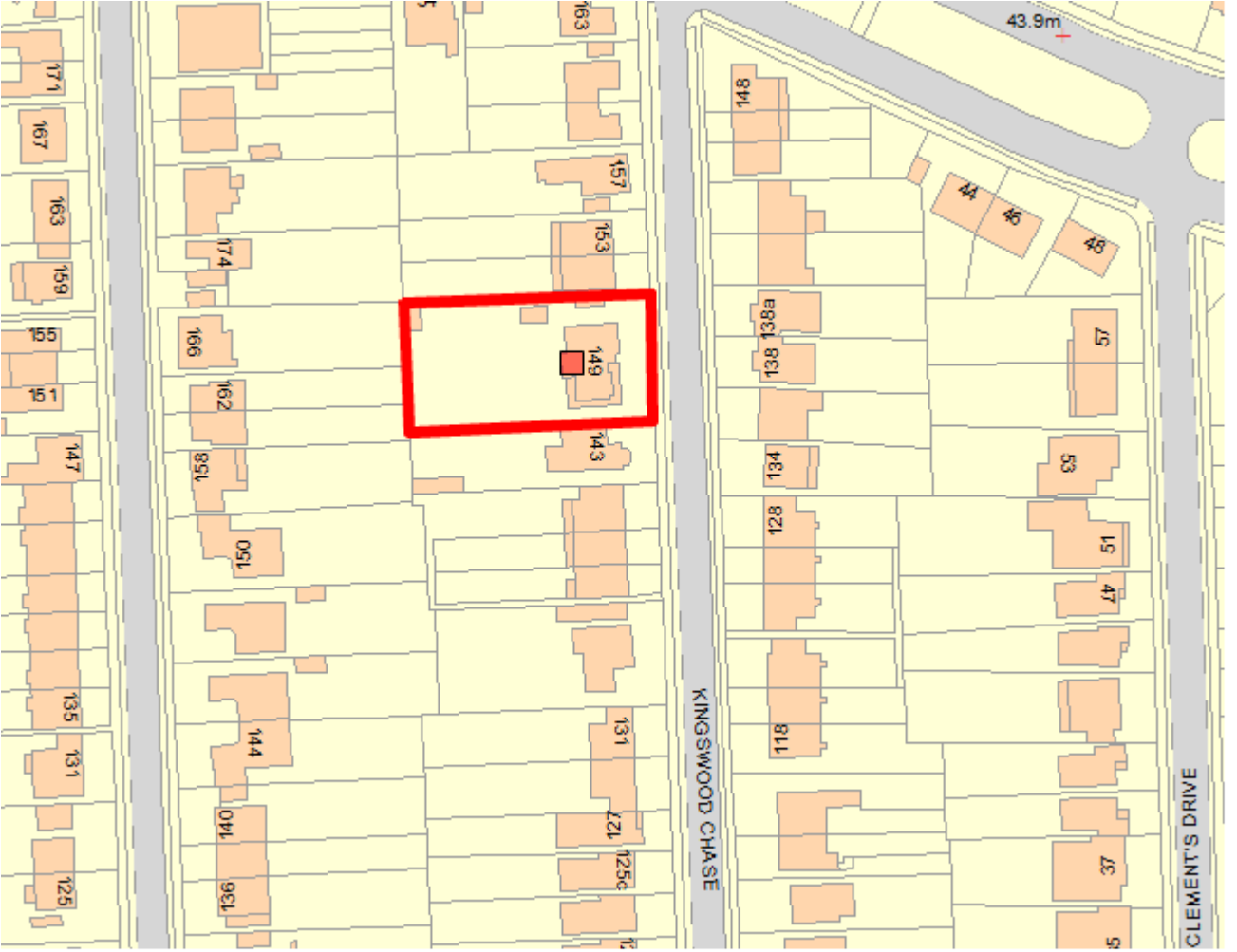


Reference:	18/01606/FUL	
Ward:	Belfairs	
Proposal:	Demolish existing dwelling, erect three 2 storey dwellinghouses with dormers to rear, layout parking to front and install vehicular accesses on to Kingswood Chase (Amended Proposal)	
Address:	149 Kingswood Chase Leigh-On-Sea	
Applicant:	Narrate Properties Limited	
Agent:	Smart Planning	
Consultation Expiry:	27.09.2018	
Expiry Date:	08.11.2018	
Case Officer:	Robert Lilburn	
Plan Nos:	17-151 0-001 revision A Location Plan 17-151 A 0-500 revision D Site Layout Plan 17-151 1-001 revision B Existing Plans and Elevations 17-151A 1-500 revision B Proposed Plans and Elevations Plot 1 17-151A 1-600 revision B Proposed Plans and Elevations Plots 2 & 3 17-151A 2-500 revision A Existing and Proposed Street Scenes	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 The application seeks planning permission to erect three dwellings; a detached four-bedroom (6 person) dwelling house (Plot 1) and a semi-detached pair of five-bedroom (8 person) dwelling houses (Plots 2 and 3). The development would take place following the demolition of the existing building.
- 1.2 The proposed buildings at Plots 2 and 3 would be two-storey with accommodation in the roof space. The roof space (second floor) accommodation would be facilitated by the use of roof lights to the front elevation and rear dormer windows. The proposed dwelling at Plot 1 would be two-storeys only; no accommodation is proposed in the roof space.
- 1.3 Each dwelling would have a single storey rear projection and a modest two-storey rear projection. The buildings at Plots 2 and 3 would have gable-ended dual-pitched roofs with two-storey gabled bays to the front. The proposed dwelling at Plot 1 would be a hipped, ridged roof, with a reduced ridge height, also with a two-storey gabled bay to the front. The buildings would be finished externally in brick. No further details of materials have been specified.
- 1.4 The development would include the provision of 2no. off-street car parking spaces per dwelling. These would be situated at the front of the buildings, and oriented perpendicular to the highway. Vehicular access would be made by widening an existing crossover at the north end of the site, and by forming two new crossovers in the middle and towards the south end of the site.
- 1.5 The submitted plans indicate that five trees and shrubs within the existing curtilage would have to be removed as part of the development.
- 1.6 The submitted plans state that the internal floor area of the dwellings at Plots 2 and 3 would measure some 188sqm. The two dwellings would each have five bedrooms. The internal floor area of the dwelling at Plot 1 would measure some 155sqm. The dwelling would have four bedrooms.
- 1.7 The schedule of accommodation for Plots 2 and 3 is as follows:
 - bedroom 1: 12sqm
 - bedroom 2: 9sqm
 - bedroom 3: 15sqm
 - bedroom 4: 8sqm
 - bedroom 5: 23sqm
- 1.8 The schedule of accommodation for Plot 1 is as follows:
 - bedroom 1: 12sqm
 - bedroom 2: 9sqm
 - bedroom 3: 14sqm
 - bedroom 4: 10sqm
- 1.9 No external cycle or bin storage arrangements have been shown on the submitted

plans. Boundary treatments have been shown on the submitted plans as 1m fences between the units and a 1m high wrought iron railing within the frontage.

1.10 The submitted plans refer to the existing building as a bungalow. The building has accommodation at the first floor and a two-storey element at the rear and is not therefore considered to fall within the definition of a bungalow. This has not prevented the accurate assessment of the proposal.

1.11 This application follows a previous application, 18/00719/FUL, to demolish the existing bungalow, erect three 2 storey dwelling houses with dormers to rear, layout parking to front and install vehicular accesses on to Kingswood Chase, which was refused for the following reasons:

“01. By virtue of its siting and design, the proposed development would create a stark and incongruous relationship with the neighbouring bungalow to the south, materially harming the appearance of the street scene and detracting from the quality of the area. This would be unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and guidance contained within the Southend-on-Sea Design and Townscape Guide (2009).

02. By virtue of its siting and design, the proposal would create a stark and unremitting area of car parking to the front of the buildings, together with the loss of a significant area of soft landscaping. This would be materially harmful to character and visual amenities of the street scene. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007) Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and guidance contained within the Southend-on-Sea Design and Townscape Guide (2009).

03. By virtue of the proposed width of vehicle crossovers, the proposal would be harmful to highway safety. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007) Policy DM15 of the Southend-on-Sea Development Management Document (2015) and guidance contained within the Southend-on-Sea Design and Townscape Guide (2009)”.

1.12 The key differences between the application under consideration and the refused application 18/00719/FULH are:

- The proposed dwelling at Plot 1 has been reconfigured from a gabled roof form to a hipped roof form, and the submitted plans show that the proposed ridge height has been reduced from 9.4m to 8.5m. As part of this a previously-proposed fifth bedroom has been deleted from Plot 1;
- The frontage hardstanding has been reduced in depth and width. Space of 4.9m depth and 2.4m width would be available for six parked cars (in three blocks of two) compared with the previously-proposed blocks of two spaces and four spaces, and dimensions of 5.7m and 2.9m per space;
- As a consequence of the reduced hardstanding depth and width, the

proposal has introduced a larger area of soft landscaping and boundary treatment in larger available spaces to soften the appearance of the frontage hardstanding and provide a landscaped setting to the buildings, with a landscaped strip in between increasing from 1.6m to 3.6m width and opportunity for planting in front of the buildings;

- The proposed dropped kerb vehicular crossings would be narrowed from the previously-proposed pair measuring 11.8m and 5.9m to a pair measuring some 9.7m and 4.9m.

2 Site and Surroundings

- 2.1 The application site is a domestic dwelling and garden. The proposal also includes the public highway to the front of the house to accommodate the proposed additional vehicular crossovers.
- 2.2 The existing building is a detached dwelling with accommodation at first floor, situated within a relatively large garden plot. It has a large hipped roof accommodating roof space rooms. It is finished externally in red roof tiles and white rendered walls, with exposed timber detailing.
- 2.3 The curtilage is defined by a low boundary wall to the front, within which is cut a single vehicular access and crossover to the north end of the plot. Within the curtilage is a substantial garden, comprising soft landscaping including modest shrubs and trees. There is a pair of semi-mature trees situated to the far rear end.
- 2.4 Kingswood Chase is a suburban residential area characterised by a mixture of detached and semi-detached dwellings. These are a combination of bungalows and two-storey buildings with both hipped and gabled roof forms.
- 2.5 The relationship of buildings including the configuration of roof forms, and their alignment on plan, together with the prevailing presence of intact landscaped front gardens, boundary walls and street trees, creates a relatively cohesive and pleasing street scene.
- 2.6 The site is not specifically identified on the policies and proposals map of the Development Management Document. It is not within a conservation area and no heritage assets are affected. The site is located within Flood Zone 1.

3 Planning Considerations

- 3.1 The main planning considerations in this case are: the principle of development, design quality and impact on surrounding area, amenities of neighbouring occupiers, living conditions of future occupiers, car parking arrangements/transport considerations and CIL.

4 Appraisal

Principle of Development

National Planning Policy Framework (2018), Policies KP1, KP2, CP3, CP4 and CP8 of the Core Strategy (2007), Policies DM1, DM2, DM3, DM8 and DM15 of the Development Management Document (2015) and guidance contained

within the Design and Townscape Guide (2009)

- 4.1 This proposal is considered in the context of the National Planning Policy Framework, Core Strategy and the Development Management Document, and the Design and Townscape Guide.
- 4.2 Government guidance contained within the National Planning Policy Framework (NPPF) encourages effective use of land (para.8) in particular previously developed land (para.117).
- 4.3 Core Strategy (2007) Policies KP1, KP2 and CP4 seek to promote sustainable patterns of development, and Policy KP2 (Development Principles) seeks to direct the siting of development through a sequential approach, minimising the use of 'greenfield' land. Policy CP4 seeks the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend.
- 4.4 Policy DM3 of the Development Management Document (2015) seeks the efficient and effective use of land, provided it responds positively to local context and does not lead to over-intensification. Policy DM8 of the Development Management Document provides for additional dwellings in the Borough but seeks to resist the loss of existing valuable residential resources.
- 4.5 As part of its Strategic Housing Land Availability Assessment (SHLAA) 2017 update, the Council has published information on its potential housing supply (5 year supply of housing plus an additional 5% buffer as required by the NPPF). This demonstrates that the Council has an 8 year housing land supply against its adopted targets and therefore, meets the requirements of the NPPF in terms of housing delivery. Thus the authority is able to meet its housing needs targets without recourse to allowing development which would otherwise be unacceptable.
- 4.6 The site is located within the built-up area and in reasonable proximity to services and transport links. This is a relatively sustainable location for development which conforms to the prevailing land use around it. The development would add to the supply of dwellings.
- 4.7 As the development would be situated predominantly on the foot print of the existing building, which would be demolished, it would primarily occupy previously developed land. It would therefore be a sequentially preferable site for the development.
- 4.8 The proposal for dwellings at the site is therefore acceptable in principle subject to detailed considerations which are discussed below.

Design and Impact on the Character of the Area

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

- 4.9 The National Planning Policy Framework requires new development to respond positively to its surroundings.

- 4.10 Paragraph 127 of the NPPF states that local planning authorities should aim to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 4.11 Paragraph 130 of the NPPF states that *“permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”*.
- 4.12 Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and to complement local character.
- 4.13 Policy DM1 states that development should add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features. It should contribute positively to the space between buildings and their relationship to the public realm.
- 4.14 Policy DM3 states that the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification.
- 4.15 The Design and Townscape Guide notes at paragraph 92 (section 4) that in areas of varied scale, such as the site surroundings, the lack of regularity is a positive defining characteristic. New development should take reference from its surroundings, respond positively and integrate appropriately by respecting the characteristics of its context. This may include smoothing the transition between adjacent buildings of different heights.
- 4.16 The Guide states the importance of a cohesive local character and at paragraph 200 (section 5) comments that *“piecemeal development of gardens in areas of strong uniform character would disrupt the grain of development and will be considered unacceptable. In exceptional cases, where the local character is more informal and where there are no issues of space and overlooking, subdivision of existing garden areas may be acceptable in principle”*.
- 4.17 At paragraphs 166-169 (section 4) the Guide seeks to discourage the use of frontage parking. Open frontages and total loss of front gardens to parking will be considered unacceptable. 169. Where considered acceptable in principle, whatever the size of scheme, only a small proportion of the frontage should be given over to parking.
- 4.18 The layout of the proposed dwellings would correspond appropriately to the general grain of development in the area. The proposal would be a comprehensive redevelopment of the site and thus would not be a piecemeal development of gardens. The scale and proportions of the proposed dwellings would not be inconsistent with the surrounding buildings in general. Their height and alignment would be broadly similar to the neighbouring two-storey buildings.

- 4.19 The revised roof form of Plot 1 in close proximity to the modest bungalow at no.143 would allow for a more graded transition between the bungalow and the proposed development. Elsewhere in the street there is a gentle relief transitioning between bungalows and two-storey buildings, formed by the spaces between buildings and intervening single-storey elements. It lends the proposal a degree of sympathy with the positive aspects of the street scene and is found to be acceptable on balance.
- 4.20 The detailed design of the dwellings would be appropriate, in configuration of windows, roof form, use of bays and rear dormers for example. The use of brick is not unprecedented in the street scene and the details shown are not objected to. Details of materials can be required as a condition of any planning permission.
- 4.21 An appropriate amount of rear garden area would remain following the development. The trees and shrubs shown to be removed are not significant contributors to the visual amenities of the area and would not represent a reason for objection to the scheme. However, in the event of approval the retention of some individuals can be sought where appropriate through a landscaping scheme.
- 4.22 The proposal involves the loss of the front garden and a substantial element of frontage car parking. It is acknowledged that many of the houses on Kingswood Chase have had their front gardens paved over to a large extent, and some boundary walls have been removed or in the case of a newer development nearby may not have existed.
- 4.23 The prevailing form is one where a general definition of boundaries exists, contributing to a cohesive appearance, and where the street scene is relatively green as a result of the retention or partial retention of front gardens. The proposal would incorporate a reasonable degree of soft landscaping to the frontage, and this would outweigh to an extent the loss of grass verge within the highway, on balance.
- 4.24 The proposed use of smaller areas of hard standing, together with planting and fencing within the frontage, would soften the appearance of the development in the street scene. On balance the proposal would maintain the general cohesiveness and visual amenities of the street scene with a sufficient quantity and quality of frontage landscaping. While the proportion of frontage given over to parking would not be small, it would be appropriately landscaped and most importantly would be consistent with the general characteristics of the surroundings, to form a setting to the buildings.
- 4.25 On balance, the proposals are considered acceptable and policy-compliant in regard to character and appearance of the site, surroundings and the street scene. The proposal is considered to have overcome the earlier reasons for refusal in this respect.

Impact on Residential Amenity

National Planning Policy Framework (2018), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009)

- 4.26 Paragraphs 124 and 127 of the National Planning Policy Framework seek to secure high quality design and a good standard of amenity for all existing and future

occupants of land and buildings.

- 4.27 Policy KP2 of the Core Strategy seeks to secure improvements to the urban environment through quality design. Policy CP4 seeks to maintain and enhance the amenities, appeal and character of residential areas.
- 4.28 Policies DM1 and DM3 of the Development Management Document seek to support sustainable development which is appropriate in its setting, and that protects the amenity of the site, immediate neighbours, and surrounding area, having regard to matters including privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight”.
- 4.29 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”* and that *“extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties”*.
- 4.30 The submitted plans show that the proposed buildings would be aligned with neighbours at the front, as at present, but would project an approximate additional 7m rearwards beyond the footprint of the existing building.
- 4.31 The submitted plans indicate that the development would project an approximate additional 5.4m beyond the rear plane of no.151 and approximately an additional 3m beyond the main rear elevation of no.143. The rearmost 2.4m portion of this projection would be formed of the proposed single storey element while the first portion in each case would be formed the two-storey main body of the proposed buildings.
- 4.32 The buildings would be set approximately 1m away from no.143 to the south and approximately 1.9m away from no.151 to the north. Each neighbouring building appears to have habitable room windows (French doors) to the rear elevation adjacent to the application site.
- 4.33 The submitted proposed layout plan shows that there would be an approximate 3m deep single storey projection beyond the rear face of no.143. This would be considered not to have a material detrimental effect on occupiers in terms of being visually overbearing or causing a reduction in daylight levels. Being situated to the north there would not be a significant overshadowing impact. The proposal does not include windows on the upper side walls (only those at the front bay windows and a ground floor side door and hallway window) and given their position there would not be a material increase in direct overlooking; the rear upper floor windows and dormers would allow further views down the gardens and oblique sideways views however this would not be considered materially harmful in terms of overlooking towards neighbouring occupiers.
- 4.34 The submitted plans show that the proposed building at Plot 3 would project 3m at two storeys beyond the rear plane of the main body of no.151 to the north. It would then project between 2m and 3m at single storey beyond the single storey rear extension at no.151. The nearest upper floor rear windows at no.151 appear to serve bathrooms. Given the 1.9m separation between the buildings, and the

relative configuration of two-storey and single-storey elements at each, together with the modest relative rear extent of the proposal and the presence of an existing outbuilding close to the boundary with no.151, it is considered that the effect would not be visually overbearing and would not lead to a significant loss of daylight to no.151. There would be an increase in overshadowing, however this would be slight due to the orientation of the application site to the immediate south of no.151 and would not justify a refusal of planning permission.

- 4.35 The side windows at no.151 appear to be secondary windows and light sources for stairs and non-habitable spaces. The proximity of the proposed north-facing gable wall is considered therefore not to be likely to lead to a materially harmful impact in terms of loss of outlook or loss of light.
- 4.36 The proposed buildings would not include any windows on the upper side walls and given their position there would not be a material increase in overlooking.
- 4.37 The proposal would introduce a degree of additional activity involving comings and goings in close proximity to dwellings, by intensifying the use of the site for three dwellings as opposed to one dwelling at present. This might cause some limited additional noise disturbance in general. In the built-up context of the site it is considered that the small number of additional occupiers would not be likely to result in significant additional noise – from within the buildings or from comings and goings –which might affect nearby residents to a degree that would cause material harm.
- 4.38 It is considered that the development would maintain neighbour amenities to a reasonable degree in all relevant regards. The proposals are considered acceptable and policy-compliant in this regard.

**Living Conditions for Future Occupiers
National Planning Policy Framework (2018), Development Management Document (2015) Policy DM8, The National Technical Housing Standards (2015) and the Design and Townscape Guide (2009)**

- 4.39 Policy DM8 states that the internal environment of all new dwellings must be high quality and flexible to meet the changing needs of residents.
- 4.40 Further to this, from the 1st October 2015 the National Housing Standards have been adopted and state that 106sqm internal floorspace is required per four-bedroom (6 person) two storey dwelling house (Plot 1), and 134sqm is required per five-bedroom (8 person) three storey dwelling house (Plots 2 and 3), to ensure the development is in line with building control requirements.
- 4.41 The proposed floorspaces would be some 155sqm for Plot 1 and 188sqm for Plots 2 and 3, and as such the proposal complies with the standards. The room sizes shown are compliant with the standards. Each room would have suitable daylight, outlook and ventilation arrangements.
- 4.42 Part M4(2) of the Building Regulations adopted by the National Technical Housing Standards 1st October 2015 requires the need to provide adaptable and accessible dwellings. Details have been supplied to demonstrate that the dwelling would be accessible and adaptable for all, further to the National Planning Policy Framework,

Development Management Document (2015) Policy DM8 and the National Technical Housing Standards 2015.

- 4.43 One of the core planning principles of the National Planning Policy Framework is that the planning system should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”. Policy DM8 of the Development Management Document states that all new dwellings must make provision for usable private outdoor amenity space for the enjoyment of intended occupiers.
- 4.44 The Council’s Design and Townscape Guide states that “Outdoor space significantly enhances the quality of life for residents and an attractive useable garden area is an essential element of any new residential development”.
- 4.45 The proposed rear garden area would be acceptable for occupiers use in this instance. Bin storage and cycle storage details could be required as a condition of any planning permission, as there is ample space within each proposed curtilage for suitable arrangements. The proposals are considered acceptable and policy-compliant in regard to living conditions.

Traffic and Transport Issues

National Planning Policy Framework (2018), Policies KP2 and CP3 of the Core Strategy (2007), Policy DM15 of the Development Management Document (2015) and guidance contained within the Design and Townscape Guide (2009)

- 4.46 Policy DM15 of the Development Management Document and Policy CP3 of the Core Strategy seek to maintain highway safety for all users.
- 4.47 Policy DM15 states that dwelling houses should have at least two parking spaces. The Council’s Vehicle Crossing Policy and Application Guidance is also a material consideration and specifies minimum car parking space sizes of 2.4m x 4.8m and dropped kerb specifications for the public highway.
- 4.48 Two parking spaces of dimensions in accordance with the prescribed minimum are proposed to the front of each dwelling. This quantum of off-street parking is acceptable, further to the above policies and the parking standards appended thereto.
- 4.49 The proposal includes three vehicular crossings of a maximum width of 4.8m; these have been revised further to Highways comments. These dimensions are consistent with the maximum crossing width specified.
- 4.50 While the crossings would reduce on-street parking opportunities, they would provide a standard of parking commensurate with the quantum of development proposed.
- 4.51 Details of appropriate surfacing and boundary treatments can be secured through a condition of planning permission. Taking account all material considerations, the proposals are considered acceptable and in accordance with the objectives of development plan policies in this regard, overcoming the earlier reason for refusal.

Sustainable Construction

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

- 4.52 Policy KP2 of the Core Strategy states that *“All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in SPD 1 Design and Townscape Guide”*.
- 4.53 No details of renewable energy have been provided within this formal submission. However a suitable condition could be imposed to ensure the proposal complies with Policy KP2 of the Core Strategy; this issue could be satisfactorily controlled by a condition.
- 4.54 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. These can be secured through the use of conditions.

Community Infrastructure Levy

CIL Charging Schedule 2015

- 4.55 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 343sqm, which may equate to a CIL charge of approximately £4743 (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.

5 Conclusion

- 5.1 Having taken all material planning considerations into account, on balance, it is found that the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The development would be consistent with the prevailing character of the surroundings, on balance, and would not materially harm the amenities of neighbouring occupiers. It would be capable of providing a reasonable standard of accommodation and the proposed access and parking arrangements would be acceptable. The application has overcome the earlier reasons for refusal is therefore recommended for approval subject to conditions.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (2018)
- 6.2 Core Strategy 2007: KP1 (Spatial Strategy) KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance) and CP8 (Dwelling provision).
- 6.3 Development Management Document 2015: DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources, DM3 (The Efficient and Effective Use of Land), DM8 (Residential standards) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

7 Representation Summary

Highways

- 7.1 Former highway objection to this proposal due to the maximum width for a vehicle crossover exceeding the stipulated policy. The applicant has changed the proposal to ensure the scheme complies with the vehicle crossover policy.
- 7.2 Consideration has been given to the objections that have been raised by local residents. The potential increase in vehicular trips associated with the proposal when compared with the existing use is negligible. It is not considered that the proposal will have a detrimental impact on the local highway network and the surrounding area.

Environmental Health

- 7.3 During the construction/demolition phase, there is a potential to disturb or identify contamination on site, in addition noise issues which may arise, which can give rise to some public health issues. Therefore the following conditions are to be attached:

01.No development (including site clearance, demolition etc.) shall take place until a detailed assessment of how each and every part of the site has been used in the past and the potential risk of contamination has been carried out and a written report of the assessment in the form of a Phase 1 (contaminated land assessment) report submitted to the LPA for approval. The report shall contain details of the investigation, including detailed description of the extent, scale and nature of contamination (whether it originates from the site or not), an assessment of risks to potential receptors (as outlined in DEFRA Contaminated Land Statutory Guidance), a conceptual site model (devised in the desktop study), and all pollutant linkages. The assessment must be undertaken by a competent person as stipulated in the National Planning Policy Framework, Annex 2 and in accordance with BS10175:2011 (Investigation of potentially contaminated sites – Code of Practice) and the Environment Agency/DEFRA 'Model Procedures for the Management of Land Contamination - CLR 11.

Reason - To ensure that risks from land contamination to the future users of

the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

02. A full asbestos survey shall be carried out by a suitably qualified person on the building(s) to be demolished. Any asbestos containing material (ACM) must be removed and disposed off-site to a facility licenced by the Environment Agency. A waste transfer certificate must be submitted to the local planning authority prior to development commencing.
03. During the demolition and construction, noise and vibration issues may arise which could lead to the hours of work being restricted. Demolition and construction hours are therefore restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday. No demolition or construction shall be carried out on Sundays or Bank Holidays.
04. Full details of mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the works must be submitted in writing for approval by the local planning authority prior to demolition or construction commencing, taking into consideration control measures detailed in *Best Practice Guidance "The control of dust and emissions from construction and demolition"*.
05. There shall be no burning of waste materials on the site during the construction and demolition given the site's proximity to other properties.

[Officer comment: in the context of the scale and character of the development conditions requested at points 2, 4 and 5 would not meet the six tests for planning conditions as set out in planning practice guidance].

7.4 Recommended informatives:

01. The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.

Public Consultation

- 7.5 27 neighbours were notified of the proposal and a site notice was posted. Twenty letters of representation have been received, stating the following concerns:

- Harm to neighbour amenity;
- Amendments have not been sufficient since last application which was refused;
- The other larger crossovers and car parking do not justify similar ones now, which would be unsightly and dangerous [**officer comment: revised plans have been submitted which address this issue**];
- Overdevelopment of the plot;
- Several similar proposals have led to an increase in population and

vehicle usage in the street, and changed the character and aesthetics of the street;

- Location plan is out of date [**officer comment: the applicant has updated this plan**];
- The frontage of the plot is not much wider than that of no.138;
- Loss of garden with consequent effects on drainage and wildlife [**officer comment: the total built form would not be significantly greater than the existing footprint, with the exception of the hardstandings for which permeable surfacing would be expected. Details of hardstanding surfaces can be required as a condition of planning permission**];
- Added strain on sewers and drains as up to 28 occupiers possible date [**officer comment: the total proposed bed spaces is 22**];
- The proposal will cause a loss of light to neighbouring properties and those opposite;
- The proposal will cause a loss of privacy to neighbouring properties;
- The proposal will cause a sense of enclosure to neighbouring properties;
- One dwelling would be 7m longer than rear threshold of neighbour [**officer comment: this appearance has arisen due to the initial submission of an out of date base OS plan and would not be the case with the proposal, as demonstrated on the updated, amended layout plan**];
- The proposal will prevent maintenance of flank wall of no.151 neighbouring property;
- Proposed dwellings overbearing in street and on neighbours, this effect and effects on daylight and privacy worsened by the upward slope of the road;
- Effect of crossovers on roadside parking;
- Inadequate parking and harm to highway safety;
- Road safety effects as occupants likely to have more than two cars and the street is a narrow 'rat run', as well as generating additional traffic;
- Proposal is loss of another bungalow [**officer comment: the building is not a bungalow**];
- Proposal is overbearing and unsympathetic to the area, environment and community;
- Loss of gardens and trees have made the street less attractive over the years;
- Dwellings could have permitted development rights to extend further, further harming neighbour amenities [**officer comment: permitted development rights may be removed as a condition of planning permission given the proposal would be introducing a new built form**];
- Projecting window at no.151 is not taken into account on the plans, and the proposed Plot 3 is too close [**officer comment: this relates to an oriel style window, that it projects does not materially alter the impact of the development to that side of the building**];
- Loss of roadside parking will create stress for residents especially impacting older residents;
- Parking congestion and narrow street lead to pavement parking affecting ability of pushchair and wheel chair users to use the pavement;
- Proposed demolition would lead to loss of history for profit [**officer**

comment: the site is not a heritage asset];

- Proposals are virtually unchanged from earlier application and may be an attempt to wear down the planners;
- A maximum of two houses would be acceptable at this location;
- Plans do not accurately show no.138 and no.138a and give impression that street is less built-up than it now is;
- Development would project above the ridge line [**officer comment: the submitted plans show a maximum ridge height above the existing building but lower than neighbouring no.151 to the north**];
- Proposed houses should have fewer bedrooms to reduce likelihood of 'overflow' on street parking;
- Driveways should be used to accommodate additional parking within the site;
- Proposals are harmful to character and appearance of site and area;
- Proposals will lead to noise nuisance from occupiers and associated traffic;
- Oppressive scale of buildings;
- Design is out of keeping and unacceptable;
- Large family housing will lead to demand for more than two cars at certain times especially when children become older;
- This is just a money-making exercise;
- Flooding risk from runoff from new hardstandings;
- Risks from construction traffic and builders' parking;
- Unreasonably high density and inappropriate scale;
- Previous owner wished the dwelling to be sold to a family;
- Proposal would be cramped and overbearing;
- Junction at Blenheim Chase is awkward and together with speeding and rat running the development would add to pressure on highways;
- Existing developments in the street have impacted on the highway;
- Numerous near misses and damage to parked cars, as well as damage to the pavement and verges caused by passing cars and other vehicles;
- Highway pressures in an area of family housing risking danger to vulnerable pedestrians including school children;
- The dwellings would not be affordable or suit first time buyers;
- The small amount of greenery proposed around the parking areas would not compensate for loss of the front garden and verge;

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

8 Relevant Planning History

8.1 18/00719/FUL: Demolish existing bungalow, erect three 2 storey dwelling houses with dormers to rear, layout parking to front and install vehicular accesses on to Kingswood Chase. Refused.

9 Recommendation

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

01.The development hereby permitted shall begin not later than three

years from the date of this decision.

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

- 02.** The development hereby permitted shall be carried out in accordance with the following approved plans: 17-151 0-001 revision A Location Plan, 17-151 A 0-500 revision D Site Layout Plan, 17-151 1-001 revision B Existing Plans and Elevations, 17-151A 1-500 revision B Proposed Plans and Elevations Plot 1, 17-151A 1-600 revision B Proposed Plans and Elevations Plots 2 & 3, 17-151A 2-500 revision A Existing and Proposed Street Scenes.

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

- 03.** Notwithstanding the details shown on the approved plans, no development other than demolition and construction up to ground floor slab level shall take place until samples and specifications of the materials to be used on all the external elevations of the development 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: In the interests of visual amenity and to ensure that the appearance of the buildings makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 04.** The development hereby approved shall not be occupied unless and until plans and details have been submitted to the Local Planning Authority and approved in writing which specify details of all boundary treatments. The approved details shall be implemented prior to occupation as part of the development and shall be permanently retained thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 05.** No development other than demolition and site preparation works 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. pedestrian access and circulation areas;
- ii. hard surfacing materials;
- iii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- iv. details of measures to enhance biodiversity within the site;
- v. details of any permeable paving or other sustainable drainage measures to be implemented.

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 and the amenities of occupiers and to ensure a satisfactory standard of landscaping and drainage is implemented pursuant to Policy DM1 of the Development Management Document and Policy CP4 of the Core Strategy.

06. Notwithstanding the provisions of Classes A, B, D, E and F of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory amendment, modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or outbuildings shall be erected at the building hereby approved without the receipt of express planning permission.

Reason: To safeguard the amenity of neighbours and the character and appearance of the surrounding area in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM6 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

07. Prior to the occupation of the dwellings hereby approved, details of secure cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided at the site prior to the first occupation of the dwelling hereby approved and retained as such in perpetuity.

Reason: To provide suitable storage for cycles in accordance with the National Planning Policy Framework (NPPF), Policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2007) and Policy DM15 of the Southend-on-Sea Development Management Document (2015).

08. The development hereby approved shall be carried out in a manner to

ensure it complies appropriately with Building Regulation M4 (2) 'accessible and adaptable dwellings' before it is occupied.

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 the National Planning Policy Framework, Policy KP2 of the Southend-on-Sea Core Strategy (2007), Policy DM2 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 09.** A scheme detailing how at least 10% of the total energy needs of the buildings will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to first occupation. 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 Southend-on-Sea Core Strategy (2007), and Policy DM2 of the Southend-on-Sea Development Management Document (2015).

- 10.** The development hereby approved shall incorporate 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.

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

- 11.** Construction hours for the development hereby approved shall be restricted to 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect the environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 12.** (a) Prior to commencement of development, a site investigation of the nature and extent of any land contamination present shall be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority.

(b) The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any construction begins. The site shall be remediated in accordance with the approved remediation measures before the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

(c) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and these shall be fully implemented before the site is occupied.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Policy KP2 of the Southend-on-Sea Core Strategy (2007), and Policies DM1 and DM14 of the Southend-on-Sea 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.

10 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. The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.
03. 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.