

Reference:	18/01141/OUTM	
Ward:	West Shoebury	
Proposal:	Demolish existing building (Class D1), redevelop site with up to 10 residential dwellings (Class C3) with associated parking and form vehicular access onto Ness Road (Outline Application)	
Address:	Shoebury House, Ness Road, Shoeburyness, Southend-on-Sea, Essex	
Applicant:	NHS Property Services	
Agent:	Savills	
Consultation Expiry:	19.07.2018	
Expiry Date:	05.10.2018	
Case Officer:	Charlotte White	
Plan No's:	171550-004, 171550-006, 870-SK-11-G, 870-SK-13 B, 870-PL-01 D, 171550-005, 870-01-17A	
Recommendation:	GRANT OUTLINE PLANNING PERMISSION, SUBJECT TO CONDITIONS	



1 The Proposal

- 1.1 Outline permission, is sought to demolish the existing former NHS building on the site and to construct up to 10 dwellings. Access is the only matter to be considered as part of this application with appearance, landscaping, layout and scale constituting reserved matters for later consideration.
- 1.2 Whilst scale, appearance, layout and landscaping are reserved matters indicative plans have been submitted with the application illustrating a development constituting two-storey link-detached and semi-detached houses and a three-storey block of flats to the front of the site.
- 1.3 The indicative plans indicate that the development will constitute:
- Plots 1-4: 3 storey block of 4x flats with 2x 1-bed 2 person units and 2x 2-bed 4 person units. The block includes undercroft parking at ground floor level with a total of 4 undercroft spaces and 2 parallel spaces to be provided. A communal amenity space of some 164.4sqm will be provided for plots 1-4. The planning statement also indicates that the flats will benefit from private balconies.
 - Plots 5 and 6: 1 pair of 2 storey semi-detached houses with attached garages constituting 3 bedroom 5 person units with 2 parking spaces per dwelling; one in a garage and one on the forecourt in front of the garage and rear garden areas of 85.8sqm and 110sqm respectively.
 - Plots 7 and 8: 1 pair of 2 storey semi-detached houses constituting 2-bedroom 4 person units with 2 parking spaces per unit to the front of the dwellings and rear garden areas of 56.5sqm and 54.7sqm respectively.
 - Plots 9 and 10: 2x 2 storey link-detached houses constituting 3-bedroom 5 person units with 2 parking spaces per dwelling in the form of one garage and one forecourt space and private rear garden areas of 74.8sqm and 94.4sqm respectively.
- 1.4 The indicative plans also indicate that a further 2 visitor parking spaces will be close to the block of flats and 11 parking spaces for the adjoining care homes will be provided on the site or within the blue line area (i.e. land not within the application site itself but within the applicant's control). The site includes an access road between the care home "Autumn" to the south of the site and the proposed dwellings which includes a turning space adjacent to "Norton" the care home to west of the site and which is offered for adoption. A 'public amenity space' will be provided to the east of the site in front of the flats proposed and includes replacement tree planting.
- 1.5 This application is presented to Committee as it is defined as a major development.

2 Site and Surroundings

- 2.1 The application site is located on the western side of Ness Road and is currently occupied by a disused, largely two-storey NHS building measuring some 1211.7sqm in total. The information submitted with the application indicates that the site has been vacant since 2008 and has been formally declared as surplus to the operational healthcare requirements of the NHS.

The building has fallen into disrepair and is partially boarded up. The site also includes a total of 35 parking spaces currently, a number of mature trees and two vehicular accesses from Ness Road.

- 2.2 To the immediate south and west of the site are two residential care homes which are single storey buildings and provide 18 bed spaces. These rely on the access and parking within the application site. To the immediate north of the site is South Shoebury Hall Farmhouse at 146 Ness Road which is a Grade II Listed Building. Further west, beyond the adjoining care homes is the Grade II* Listed St Andrews Church, Church Road. To the east of the site is Gunners Park. Shoebury Garrison Conservation Area is located further east of the site.
- 2.3 The site has no specific allocation within the Development Management Document Proposals Map, but is located within flood zones 2 and 3: the east of the site is located within flood zone 3 with the western part of the site located in flood zone 2.

3 Planning Considerations

- 3.1 The main considerations in relation to this outline application are the principle of the development, flood risk issues and access considerations, design and impact on the character of the area, the impact on heritage assets, living conditions for future occupiers, impact on the amenity of neighbouring properties including the residential care homes, any traffic and transport issues, sustainability and CIL from the indicative information provided with this application.

4 Appraisal

Principle of Development

National Planning Policy Framework (2018); Core Strategy (2007) Policies KP1, KP2, CP3, CP4, CP6 and CP8; Development Management Document (2015) Policies DM1, DM2, DM3, DM5, DM7, DM8, and DM15 and the guidance contained within the Design & Townscape Guide (2009)

- 4.1 The site has no specific allocation within the Development Management Document, however, the surrounding area is largely residential in nature. Amongst other policies to support sustainable development, the NPPF requires the supply of housing to be boosted by delivering a wide choice of high quality homes and to make effective use of land.

Principle of the loss of the NHS facility

- 4.2 Policy CP6 of the Core Strategy states that provision should be made for *'health and social care facilities in particular supporting the strategic services development plan of the Primary Care Trust, and the improvement and expansion of Southend Hospital and other key health and social care agencies where these demonstrate clear net benefits in terms of accessibility to services for the local community.'*

4.3 The information submitted with the application indicates that *'Shoebury House is a former non-residential specialist health care centre (Use Class D1) which has been vacant since 2008. The health commissioners have formally declared the site as surplus to the operational healthcare requirements of the NHS. The building has been marketed on a Government portal and wider public sector portal for continued use as a health care and public sector facility but there has been no interest.'* Further information submitted within the supporting documents indicates that Shoebury House was originally built as a pre-war convalescent home and that its convoluted internal arrangement means that is no longer suitable as a health centre. It also states that the existing building has suffered from vandalism and as such refurbishment of the building for medical or community purposes would not be realistic, especially given the standard of facilities now required for such types of operations.

4.4 Given the information provided including the length of time that the site has been vacant and that the site is surplus to the requirements of the NHS, and the largely residential nature of the surrounding area, no objection is raised to the principle of the redevelopment of the site or the loss of the healthcare facility on the site.

Principle of the residential use of the site

4.5 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 for 6,500 homes to be delivered within the whole Borough between 2001 and 2021. Policy KP1 identifies Shoeburyness as an appropriate location for regeneration and growth and seeks to *'promote the role of Shoeburyness as a place to live and work, led by the successful redevelopment of Shoebury Garrison, regeneration of local shopping centres and existing industrial estates to secure and additional 1,500 jobs and providing for 1,400 additional dwellings...'*

4.6 Policy DM3 of the Development Management Document promotes *"the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity."* Policy CP8 of the Core Strategy states that the Council will *'require the provision of not less than 80% of residential development on previously developed land (brownfield sites).'*

4.7 The site constitutes previously developed land and is located in a largely residential area. The site is no longer required by the NHS and has been vacant for a significant length of time (as discussed above) and as such there is no objection to the principle of developing the site for residential purposes, subject to the other detailed considerations, as discussed below.

4.8 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, including family housing 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. The relevant dwelling mixes required by the abovementioned policy 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%
Proposed	20%	40%	40%	0%

- 4.9 The development would not provide any 4-bedroom units and the dwelling mix proposed does not fully reflect the mixture of housing identified as being required for Southend. However, the development otherwise provides a good mix of 1, 2 and 3 bedroom units and includes houses and flats. It is considered that the proposal would provide a good housing mix. The proposal is therefore acceptable and policy compliant in this respect.
- 4.10 Design, living conditions, impact on designated heritage assets, impact on neighbouring amenity and highways matters are assessed below. This is only a preliminary assessment based on the indicative plans submitted, given that this application is outline in nature, with all matters apart from access reserved. Those material planning considerations would be determined in more depth at reserved matters stage, should outline permission be granted.

Flood Risk

National Planning Policy Framework (2018) and Core Strategy (2007) Policies KP1 and KP2.

- 4.11 The site is located within Flood Zones 3a (high probability of flooding) and 2 (medium probability of flooding). The proposed dwellings constitute a 'more vulnerable' use of the site. The applicant has submitted a Flood Risk Assessment by Ardent dated May 2018 (reference 17-1550-01).
- 4.12 Paragraph 155 of the NPPF states '*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*'
- 4.13 The NPPF requires the sequential and then exception tests (if necessary) to be applied to developments in areas at risk of flooding. Paragraphs 158 and 159 of the NPPF states '*The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding...If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exceptions test may have to be applied.*'

- 4.14 As set out at paragraph 160 of the NPPF, for the exceptions test to be passed it should be demonstrated that:
- a. The development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b. The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 4.15 The application has been submitted with a sequential test, exception test and flood risk assessment and addendum to the flood risk assessment. The planning statement submitted indicates that the new dwellings will be set at a level of 5.95m above ordnance datum (AOD) to take account of the flood risk associated with the site (anticipated to be 5.65m AOD during a 1 in 200 annual probability flood event). It also notes that the site benefits from coastal flood defences but recognises that there is a residual risk of flooding at the site in the event that the flood defences are breached.
- 4.16 The site specific Flood Risk Assessment (FRA) submitted states that the majority of the site would be expected to flood during a 1 in 200 annual probability event. The site benefits from flood defences which afford the site protection from an extreme tidal scenario up to the 1 in 1000 annual probability event. However, there is a residual risk of flooding in the event that these defences breach or are overtopped. The anticipated peak flood level at the site during the 1 in 200 year plus climate change overtopping scenario is 5.61m AOD. This would result in a flood depth on site of approximately 2.17m at the south east corner of the site, reducing to approximately 0.29m in the western part of the site.
- 4.17 The submitted FRA recommends a number of flood resistance and resilience measures including using materials and construction with low permeability, raising thresholds and finished floor levels, using flood gates/barriers with waterproof seals to external doors, using materials with good drying properties or using materials that can easily be replaced post flood, designing for water to drain away after flooding, raising the level of electrical wiring, appliances and utility meters, coating walls with internal cement based renders, using ground supported floors with concrete slabs coated with impermeable membranes and using plastic water resistant internal doors. Finished floor levels should be 4.2m AOD with living accommodation set a minimum of 4.2m AOD and all sleeping accommodation to be at first floor level or above. The flood risk addendum submitted states that the first floor levels of the development would be 6.15m AOD. The first floor level would therefore be set some 30mm above the 1000 year climate change breach event. The Environment Agency have raised no objection to the proposal, subject to a condition requiring the finished first floor levels to be set no lower than 6.15m AOD. Subject to a condition in this respect, it is considered that the development would be safe in flood risk terms.
- 4.18 The FRA states that occupants of the site should register with the Environment Agency's Floodline and that in the event of a flood warning being issued, if it is safe to do so, residents should evacuate the site and proceed north and then west onto St Andrews Road. The FRA comments that flood warnings for extreme tidal events would likely to be issued with sufficient time to allow safe evacuation.

However, it if is not safe to do so safe refuge can be sought on the upper floors of the dwellings which are sufficiently elevated above the anticipated extreme flood levels.

- 4.19 The Sequential Test submitted by the applicant comments that the site has been vacant since 2008. The site is surplus to NHS operational requirements and the marketing exercise has demonstrated that an alternative health sector use is not achievable and comments that uses other than residential uses are not viable on the site. The submitted document states that there would be adverse implications of not redeveloping the site, including prolonged vacancy, further degradation of the building and continued vandalism. Residential development has the potential to regenerate the site, provide housing to meet local needs and improve the overall quality of the site from both security and aesthetic perspectives. In considering whether there are available sites for this development in areas of lower risk of flooding, the submitted sequential test has considered the 2010 and 2017 SHLAA update (Strategic Housing Land Availability Assessment) and concludes: *'None of the identified SHLAA sites of a size between 0.25 and 0.35 hectares are expected to deliver 8 and 12 dwellings. The SHLAA sites will provide dense, entirely flatted schemes and as such, they are not comparable to the proposed development at Shoebury House. Moreover the sites are either constrained or not deliverable in accordance with the NPPF definition so cannot be considered alternative 'reasonably available' sites for the purposes of the Sequential Test.'*
- 4.20 The site is located adjacent to the Sea front area designation, under Policy KP1 of the Core Strategy but is not located within it. This area is promoted as an area for regeneration and growth. The preamble to Policy KP1 notes there are limited options to achieve regeneration and growth within the Borough and that development on flood plains will be considered. This policy was adopted following The Thames Gateway South Essex Partnership Strategic Flood Risk Assessment. A total of 550 new dwellings have been earmarked for the seafront area between 2001-2021.
- 4.21 Given the sites location adjacent to the central seafront area, the content of the submitted Sequential Test and the location of the site it is considered that there is no reasonably available alternative site for this particular nature and form of development and as such the development passes the Sequential Test.
- 4.22 The application has also been submitted with an Exceptions Test Document which compares the development to Sustainability Appraisal criteria and concludes that the development achieves all of the 13 objectives outlined in the Sustainability Appraisal. The submitted report concludes *'there are wider sustainability benefits that will arise from the proposed development that will outweigh the flood risk associated with the site'*. This submitted document also states *'The site-specific FRA accompanying the planning application demonstrates that the flood risks are being mitigated through the design of the scheme...that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere...'*

- 4.23 In terms of the Exceptions Test the development would provide wider sustainability benefits to the community including the redevelopment of a site that has been vacant for a significant amount of time and has been subject to vandalism. The development would also provide a mix of housing on the site which would add to the housing supply in the Borough and would result in the efficient use of the site. It is therefore considered that the development would provide wider sustainability benefits that outweigh the flood risk and the proposal therefore passes part (a) of the Exceptions Test.
- 4.24 For part (b) of the Exceptions Test to be passed, it must be demonstrated that the development will be safe for its lifetime without increasing flood risk elsewhere. In this respect, the submitted FRA concludes (as outlined above) that flood warnings for extreme tidal events would likely to be issued with sufficient time to allow safe evacuation, however, if not safe to do so safe refuge can be sought on the upper floors of the dwellings which are sufficiently elevated above the anticipated flood levels.
- 4.25 As such it is considered that the development would be safe for its lifetime without increasing flood risk elsewhere. The development is therefore considered to satisfy part (b) of the exceptions test.
- 4.26 The proposed development is therefore acceptable and policy compliant in regard to flood risk, subject to a condition requiring the development to be undertaken in accordance with the conclusions and recommendations of the submitted FRA.
- 4.27 In light of the above, the provision of a residential development in this location is considered acceptable in principle. Other material planning considerations are discussed below.

Design and Impact on the Character and Appearance of the Area and Impact on the adjoining and nearby Designated Heritage Assets

National Planning Policy Framework (2018); Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1, DM3, and DM5 and the guidance contained within the Design & Townscape Guide (2009)

- 4.28 Section 72(1) of the Planning and Listed Building and Conservation Areas Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Section 66(1) of this Act states, that for development which affects a Listed Building or its setting, special regard shall be had to the desirability of preserving the building or its setting or any feature of special architectural interest that it possesses.
- 4.29 Paragraph 193 of the NPPF states *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.'*

- 4.30 Paragraph 195 of the NPPF states *‘Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve public benefits that outweigh that harm or loss...’* Paragraph 196 of the NPPF states *‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’*
- 4.31 Policy DM5 of the Development Management Document states *‘Development proposals that result in the total loss of or substantial harm to the significance of a designated heritage asset, including listed buildings and building within conservation areas, will be resisted, unless there is clear and convincing justification that outweighs the harm or loss. Development proposals that are demonstrated to result in less than substantial harm to a designated heritage asset will be weighed against the impact on the significance of the asset and the public benefits of the proposal, and will be resisted where there is no clear and convincing justification for this.’*
- 4.32 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 4.33 Paragraph 124 of the NPPF states *‘Good design is a key aspect of sustainable development, create better places in which to live and work and helps make development acceptable to communities.’*
- 4.34 Policy DM1 of the Development Management Document states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.
- 4.35 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”*.
- 4.36 Matters of detailed design including appearance, landscaping, layout and the scale of the proposed development are reserved matters and as such, cannot be given detailed determination by the Local Planning Authority at this stage. However it is recognised that the access arrangements being considered will impact upon elements of this to a degree.

- 4.37 In terms of the impact on heritage assets, to the immediate north of the site is South Shoebury Hall Farmhouse at 146 Ness Road which is a Grade II Listed Building. Further west, beyond the adjoining care homes is the Grade II* Listed St Andrews Church, Church Road. The Shoebury Garrison Conservation Area is located to the east of the site beyond Gunners Park.
- 4.38 The indicative plans submitted indicate that the development would have a similar scale to the existing building on the site with the dwellinghouses 2 storey and the flats having a three storey scale. The submitted plans indicate that the overall height of the development would not exceed the maximum height of the existing building. The majority of the surrounding residential development is two-storey in scale, but there are also examples of three-storey blocks of flats in the surrounding area, for example in Fremantle to the south of the site. As such the indicative size, scale mass and bulk of the development is considered acceptable.
- 4.39 In terms of siting, the proposed dwellings have been designed to be located further away than the existing building is from the adjoining listed building to the north. This is positive and would result in an improvement to the setting of the adjoining Listed Building. Given the size and siting of the development it is considered that the proposal would have no adverse impact of the setting of the nearby listed buildings compared with the existing situation and no objection is therefore raised on this basis. The site is sufficiently removed from the Shoebury Conservation Area to the east of the site so as to preserve the character and appearance of that Conservation Area.
- 4.40 Given the sensitive location of the site and the outline nature of the application, to ensure that any subsequent reserved matters applications are acceptable with regards to the above considerations it is necessary to impose a condition on any grant of consent restricting the overall height and scale of the development. In this respect, the scale shall be restricted to a maximum of 3 storeys and the maximum height shall be restricted to 15.05m (as submitted with this outline application) in the interests of the character and appearance of the area and to preserve the setting of the adjoining heritage assets.
- 4.41 The Planning Statement submitted recognises that the proposed dwellings are located further away from the Listed Building to the north which will open up the grounds of the listed building slightly and that the ridge heights proposed reflect the existing ridge height at Shoebury House and will not therefore harm the setting of the listed buildings. The application has also been submitted with a Heritage Statement which concludes that the loss of Shoebury House would not result in a loss of knowledge or understanding of local history. The report states that moving the new dwellings further away from the boundary wall to South Shoebury Hall allows the grounds of the listed building to be opened slightly both physically and visually. The Heritage Statement therefore concludes that the development would not have a harmful impact on the character, appearance, significance to the setting of the listed buildings or the adjoining conservation area.
- 4.42 The dwellinghouses have been designed to front the new access road and the block of flats proposed will turn the corner to provide frontages both to Ness Road and the new access road proposed.

This is a similar siting and relationship to the road than the existing building, but represents an improvement visually as the proposed block of flats on the eastern part of the site will turn the corner and provide a greater street frontage and presence to Ness Road than the existing situation, whilst maintaining a 'courtyard' or 'mews' character within the wider site with the existing care homes.

- 4.43 The detailed appearance of the dwellings will be submitted at reserved matter stage, however, the indicative plans suggest that the dwellings will have pitched roofs. The plans indicate that the parking to the flats will include undercroft parking positioned to the rear of the proposed flats which is acceptable in principle, subject to detailed design. The parking to the dwellinghouses includes garages and forecourt parking and it is judged that there is sufficient space to provide some soft landscaping to these frontages which is positive. The development would also result in a reduction of parking and hardsurfacing compared with the frontage of the current site which is positive.
- 4.44 As such, subject to the final design reflecting the above and subject to appropriate detailing, fenestration, materials and landscaping which will be considered at reserved matters stage and/or at condition details stage, no objection is raised on this basis. It is considered that up to 10 dwellings could be satisfactorily accommodated on the site and be of an appropriate design. No objection is therefore raised on this basis at outline stage subject to further details being received at reserved matters stage.
- 4.45 There are a number of mature trees on the site. The application has been submitted with an Arboricultural Impact Assessment by Geosphere Environmental Ltd which states that there are no trees protected by Tree Preservation Orders (TPOs) on this site. There are TPOs to the north of the site in South Shoebury Hall (reference 6/1988). Trees T10 to T17 and T33 and G2 and G4 are to be removed to facilitate the development which are located to the front or side of the existing NHS building that is to be demolished. All of these trees are classified as category 'c' trees (trees of low quality with an estimated remaining life expectancy of at least 10 years or young trees with a stem diameter below 150mm). The remaining trees on the site will be protected during the demolition and construction works by protective barriers, ground protection and arboricultural supervision.
- 4.46 Given the low quality of the trees to be removed, that the plans indicate that additional landscaping including tree planting at the front of the site will be provided and that conditions can be imposed requiring full landscaping details and requiring the development to be undertaken in accordance with the Arboricultural Impact Assessment, Tree Management Plan, Arboricultural Method Statement and Tree Protection Plan undertaken by Geosphere Environmental Ltd (reference 2383,EC,AR,SI,FR/AIA-Ltr-P1/TC,RF,KL/24.05.18/V2), the development would not result in any material harm to the character and appearance of the site or the surrounding area in this respect. The development is therefore acceptable and policy compliant in this respect.
- 4.47 Whilst this is a reserved matter, the planning statement submitted states *'New planting will be incorporated at the front of the properties to create a pleasant outlook for the occupants and to ensure that there is ample greenness within the site.'*

The new planting will help to offset the tree clearance that is required to facilitate the development.'

- 4.48 The development is acceptable and policy compliant in respect of design, character and appearance matters and in terms of its impacts on trees and heritage assets.

Living Conditions for Future Occupiers

National Planning Policy Framework (2018); Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1 and DM3 and DM8 and the guidance contained within the Design & Townscape Guide (2009)

- 4.49 Delivering high quality homes is one of the Government's requirements according to the NPPF. Since 1st October 2015 Policy DM8 of the Development Management Document has been superseded by the National Housing Technical Standards regarding the minimum internal floorspaces.
- 4.50 Paragraph 127 of the National Planning Policy Framework states that planning should *'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'*
- 4.51 The technical housing standards require:
- Minimum property sizes of
 - o 1 bedroom 2 person units: 50sqm (single storey) and 58sqm (2 storey)
 - o 2 bedroom 4 person units (1 storey) 70sqm
 - o 2 bedroom 4 person units (2 storeys) 79sqm
 - o 3 bedroom 5 person units: 93sqm.
 - 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 11.5m² 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.
- 4.52 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.

4.53 The information submitted with the application indicates that the dwellings will have the following gross internal floor areas:

Plot 1: 1 bedroom 2 person flat: 50sqm
 Plot 2: 1 bedroom 2 person flat: 50sqm
 Plot 3: 2 bedroom 4 person flat: 70sqm
 Plot 4: 2 bedroom 4 person flat: 70sqm
 Plot 5: 3 bedroom 5 person house: 93sqm
 Plot 6: 3 bedroom 5 person house: 93sqm
 Plot 7: 2 bedroom 4 person house: 79.2sqm
 Plot 8: 2 bedroom 4 person house: 79.2sqm
 Plot 9: 3 bedroom 5 person house: 93sqm
 Plot 10: 3 bedroom 5 person house: 93sqm

4.54 As such all of the units proposed satisfy the minimum size requirements of the technical housing standards. No details of the bedroom sizes or dedicated storage facilities have been provided at this stage. However, this would be considered at reserved matters stage. No objection is therefore raised on this basis.

4.55 The four 1 and 2 bedroom flats would have a communal amenity area of some 164.4sqm. The planning statement also indicates that the flats will have private balconies. The 3 bedroom 5 person units would have private rear garden areas ranging from 74.8sqm to 110.1sqm and the 2 bedroom 3 person dwellings would have private gardens ranging from 54.7sqm to 56.5sqm. Such garden areas are acceptable and would provide adequate living conditions for any future occupiers of the site. The indicative layout of the dwellings would ensure that there would be no material interlocking, dominance, overbearing impact or loss of light and outlook between the new properties proposed. The development is therefore acceptable and policy compliant in this respect.

- 4.56 Each dwelling will be provided with dedicated refuse and recycling facilities and the flats would be provided with communal refuse and recycling facilities. Subject to a condition requiring full details no objection is raised on this basis.
- 4.57 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. In this respect the Planning Statement submitted states *'The development will be designed to a high quality design and will meet the Lifetime Homes standards'* and the Design and Access Statement submitted confirms that *'Each dwelling is designed to Nationally Described Space Standards and is Accessible and Adaptable as set out in Part M4(2) of the Building regulations.'* Further information/detail in this respect could be conditioned and further details could be controlled at reserved matters stage. Subject to such a condition the proposal is policy compliant in this respect and no objection is raised.

Impact on Neighbouring Properties

National Planning Policy Framework (2018); Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1 and DM3 and the guidance contained within the Design & Townscape Guide (2009)

- 4.58 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities *"having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."*
- 4.59 The plans submitted are indicative only and detailed consideration of the impact of the final development on the residential amenity of the adjoining residents including the care homes would be undertaken at reserved matters stage.
- 4.60 The proposed dwellinghouses would be located a minimum of some 7.5m from the northern boundary of the site and some 26m from the main dwelling at South Shoebury Hall to the north of the site. This application is an outline application and as such it is not clear which rooms will be provided at first floor level at the rear of the houses at this stage. Given the outline nature of the application and the nature of the adjoining site, it is considered that a scheme could be designed on the site that would ensure no material overlooking or loss of privacy occurs to the adjoining dwelling to the north. The provision of rear windows in this location is not considered to prejudice any development of the site to the north, given the Listed Building status of the building to the north. The northern elevation of the flats proposed would be located only approximately 5m from the northern boundary of the site, however, this forms a flank elevation and is therefore unlikely to contain main habitable room windows.

This could be conditioned at the detailed stage. Subject to conditions it is therefore considered that a satisfactory scheme that would not result in material overlooking and loss of privacy to the adjoining dwelling to the north could be accommodated on the site. Given the distance provided between the main dwelling at South Shoebury Hall and the proposed development, the proposal would not result in any material dominance, an overbearing impact, loss of light and outlook or a material sense of enclosure to this dwelling to the north. The proposal is therefore acceptable and policy compliant in this respect.

- 4.61 The proposed development would be located some 8.3m from the adjoining care home to the west “Norton” however, the dwelling closest to Norton is shown to have a lower scale than the other dwellinghouses and has a roof that would slope away from Norton. The applicant’s agent has also confirmed that the windows in Norton closest to the development serve non-habitable rooms including a laundry room, bathroom and shower room. The elevation facing Norton is a flank elevation and is therefore unlikely to result in any material harm to the occupiers of Norton in terms of dominance, an overbearing impact, loss of light and outlook, overlooking or loss of privacy or a material sense of enclosure.
- 4.62 The dwellings would be located a minimum of some 15m from “Autumn” to the south facing across the new internal roadway. This is an acceptable relationship and would not result in any material harm in terms of dominance an overbearing impact, loss of light and outlook, overlooking or loss of privacy or a material sense of enclosure.
- 4.63 Given the existing use of the site, the scale of the development proposed and the residential nature of the existing area it is considered that the development and level of parking proposed would not result in any material harm to the residential amenity of nearby residents in terms of noise and disturbance.
- 4.64 Whilst the final design and layout will be confirmed at reserved matters stage, it is considered that a development of up to 10 dwellings could be accommodated on this site in a manner which would not result in any material harm to the residential amenity of adjoining residents. However, given the proximity of the dwellings to the boundaries of the adjoining sites, it is necessary to impose a condition on any grant of consent restricting the permitted development rights at the dwellings in the interests of the residential amenity of the adjoining residents. Subject to such a condition no objection is therefore raised at this outline stage, subject to satisfactory details being received at reserved matters stage.

Traffic and Transport Issues

National Planning Policy Framework (2018), 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).

- 4.65 Policy DM15 of the Development Management Document requires all development to provide adequate parking.

- 4.66 The adopted parking standards require a minimum of 1 space per dwelling for 1 and 2+ bedroom flats and a minimum of 2 spaces per dwelling for 2+ bedroom dwellinghouses.
- 4.67 The parking provisions proposed for the new dwellings include 1 parking space for each 1 bedroom 2 person flat and 2 parking spaces for each of the remaining dwellings (including the 2 bedroom flats). The information provided indicates that the garages will measure the requisite 7m x 3m. 2 visitor spaces will also be provided. As such the parking provisions for the proposed dwellings are acceptable, policy compliant and no objection is raised.
- 4.68 Each dwelling is to be provided with 1 cycle parking space which is policy compliant. Subject to a condition securing this no objection is raised.
- 4.69 The existing site contains a total of 35 parking spaces. The proposed development would result in 11 spaces being provided for the two care homes (8 of which are located within the application site edged red and 3 of which are located within the area of the site outlined in blue). These existing care homes provide 18 bed spaces. The applicant's agent has confirmed that Norton has a maximum of 8 staff on site at any one time and Autumn has a maximum of 5 staff at any one time (a total of 13 staff across the two care homes on site at any one time). Policy DM15 requires residential care homes (Class C2) to provide a maximum of 1 parking space per residential staff and 1 space per 3 bed spaces/ units. The 18 bed spaces would therefore require a maximum of 6 parking spaces with a maximum of 13 spaces required for the staff. The 2 care homes therefore require a maximum of 19 parking spaces in total. This proposal seeks to provide 11 spaces for the existing care homes. In this respect, the applicant's agent has confirmed that there are currently only 3 parking spaces serving Norton which are to be retained within the blue line area (spaces labelled as C9, C10 and C11 on the submitted plans) and the 2 existing spaces serving Autumn are being re-provided next to the building (spaces C7 and C8). The applicant's agent also confirms that the remaining spaces (C1 to C6) can be used by staff and visitors to the care homes and are additional to what currently exists on the site for these care homes and the development therefore provides an uplift in parking for the care homes compared to the existing situation. Given this and given that the adopted parking standards for the care homes are maximum figures it is considered that acceptable and policy compliant levels of parking will be provided for the care homes. It is also noted that no objection has been received from the Highways team. No objection is therefore raised on this basis.
- 4.70 The development will alter the existing access arrangements into the site with the two existing in-out dropped kerbs altered to form a new single dedicated vehicular access. The Transport Statement outlines that the necessary 2.4m x 43m northward and 2.4m x 47m southward visibility splays are achievable. The internal highway will be a shared surface offered for adoption by Southend Borough Council. The plans submitted demonstrate that a refuse vehicle can enter and exit the site in a forward gear with a turning head proposed to the western side of the site.

The information submitted in the Transport Statement indicates that the proposed development and the existing care home will result in a reduction in vehicle movements throughout the course of the day compared with the former NHS related activity and therefore concludes that the development is unlikely to have a negative impact on the local highways network.

- 4.71 The Highways Team have raised no objection to the proposed access arrangements.
- 4.72 Waste collection will use the internal access proposed with the houses having kerbside collection. The flats will have a central refuse store located next to the internal highway. The plans submitted indicate that the units will be provided with refuse and recycling storage. Subject to a condition in this respect no objection is raised.
- 4.73 The access proposed is therefore considered acceptable and the indicative parking provision and layout is considered acceptable in highways terms. The proposal is acceptable and policy compliant in this respect.

Sustainability and Use of on Site Renewable Energy Resources

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2, CP4 and CP8, Development Management Document (2015) Policies DM1, DM2 and the Design and Townscape Guide (2009).

- 4.74 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 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 emerging 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”*.
- 4.75 No information has been submitted regarding 10% renewable energy provision, which would be a requirement with any future formal submission. This can be secured by condition.
- 4.76 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*. Details have not been submitted for consideration at this outline stage, but can be dealt with by condition.
- 4.77 Policy KP2 of the Core Strategy states that all development proposals should demonstrate how they incorporate sustainable drainage systems (SuDS) to mitigate the increase in surface water runoff and where relevant, how they will avoid or mitigate tidal or fluvial flood risk.

- 4.78 The application has been submitted with a Flood Risk Assessment (FRA) dated May 2018 which includes 'surface water management and foul drainage.' This assessment comments that, of the 0.32ha existing site, 0.23ha currently comprises impermeable surfaces. The report states that ground conditions (London Clay) mean that disposal of surface water via infiltration is not feasible and there are no suitable surface water bodies within the vicinity of the site in which to dispose of surface water. As such the proposal seeks to dispose of surface water via the surface water sewer on Ness Road at a restricted discharge rate. The report assumes that that is an existing connection to the Anglian Water sewer system along Ness Road.
- 4.79 The FRA anticipates that post development some 0.22ha of the site will comprise impermeable surfaces, which represents a small reduction across the site. The development also seeks to use lined permeable paving to provide surface water attenuation and a stage of treatment before discharging surface water into existing Anglian Water sewers and a geo-cellular attenuation tank which, when combined, would provide a storage volume greater than the 37m³ required during the 1 in 100 annual probability event plus 40% climate change, including an allowance for urban creep (the gradual increase in impervious areas through hard landscaping). The maintenance of the proposed SuDS features and drainage network will be carried out by a private management company. As such the FRA concludes that the surface water runoff generated on the site can be sustainably managed and enhances the current situation.
- 4.80 The Council's SuDS Engineers have commented that according to the Environment Agency's Risk of Flooding from Surface Water Mapping, the majority of the site is at a very low risk of surface water flooding. The British Geological Survey however indicates that the site is located within a high/ very high groundwater flooding susceptibility zone.
- 4.81 In relation to the information submitted with the FRA, the Council's SuDS Engineers have commented that the applicant should provide further information and require evidence of infiltration testing and groundwater level monitoring, an indication of exceedance flow routes, details of how surface water will be managed during construction and evidence of consent from Anglian Water to discharge at the proposed rate and location to be submitted. The Council's SuDS Engineers conclude that the submitted documents have provided sufficient information to indicate a feasible solution for managing surface water drainage at this outline stage. The drainage strategy provides an indication of the proposed surface water drainage system, identifies the key principles that have been considered and quantifies storage volumes. The Council's SuDS Engineers therefore raise no objection subject to conditions. Subject to the conditions recommended the development is considered acceptable and policy compliant in this respect and no objection is therefore raised.

Ecology and Biodiversity

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and CP4 and Development Management Document (2015) Policy DM2.

- 4.82 Paragraph 175 of the NPPF (2018) states *'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigate, or, as a last resort, compensated for, then planning permission should be refused.'*
- 4.83 Policy KP2 of the Core Strategy states that all new development must *'respect, conserve and enhance and where necessary adequately mitigate effects on the natural and historic environment, including the Borough's biodiversity and green space resources; ensure that European and international sites for nature conservation are not adversely affected and contribute positively towards the 'Green Grid' in Southend.'*
- 4.84 Policy CP4 of the Core Strategy seeks to contribute to the creation of high quality, sustainable urban environments by *'safeguarding, protecting and enhancing nature and conservation sites of international, national and local importance.'*
- 4.85 The information submitted with the application indicates the site is not the subject of a statutory nature for conservation designation and that the development will not adversely affect any statutory or non-statutory designated nature conservation sites.
- 4.86 The application has been submitted with a preliminary ecological appraisal undertaken by Geosphere Environmental Ltd. This report concluded that the site is not suitable for water voles, otters, great crested newts, hazel dormouse, reptiles, plants or invertebrates of significance. However, the trees could provide suitable foraging and commuting habitat for bats, especially along the northern and southern boundary of the site. The trees and buildings within the site provide suitable nesting habitat for breeding birds during the breeding season. The report therefore recommends that any vegetation clearance work is undertaken between March and August inclusive (weather dependent). If this is not possible then the works will need to be undertaken under supervision of an ecologist to avoid impact to nesting birds. It is recommended that lighting design within the final development should avoid lighting overspill on to the northern and southern boundaries of the site in order to fully avoid any negative impact upon bats. The report concludes that provided the recommendations within the report and undertaken and mitigation measures adhered to then the potential negative impacts on protected species, if present, will be negligible.
- 4.87 Subject to those conditions the development is considered acceptable and policy compliant.

Community Infrastructure Levy

CIL Charging Schedule (2015)

- 4.88 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. As this is an outline application the CIL amount payable will be calculated on submission of a reserved matters application at which point the floorspace figures will be confirmed.

5 Conclusion

- 5.1 Having taking into consideration all material considerations and having regard to the neighbour representations received, which are summarised below, it is found that the proposed development, subject to appropriate conditions, is acceptable and would be in accordance with the Development Plan. The quantum of development sought could be achieved on site in an acceptable manner with the access arrangements proposed. The outline application is therefore recommended for approval, subject to conditions.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework (2018) including Chapters 5 (Delivering a sufficient supply of homes), 11 (Making effect use of land), 12 (Achieving well-designed places), 14 (Meeting the challenge of climate change, flooding and coastal change) and 16 (conserving and enhancing the historic environment)
- 6.2 Core Strategy (2007) Policies KP1 (Spatial Strategy) KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), CP6 (Community Infrastructure) and CP8 (Dwelling Provision).
- 6.3 Development Management Document (2015): Policies DM1(Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources) DM3 (Efficient and Effective Use of Land), DM5 (Southend-on-Sea's Historic Environment), DM7 (Dwelling Mix, size and Type), DM8 (Residential Standards) and DM15 (Sustainable Transport Management)
- 6.4 Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule (2015)
- 6.6 National Housing Standards (2015)

7 Representation Summary

Historic England

- 7.1 Do not wish to offer any comments and suggest seek the views of specialist conservation and archaeological advisers, as relevant.

Anglian Water

- 7.2 Records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Southend Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a gravity discharge regime.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in the Building Regulations. This encompasses the trial pot logs from the infiltration tests and the investigations in to the discharging to a watercourse. If these method are deemed to be unfeasible for the site, Anglian Water will require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. Would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. It is requested that the agreed strategy is reflected in the planning approval.

Anglian Water therefore recommend a condition requiring a surface water strategy to be submitted and approved by the local planning authority.

Council's SuDS Engineers

- 7.3 Do not object to this planning application subject to conditions being attached to any consent if this application is approved by the LPA.

Essex Police

- 7.4 There is no reference to physical security as recommended by the NPPF and the Core Strategy. Essex Police would like to invite the developers to contact them with a view to discussing crime prevention through environmental design.

Environmental Health Team

- 7.5 Considering that Ness Road has high levels of road traffic, consideration should be that adequate glazing specifications for all facades so as to meet internal noise level standards especially for habitable rooms.

Conditions are recommended restricting construction hours, preventing the burning of waste material on site and requiring adequate glazing specifications.

Transport & Highways

- 7.6 The proposal provides 18 off street car parking spaces and 1 cycle space per dwelling. The applicant has provided a detailed transport statement and has provided TRICS analysis for the existing and proposed use. This has demonstrated that the proposal will reduce the number of vehicle trips associated at the site.

A new junction is proposed at the site which meets all visibility requirements which ensures safe access and egress to and from the site. The access road is proposed for adoption there is not an objection in principle to this. However the turning area will require a traffic regulation order to ensure that this area is kept clear to enable refuse freighters to manoeuvre effectively. This will required advertising at the applicants expense this is usually about £2,500

For the proposal to become adopted highway a Section 278 will be required.

Given the above information and that contained with the applicant there are no highway objections raised.

Waste Team

- 7.7 Spaces allocated for recycling, food waste and residual waste at each of the proposed properties is in line with the current loose collections that are offered to residents in Southend-on-Sea.

It is unclear how waste and recycling will be stored for the 3 storey part of the proposal. Will there be a communal area or individual areas allocated to individual dwellings?

Note the swept path analysis and the ability for collection vehicles.

Unclear if the road will be adopted. If the road is not adopted, the Council will require written confirmation that the access road is constructed to Highways standards and able to accommodate waste and recycling vehicles using it.

Query what parking restriction may be in place to ensure that collection vehicles are able to reverse safely in the turning area.

Environment Agency

- 7.8 We have reviewed the 'Flood Risk Assessment Addendum Letter' and are satisfied that our holding objection with regards to flood risk can be removed and that the proposal is acceptable subject to conditions.

Public Consultation

- 7.9 32 neighbours were notified, a site notice was displayed and the application was advertised in the press. 1 letter of support has been received. 2 letters of objection have been received which make the following summarised comments:

- Highway safety concerns, access, traffic is too fast and speed signs needed.
- 11 car parking spaces and access road will create excessive noise.
- Boundary fence should be replaced with high quality fencing along entire boundary to improve security and reduce noise.
- Overhanging trees should be cut back and then maintained regularly.
- Lighting needs to be improved to prevent crime.
- Shoebury is in need of a medical centre with parking and this is an ideal place as it is already owned by the NHS.

The concerns raised are noted and they have been taken into account in the assessment of the proposal. 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 05/01200/OUT – Demolish building, erect 2 storey building to be used as new NHS Primary Care Medical Centre and lay out associated parking (outline application) – planning permission granted.

- 8.2 92/0378 - Erect 2 single storey buildings consisting of a 7 bed residential unit for the disabled and an 11 bed residential unit for the elderly, lay out new service road and parking spaces and widen southern access to Ness Road – planning permission granted.
- 8.3 88/0220 – Erect single storey 24 bedroom nursing home (outline) – planning permission granted.

9 Recommendation

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

- 01 Details of the appearance, layout, scale and landscaping (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved under the reserved matters. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matter to be approved.**

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of details mentioned.

- 02 Except for demolition and site preparation works no development above ground level shall be undertaken until and unless samples of the materials to be used on the external elevations including details of any boundary walls, fences, gates and windows have been submitted to and approved by the Local Planning Authority. The development shall be carried out and completed in accordance with the approved details before it is occupied.**

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 (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

- 03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above ground level shall take place until full details of both hard and soft landscape works proposed for the site, 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, hard surfacing materials, minor artefacts and structures (e.g. 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 uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The approved hard landscaping works shall be carried out prior to first occupation of the development hereby approved and the soft landscaping works shall be carried out within the first planting season following first occupation of the development.

Reason: In the interests of visual amenity, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

- 04** Except for demolition and site clearance no development above ground level shall be undertaken until full details of refuse, recycling and covered and secure cycle storage to be provided at the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and completed in accordance with the approved details before it is first occupied and the approved facilities shall be made available prior to first occupation and shall be retained in perpetuity.

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 the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and the guidance contained in the Design and Townscape Guide (2009).

- 05** No development above ground level shall be undertaken until and unless a scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented and completed in full prior to the first occupation of any of the residential units hereby approved. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007), Development Management Document (2015) Policy DM2 and the Design and Townscape Guide (2009).

- 06** Prior to occupation any part of the residential units hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority.

The development shall be implemented and completed in accordance with the approved details before it is occupied and shall be retained as such in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Councils Design and Townscape Guide (2009).

- 07 A total of 20 parking spaces to serve the residential development hereby approved shall be provided and made available for use within the site prior to the first occupation of any part of the development hereby approved and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of the new dwellings and their visitors and for no other purpose.**

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 the National Planning Policy Framework (2018), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM15 and the Design and Townscape Guide (2009).

- 08 Prior to occupation of the development a parking management plan for the approved development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out and completed in accordance with the approved document prior to the first occupation of any of the dwellings hereby approved and shall be operated in accordance with the approved arrangement plan in perpetuity.**

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 the National Planning Policy Framework (2018), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM15 and the Design and Townscape Guide (2009).

- 09 No development shall take place, including any works of demolition, unless and 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 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 including decorative displays and facilities for public viewing, where appropriate**
- v. wheel washing facilities**
- vi. measures to control the emission of dust and dirt during construction**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works**

- viii noise mitigation measures to be used at the site.
- ix maintenance of access and parking provisions for the 2 care homes in operation.

Reason: This pre-commencement condition is required to protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, and Development Management Document (2015) Policy DM15.

- 10** Before the development is occupied or brought into first use, the development hereby approved shall be completed in a manner to ensure that 1 of the units hereby approved comply with Building Regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 9 units comply with 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 (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

- 11** External lighting shall only be installed in the development hereby approved in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: In the interest of the safety and amenities of the area, and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 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 08:00hours to 13:00hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 13** No development above ground level shall be undertaken unless and until the flood resilient and resistant measures proposed have been submitted to and approved in writing by the local planning authority and the finished first floor levels of the development hereby approved shall be set no lower than 6.15m above Ordnance Datum (AOD). The approved mitigation measures shall be fully implemented prior to the first occupation of the development hereby approved.

Reason: To ensure the approved development is safe and does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and KP3 and Development Management Document (2015) Policy DM14.

- 14** The development hereby approved shall be undertaken and completed in accordance with the following:
- Lighting design should avoid lighting overspill onto the northern and southern boundaries of the site which are suitable for foraging bats;
 - Vegetation clearance works and building demolition works shall be undertaken outside of the bird nesting season (March – August inclusive) else a suitable qualified ecologist should be employed to determine if nesting birds are using the site prior to the works commencing with any active sets found provided with a 10m buffer which would be left until the young had fledged. Clearance works within the area can recommence only once the nest is no longer in use;
 - Full details of bird and bat boxes to be installed at the site shall be submitted to and approved in writing by the local planning authority before any development above ground level is undertaken. The approved bird and bat boxes shall be provided in full prior to the first occupation of the development hereby approved and retained as such in perpetuity.

Reason: To ensure the development results in no adverse harm to ecology or biodiversity in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP1, KP2 and CP4.

- 15** Notwithstanding the details shown on the submitted plans no development above ground level shall be undertaken until full details of the noise mitigation measures to be installed in the dwellings hereby approved and the details of the internal noise conditions these would achieve have been submitted to and approved in writing by the local planning authority. The development shall be undertaken and completed in accordance with the approved details before the development is first occupied.

Reason: In the interests of the living conditions of the future occupiers of the site, in accordance with the National Planning Policy Framework (2018), Policies KP2 and CP4 of the Development Management Document (2015), Policies DM1, DM3 and Dm8 of the Development Management Document (2015) and the guidance contained within the Design and Townscape Guide (2009).

- 16** No development other than demolition shall commence until the detailed design of the developments surface water drainage scheme, incorporating the following measures, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of any of the residential units hereby approved.

The scheme shall address the following matters:

- a. Provide an assessment of suitability for infiltration, accounting for the presence of constraints on infiltration SuDS, drainage potential, and the potential for ground instability or contamination as a result of infiltration. The applicant needs to include evidence that infiltration testing and groundwater level monitoring have been undertaken for the site and that they are compliant with BRE365 guidance.**
- b. Confirmation of the existing runoff rates for the 1 in 1 year, 1 in 30 year and 1 in 100 year storm events.**
- c. Provide evidence demonstrating that surface water runoff retention on site has been maximised for the 1 in 100 year plus 40% climate change storm event to achieve an overall discharge from the site as close as possible to greenfield runoff rate. A robust justification of the proposed drainage arrangement should be provided if a reduced discharge rate is not considered to be feasible.**
- d. Provide detailed drawings of the drainage network including sizing of all SuDS features on the site, with demonstration of how the network will perform under different flood scenarios.**
- e. Provide a drawing to indicate how the exceedance flows will be managed and mitigated in the event of a drainage system failure or an event exceeding the 1 in 100 year plus 40% allowance for climate change storm event.**
- f. Provide evidence of consultation with Anglian Water regarding proposed discharge rate and connection point to be provided.**
- g. Provide a method statement regarding the management of surface water runoff during the construction phase of the project.**

Reason: To ensure satisfactory drainage of the site in accordance with policy KP2 of the Core Strategy (2007) and Development Management Document (2015) policy DM2.

- 17** Notwithstanding the information submitted within the application, the development hereby approved shall not exceed 3 storeys in height and must not exceed 15.05m in height.

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 and at least preserves the setting of the adjoining heritage assets. This is as set out in the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM5 and the guidance contained within the Design and Townscape Guide (2009).

- 18** Notwithstanding the details shown in the plans submitted and otherwise hereby approved the development 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 all windows in the proposed development 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 protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) policy CP4, Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any order revising or re-enacting that Order with or without modification, no development shall be carried out on the new dwellinghouse within Schedule 2, Part 1, Classes A, B, D, E or F of that Order.**

Reason: To safeguard the character and appearance of the area and in the interest of the residential amenity of the adjoining residents in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

- 20 No development including demolition shall be undertaken unless and until full details of tree protection measures to be provided to protect the trees to be retained on the site and nearby trees on adjoining sites that could be affected by the development have been submitted to and approved in writing by the local planning authority. The development shall be undertaken in full accordance with the approved details. The approved tree protection measures shall be retained on the site for the entire duration of the construction phase of the development.**

Reason: This pre-commencement condition is required in the interests of visual amenity and biodiversity pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

- 21 No development shall be undertaken unless and until 11 car parking spaces have been provided for the adjoining care homes in accordance with drawing number 171550-006. The 11 car parking spaces shall thereafter be permanently retained for the parking of private motor vehicles of staff, visitors and residents of the care homes “Norton” and “Autumn” and for no other purpose.**

Reason: To ensure satisfactory parking is provided and retained to meet the needs of occupants, visitors and staff of the care homes and to ensure that the development satisfies the requirements of the National Planning Policy Framework (2018), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM15 and the Design and Townscape Guide (2009).

- 22** The approved access arrangement shall be completed in full accordance with the details shown on drawing number 171550-006 prior to the first occupation of any of the dwellings hereby approved and shall thereafter be retained in perpetuity.

Reason: To ensure adequate access arrangements are provided for the development hereby approved in accordance with the requirements of the National Planning Policy Framework (2018), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM15 and the Design and Townscape Guide (2009).

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.

Informatives

- 01** Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at www.southend.gov.uk/cil
- 02** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.