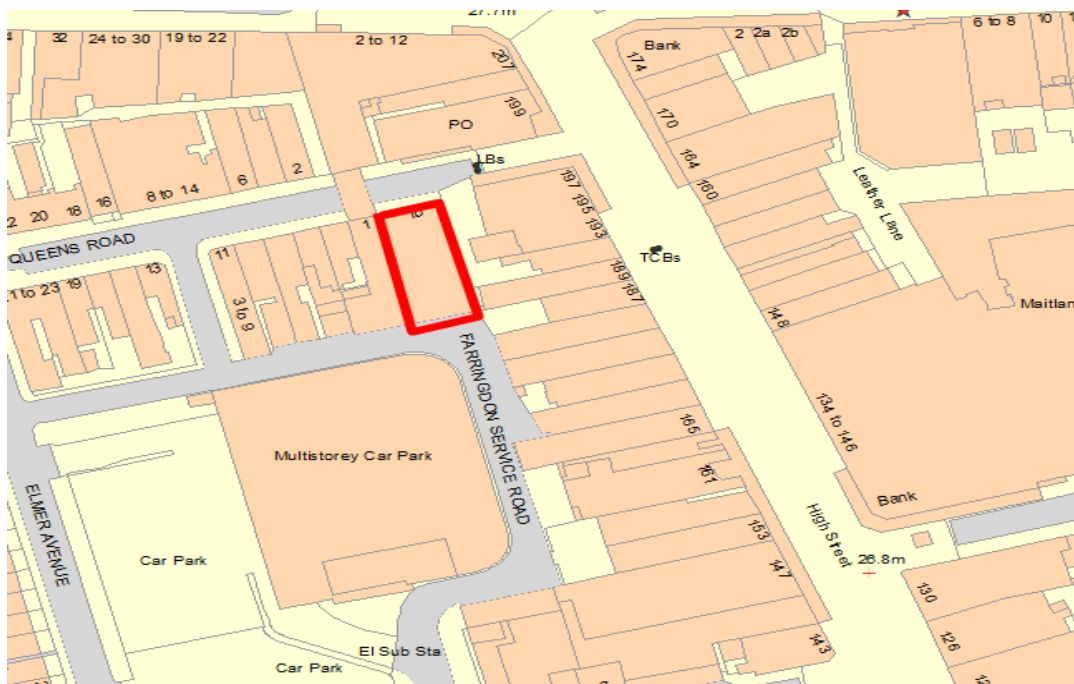


Reference:	18/01142/FUL	
Ward	Milton	
Proposal:	Change of use of first floor Social Club (Class D1) to form 5 self-contained flats (Class C3) with juliet balconies, erect additional floor to form 4 self-contained flats (Class C3) with terraces/privacy screens and provide secure cycle parking and refuse storage	
Address:	1B Queens Road, Southend-On-Sea, Essex	
Applicant:	Eaglelink Investments Ltd	
Agent:	SMB Town Planning Ltd	
Consultation Expiry:	26.07.2018	
Expiry Date:	10.10.2018	
Case Officer:	Kara Elliott	
Plan No's:	305, 350, 351, 155, 301, 157, 355, 356, 357, 300, 100, 101/0, 153, 150, 200/C, 151, 201/D, 202/B, 152, 203, 156	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 The Proposal

- 1.1 Planning permission is sought to convert the existing first floor social club (D1) to five flats and to erect a second storey extension containing four flats.
- 1.2 The proposal includes;
- 1.3 First floor: Conversion of D1 to C3 (5 flats);
- Flat 1: 2 bedroom, 3 person flat measuring 61sqm
 - Flat 2: 1 bedroom, 2 person flat measuring 56sqm
 - Flat 3: 2 bedroom, 3 person flat measuring 66sqm
 - Flat 4: 1 bedroom, 2 person flat measuring 50sqm
 - Flat 5: 1 bedroom, 1 person flat measuring 43.5sqm
- 1.4 Second floor: 4 flats;
- Flat 6: 1 bedroom, 2 person flat measuring 50sqm (4.3sqm balcony)
 - Flat 7: 1 bedroom, 2 person flat measuring 50sqm (6.4sqm balcony)
 - Flat 8: 1 bedroom, 2 person flat measuring 53sqm (6.4sqm balcony)
 - Flat 9: 2 bedroom, 4 person flat measuring 82sqm (7.8sqm balcony)
- 1.5 Two pedestrian accesses are provided, one at the front from Queens Road (providing access to flats 1, 2, 3, 6 and 7) and one to the rear (providing access to flats 4, 5, 8 and 9). Flats 6, 7, 8 and 9 would each benefit from a small recessed terrace/balcony located at the east side elevation at second storey. The average size of these areas is 6.2 square metres.
- 1.6 Refuse and recycling storage is provided at the rear of the site with two secure bin stores as well as a small lockable store for bulky items awaiting collection. A secure cycle store is provided at the rear of the site for the storage of three bikes. An additional six cycle parking spaces are provided internally within the lobby of the Queens Road entrance. No vehicular parking is provided for the development.
- 1.7 In terms of external alterations, two windows to the existing front and rear first floor elevations are proposed to become Juliet balconies (both end windows). In addition, two of the existing first floor side windows are proposed to be Juliet balconies.
- 1.8 The second floor flat roof extension would reach a total height of approximately 11 metres from ground level (approximately 2.6 metres higher than existing) and would be finished in brown/red coloured vertical cladding. The addition would have two windows to the front elevation and three to the rear with four recessed balconies to the side elevation.

2 Site and Surroundings

- 2.1 The application site relates to a two storey building (ground floor retail toy shop with basement storage and first floor D1 social club; formerly offices) located on the south side of Queens Road within the Town Centre. The site is situated close to the pedestrianised high street and amounts to approximately 0.38 hectares.
- 2.2 The building has its frontage on Queens Road with the rear of the site overlooking

Farringdon Service Road. The accesses are already located on each of these roads. The east elevation is located next to an access road to properties at the rear of 191 to 197 High Street. This access is gated at the northern boundary of no.193 High Street.

- 2.3 The surrounding area is made up of slighter taller development located next to the building; of three stories. The surrounding area is characterised by commercial premises, including shops and restaurants, with some residential units above some of the commercial buildings.
- 2.4 The site is located within the Town Centre Secondary Shopping Area.
- 2.5 In terms of planning history, retrospective planning permission was granted in May 2017 for the change of use of the first floor from offices (B1) to a D1 social club/day centre.

3 Planning Considerations

- 3.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, living conditions for future occupiers, impact on neighbouring properties, any traffic and transport issues, sustainability and CIL.

4 Appraisal

Principle of the Development

National Planning Policy Framework (NPPF) (2018); Core Strategy (2007) Policies KP1, KP2, CP1, CP2, CP4, CP6, CP7 and CP8; Policies DM1, DM3, DM7, DM8 and DM15 of the Development Management Document (2015), Southend Central Area Action Plan (SCAAP) (2018) Policies DS1 and PA1 and the Design and Townscape Guide (2009)

- 4.1 Policy CP8 of the Core Strategy identifies that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough.
- 4.2 Policy KP2 of the Core Strategy requires that; *“all new development contributes to economic, social, physical and environmental regeneration in a sustainable way”*. Policy CP8 of the Core Strategy identifies the need of 6,500 homes to be delivered within the whole Borough between 2001 and 2021 and Policy KP1 of the Core Strategy identifies Southend Town Centre and Centre Area as the primary focus of regeneration and growth with 6,500 new jobs and at least 2,000 additional homes to be provided within this area between 2001 and 2021.
- 4.3 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.”*
- 4.4 Policy DS1 of the SCAAP states that; *‘Proposals for the use of upper floors in*

shopping frontages for retail, residential, leisure, office or other complementary uses which help to maintain or enhance the character and vitality of the centre will be supported' and that, 'Delivering new homes within Southend Central Area, including residential above ground floor commercial, will contribute to creating sustainable communities that will add critical mass to support the vitality and vibrancy of the town centre, throughout the day and evening economy.'

- 4.5 Paragraph 85(f) of the NPPF states that planning should '*recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.*'
- 4.6 It is considered that the proposal to convert and extend the upper floors to provide 9 residential units would accord with National and Local Planning Policy which recognises that the residential use of upper floors in Town Centres can enhance the vitality of the Town Centre.
- 4.7 The redevelopment of the site would also result in the more efficient use of the site and includes a mixture of unit sizes from a one bedroom, one person unit to a two bedroom, four person unit.
- 4.8 Furthermore, the loss of the D1 use is not objected too considering the significant offering of leisure uses within the town centre and surrounding and considering its minimal size.
- 4.9 The site has a secondary shopping frontage with the ground floor retaining its retail use at ground floor.
- 4.10 The NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (paragraph 59).
- 4.11 Policy DM7 of the Development Management Document states that all residential development is expected to provide a dwelling mix that incorporates a range of dwelling types and bedroom sizes, including family housing on appropriate sites, to reflect the Borough's housing need and housing demand. The Council seeks to promote a mix of dwellings types and sizes as detailed below. The relevant dwelling mixes required by the abovementioned policy and proposed by this application are shown in the table below;

Dwelling size:	1-bed	2-bed	3-bed	4-bed
No bedrooms				
Policy Position (Market Housing)	9%	22%	49%	20%
Proposed	66.6%	33.3%	0%	0%

- 4.12 It is considered that the units proposed incorporate a good mix of units which are

typical of town centre development. The proposed dwelling mix is considered to be in accordance with the context of the proposed development being of a conversion of an existing building and the constraints of the site.

- 4.13 Paragraph 59 of the National Planning Policy Framework (2018) states that *'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'*. Therefore, on balance, in this particular instance, the dwelling mix as proposed, whilst not strictly in accordance with policy DM7, taking into account the abovementioned factors, the market trend in the area and the fact that it is a small scheme i.e. 9 units, is considered adequate.
- 4.14 As such it is considered that the proposal is acceptable in principle as it would accord with National and Local Planning Policy, subject to compliance with the other material considerations discussed below.

Design and Impact on the Character of the Area

National Planning Policy Framework (NPPF); Core Strategy (2007) Policies KP2 and CP4; Policies DM1 and DM3 of the Development Management Document (2015), Southend Central Area Action Plan (SCAAP) (2018) Policies DS1 and PA1 and the guidance contained within the Design & Townscape Guide (2009)

- 4.15 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that *"the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."*
- 4.16 Paragraph 124 of the NPPF states that; *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."*
- 4.17 Policy DM1 of the Development Management Document states that all development should *"add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features"*.
- 4.18 Policy KP2 of the Core Strategy states that new development should *"respect the character and scale of the existing neighbourhood where appropriate"*. Policy CP4 of the Core Strategy requires that development proposals should *"maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development"*.

- 4.19 Policy PA1 of the SCAAP supports *'mixed-use development with active ground floor frontages...public realm improvements...maintain and improve the High Street as a public space for pedestrians by providing quality landscaping, green walls and roofs, tree planting, improved lighting and integrated signage, in order to create an attractive, coordinated public realm...'*
- 4.20 In terms of size, scale and mass, the proposed second storey addition would result in a building of a similar height of surrounding built form and due to its minimal size and design is considered to appear as a subservient addition which would not dominate the character and appearance of the building or the wider area. In addition, its simplistic design and the retention of the existing detailing of the roof of the building appears in keeping and represents a low-impact additional storey. The scale, size, bulk and appearance of the development would therefore be in-keeping with the surrounding area and would not result in any material harm to the character or appearance of the area.
- 4.21 The proposed use of vertical brown/red cladding is not currently observed at the existing building but due to its sympathetic colouring and in consideration of the wide range of materials used within the vicinity of the site, it is not considered to result in demonstrable harm to the character and appearance of the building or the wider area.
- 4.22 In terms of detailing, the replacement of some of the existing windows with Juliet balconies to the first floor is considered acceptable to result in a minor shift to a more residential appearance. However, this is not considered to result in material harm and the building would still appear consistent with its surroundings and is therefore considered acceptable. The general arrangement of fenestration is considered acceptable and proposed new openings are considered to appear consistent with the existing building.
- 4.23 Furthermore, the proposed terraces to the side of the building at second storey are considered acceptable due to their recessed position not protruding from the building line, their siting to the side of the building which does not have clear views from the street and the use of discreet privacy screening.
- 4.24 The rear of the site proposes bin and bike stores which provide suitable storage solutions which would not result in any material harm to the character or appearance of the area. The rear of the site is located within Farringdon Service Road which is characterised by its 'back of house' appearance where refuse storage and service accesses are present and there is an absence of principle elevations.
- 4.25 Subject to conditions, the proposal is considered Policy compliant in this respect and no objection is raised to the design of the development and it is considered that the proposal would result in no adverse harm to the character and appearance of the wider surrounding area.

Living Conditions for Future Occupiers

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2, CP4 and CP8; Policy DM8 of the Development Management Document (2015), the Design and Townscape Guide and the National Housing

Standards

- 4.26 Delivering high quality homes is one of the Government's requirements according to the NPPF. From the 1st October 2015 Policy DM8 of the Development Management Document has been superseded by the National Housing Standards regarding the minimum internal floorspace standards.
- 4.27 Paragraph 127 of the National Planning Policy Framework states that "*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*". It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below;
- Minimum property size for a 1 bed 1 person unit of 37/39sqm, for a 2 bed 3 person unit; 61sqm and for a 3 bed 5 person unit of 86sqm.
 - Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5sqm for a single bedroom with a minimum width of 2.15m; and 11.5m for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
 - Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
 - A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.
- 4.28 Weight should also be given to the content of Policy DM8 which states the following standards in addition to the national standards.
- Provision of a storage cupboard with a minimum floor area of 1.25m² should be provided for 1-2 person dwellings. A minimum of 0.5m² storage area should be provided for each additional bed space.
 - Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
 - Storage: Suitable, safe cycle storage with convenient access to the street frontage.
 - Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home. Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.
 - Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

- 4.29 All of the units proposed are of sufficient sizes to satisfy the minimum sizes required by the technical housing standards and all habitable rooms will be provided with windows to provide light ventilation and outlook, as well as access to terraces on the second storey. It is considered that the standard of accommodation is adequate on balance and would not be to the detriment of the living standards of the future occupiers with the conditions recommended. This is in compliance with National Planning Policy Framework (2018), policies KP2 and CP4 of the Core Strategy, policies DM1, DM3 and DM8 and the National Technical Housing Standards and advice contained within the Design and Townscape Guide.
- 4.30 Policy DM8 of the Development Management Document states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this can take the form of a balcony or semi-private communal amenity space. Four of the flats benefit from private terrace areas ranging from 4.3sqm to 7.8sqm which would provide a small private amenity space and in most instances a sitting-out area. No communal garden or roof garden is proposed. However, in consideration of the standard of internal accommodation, the four small terraces at second storey and the town centre location of the application site, it is considered that the development would provide acceptable amenity spaces for the benefit of future occupiers.
- 4.31 The site is located within the upper floors of a town centre building where gardens are unexpected or uncommon. The site is located within short walking distances to public open spaces, the town centre and the seafront providing additional amenities for enjoyment which are close to the site. This is in accordance with the NPPF (2018) which states that decision should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. It is considered that adequate external amenity provisions will be provided for the future occupiers and no objection is therefore raised on this basis.
- 4.32 The proposed flats are located above an A1 retail unit and therefore no concern is raised in relation to potential noise and smell disturbances to future occupiers. There are a small number of A3/A4 establishments located close to the application site. However, due to their distance and orientation from the site, in particular Molo's which faces the High Street and has no windows or doors to its west (rear) elevation which is adjacent to the application site, it is not considered that these establishments result in material harm from potential noise and smell disturbances to future occupiers. Furthermore, Environmental Health Officers have not raised any objections to the development.
- 4.33 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. However, in this instance it is considered that it would be unreasonable to require for the building to comply with the lifetime home standards given that it already exists and the units proposed are above ground level. It is therefore considered that the proposed development should not be

refused on the grounds that it has not been demonstrated that the development would accord with Part M4(2) of the Building Regulations.

- 4.34 The living conditions for future occupiers are therefore considered to be acceptable and policy compliant in this regard. Subject to conditions.

Impact on Neighbouring Properties

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

- 4.35 The Design and Townscape Guide (2009) states that “*extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.*” (Paragraph 343 - Alterations and Additions to Existing Residential Buildings). Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities “*having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.*”
- 4.36 The development includes new openings to each elevation. As such the development would overlook Queens Road and Farringdon Service Road which are spaces that are already open to public gaze. The north elevation proposed front windows would be located adjacent to upper windows of an existing commercial unit which fronts the high street (199-203 High Street). This unit is currently vacant (formerly a gym) and due to its commercial use and a distance of 12.4 metres between the two elevations, it is not considered that the proposed openings would result in demonstrable harm from overlooking or a loss of privacy with the recommended conditions. Similarly, it is considered that due to its commercial use there would be no loss of amenity to occupiers at 1 Queens Road, including the linking bridge section of the building, which is used in conjunction with the WH Smiths store which is fronted within the High Street.
- 4.37 An extant permission exists for the conversion of the first and second floors to six flats at Molo’s, 195 - 197 High Street which neighbours the site to the east. This development has commenced and therefore forms a material consideration of weight in the determination of this application. The west (rear) of 195 - 197 High Street would have living accommodation to the first and second floors with windows/small balconies which would be located opposite to the proposed windows/terraces of the proposed development. Distances between these elevations is approximately 7 metres. With the use of screening and obscured glazing and due to the location of the application site within a busy town centre location whereby a degree of overlooking is acceptable and there are already existing overlooking impacts in many instances, it is considered that the proposal would not result in any significant material overlooking or loss of privacy to nearby residents to a degree that would justify a refusal of consent. With the conditions recommended the proposal is therefore policy compliant in this respect and no objection is therefore raised on this basis on balance.
- 4.38 Given the size, scale, mass and bulk of the development which is not out of keeping with the surrounding area, it is considered that the development would

not result in any material harm to nearby residents in terms of dominance, an overbearing impact, loss of light and outlook or a material sense of enclosure.

- 4.39 Given the Town Centre location of the site, the proposed residential use would not result in any material harm to the residential amenity of existing nearby residents in terms of noise and disturbance.
- 4.40 It is therefore considered that the proposed development would not result in any significant material harm to the adjoining residents. It is therefore, on balance with the conditions recommended, policy compliant in this regard.

Traffic and Transport Issues

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

- 4.41 Policy DM15 states that flats should be provided with one parking space per flat. In this respect, the proposed development would not provide any off-street parking. However, the existing site does not benefit from any off street parking and the site is located within a highly sustainable location with shops and services and good public transport links located within walking distance of the site. It is also noted that the Highway Officer has raised no objection to the proposed development. No objection is therefore raised on this basis.
- 4.42 With regard to cycle parking, the plans submitted indicate that 9 parking spaces will be provided at ground floor level within the front entrance lobby and three can be stored securely to the rear of the building in dedicated cycle storage. In terms of waste, two lockable stores which can each accommodate large 110l bins are proposed to the rear of the building. These will ensure that waste storage is not in conflict with pedestrians or the highway and can be easily collected from the roadside. Subject to a condition requiring the cycle parking and refuse and recycling storage to be provided in accordance with these details no objection is therefore raised on this basis.

Use of on Site Renewable Energy Resources and Sustainable Construction

National Planning Policy Framework (NPPF) (2012), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Design and Townscape Guide 2009

- 4.43 Policy KP2 of the Core Strategy requires that *“at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in the Design and Townscape Guide, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration.”* Policy DM2 of the Development Management Document also states that *“to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions”*
- 4.44 A detailed Energy and Sustainability Report has been submitted in relation to the

provision of renewables on site and the roof plan indicated that solar panels will be provided on the roof of the second storey. The development, through the use of solar panels, is proposed to provide 10.44% of the development's energy demand. It is therefore considered that, subject to a condition, the proposed development would accord with Policy KP2 of the Southend Core Strategy in relation to onsite renewable energy.

- 4.45 Policy DM2 of the Development Management Document is clear that there is an identified need for increased water efficiency measures to be integrated into new developments to take account of the water resourcing issues identified in Essex. In particular, part (iv) of Policy DM2 requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. On a national level, the NPPF states that in order to support a low carbon future, Local Planning Authorities should set sustainability standards in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards. A sustainability and energy report accompanies the application which states that the development will incorporate the above design measures and will comply with DM2 of the Development Management Document. A suitable condition should be included to any positive decision in order to ensure this for the lifetime of the development.

Community Infrastructure Levy

CIL Charging Schedule 2015

- 4.46 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 579sqm, which may equate to a CIL charge of approximately £13,942.32 (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 It is considered, having taken all material planning considerations into account that the proposed development would comply with the Development Plan on balance. The development is of an acceptable design, would have no significant adverse impact on nearby residents and provides adequate living conditions for any future occupiers of the site on balance. The loss of the existing use if found to be acceptable in this instance and there is no harm to highway safety. The proposal is therefore recommended for approval, subject to conditions.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework (2018)
- 6.2 Core Strategy (2007) Policies KP1 (Spatial Strategy) KP2 (Development Principles), CP1 (Employment Generating Development), CP2 (Town Centre and Retail Development), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), CP6 (Community Infrastructure), CP7 (Sport, Recreation and Green Space) and CP8 (Dwelling Provision).
- 6.3 Development Management Document (2015): Policies DM1 (Design Quality) DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling mix, size and type), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).
- 6.4 Southend Central Area Action Plan (SCAAP) (2018) Policies DS1 (A Prosperous Retail Centre) and PA1 (High Street Policy Area Development Principles)
- 6.5 Design & Townscape Guide (2009)
- 6.6 CIL Charging Schedule (2015)
- 6.7 National Housing Standards (2015)

7 Representation Summary

Transport & Highways

- 7.1 No objection.

Waste & Recycling

- 7.2 Comments;

- Recommend that the design of the storage container and locking system is extremely robust;
- Note that the landlord will arrange for additional chargeable collections (Design and Access Statement, Page 28) above and beyond the scheduled weekly collection in the event that the proposed storage is insufficient for the number of properties proposed;
- Recommend additional bulky waste external space storage - we request clarification from the developer where these types of unwanted bulky items will be stored.

- 7.3 **Officer comment: following these comments, a lockable bulky waste store was incorporated into the rear ground floor of the building, accessed from Farringdon Service Road.**

Environmental Health Officer

- 7.4 No objection. Conditions recommended in relation to disturbances during construction.

Public Consultation

7.5 26 neighbour letters were sent out and a site notice was displayed. 1 letter of objection has been received which makes the following summarised comments:

- Concerns in relation to disturbance and inconvenience from building works to the existing ground floor businesses.

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

8 Relevant Planning History

8.1 17/00472/FUL - Change of use of first floor from office (Class B1) to day centre (Class D1) (Retrospective) – Granted 09.05.2017

9 Recommendation

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

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

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

02 The development shall be carried out in accordance with the approved plans: 305, 350, 351, 155, 301, 157, 355, 356, 357, 300, 100, 101/0, 153, 150, 200/C, 151, 201/D, 202/B, 152, 203, 156.

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the extension shall not commence until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including cladding, screening and fenestration have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details before it is occupied.

Reason: To safeguard the character and appearance of the surrounding area in accordance with the National Planning Policy Framework (2018), Southend Central Area Action Plan (SCAAP) (2018) Policies DS1 and PA1, Development Management Document (2015) Policies DM1 and DM3 and Core Strategy (2007) Policies KP2 and CP4.

04 No part of the development shall be occupied until details of the cycle parking and refuse and recycling facilities have been submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling and cycle parking facilities shall be implemented in accordance with the approved details before first occupation of any of the development and

shall be permanently maintained thereafter.

Reason: To ensure that satisfactory cycle parking facilities and refuse and recycling facilities are provided at the site in the interest of sustainability and amenity in accordance with the National Planning Policy Framework (2018), Core Strategy (2007) Policy KP2, Policies DM1 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

- 05** The roof of the building hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: In the interests of the residential amenity of nearby residents and in the interests of the visual amenity of the area, to ensure that the development complies with the 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).

- 06** No part of the development shall be occupied a waste management plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management of the development shall thereafter be implemented in accordance with the approved details before first occupation of any of the development and shall be permanently maintained thereafter.

Reason: To ensure that waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with the National Planning Policy Framework (2018), Southend Central Area Action Plan (SCAAP) (2018) Policies DS1 and DS5, Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

- 07** The privacy screens for the balconies hereby granted on the east elevation of the building shall be implemented in full in obscure glazing only in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority prior to occupation of the flats and shall be retained in perpetuity as such thereafter.

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

- 08** Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the dwellings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposal that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the

manner and design in which these windows are to be implemented. Before the dwellings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings.

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.

Informative

- 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.
- 03 Please note that occupiers of the development are not eligible for Town Centre parking concessionary season tickets. For more information please visit:
https://www.southend.gov.uk/info/200361/car_parks_parking_and_permits/33/residents_parking_permits/12

