwellings. The overall design of the dwellings would draw reference from the adjacent properties to the south and they would be more in keeping with the two storey dwellings in the wider area than the existing building.
- 4.16 There is no objection to the proposed single storey flat roof rear element. Although not generally in keeping with the roof design of the properties, given that it would not be visible from the streetscene, it is not considered that it would have a detrimental impact on the streetscene or the appearance of the proposed dwellings.
- 4.17 Paragraph 145 of the Design and Townscape Guide requires that landscaping should *“enhance the setting and appearance of a building and help to soften new development”*.
- 4.18 The dwellings would be orientated with their front elevation facing east onto Leigh Hall Road. The front curtilage of the dwelling would be largely hard surfaced and used for parking; however, some soft landscaping has been incorporated to the proposal along the northern and southern boundaries of the site to the front, which is considered to soften the appearance of the proposal.
- 4.19 In light of the above, it is considered that the proposed dwellings would be of an acceptable design and appearance and would be in keeping with the character of the street.

Living Conditions for Future Occupiers

National Planning Policy Framework 2012, Core Strategy Policies KP2, CP4 and CP8; SPD1; Policy DM8 of the Development Management DPD and National Housing Standards

- 4.20 Delivering high quality homes is one of the Government's requirements according to the NPPF. Since 1st of October 2015 Policy DM8 of the Development Management DPD has been superseded by the National Housing Standards regarding the minimum internal floorspace standards.
- 4.21 The proposal is to form two no. two-storey, two bedroom (4 persons) dwellinghouses. The proposed dwellings at 129 Leigh Hall Road would comfortably exceed the national internal floorspace standards.
- 4.22 The National Housing Standards state that double bedrooms should be at least 11.5sqm. The proposed double bedrooms would meet the above minimum standards. All habitable rooms would have sufficient outlook and ventilation and light.
- 4.23 Policy DM8 states that all new dwellings should *"make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reasons for which will need to be fully justified and clearly demonstrated."* Although the proposed rear gardens would be of limited size, they would not be dissimilar to the neighbouring rear gardens and it is also considered that they would result in usable amenity spaces.
- 4.24 According to SPD1 refuse storage and recycling should not be visible from the streetscene and as such, it should be located either internally to the development or to the rear of the property, to minimise the adverse visual impact. Refuse and cycle storage are proposed to be installed within the rear garden. This is considered a safe and easily accessible location for refuse and cycle storage. Therefore, no objection is raised in relation to the living conditions of the future occupiers.

Impact on Neighbouring Properties

NPPF; Development Management DPD Policy DM1; SPD 1 (Design & Townscape Guide (2009))

- 4.25 The Design and Townscape Guide (SPD1) states 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."* (Paragraph 343 - Alterations and Additions to Existing Residential Buildings). Policy DM1 of the Development Management DPD requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities *"having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."*
- 4.26 With regard to the impact on the property No. 131 Leigh Hall Road to the north the proposal would be located a minimum of 1.3m away from the south flank wall of that dwelling. 131 Leigh Hall Road has an existing shallow single storey conservatory to the rear. The proposed development would project approximately 2.5 metres beyond the rearmost wall of the neighbouring rear extension.

There are no windows in the south flank elevation of No. 131 Leigh Hall Road, which would be adversely affected by the proposed two storey dwellings and it is considered that the single storey projection to the rear would not result in a detrimental impact on the adjoining neighbours to the north. The two storey element would not breach a 45° angle taken from the northwest edge of the development and extended horizontally. Therefore, it is considered that the relationship of the proposed dwellings and No. 131 Leigh Hall Road to the north would be acceptable and the proposed development would not be overbearing or result in overshadowing. Two windows are proposed to the north elevation to a utility room and bathroom. Whilst the window to the utility room at ground floor would not result in overlooking, given that a fence would be erected along and the boundary, the bathroom window at first floor may result in overlooking the adjoining bungalow to the north and thus, it is considered reasonable to be glazed in obscure glass.

- 4.27 The development would be located 1.2 metres away from the southern boundary with No. 127 Leigh Hall Road. The single storey extension would project 2.8 metres past the neighbouring rear wall, which given its limited height and set back and the orientation of the site, it would not have a detrimental impact on the occupants of No. 127, by way of loss of light or sense of enclosure. No. 127 has no windows to the north elevation and thus the increased height and mass of the proposal would not reduce light to habitable rooms. The bathroom window at first floor would be conditioned to be glazed in obscure glass, to prevent overlooking.
- 4.28 The single storey element of the proposed dwellings would be sited a minimum of 9 metres away from the rear boundary and the two-storey element a further 2.7m off the rear boundary. This separation distance is not dissimilar to the existing separation distance of the existing dwellings to the south and it has been also increased from the previously refused application. The previously proposed rooms in the roof have been omitted from the proposal and as such, the previous objection regarding overlooking of the gardens of the properties to the rear has been overcome.
- 4.29 The proposed windows in the front elevation would overlook the highway and front gardens of the adjacent dwellings, which is considered acceptable.
- 4.30 This development would have an acceptable relationship with neighbouring properties.

Traffic and Transport Issues

NPPF; Policy DM15 of the emerging Development Management DPD; SPD1

- 4.31 Policy DM15 of the Development Management DPD requires all development to provide adequate off-street parking.
- 4.32 Two parking spaces are proposed to be provided per dwelling to the front curtilage of the dwellings, perpendicular with the highway and therefore, the proposal would meet the standards as set in policy DM15 of the Development Management DPD. Leigh Hall Road is not a classified road and therefore there is no requirement for vehicles to enter or exit the site in forward gear. The proposed off-street parking spaces and proposed crossovers meet size requirements and also allow vehicle movement, without causing obstruction to the highway.

- 4.33 With regard to on-street parking availability, the proposal would result in loss of one additional on-street parking space (one is already lost by the existing crossover); however, it would result in four off-street parking spaces (an increase) and a more efficient use of land and thus, no objection is raised regarding parking provision.
- 4.34 Cycle parking spaces are proposed on-site to the rear of the dwellings, which is considered a convenient and safe location.

Use of on Site Renewable Energy Resources and Sustainable Construction

National Planning Policy Framework 2012, Core Strategy Policy KP2 and SPD1; Development Management DPD Policy DM2

- 4.35 Policy KP2 of the Core Strategy requires that *“at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in SPD 1 Design and Townscape Guide, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration.”* Policy DM2 of the Development Management DPD also states that *“to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions”*
- 4.36 No information has been submitted in relation to the provision of renewables on site or SUDS. However, it is considered the elements can be satisfactorily provided a condition in relation to submission of details and features of on-site renewables and SUDS is proposed.
- 4.37 Policy DM2 (iv) of the Development Management Document requires all new development to provide *“water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.”* Whilst details have not been submitted for consideration at this time, this will be required by condition.

Community Infrastructure Levy

CIL Charging Schedule 2015

- 4.38 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material ‘local finance consideration’ for the purpose of planning decisions. The proposed development will result in a net increase in gross internal area of 162 sqm (taking into account any deductions for existing ‘in-use’ floorspace that is being demolished, which will equate to approximately £ 10,280.77).

Other Matters

- 4.39 It is noted that given the limited size of the plots alterations/extensions to the dwellings may result in unacceptable living conditions of the future occupiers (for example should the rear amenity space would be significantly reduced by a rear extension) or impact on the neighbouring. For these reasons it is considered reasonable that permitted development rights for the proposed dwellinghouses should be removed for classes A, B, C, D, E and F.

5 Conclusion

- 5.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. The proposal would provide adequate parking and it would not result in highways implications. The previous reasons for refusal have been overcome and this application is therefore recommended for approval subject to conditions.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework (2012): Section 4 (Promoting sustainable transport), Section 6 (Delivering a wide choice of high quality homes) and Section 7 (Requiring good design)
- 6.2 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), and CP8 (Dwelling Provision).
- 6.3 Development Management DPD 2015: DM1 (Design Quality), Policies DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide, 2009.
- 6.5 CIL Charging Schedule 2015
- 6.6 National Housing Standards 2015

7 Representation Summary

Transport & Highways

- 7.1 Two car parking spaces have been provided for the proposal therefore no highway objections are raised.

Design and Regeneration

- 7.2 The proposal is seeking to demolish the existing bungalow and erect a pair of semi-detached houses. Leigh Hall Road is a mixed street of mainly two storey traditional houses interspersed with a few bungalows and chalets. The application site is located in between a group of traditional houses and another bungalow of a similar design. Given the mixed nature of the street and the fact that the majority of the street is two storey properties the proposal to replace the existing bungalow with two storey houses would not be out of character with the streetscene.

The proposal is for a traditional design which replicates the scale, form and design detail of the general character of the street including a well detailed double bay and feature rain porch. This proposal should therefore integrate well into the wider streetscene.

It is noted that the building line is set back slightly from the neighbours to accommodate the parking but the frontages here are fairly deep and not uniform and therefore this variation should not stand out as being out of character.

Parks

- 7.3 No comments received.

Leigh Town Council

- 7.4 Leigh Town Council would regret the loss of a bungalow. It would also isolate the remaining bungalow, causing a loss of light. There is insufficient parking in an already parking stressed area.

Public Consultation

- 7.5 Eleven neighbours have been consulted and a site notice posted on site and four representations have been received, as follows:

- Parking implications. **[Officer comment: Please refer to the 'Transport and Highways' section.]**
- Loss of bungalow. **[Officer comment: Please refer to the 'Principle' section.]**
- Loss of privacy. The dwellings can be extended to the roof in the future. **[Officer comment: Please refer to section 'Impact on Neighbouring Properties' regarding overlooking and 'Other Matters' regarding the removal of permitted development rights.]**
- The development is not for affordable housing. **[Officer comment: It is noted that there is no requirement for developments of this size.]**
- Impact on the remaining bungalow to the north. **[Officer comment: Please refer to 'Impact on Neighbouring Properties' section.]**
- Elderly neighbours have not been notified. **[Officer comment: It is noted that letters notifying the neighbours about the proposal have been sent to properties abutting the application site and a site notice posted on site.]**

- Aesthetics. **[Officer comment: Please refer to the ‘Design and Impact on the Character of the Area’ section.]**

8 Relevant Planning History

8.1 15/01848/FUL - Demolish existing bungalow and erect a pair of semi-detached dwellinghouses and lay out hardstanding. Planning permission refused for the following reasons:

- *The proposed development by reason of its detailed design, siting of buildings and lack of front soft landscaping, would appear out of keeping with the character of the streetscene to the detriment of its appearance and the character of the wider area, contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policies DM1 of the Development Management Document and Design and Townscape Guide SPD1.*
- *Insufficient information has been submitted to demonstrate that the proposal meets the criteria for the Building Regulation M4 (2). Thus the development fails to prove that it will result in accessible and adaptable dwellings for older people or wheelchair users, contrary to the NPPF, Policy DM8 of the emerging Development Management DPD and National Housing Standards 2015.*
- *The proposed development by reason of the parking layout would fail to provide adequate off-street parking to serve the proposed dwellings and would result in additional on street parking in an area with limited on-street parking availability to the detriment of highway safety and the local highway network contrary to Policy CP3 of DPD1 (Core Strategy), Policies T8 and T11 of the Borough Local Plan and the Design and Townscape Guide and Policy DM15 of the emerging Development Management DPD.*
- *The proposed dwellings would, by reason of the limited distance between the fenestration in the rear elevation and the rear boundary, result in an unacceptable overlooking and loss of privacy, to the detriment of residential amenity of the occupants of No’s 96 and 98 Dawlish Drive and contrary to the NPPF, Policy CP4 of the Core Strategy, Policy DM1 of the Development Management DPD and advice contained within the Design and Townscape Guide (SPD1).*

9 Recommendation

9.1 **GRANT PLANNING PERMISSION** subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

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

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 15-184 0-001; 15-184 0-100 B; 15-184 1-100 A; 15-184 1-101& 15-184 2-101 A**

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

- 03 No development shall take place until samples/details of materials to be used on the external elevations including details of any boundary walls, fences, hardsurfaces, gates and windows 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: 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, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

- 04 Prior to first occupation refuse and cycle storage shall be provided in accordance with the approved plans and thereafter retained in perpetuity thereafter.**

Reason: To ensure that satisfactory secure off-street bicycle parking is provided and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

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

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

- 06 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development and implemented in full prior to the first occupation of the dwelling houses. This provision shall be made for the lifetime of the development.**

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy, the Design and Townscape Guide (SPD1) and Development Management Document Policy DM2.

- 07** The dwellings hereby approved shall not be occupied until details soft and hard landscape works have been submitted to and approved by the local planning authority. The approved landscaping scheme shall be implemented within the first planting season following first occupation of the dwelling.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the amenity of future occupants in accordance with DPD1 (Core Strategy) policy KP2 and CP4, Development Management DPD policy DM1 and SPD1 (Design and Townscape Guide).

- 08** Permeable paving shall be used for the hardstanding area unless otherwise agreed by the local planning authority. The proposed parking spaces to the front curtilages of the proposed dwellings shall be provided in accordance with the plans No's 15-184 1-100 A & 15-184 0-100 B prior to occupation of the dwellings hereby approved and shall thereafter be permanently retained solely for the benefit of the occupiers of the dwellings and their visitors and for no other purposes unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory parking is provided and retained to meet needs of occupants that the development is completed and used as agreed, and to ensure that it meets DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM15 and SPD1.

- 09** 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, shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

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).

- 10** Demolition or construction works shall not take place outside 8:00 hours to 18:00 hours Mondays to Fridays and 8:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD policies DM1.

- 11** The first floor bathroom windows in the north and south elevations 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 the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

- 12** The roof of the building hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

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

- 13** 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) policy DM2.

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

Informative

- 1 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.**