

Reference:	18/01313/FUL	
Ward:	Shoeburyness	
Proposal:	Demolish existing buildings, erect two semi-detached bungalows to rear of 123 Wakering Road, layout parking, bin store and cycle store	
Address:	Pussys Palace Boarding Cattery 123 Wakering Road Shoeburyness Southend-On-Sea Essex SS3 9TN	
Applicant:	Mr Graham Eiles	
Agent:	DK Building Designs Ltd	
Consultation Expiry:	23 rd August 2018	
Expiry Date:	8 th October 2018	
Case Officer:	Abbie Greenwood	
Plan Nos:	3406-06 rev A Sheet 1 of 3, 3406-06 rev A Sheet 2 of 3, 3406-06 rev A Sheet 3 of 3, Tree Protection Plan by Andrew Day Arboricultrual Consultancy Ltd dated 17 th August 2018	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to demolish the existing cattery buildings (now demolished) and erect a pair of semi-detached chalet bungalows and layout associated parking, bin and cycle storage. The properties each have 3 bedrooms with two rooms formed within the roof space served by rooflights only.
- 1.2 The proposed semi-detached dwellings are each 10.6m wide and 8.8m deep. The design has a gabled roof with an eaves height of 2.6m and a ridge height of 5.9m. The proposed materials are yellow stock brick and render with Ludlow red roof tiles and dark grey double glazed upvc windows. The internal floor area measures 145.2 sqm (121.1 sqm when adjusted for reduced head height at first floor) including bedrooms of 14.4 sqm, 25.3sqm and 22.9sqm.
- 1.3 The proposal is sited towards the centre of the site on an east west alignment. Four parking spaces are proposed to the front which are accessed via the existing crossover to Rembrandt Close. Each plot has a garden to the rear of 88sqm and a small front garden.
- 1.4 There is a preserved copper beech tree (TPO 6/2006) to the south east corner of the site. This is proposed to be retained.
- 1.5 It is noted that outline permission has previously been approved on this site for two bungalows in 1990 (reference 90/0662) and that an outline proposal for 3 terraced houses was refused and dismissed at appeal in 2006 (reference 06/00753/OUT). This application was refused due to concerns regarding the impact on neighbours (overlooking and visual intrusion) and loss of the copper beech tree. However, it should be noted that these applications are historic and the planning policy framework has now materially changed. A full assessment of the issues against current policy can be found in section 4 below.
- 1.6 Pre application discussions were undertaken with the Council in relation to the current development.

2 Site and Surroundings

- 2.1 The site is located to the rear of 121-127 Waking Road and 24-26 Picasso Way. It has an existing vehicular access to the south from Rembrandt Close. The site has previously been used as a cattery which comprised an 'L' shaped single storey structure running along the north and west boundaries of the site and an area of hard surfacing close to the vehicular access to Rembrandt Close. The business has now ceased trading and this building has been demolished.
- 2.2 The site is located in a residential area. The surrounding buildings are 2 storey houses, generally arranged as semi-detached pairs or short terraces. There is a mix of designs but most properties have a simple rectangular form with a gabled roof. There are a range of materials in the area including red and buff brick and brown tiles.
- 2.3 The site is relatively flat with no landscape features except the copper beech tree to the south east corner which is protected by a TPO. The yew tree outside the site boundary but close to the south west corner of the site is noted as being a category B

tree. There are no local plan designations affecting this site.

3 Planning Considerations

- 3.1 The main considerations for this application are the principle of the development including the loss of the commercial use, the design including the impact of the proposed works on the character and appearance of the area, the standard of accommodation for future occupiers, any impact on neighbours, the traffic and transportation implications, the potential impact on the preserved tree, sustainability and CIL

4 Appraisal

Principle of Development

National Planning Policy Framework (NPPF)(2018), Core Strategy (2007) Policies KP1, KP2, CP1, CP3, CP4 and CP8, Development Management Document (2015) policies DM1, DM3, DM7, DM8, DM11 and DM15 and the Design and Townscape Guide (2009)

- 4.1 Amongst other policies to support sustainable development, the NPPF seeks to boost the supply of housing by delivering a wide choice of high quality homes.
- 4.2 In relation to development on backland sites, 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.”*

- 4.3 Policies DM3 and DM7 generally support the provision of family houses including accessible bungalows suitable for families and the older generation. In relation to this DM7 states:

‘The Council will look favourably upon the provision of family size housing on smaller sites, particularly where the surrounding building types provide an appropriate context for this type of development.’

- 4.4 In relation to the loss of employment uses outside the defined employment areas Policy DM11 states

‘Outside the Employment Areas proposals for alternative uses on sites used (or last used) for employment purposes, including sites for sui-generis uses of an employment nature, will only be permitted where it can be demonstrated that:

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

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

- 4.5 In response to the loss of employment the Design and Access Statement submitted with the planning application states that the cattery business ceased trading around 6 months ago due to lack of customers and since this time there has been no interest from the market to take over the business. The cattery buildings have since been demolished. There is no comment in relation to potential alternative commercial uses for this land.
- 4.6 This a small site in a residential area. There have been some conflicting reports regarding when the cattery closed but on balance it is considered that this particular site is more suited to providing much needed housing, including stock suitable for Southend's older population, than to an alternative commercial use which is more likely to give rise to conflicts with the surrounding residential development. It is also noted that residential development has been considered acceptable on this site in the past. There are no planning policies to retain cattery type uses specifically.
- 4.7 The principle of using this land for residential development is therefore considered acceptable and policy compliant subject to the consideration of the other issues set out below.

Design and impact on the character of the area and streetscene

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1, and DM3 and the Design and Townscape Guide (2009)

- 4.8 Delivering high quality homes is a key objective of the NPPF.
- 4.9 Policy KP2 of the Core Strategy advocates the need for all new development to *"respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design"*.
- 4.10 Policy CP4 of the Core Strategy states *"development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development."*
- 4.11 Policy DM1 of the Development Management Document advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 4.12 The proposal seeks to erect a pair of modest semi-detached chalet bungalows on the site. The proposal is arranged on an east west alignment across the centre of the site with a landscaped frontage and parking area to the south of the development and private amenity space to the north. The building has a simple gabled form with feature timber rain porches and extended eaves detail to the front to provide articulation and interest in the streetscene.
- 4.13 The surrounding development is predominantly two storey houses with gabled roofs

arranged in semi-detached pairs and short terraces. There are a variety of designs and style within the surrounding streets but the consistent use of gabled roof forms and horizontal window proportions gives the area some cohesion.

- 4.14 The proposal is set on a backland site surrounded by existing houses and gardens so is not suited to two storey development as this would have too great an impact on the neighbours, however, the proposed gabled roof form and fenestration design will provide a positive reference to the surrounding townscape. The inclusion of a landscaped frontage, including retention of the preserved tree, and the additional detail to the entrances, should help to ensure that the proposal makes a positive contribution to the streetscene.
- 4.15 It is noted that there have been some third party concerns related to the density of development. The quantum of development proposed on this site was revised from 3 units to 2 during the pre-application service in response to concerns raised by the Council in regard to over development. (It is also noted that outline planning permission was previously granted for 2 bungalows in 1990.) The current proposal for 2 units is considered to be a good fit for the site and for the pattern of development in the wider area. The proposed design and scale of the proposal is considered to be compatible with the local area and is therefore acceptable and policy compliant in this regard.

Standard of accommodation for future occupiers

National Planning Policy Framework (2018), Development Management (2015) policy DM8, the National Technical Housing Standards and the Design and Townscape Guide (2009)

Floor space standards

- 4.16 All new homes are required to meet the National Technical Housing Standards in terms of floorspace. The required size for a 2 storey, 3 bed 6 person household is 102 sqm and the minimum standards for double bedrooms are
- Master - min area 11.5 sqm, min width 2.75m
 - Other doubles – min area 11.5 sqm, min width 2.55m
- 4.17 The internal floorspace of the proposed two storey dwelling is 121.1 sqm which meets the standard. The bedrooms are all above the required size for double rooms. The proposal therefore meets the space standards required.

Building Regulations M4(2) – Accessible and Adaptable Dwellings

- 4.18 Development Management Policy DM8 requires all new homes to be accessible and meet the standards set out in Building Regulations M4(2) Accessible and Adaptable Dwellings. This ensures that all new homes are flexible enough meet the needs of all generations. Some information regarding M4(2) has been provided in the Design and Access Statement including the commitment to an adaptable ground floor bathroom and bedroom, generous hallway and doorway dimensions and a level entrance. The proposal is therefore acceptable and policy compliant in this regard subject to condition requiring full compliance with M4(2).

Quality of Living Space

- 4.19 The internal layout shows that all the habitable rooms are of a useable size and shape and have good daylight and outlook. It is noted that the rooms in the roof have rooflights only but the plans show that they are sited such that they would provide a reasonable outlook for the residents. The proposal would therefore provide an acceptable quality of living accommodation and is policy compliant in this regard.

Amenity Provision

- 4.20 Each dwelling has a private amenity space to the rear measuring approximately 88 sqm. This is a useable and accessible space and is considered of a good size to serve the scale of dwelling proposed. This aspect of the proposal is therefore acceptable and policy compliant.
- 4.21 Overall therefore it is considered that the proposal would provide a good standard of accommodation for the future occupiers and is policy compliant in this regard.

Traffic and Transportation

National Planning Policy Framework (2018); Core Strategy (2007) policies KP2, CP4, CP3; Policy DM15 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

- 4.22 Development Management Policy DM15 requires that all new dwellinghouses outside the central area provide 2 off street car parking spaces. The plans show that 4 off street spaces will be provided at the southern end of the site with access via the existing crossover from Rembrandt Close. The cars will not be able to turn on the site but it is noted that there is a turning head close by in Rembrandt Close and that traffic levels in this cul de sac are low. The plans show space for refuse storage on the frontage and cycle storage within the rear gardens.
- 4.23 Some concerns have been raised in respect of the width of the access and the loss of on street parking (in front of the existing gates) as a result of the proposal, however, the Council's Highways Officer has confirmed that the proposal meets the policy requirement and he has no objections to the parking or access arrangements. The plans for refuse and cycle storage are also consistent with Council guidelines. The proposal is therefore acceptable and policy compliant in this regard.

Impact on Residential Amenity

National Planning Policy Framework (2018); Core Strategy (2007) policies KP2 and CP4; policy DM1 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

- 4.24 Policy DM1 of the Development Management Document states that development should, *"protect the amenity of the site, immediate neighbours and surrounding area, having regard for privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution and daylight and sunlight."*

Impact on neighbours to the east 121-127 Waking Road

- 4.25 The proposal is located 1.2m from the east boundary and at least 11.2m from the properties in Warkering Road to the east. The orientation of the units is such that the gable end of the proposed development would face east onto these properties. This has an eaves height of 2.6m and a maximum height of 5.9m. There is one small bathroom window in this gable with a top fanlight.
- 4.26 It is considered that the limited scale and tapering nature of the proposed roof form and the separation distances between the properties is sufficient to ensure that the proposal would not appear overbearing or result in an unacceptable sense of enclosure so would not materially impact on light to the neighbouring properties or their amenity areas. It is also considered that, subject to ensuring that the proposed bathroom window was obscured and fixed shut at the lower level, the design would not result in overlooking of the properties. The impact on properties to the east is therefore considered to be acceptable and policy compliant.

Impact on neighbours to the west 24-26 Picasso Way

- 4.27 The proposal is located 1.1m from the east boundary and at least 7.7m from the properties in Picasso Way to the west. The orientation of the units is such that the gable end of the proposed development would face west onto these properties but would principally align with the garage block to these properties rather than the houses themselves. It is also noted that the closest property number 24 is orientated to the south east away from the flank elevation of the proposal and number 26 would face onto the amenity area of the proposal. As with the eastern elevation the west flank has a gabled form with an eaves height of 2.6m and a maximum height of 5.9m and there is one small bathroom in this gable with a top fanlight.
- 4.28 It is considered that the limited scale and the design of the proposed roof form, the separation distances between the properties and the orientation of number 24 Picasso Way, is sufficient to ensure that the proposal would not appear overbearing or result in an unacceptable sense of enclosure so would not materially impact on light to the properties or their amenity areas. It is also considered that, subject to ensuring that the proposed bathroom window was obscured and fixed shut at the lower level, the design would not result in overlooking of the properties. The impact on properties to the west is therefore considered to be acceptable and policy compliant.

Impact on properties to the north - amenity area of 129 Wakering Road

- 4.29 The northern boundary of the site faces onto the end of the long garden to 129 Wakering Road. The proposal faces the end section of the rear garden only. The proposed rear elevation is set 7.4m from this boundary at an eaves height of 2.6m and a maximum ridge height of 5.9m. The roof of the proposal slopes away from this neighbour and has 2 small high level rooflights. It is also noted that there is a group of semi mature trees along this boundary which includes a number of evergreen species. These provide a screen buffer to the development site.
- 4.30 It is considered that the sloping nature of the proposed roof form and the separation distances between the proposal and the end of the amenity area of number 129 is sufficient to ensure that the proposal would not appear over bearing or result in an unacceptable sense of enclosure, would not materially impact on light to the property or its amenity space and would not result in overlooking of the property. The impact

on number 129 to the north is therefore considered to be acceptable and policy compliant.

- 4.31 It is considered that there would be no material impact on the privacy of the neighbours arising from the proposed roof lights as these are at least 10m from the boundaries of the closest neighbour boundary and mainly look onto the proposed parking area. There are no other properties which would be materially affected by this development. The proposal is therefore considered to be acceptable and policy compliant in the above regards.

Impact on preserved tree

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

- 4.32 The Council seeks to protect preserved trees which make a positive contribution to the amenity of the area from the impact of new development.
- 4.33 The copper beech tree to the south east corner of the site is protected by TPO 6/2006. The existing hard surfacing in this location already encroaches into the root protection area but does not seem to have adversely affected the tree.
- 4.34 An arboricultural report has been submitted with the application. This assesses the long term impact of the proposal on the tree and sets out the details of measures required to protect this tree during the construction process. This document concludes that the design would not cause harm to this tree provided that it is protected during the construction and that any works in the root protection area, including the removal and relaying of hard surfaces, are done with hand held tools and under the supervision of a qualified arboriculturalist. The report also recommends that regular visits are carried out by an arboriculturalist during the build process.
- 4.35 The Council's Arboricultural Officer has no objection to the proposal subject to the implementation of the mitigation measures set out in the arboricultural report. Therefore, subject to a condition to this effect, the proposal is considered to be acceptable and policy compliant in this regard.

Sustainable Development

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

- 4.36 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)*. Policy DM2 of the Development Management Document states that *"to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions"*. This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.

- 4.37 No information has been provided on the sustainability of the proposal, however, this is not a sensitive location in these regards and it is considered that the requirement for renewable energy technology and restrictions on water usage could be controlled with conditions. The proposal is therefore considered to be acceptable and policy compliant in this regard.

Other Issues

Drainage

- 4.38 Concerns have also been raised in respect of drainage capacity and surface water run-off. These issues can also be controlled by a condition requiring the developer to submit detailed proposals on how these issues will be accommodated. These details will need to be agreed by the Council's Drainage Engineer prior to commencement. Subject to this condition the proposal is considered to be acceptable and policy compliant in this regard.

Permitted Development

- 4.39 Given the constraints of the site in relation to the neighbouring properties and the size and depth of the amenity area it is considered reasonable to restrict permitted development for this proposal to enable the Council to fully assess the impact of extensions and additions to these dwellings. This can be achieved via a condition.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.40 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 155.2 sqm, which may equate to a CIL charge of approximately £3495.97 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

Conclusion

- 4.41 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 principle of the development is found to be acceptable and the proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. The highways, preserved tree and sustainability impacts of the proposal are acceptable. This application is therefore recommended for approval subject to conditions.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (2018)
- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP1 (Employment Generating Development) CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision)
- 5.3 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (The Efficient and effective use of land), DM7(Dwelling Provision) DM8 (Residential Standards), DM11 (Employment Areas), DM15 (Sustainable Transport Management)
- 5.4 Design & Townscape Guide (2009)
- 5.5 Community Infrastructure Levy (CIL) Charging Schedule

6 Representation Summary

Highways

- 6.1 2 off street parking spaces have been provided for each dwelling which is policy compliant therefore no highway objections are raised.

Environmental Health

- 6.2 Seek conditions are follows:

Construction Hours restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

During Construction and Demolition No burning of Waste material on site.

[Officer Comment: This is controllable via separate legislation.]

Parks

- 6.3 In respect to this application the BS 5837:2012 arboricultural report from Andrew Day Arboricultural Consultancy dated 17/8/18 4-5 Rembrandt Close is comprehensive and the recommendations and required tree protection /supervision contained within the report should avoid damage to the trees during the construction process when implemented.

It is advisable site visits are made during the development process to ensure compliance with these recommendations.

Public Consultation

- 6.4 A site notice was displayed and 13 neighbours notified. 12 responses were received which raise the following issues:
 - The cattery has not been closed for 6 months it closed on 7th August.
 - The site was advertised over 6 months ago as a site for development not an ongoing business.
 - The existing use would be preferred.

- The owners have already started to demolish the buildings without consent and have been burning rubbish on site and have left fires unattended resulting in the fire brigade having to attend the site.
- Safety concerns in relation to additional vehicles using and parking in Rembrandt Close and potential blind spots.
- Increased traffic and impact on child safety.
- Lack of visitor parking.
- The existing access is too tight.
- Nuisance caused by increased parking on site – fumes, noise and disturbance.
- Loss of on street parking which takes place in front of gates as they were seldom used by previous owner.
- Concern over the capacity of drainage and sewage network.
- Concern over the impact of construction traffic, parking and deliveries including blocking access including to the sub-station and damage to pavements and cobble feature and dust from demolition and construction and hours of construction.
- Concerns over loss of privacy and overlooking.
- Loss of daylight and sunlight to neighbouring properties.
- Overbearing to neighbouring properties.
- Bungalows should not have roof accommodation.
- Impact on the preserved tree including roots from new development and during construction.
- Concern over fire brigade access.
- The proposal would upset road numbering in the close.
- Neighbour letters were not sent to properties in Waking Road. **[Officer Comment: Properties in Waking Road have been consulted.]**
- Refuse storage needs to be provided by developer.
- Out of character with pattern of development, the plot size, the scale and the design of the surrounding buildings.
- The proposal would result in town cramming in a low density area.
- Insufficient space for landscaping which could result in increased water runoff.

[Officer Comment: These concerns are noted. The issues have been taken into account in the assessment of the application above].

6.4 The application was called to committee by Councillor Chalk.

7 Relevant Planning History

- 7.1 06/00753/OUT – Erect terrace of three dwellinghouses (outline) – refused and dismissed at appeal.
- 7.2 04/01126/FUL – Form vehicular access to rear onto Rembrandt Close – granted
- 7.3 90/0662 – erect two detached bungalows with vehicular access onto Rembrandt Close (outline) – approved
- 7.4 998/83 – continuation of use of part of stables for the boarding of cats (renewable of permission 688/80 granted on 20.11.1980 - approved

8 Recommendation

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 3406-06 rev A Sheet 1 of 3, 3406-06 rev A Sheet 2 of 3, 3406-06 rev A Sheet 3 of 3, Tree Protection Plan by Andrew Day Arboricultural Consultancy Ltd dated 17th August 2018

Reason: To ensure that 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 other than the demolition and construction up to ground floor slab level shall take place until product details of the materials to be used on all the external elevations, including walls, roof, rooflights, windows and doors, porch canopy, paving, and on any screen/boundary walls and fences, driveway, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details before it is occupied.

Reason: To safeguard the visual amenities of the area, in accordance with Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor bathroom windows in the east and west elevations shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut up to a height of 1.7m above first floor level before the occupation of the dwelling hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2018), Development Management Document (2015) policies DM1 and DM3, and advice contained within the Design and Townscape Guide (2009).

05 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than the demolition and construction up to ground floor slab level shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i proposed finished site levels or contours;**
- ii. means of enclosure, of the site including any gates or boundary fencing;**
- iii. car parking layouts;**
- iv. other vehicle and pedestrian access and circulation areas;**
- v. hard surfacing materials;**
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);**
- vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification**
- ix. details of measures to enhance biodiversity within the site;**

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity of the area and the amenities of occupiers and to ensure a satisfactory standard of landscaping in accordance with the National Planning Policy Framework (2018), Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007).

06 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than the demolition and construction of foundations shall take place until details 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, in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity. 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; and
iii) a timetable for its implementation;

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 Policy DM2 of the Development Management Document (2015).

07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, C, D, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the prior receipt of express planning permission in writing from the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Southend Design and Townscape Guide (2009).

08 The four car parking spaces and the associated vehicular access for the spaces to and from the public highway, shown on approved plan 3410-06 Rev A Sheet 3 of 3 shall be provided at the site prior to the first occupation of the dwelling hereby approved. The car parking spaces and the associated vehicular accesses to and from the public highway shall thereafter be permanently retained for the parking of vehicles and the accessing of the car parking spaces in connection with the dwelling hereby approved.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) policy CP3, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

09 The protection measures as set out in the Arboricultural Report by Andrew Day Arboricultural Consultancy dated 17th August 2018, in relation to the copper beech tree to the front covered by TPO 06/2006, shall be implemented in full prior to commencement of the development and be retained throughout construction unless otherwise agreed in writing with the local planning authority. The mitigation measures in relation to construction within the root protection area of TPO 06/2006 set out in this report shall also be implemented in full including supervision of works by a qualified arboriculturalist.

Reason: A pre commencement condition is justified to ensure the copper beech

tree to the south east corner of the site is adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

10 Prior to occupation of the dwellings hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to not more than 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the development and thereafter retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

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

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide(2009).

12 The development hereby approved shall be carried out in a manner to ensure the dwellinghouses comply with building regulation M4 (2) 'accessible and adaptable dwellings' before they are occupied.

Reason: To ensure the residential units hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework (2018), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

13 Construction Hours shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbours and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core

Strategy (2007) and Policy DM1 of the Development Management Document (2015).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives

01 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.

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.