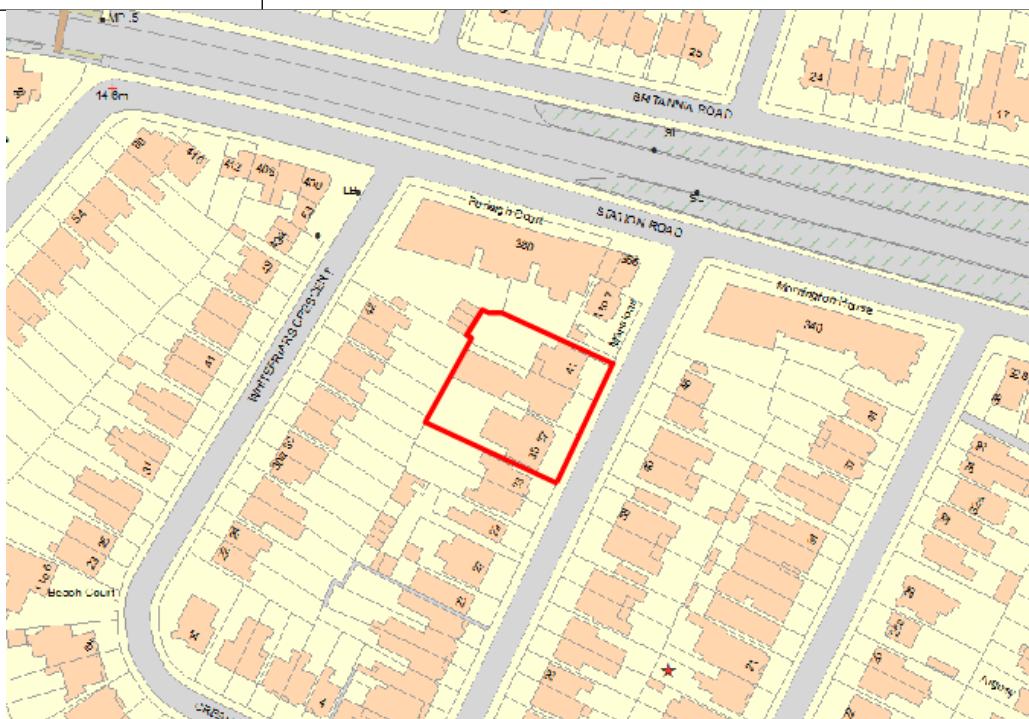


Reference:	17/01017/FULM	
Ward:	Chalkwell	
Proposal:	Demolish existing buildings and erect three storey building comprising of 16 self-contained flats with balconies/terraces, undercroft parking at ground floor level, layout cycle and bin stores with communal amenity space.	
Address:	Chalkwell Lodge, 35 - 41 Grosvenor Road, Westcliff-on-Sea	
Applicant:	Sanctuary Group	
Agent:	MEPK Architects	
Consultation Expiry:	27.10.2017	
Expiry Date:	09.03.2018	
Case Officer:	Kara Elliott	
Plan Nos:	1667_SLP-01, 17204_001, 17204_002, 17204_003, 17204_004, 1667_P-01, 1667_P-02-A, 1667_P-03-A, 1667_P-04-A, 1667_P-05-A, 1667_P-06-A, 1667_P-08, 1667_P-09-A, 1667_P-10-A	
Recommendation:	Delegate to the Director of Planning and Transport or the Group Manager Planning and Building Control to GRANT PLANNING PERMISSION subject to completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended).	



1 The Proposal

1.1 Planning permission is sought to demolish the existing buildings and erect a three storey building incorporating 16 self-contained flats with balconies/terraces, undercroft parking at ground floor level, layout cycle and bin stores with communal amenity space.

1.2 The details of the scheme are summarised as follows:

Units	7 x 1 bedroom (2 persons) 51m ² - 63m ² 5 x 2 bedroom (3 persons) 66m ² - 74m ² 4 x 2 bedrooms (4 persons) 74m ² - 82m ²
Parking	16 car parking spaces (one per unit, two wheelchair accessible) 16 secure cycle parking spaces (one per unit)
Amenity space	160m ² external communal amenity space 37m ² ground floor patio areas 36.3m ² first floor balconies 60m ² second floor balconies/terrace
Height (max)	3 storey (9.85m to 11.5m)
Width	35.4m
Depth	Between 11m and 32.45m

1.3 The proposed development will include the following accommodation;

Plot No.	Floor	Unit Size	Part M compliance	Wheelchair	Habitable Rooms	Area (m²)
1	G	2 B 4 P	M4(2)		3	77
2	G	2 B 3 P	M4(2)		3	66
3	G	1 B 2 P	M4(3)	✓	2	63
4	G	1 B 2 P	M4(2)		2	51
5	G	2 B 3 P	M4(3)	✓	3	74
6	1	2 B 4 P	M4(2)		3	77
7	1	2 B 3 P	M4(2)		3	66
8	1	1 B 2 P	M4(2)		2	57
9	1	2 B 4 P	M4(2)		3	82
10	1	2 B 3 P	M4(2)		3	69
11	1	2 B 4 P	M4(2)		3	74
12	2	1 B 2 P	M4(2)		2	56
13	2	1 B 2 P	M4(2)		2	58
14	2	1 B 2 P	M4(2)		2	54
15	2	1 B 2 P	M4(2)		2	58
16	2	2 B 3 P	M4(2)		3	67

1.4 The proposed external rear communal garden space serving the flats would be located to the west of the site amounting to approximately 160m². In addition each flat would benefit from a patio or private balconies; most approximately 4m², with larger terraces to the rear of the building. For example, unit 11 at first floor would benefit from a terrace of approximately 11m² and unit 16 would benefit from the largest terrace amounting to a floor area of approximately 45m².

- 1.5 The building would front onto Grosvenor Road and would be set on the same building line as the existing buildings, which are set in line with the properties to the south which front Grosvenor Road. To the north of the site are the rear and side of buildings fronting Station Road. The existing buildings to be demolished amount to a total of approximately 680m² in floor area, 11.5 metres high from ground level at its highest point, approximately 36.25 metres wide and have an overall depth of 33.7 metres.
- 1.6 The current application is accompanied by a design and access statement, sustainability statement and a preliminary arboricultural impact assessment.

2 Site and Surroundings

- 2.1 The site lies on the west side of Grosvenor Road and contains large two to three storey buildings. The existing building was formerly four dwellinghouses which has since been converted to one unit. The site is currently operating as a 24 hour supported housing scheme made up of 28 bedrooms, occupied by adults diagnosed with mental ill health.
- 2.2 The existing streetscene is characterised by large late Victorian and Edwardian houses, mainly semi-detached housing with a few detached and terraced properties. The street has a relatively consistent scale of two storeys with roof accommodation which is consistent with the application site. The frontages of properties in the street are relatively deep, most with off-street parking.
- 2.3 The road slopes down to the south with properties stepping down the hill. To the north of the site, where Grosvenor Mansions is adjacent to the site, taller blocks front Station Road with a distinct separation in the streetscene between the backs of these buildings and Grosvenor Road buildings.
- 2.4 Hardstanding provides parking across the entire front of the site.

3 Planning Considerations

- 3.1 The main considerations in relation to this application include the principle of development, design, impact on the streetscene, residential amenity for future and neighbouring occupiers, traffic and highway implications, sustainability and developer and CIL contributions.

4 Appraisal

Principle of Development

National Planning Policy Framework (NPPF); Core Strategy Policies KP1, KP2, CP4, CP6, CP8; Development Management Document Policies DM1, DM3, DM7, DM8, and DM9 and the Design and Townscape Guide (2009)

Loss of Specialist Residential Accommodation and Principle of Residential Development

- 4.1 The site is previously developed land and it is therefore relevant to Core Strategy policy CP8, which supports the provision of dwellings on such land; subject to detailed considerations where it is expected that the intensification of development will play a role in meeting the housing needs of the Borough.
- 4.2 Policy DM3 states that “*the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.*”
- 4.3 Government advice currently states that all sites should be examined in order to determine their potential for redevelopment for residential purposes, maximising the use of urban land. The NPPF states that development should; “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*”. The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.
- 4.4 The general content of policy DM9 (Specialist Residential Accommodation) of the Development Management Document states that the Council will encourage care requirements to be met within the existing housing stock and therefore discourages the oversupply of specialist residential care facilities. It is recognised that there is also a need to limit further growth of the residential care homes market in Southend. From this basis, it is considered that there are no grounds to object to the principle of development in this instance.
- 4.5 It is also noted that the occupiers of the existing supported housing units at Chalkwell Lodge are to be rehoused in a new purpose-built facility which has recently been completed at 319 - 321 Sutton Road, Southend (13/00618/FULM).

Dwelling Mix

- 4.6 Policy CP8 of the Core Strategy requires that 20% of the dwellings in any development between 10 and 49 units to be affordable housing units. Although the development may be delivered as 100% affordable housing, due to funding issues the applicant has requested that the scheme be considered on the basis of an affordable housing provision of 4 units only.
- 4.7 In this instance, 4 affordable housing units are proposed i.e. in excess of the policy requirement of 3.2 units (which would represent 20%). In addition, Policy DM7 of the Development Management Document states that all residential development is expected to provide a dwelling mix that incorporates a range of dwelling types and bedroom sizes on appropriate sites, to reflect the Borough’s housing need and housing demand. The Council seeks to promote a mix of dwellings types and sizes as detailed below.
- 4.8 The preferred dwelling mix in Policy DM7 (and based on the Strategic Housing Market Assessment (SHMA) Review 2013), and proposed by this application are shown in the table below:

Dwelling size: No bedrooms	1-bed	2-bed	3-bed	4-bed
Policy Position (Market Housing)	9%	22%	49%	20%
<i>Proposed (MH)</i>	33% (4)	67% (8)	0%	0%
Policy Position (Affordable Housing)	16%	43%	37%	4%
<i>Proposed (AH)</i>	75% (3)	25% (1)	0%	0%

- 4.9 Further to the SHMA data above, consideration is given to the housing need as defined by the high priority bands within Southend Borough Councils Housing Register data (below):

MinBedSize	Band A	Band B	Band C	Grand Total	% of Need (bed need)
0/1	87	32	267	386	34.34
2	28	69	340	437	38.88
3	1	37	222	260	23.13
4	1	15	22	38	3.38
5		1	2	3	0.27
Grand Total	117	154	853	1124	

With the above information in mind the Strategic Housing Team is supportive of the type of affordable housing accommodation being proposed as there is a substantial need for 1 and 2 bedroom properties within the borough. In addition and in relation to the open market housing, on balance the dwelling mix proposed is considered acceptable in a scheme of this nature.

- 4.10 As set out in the preamble to Policy DM7, there is a clear need for affordable housing in Southend including a market for intermediate home ownership. As indicated in DM7, the Council generally requires a tenure mix of: - 60/40% (60% rented, 40% intermediate housing). The proposed development will provide 16 new homes, 4 of which be affordable units as follows:

2 x 1 bedroom (2 person) dwellings	Affordable Rent
1 x 2 bedroom (3 person) dwellings	Affordable Rent
1 x 1 bedroom (2 person) dwellings	Shared Ownership

The proposed split of 75:25 between affordable rent and shared ownership is considered acceptable in this instance as it is broadly consistent with policy, and the unit sizes reflect need.

- 4.11 The Council's Strategic Housing team are in support of the application. The proposed dwelling mix is considered acceptable in respect of both the open market and affordable housing.

Design and Impact on the Character of the Area

National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1, DM3 and the Design and Townscape Guide (2009)

- 4.12 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy Policies KP2, CP4 and CP8.
- 4.13 The core planning principles of the NPPF include to “*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.*” Paragraph 56 of the NPPF states; “*the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*” Paragraph 64 of the NPPF states; “*that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*”
- 4.14 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design, and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development.
- 4.15 Policy DM3 states that “*The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification.*” Moreover, policy DM1 states that development should “*Add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features*”.
- 4.16 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 in the streetscene and development which is under scaled will appear weak and be equally detrimental (Design and Townscape Guide 2009).

- 4.17 The existing building is not Listed, nor located in a Conservation Area. Hence its demolition to enable redevelopment is considered to be acceptable in principle.
- 4.18 The existing streetscene is characterised by large late Victorian and Edwardian houses, mainly semi-detached housing with a few detached and terraced properties providing tight spacing a good enclosure to the street. Hipped and gable roofs are characteristic with mostly red tiles. The street has a relatively consistent scale of two storeys with roof accommodation including some large dormers to the front above bays effectively making the projecting elements three storeys. Whilst it adopts a more contemporary design than the existing and surrounding built form, the proposed development is considered to respect and reflect the existing streetscene. For example, the use of gables and projecting pitched roof elements reinforces the rhythm in the streetscene and the building line of the development is in line with its neighbour to the south.
- 4.19 In addition, the scale, height and bulk of the proposed development is considered to appear in connection with the character and appearance of the area and would not appear overscaled or dominant in its location. This is also achieved by the proportion and angle of the gable-end roof form which is reflective of its neighbour to the south and other buildings within the streetscene. In addition, the front pitched roof projections and slight variations of depth in front façade help to break up the massing of the building.
- 4.20 The staggered heights of the proposed three to one storey building (from front to rear when viewed from the side elevations) are considered to reduce the bulk of development and do not result in a dominant and overbearing form of development to the detriment of the character and appearance of the site or the wider area. The rear elevation is characterised by relatively large expanses of brickwork and a long pitched roof. However, fenestration is well proportioned and breaks-up the brickwork. Furthermore, a rear projecting first and second storey pitched roof element provides a break in the roofscape as well as the use of render to a single storey rear portion of the building.
- 4.21 The frontages in the streetscene are relatively deep but consistent, some with parking. The existing arrangement of hardstanding parking along the entire frontage of the application site is not considered to make a positive contribution to the character and appearance of the application site or the wider area. The proposed development introduces a soft and hard landscaped frontage with areas of lawn and a pedestrian path as well as undercroft access to the parking area within the site. Only two car parking spaces are proposed to the frontage of the site. This element of the proposed development is considered to contribute positively to the character and appearance of the application site and the wider area and provides appropriate defensible space between the highway and the building.
- 4.22 The road slopes down to the south with properties stepping down the hill. This is an important part of the character of the street. The proposed development is slightly staggered in its height and articulation which reduces its impact in terms of its bulk and width so that it would not appear incongruent in the streetscene.

4.23 It should be noted that the taller blocks fronting Station Road are not considered to be the primary context of the site as they are orientated to Station Road and have much grander scale. Furthermore, there is distinct separation in the streetscene between the backs of these buildings and the start of properties in Grosvenor Road, where a more domestic character dominates and in this context the impact of the proposed built form is considered to be acceptable.

4.24 The proposed materials to be used in the construction of the development have been submitted for consideration within a materials schedule including;

External walls

- Red/brown stock brickwork
- Self-coloured proprietary render
- Dark zinc cladding to projecting bays

Roofs

- Dark zinc cladding to main roof
- Planted system roof to lower roof
- Zinc gutters and downpipes

Windows and Doors

- Dark grey aluminium windows and doors

Features

- Windows/doors to openings min 150mm deep reveal with returned brick.
- Zinc capping to parapet walls
- Bin store doors to be aluminium louvered doors
- Steel structure balconies (match window/door colour)
- Frameless glass guarding to front feature balconies
- Metal vertical railings to other balconies/terraces (match window/door)
- Steel railings and gates to pedestrian & vehicular areas.

4.25 With regard to materials, the use of red/brown stock brickwork and some render for the external walls is considered acceptable and reflects materials observed nearby. The dark grey zinc coloured cladding is also not objected to and provides interest to the design features of the projecting bays. Grey window frames are proposed which are also considered acceptable in this location and contribute to the contemporary appearance of the building.

4.26 It is considered that the secure and covered cycle and refuse storage areas at the rear of the building provide an acceptable solution which does not result in a dominant presence of bins in front of or integral to the façade of the building and is in compliance with paragraph 181 of the Design and Townscape Guide which states that whilst storage of bins should be accessible within reasonable carrying distance from the highway, they should not appear to dominate frontages.

4.27 Overall the proposed development is considered be appropriately scaled for this location, of an appropriate design and would result in a positive addition to the streetscene. It is therefore considered acceptable and policy compliant in these regards.

Impact on Residential Amenity

National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Development Management (2015) Policies DM1 and DM3, and Design and Townscape Guide (2009).

- 4.28 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods.
- 4.29 Amenity refers to well-being and takes account of factors such as privacy, overlooking, outlook, noise and disturbance, the sense of enclosure, pollution and daylight and sunlight. Policy DM1 of the Development Management requires that all development should (*inter alia*):
- 4.30 *"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;"*
- 4.31 Due to the sympathetic height of the proposed development located immediately adjacent to the neighbouring property of 33 Grosvenor Road and its similarity to the current situation on site i.e. built form located close to the boundary, it is considered that the development would not result in an obtrusive or overbearing form of development which causes an unacceptable sense of enclosure to the detriment of amenities enjoyed by existing residential occupiers. Furthermore, it is not considered that the proposed development will be harmful to the amenities of properties to the immediate north or west of the site taking into account the overall separation distances and given the nature and comparative impact of the existing buildings on site in terms of overall scale, height and bulk.
- 4.32 The nearest neighbouring dwelling is 33 Grosvenor Road. As a result of the proposed development, the impact of built form upon this neighbouring dwelling would be reduced. For example, the existing elevation located nearest to no.33 currently projects more than 5 metres further rearwards than no.33. For the proposal, no.33 would project approximately 2.3 metres further than the proposed development. In addition, the nearest elevation facing no.33 would be located approximately 1.5 metres away, similar to the existing situation. The three windows which would be located adjacent to no.33 are all proposed to be obscurely glazed and would serve kitchens and are therefore non-habitable rooms i.e. not living rooms/bedrooms. It is considered that the proposed development would not result in unacceptable loss of privacy, light or overlooking, undue overbearing dominance, unacceptable sense of enclosure or material loss of outlook to the amenities of residential occupiers to the nearest residential dwelling to the south of the site (no.33) or any other neighbouring property due to the overall separation distances, design and orientation of buildings.

- 4.33 The development includes a rear projecting wing of single, two and three storey stepped height. This is roughly in the same position within the site as an existing single storey wing. Whilst the proposed wing is of a greater height than the existing wing and provides accommodation at first and second storey levels, the first and second storey accommodation has been designed to step away from the neighbours appropriately. The first floor part of the rear wing would be located approximately 14.5m from the south of the site (with the balconies a minimum of some 12m from the south of the site). The first floor of the building would be located approximately 14m from the north of the site and some 7.5m from the rear of the site, with the first floor accommodation including only a secondary window to the rear elevation in this location. The second storey accommodation is further removed from the boundaries of the site. As such, it is considered that the proposed wing to the rear of the site would not result in any material harm to the residential amenity of the adjoining residents in terms of dominance, an overbearing impact, loss of light and outlook or a material sense of enclosure.
- 4.34 The openings and balconies/terraces at the rear and south of the site would be of sufficient distance from the backs of houses in Whitefriars Crescent as well as 33 Grosvenor Road (with some 19m to rear of properties in Whitefriars Crescent and approximately 13m from no.33) so as not to result in material overlooking or harmful dominant impacts. In addition, the front balconies which add visual interest and articulation to the front elevation are not considered to result in unacceptable loss of privacy or overlooking to any neighbouring occupiers due to separation distances and as they overlook the highway.
- 4.35 The development is found to be acceptable and in compliance with the NPPF, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the guidance contained within the Design and Townscape Guide (2009) in these regards.

Living Conditions for Future Occupiers / Amenity Space

National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1, DM3 and DM8 and the Design and Townscape Guide, National Technical Housing Standards.

- 4.36 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 1 bedroom (1 person) 37sqm-39sqm, 1 bedroom (2 persons) 50sqm, 2 bedroom (3 persons) 61sqm and 2 bedrooms (4 persons) 70sqm
 - Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m; and 11.5m 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.

4.37 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 1.25m² should be provided for 1-2 person dwellings. A minimum of 0.5m² 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.

4.38 The internal floorspace of each flat is as follows:

Ground Floor

2 x 1 bedroom, 2 person units (51m², 63m²)

2 x 2 bedroom, 3 person unit (66m², 74m²)

1 x 2 bedroom, 4 person units (77m²)

First Floor

1 x 1 bedroom, 2 person unit (57m²)

2 x 2 bedroom, 3 person units (66m², 69m²)

3 x 2 bedroom, 4 person units (74m², 77m², 82m²)

Second Floor

4 x 1 bedroom, 2 person units (54m², 56m², 58m², 58m²)

1 x 2 bedroom, 3 person unit (67m²)

- 4.39 Each of the units and their bedrooms exceed the nationally prescribed standards and would provide good-sized accommodation for future occupiers. Furthermore, all habitable rooms will be provided with windows to provide natural light, outlook and ventilation. It is considered that the standard of accommodation is good and would not be to the detriment of the living standards of the future occupiers. This is in compliance with National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policies DM1, DM3 and DM8 and the National Technical Housing Standards and advice contained within the Design and Townscape Guide.
- 4.40 It is considered that the proposed layout offers permeability for pedestrians throughout the entire site including that the cycle parking area to the rear of the site is easily accessed by a pathway from the parking court within the site. In addition, the communal garden can be accessed from the rear or from a pathway at the front of the site. Low railings are proposed in order to differentiate between the public highway and private development proposed. It is considered that the layout of the development would provide a good living environment for future occupiers which is not cramped or contrived.
- 4.41 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. Policy DM8 also requires that 10% of dwellings in 'major applications' should be built to be wheelchair accessible. 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 confirmed that all units will meet at least M4(2) with two ground floor flats (plot nos 3 and 5) in compliance with M4(3) providing wheelchair accessibility requirements. A wide range of people including older and disabled people and wheelchair users would be able to use the accommodation and its sanitary facilities and as fixtures and fittings would be reasonably accessible to people who have reduced reach.
- 4.42 One of the core planning principles of the NPPF is that the planning system should "*Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*". Policy DM8 of the Development Management Document 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. A communal garden area is proposed at ground floor to the rear of the building with views shielded from the public vista. This area amounts to approximately 160m², would be landscaped and is considered to provide a good standard of communal external private garden space.
- 4.43 Furthermore, each unit would benefit from small balconies (4m²) or a large terrace (plots 4, 5, 11 and 16) which would provide further private amenity space and in most instances a sitting-out area. Due to the good standard of internal accommodation, balconies or terraces for each unit and the external communal garden space described above. It is considered that the development includes acceptable private amenity spaces for the benefit of future occupiers.

- 4.44 For the reasons above it is considered that the proposal would result in appropriate development of the site and would result in a good standard of accommodation in compliance with the provisions of the National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy (2007), policies DM1, DM3 and DM8 of the Development Management Document (2015) and advice contained within the adopted Design and Townscape Guide (2009). The proposal is therefore acceptable and policy compliant in these regards.

Highways and Transport Issues

National Planning Policy Framework, Policies KP2, CP3 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1, DM3 and DM15 and the Design and Townscape Guide (2009)

- 4.45 Policy DM15 of the Development Management Document states: “*5. All development should meet the parking standards (including cycle parking) set out in Appendix 6. 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. Reliance upon on-street parking will only be considered appropriate where it can be demonstrated by the applicant that there is on-street parking capacity*
- ”.
- 4.46 The site currently provides eleven off-street car parking spaces for the existing use, located on the site frontage. It should be noted that the Parking Standards are expressed as a maximum and local and national guidance encourages reduction in the reliance on the car and promotes methods of sustainable transport.
- 4.47 The adopted Vehicle Parking Standards state that at least one space should be provided for the proposed dwellings; amounting to 16 off-street parking spaces. The parking court located within the application site would provide off-street parking in satisfaction of the requirement, as well as safe and secure cycle parking within the rear of the site. Furthermore, the site is considered to be within a sustainable location, within reasonable walking distance to services and facilities within the nearby Hamlet Court Road area (10 minute walk), as well as close to public transport options such as local bus routes and Westcliff railway station.
- 4.48 The vehicle access to serve the development is proposed from Grosvenor Road, measuring 4.5m wide and this will provide access to the 16 parking spaces within the site. No objections have been raised by the Councils Highway Officer in relation to the parking provision and vehicle crossover from Grosvenor Road. There is sufficient space within the site for vehicles to exit in forward gear.
- 4.49 The transport statement accompanying this application states that the proposed development would generate less than one vehicular trip every 12 minutes and would therefore have negligible impact on the local highway network. Furthermore, the applicant has submitted a Stage 1 safety audit which demonstrates that the provision of visibility splays and other mitigation measures will ensure that the proposed development is not considered harmful to the highway network. Subject to the mitigation measures recommended within the safety audit, the development would not harmfully impact upon highway or pedestrian safety, nor result in vehicle

conflict to a degree that would justify a refusal of planning permission

- 4.50 The proposed development is therefore fully compliant with the adopted parking standards, provides safe access and egress within the site and is not considered to cause additional on street parking to the detriment of highway and pedestrian safety and the local highway network. The proposed development is therefore found to be acceptable and Policy compliant in its parking and highway safety implications.

Waste Management

- 4.51 The application is accompanied by a waste strategy within the submitted Sustainability Statement stating that the bin store is to be located at the front of the building within easy access of Grosvenor Road, in accordance with DM8 of the Development Management Document. In addition, this area would benefit from sufficient access to ensure the bins can be moved from the communal bin store and will not be obstructed. Each flat occupier will be responsible for bringing their waste down to the communal bin store and sorting the waste in to the relevant designated bins. It is considered that a waste management plan for the development should be required through a condition.

Cycle storage

- 4.52 16 cycle spaces are proposed within a secure location at the rear of the site. The cycle parking provision is policy compliant with policy DM15 of the Development Management Document and further details of how the cycles can be dealt with by condition.
- 4.53 Subject to the above, the proposal is considered to comply with the relevant highways policy in terms of access and level of parking provision, servicing and cycle/refuse storage.

Sustainable Construction

National Planning Policy Framework; Core Strategy (2007) policies KP2, Development Management Document Policy DM2 and the Design and Townscape Guide (2009).

Renewable Energy

- 4.54 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 least 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.
- 4.55 Policy DM2 of the Development Management Document is clear that there is an identified need for increased water efficiency measures to be integrated into new developments to take account of the water resourcing issues identified in

Essex. In particular, part (iv) of Policy DM2 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. On a national level, the NPPF states that in order to support a low carbon future, Local Planning Authorities should set sustainability standards in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards. Whilst details have not been submitted for consideration at this time, this can be dealt with by condition.

- 4.56 The applicant has submitted a Sustainability Statement stating that the roofspace will successfully provide solar PV panels in compliance with policy KP2 of the Core Strategy and policy DM2 of the Development Management Document. Whilst the calculations of the renewable energy have not been provided at this stage, it is considered that this would be adequate to address the abovementioned requirements through the imposition of a condition. In addition, the applicant states that the proposed development will be installed with highly efficient gas fired boilers. It is considered that an appropriate condition in relation to the submission of details and features could be imposed to any positive decision in order to ensure the proposed units will achieve the 10% renewable energy requirement, as set out by Policy KP2 of the Southend Core Strategy.

Trees and Soft Landscaping

- 4.57 The existing site frontage is predominantly laid to hard surfacing, with a small amount of low-quality soft landscaping. There is a turfed rear garden with perimeter trees which it is proposed to retain.
- 4.58 The submitted plans show that the proposal includes removal of 2 shrubs at rear, and retention of 14 trees and shrubs, as well as planting of 3 additional trees on site including 2 at the site frontage. It is considered that this would represent an enhancement of the quality of the site and surroundings, consistent with the objectives of the above policies relating to sustainability and to those requiring a high standard of design.

Drainage (SUDS)

- 4.59 In addition to the proposed soft landscaping, the proposed areas of hardstanding are confirmed to be of permeable surfaces i.e. asphalt and block paving. Whilst the proposed development would result in improvements in surface water management across the site, however, it is considered that a suitable condition should be imposed in order to ensure a full drainage strategy is delivered to comply with development plan policies.

Community Infrastructure Levy

- 4.60 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 gross internal area of approximately 1,384m² and this would result in a net increase in gross internal

area of 164m² (taking into account a deduction of 1,220m² of existing ‘in-use’ floorspace that is being demolished). The resulting total CIL contribution for this site is approximately £11,845.85 based on the rate applicable for CIL Charging Zone 3. However, this is subject to confirmation and may also be significantly reduced if the applicant is able to claim Social Housing relief.

Planning Obligations

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (NPPG), Southend Core Strategy (2007) strategic objective SO7, policies KP3 and CP8; Development Management Document (2015) policy DM7 and A Guide to Section 106 & Developer Contributions (2015)

- 4.61 Core Strategy Policy 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.

This includes provisions such as; a. roads , sewers, servicing facilities and car parking; b. improvements to cycling, walking and passenger transport facilities and services; c. off-site flood protection or mitigation measures, including sustainable drainage systems (SUDS); d. affordable housing; e. educational facilities; f. open space, ‘green grid’, recreational, sport or other community development and environmental enhancements, including the provision of public art where appropriate; g. any other works, measures or actions required as a consequence of the proposed development; and h. appropriate on-going maintenance requirements.”

- 4.62 Affordable Housing – Although the development may be delivered as 100% affordable housing, due to funding issues the applicant has requested that the scheme be considered on the basis of an affordable housing provision of 4 dwellings. This complies with policy DM7 and will be secured by a Section 106 agreement. The applicant has offered the following:

2 x 1 bedroom (2 person) dwellings	Affordable Rent
1 x 2 bedroom (3 person) dwellings	Affordable Rent
1 x 1 bedroom (2 person) dwellings	Shared Ownership

Strategic Housing have confirmed that the proposed affordable housing offer is acceptable, meeting both need and policy.

- 4.63 Education – Due to the increased demand on school capacity, a financial contribution will be required prior to commencement towards secondary education provision of £5,087 (index-linked), specifically providing increased capacity at Chase High School. In the event that the scheme is delivered as 100% affordable housing, an education contribution would not be requested. This matter can be dealt with in the S106 agreement. It is noted that CIL covers primary school provision.

- 4.64 The Section 106 contributions proposed are considered to meet the tests set out in the CIL Regulations 2010 (as amended). 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 10.

Conclusion

- 4.65 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 loss of the existing use and the mix of units is found to be acceptable taking into account the history of the site and current housing need. The proposal would provide adequate amenities for future occupiers, have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. The highways impacts of the proposal are not considered to be such that they would cause a conflict with development plan policies. This application is therefore recommended for approval subject to completion of a S106 Agreement and to conditions.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 Core Strategy 2007 Policies KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance) CP6 (Community infrastructure); and CP8 (Dwelling Provision)
- 5.3 Development Management Document 2015: Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), Policy DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), Policy DM9 (Specialist Residential Accommodation) and DM15 (Sustainable Transport Management)
- 5.4 Supplementary Planning Document: Design & Townscape Guide 2009
- 5.5 Supplementary Planning Document: Planning Obligations 2015
- 5.6 Community Infrastructure Levy Charging Schedule 2015

6 Representation Summary

Design and Regeneration

- 6.1 No objections following design amendments in line with original comments.

Traffic and Transportation

6.2 No objections.

Education

6.3 This application falls within the primary school Catchment areas for Barons Court and Milton Hall Primary Schools who share a catchment area. All secondary schools within acceptable travel distance are oversubscribed. An expansion programme is currently underway within all the non-selective schools in Southend and any further developments with the area, even flats, will add to this oversubscription. A contribution towards the Secondary expansion of Chase High School of £5,086.36 is therefore requested.

In the event that the scheme is delivered as 100% affordable housing, an education contribution would not be requested. This matter can be dealt with in the S106 agreement.

Essex and Suffolk Water

6.4 Our records show that we do not have any apparatus located in the proposed development.

We have no objection to this development subject to compliance with our requirements; consent is given to the development on the condition that a water connection is made onto our Company network for the new dwelling for revenue purposes.

Environmental Health

6.5 No objection subject to conditions in relation to demolition and construction.

Strategic Housing

6.6 The scheme is providing the requisite amount of affordable housing and therefore the Strategic Housing Team support the application in terms of tenure, type and quantity of affordable housing offered.

7 Public Consultation

7.1 A site notice was displayed on site and 106 letters sent to neighbouring properties notifying them of the proposal.

Five letters of representation were received; one letter of comment requesting information on numbers of parking spaces on site and three objections which raise the following points;

- No security gates;
- Increase in light pollution;
- ‘Terraces’;
- Overlooking to neighbouring occupiers and loss of privacy;
- Concern that trees may not be replanted;

- The rear roof terrace should be removed;
- Lack of parking in area, concerns of insufficient parking;
- Loss of privacy;
- Overbearing impacts;
- Too many flats;
- Noise impacts;
- Loss of view.

7.2 These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

8 Relevant Planning History

8.1 None.

9 Recommendation

Members are recommended to:

(a) **DELEGATE to the Director 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 secure the provision of:**

- A minimum of 4 units of affordable housing units including:

2 x 1 bedroom (2 person) dwellings	Affordable Rent
1 x 2 bedroom (3 person) dwellings	Affordable Rent
1 x 1 bedroom (2 person) dwellings	Shared Ownership
- A financial contribution towards secondary education provision of £5,087 (index-linked), specifically providing increased capacity at Chase High School.

(b) **The Director 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 3 years beginning with the date of this permission.**

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

02 **The development shall be carried out in accordance with the approved plans: 1667_SLP-01, 17204_001, 17204_002, 17204_003, 17204_004, 1667_P-01, 1667_P-02-A, 1667_P-03-A, 1667_P-04-A, 1667_P-05-A, 1667_P-06-A, 1667_P-08, 1667_P-09-A, 1667_P-10-A**

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

- 03** Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening and fenestration, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details before it is occupied.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the BLP and policies DM1 and DM3 of the Development Management Document 2015

- 04** No construction works other than demolition works shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting etc.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, the management of the site (e.g. the uncompactting of the site prior to planting) and the initial tree planting and tree staking details. The development shall be implemented in full accordance with the approved details before any of the development is first occupied or brought into use.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and policies DM1 and DM3 of the Development Management DPD 2015.

- 05** 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 first occupation of any of the development. The landscaping of the site shall be managed in accordance with the approved plan in perpetuity.

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

- 06** No part of the development shall be occupied until space has been laid out within the site in accordance with drawing 1667 P-02 A for 16 cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking spaces shall be permanently retained thereafter for the parking of occupiers to the development and their visitors.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

- 07 No part of the development shall be occupied until details of refuse and recycling facilities, a waste management plan and service plan have been submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities, waste management and servicing of the development shall thereafter be implemented in accordance with the approved details before first occupation of any of the development and shall be permanently maintained thereafter.

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.

- 08 No part of the development shall be occupied until details of the secure, covered cycle parking spaces to serve the residential development and cycle parking spaces have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to first occupation of the development and shall be permanently maintained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

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

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

- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site
- vii) measures to limit noise and disturbance.

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

- 10 No development shall take place, other than demolition works, until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDS) Principles) have been submitted to and approved by the local planning authority. The approved scheme shall be implemented (and thereafter managed) in accordance with the approved details before any of the development is first occupied and brought into use and be maintained as such thereafter. Those details shall include:
- i) An investigation of the feasibility of infiltration SuDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;
 - ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;
 - iii) a timetable for its implementation; and
- vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
- Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy 2007 and area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM2 of the Development Management DPD 2015.
- 11 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing prior to first occupation of any part of the development hereby approved 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: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy and Development Management Document policy DM2.
- 12 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time Sundays or Bank Holidays.

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

- 13 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 2 of the flats hereby approved comply with the Building Regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 14 flats comply with the Building Regulation part M4(2) 'accessible and adaptable dwellings' standard.

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).

- 14 Notwithstanding the details shown in the plans submitted and otherwise hereby approved the dwellings hereby granted consent shall not be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of all privacy screens to be fixed to the proposed building. Before any of the building hereby approved is first occupied the development shall be implemented in full accordance with the agreed details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: To safeguard character and appearance of surrounding area and the amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy 2007, Policy DM1 and DM3 of the Development Management Document 2015 and the Design and Townscape Guide 2009.

- 15 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed buildings that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings, in accordance with the National Planning Policy Framework (NPPF), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and The Design and Townscape Guide (2009).

In the event that the planning obligation referred to in part (a) above has not been completed before the 9th March 2018 or an extension of this time as may be agreed by the Director of Planning and Transport or Group Manager (Planning & Building Control) authority is delegated to the Director of Planning and Transport or the Group Manager (Planning and Building Control) to refuse planning permission for the application on the grounds that the development will not secure the necessary contributions to affordable housing or education provision. As such, the proposal would be contrary to Policies KP2, KP3, CP6, CP8 and DM7 of the development plan.

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.

Informatics

- 1 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.**
- 2 The applicant is reminded that this permission 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) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.**
- 3 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to the provision of affordable housing, a financial contribution towards secondary education.**

