

Reference:	18/01985/FUL	
Ward:	Prittlewell	
Proposal:	Demolish existing bungalow, erect two semi-detached two storey dwellinghouses with dormers to rear, associated landscaping and extend existing vehicular access on to Carlton Avenue (Amended Proposal)	
Address:	241 Carlton Avenue, Westcliff-on-Sea	
Applicant:	Mr Hughes	
Agent:	RD Architecture Ltd	
Consultation Expiry:	04.01.2019	
Expiry Date:	08.03.2019	
Case Officer:	Kara Elliott	
Plan No's:	1619/305/P1, 1619/310/P0, 1619/320/P1, 1619/441/P0, 1619/450/P0, 1619/300/P2, 1619/410/P2, 1619/420/P2, 1619/430/P2	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to demolish the existing bungalow and to construct two semi-detached, three storey dwellings. The proposed handed dwellings would reach a height of approximately 8.25m (from lowest ground level), would have a combined overall width of approximately 9.5 metres and an overall depth of approximately 15 metres. The dwellings would have a large pitched roof and a stepped principal elevation. Each dwelling would have a single storey rear projection, a rear box dormer and rooflights in the front roof slope.
- 1.2 Proposed materials consist of red brickwork and cream render for the external walls, dark grey roof tiles and white uPVC double glazed windows and doors.
- 1.3 Both dwellings proposed are 3-bedroom units (the study at first floor does not accord with minimum national standards to be considered a single bedroom) and front Carlton Avenue. Each unit would be provided with one parking space at the front accessed via a crossover as well as a second parking space within an integral garage. Each property would benefit from a large pitched roof shed at the rear of garden.
- 1.4 The dwellings would benefit from rear private amenity spaces (85m² and 69m²).
- 1.5 The application follows a previously refused application for a similar development of a different design which was refused for the following reasons;

1. *The proposed development, by reason of its design, size, scale and bulk and resultant top-heavy appearance, fails to pay sufficient respect to the character and appearance of the site and the streetscene and would appear dominant, incongruous and contrived to the detriment of the character and appearance of the site and the wider area. This is unacceptable and contrary to the 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).*
2. *The proposed development, by reason of the insufficient and unacceptable provision of off-street parking and the access arrangements would result in vehicles crossing the footpath and cause additional on-street parking in an area of existing parking stress to the detriment of highway and pedestrian safety, the local highway network and the free-flow of traffic. This is therefore contrary to the National Planning Policy Framework (2018), Development Management Document (2015) Policy DM15 and Core Strategy (2007) policy CP3.*

2 Site and Surroundings

- 2.1 The site is located to the north of Carlton Avenue. The existing building constitutes a single family dwelling. A crossover provides access to parking at the front of the dwelling for two vehicles.

- 2.2 The buildings of the surrounding area are in residential use featuring a mixture of single, two storey and three storey dwellings.
- 2.3 The site has no specific allocation within the Development Management Document Proposals Map and does not relate to a listed building.

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, CIL payments and whether this scheme overcomes the harm as set out in the reasons for refusal in the previous application.

4 Appraisal

Principle of Development

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

- 4.1 The property is located within a residential area. Amongst other policies to support sustainable development, the NPPF requires LPAs to boost the supply of housing by delivering a wide choice of high quality homes.
- 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.
- 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 DM3(2) requires that all development on a land that constitutes backland and infill development will be resisted where the proposals;
- “(i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or*
 - (ii) Conflict with the character and grain of the local area; or*
 - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or*
 - (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.”*

- 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 Policy DM3(4) states *“The conversion of existing single storey dwellings (bungalows) will generally be resisted. Exceptions will be considered where the proposal:*
- (i) Does not create and unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and*
 - (ii) Will not result in a net loss of housing accommodation suitable for the needs of Southend’s older residents having regard to the Lifetime Homes Standards.*
- 4.7 The existing dwelling that is to be demolished constitutes a bungalow, however planning permission (15/02033/FULH, which expired on 11.02.19) granted the extension of the dwelling to form a two storey dwelling and thus the principle of loss of the bungalow has previously been accepted. The applicant has also confirmed that the new dwellings will comply with M4(2) requirements and thus the development will not result in a net loss of housing accommodation suitable for the needs of Southend’s older residents (considered in more detail below), thus no objection is raised on this basis. It should also be noted that the principle of development was accepted at the time of the previously refused scheme. The design and impact of the proposal on the streetscene is also considered below.
- 4.8 The proposed dwellings would constitute an infill development within a residential area and as such, and subject to the requirements of DM3(2) above, no objection is raised to a residential use in principle on this site. However, the suitability of the site to accommodate the proposed dwellings requires consideration; in this regard, other material planning considerations, including living conditions, residential amenity, design and parking availability are assessed below.

Design and Impact on the Character of the Area

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

- 4.9 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.”*

- 4.10 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.”*
- 4.11 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”*.
- 4.12 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”*.
- 4.13 Paragraph 201 of the Design and Townscape Guide advises that *“Infill sites are development sites on the street frontage between existing buildings. These areas are usually spaces left over after earlier development or the redevelopment of small industrial units or garages. The size of the site together with an analysis of local character and grain will determine whether these sites are suitable for development. In some cases the site may be too small or narrow to accommodate a completely new dwelling (including usable amenity space and parking) and trying to squeeze a house onto the site would significantly compromise its design quality and be detrimental to neighbouring properties and local character. In these circumstances, unless an exceptional design solution can be found, infill development will be considered unacceptable. Other options, such as an extension to an adjacent building or a garage may be more achievable. However, in certain situations, where the density, grain and openness of an area are integral to its special character, infill development of any kind will not be appropriate in principle.”*
- 4.14 Paragraph 202 of the Design and Townscape Guide states that; *“where it is considered acceptable in principle, the key to successful integration of these sites into the existing character is to draw strong references from the surrounding buildings. For example, maintaining the scale, materials, frontage lines and rooflines of the neighbouring properties reinforces the rhythm and enclosure of the street. This does not necessarily mean replicating the local townscape, although this may be an option.”*

- 4.15 The proposed dwellings have been positioned in a similar position to that of the existing dwelling, albeit approximately 1 metre from the boundary shared with 245 Carlton Avenue. The dwellings would have a stepped-back front elevation which reduces the impact of the development within the streetscene. In terms of their size, scale, height and bulk, the semi-detached dwellings are seen in context with the row of semi-detached dwellings to the east and are commensurate with the wider prevailing pattern of built form in the area. The dwellings would not be out of keeping in the streetscene and it is considered on balance that the proposed development overcomes the previous concerns whereby the previously refused dwellings were considered to be top-heavy, incongruous, prominent and contrived in design.
- 4.16 The single storey rear mono-pitched roofed extensions are considered acceptable and would not result in unduly bulky incompatible features of detriment to the overall character and appearance of the dwelling or rear garden scene. The Design and Townscape Guide (10.2.10) states that dormers should appear incidental in the roof slope and in particular, large box style dormers should be avoided as they result in a bulky and unsightly appearance. The rear dormers are modest in size, height and bulk and would not dominate the rear roofscape of the dwellings or the rear garden scene.
- 4.17 In terms of detailing, the use of red brickwork and cream render (including brickwork banding), proportionate fenestration and garage doors with glazed window features, adds interest and variation to the dwellings.
- 4.18 Paragraph 145 of the Design and Townscape Guide requires that landscaping should *“enhance the setting and appearance of a building and help to soften new development”*. The submitted drawings show box hedges and small grassed areas to the east and west front boundaries. Each dwelling would benefit from an integral garage which accords with the Development Management Document policy DM15 garage dimensions (internal size of 7m x 3m) in order to ensure that the front driveways are not car-dominated and allows for the small landscaped areas. Whilst the soft landscaping is peripheral, it is considered that the hardstanding at the application site would not appear excessive in size in comparison to examples nearby and is considered acceptable on balance.
- 4.19 The rear single storey sheds are appropriate in terms of their modest size, scale, bulk and height, would not be seen from the public view and not result in demonstrable harm to the character and appearance of the site or the rear garden scene.
- 4.20 The proposed development satisfies the policies detailed above, overcome the previous reason for refusal and is considered to be acceptable in relation to character and appearance.

Living Conditions for Future Occupiers

National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2, CP4 and CP8; Policies DM1, DM3 and DM8 of the Development Management Document (2015), the Design and Townscape Guide (2009) and the National Housing Standards (2015)

4.21 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.

4.22 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 3 bedroom (5 person) 3 storey dwelling shall be 99 square metres.
- Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m; and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

4.23 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.

- 4.24 The internal floorspace proposed for each dwelling is some 118sqm which exceeds the minimum size required by the technical housing standards. The bedrooms are of acceptable sizes, in excess of the standards.
- 4.25 All habitable rooms will be provided with sufficient windows and openings to provide adequate light, ventilation and outlook.
- 4.26 The amenity spaces for the dwellings measure 85 and 69 square metres respectively which is sufficient to meet the needs of the occupiers of the dwellings.
- 4.27 According to the Design and Townscape Guide, refuse storage and recycling should not be visible from the streetscene and as such, it should be located either internally to the development or to the rear of the property, to minimise the adverse visual impact. In this regard, the plans submitted indicate that a shed will be provided in the rear garden. There is sufficient space within the site to provide covered refuse stores and covered and secure cycle parking. Subject to a condition in this respect no objection is therefore raised on this basis.
- 4.28 Policy DM8 of the Development management Document states that all new dwellings should meet the Lifetime Homes Standards, which from the 1st October have been substituted by building regulation M4 (2). These include a step-free access to the dwelling and any associated parking space, a step-free access to a WC, accessible accommodation and sanitary facilities for older people or wheelchair users and socket outlets and other controls reasonably accessible to people with reduced reach.
- 4.29 In this respect it is considered that the hallways provide sufficient of width for wheelchair users and all internal doorways can be designed to meet the Part M standards. Level access will be provided to the front entrance door with level surfaces from the proposed parking areas to the front entrance door, with each dwelling having a ground floor WC. Subject to a condition requiring the development to be built in accordance with M4(2) no objection is therefore raised on this basis.
- 4.30 The proposed dwellings meet the national space standards and must be built in accordance with Part M4(2) of the building regulations with the conditions recommended, therefore satisfying the abovementioned policies. It is considered that the standard of environment would be acceptable to future occupiers. The proposal is therefore acceptable and policy compliant in these regards.

Impact on Neighbouring Properties

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

- 4.31 The Design and Townscape Guide 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.”*
- 4.32 In terms of dominance and an overbearing impact, the proposed dwellings would be located approximately one metre from the boundaries to the east and west. Whilst greater in height and scale than the existing, given the degree of separation which is consistent with the existing situation on site, it is considered that the proposal would not result in any material harm to the residential amenity of the adjoining residents in terms of dominance, an overbearing impact, loss of light and outlook or a material sense of enclosure.
- 4.33 In terms of overlooking, the proposed first floor flank windows in the side of both proposed dwellings serving a study and a bedroom would be located opposite a first floor window in no.239 and would overlook the side of no.245 which contains no habitable accommodation windows to its side elevation. Considering the existing situation on site and the degree of impact from the two windows - one serving a non-habitable room (study) is a secondary bedroom window – which could both be conditioned to be obscurely glazed - the degree of overlooking or loss of privacy is considered negligible and would not result in material harm to the detriment of the amenities of the future or the neighbouring occupiers. It is not considered that the outlooks from the proposed rooflights would result in material harm in terms of overlooking or a loss of privacy due to their location at the front roof slope which overlooks the highway.
- 4.34 No objection is raised in relation to the front or rear windows, including the proposed dormers, due to their distances from adjacent neighbouring dwellings and the limited opportunities for overlooking. The proposed development is therefore considered acceptable and would not be in conflict with national and local planning policy in relation to neighbour amenity.

Traffic and Transport Issues

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

- 4.35 Policy DM15 of the Development Management Document states that development will be allowed where there is, or it can be demonstrated that there will be physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner. Further to Policy DM15, proposed development is expected to contribute to sustainable transport objectives and promote walking, cycling and public transport as the preferable form of transport. Policy DM15 of the Development Management Document requires that all development should meet the minimum off-street parking standards. A minimum of 2 parking spaces would be required per dwelling.

- 4.36 The plans submitted indicate that each dwelling will be provided with a single parking space at the front of the site on a driveway together with an integral garage space. Appropriate storage space is an important component of modern living and sustainable development. Garages therefore need to be large enough to accommodate a modern, family sized car and some storage. The Development Management Document is clear that garages that have an internal dimension below 7.0m x 3.0m will not be considered or counted as a parking space. The proposed garage spaces accord with the space standards as set out within the Development Management Document. The proposed development therefore provides two off-street parking spaces per dwelling .
- 4.37 In terms of on-street parking, the roads surrounding the application site have very little provision with many spaces restricted to business permit holders only between the hours of 8:30am and 4:30pm Monday to Friday (Hospital Area - Zone H). Within a 100 metre radius of the application site, there are approximately 12 on-street parking spaces (all with restrictions for residential or business permit holders only). This increases the importance of providing suitable parking onsite.
- 4.38 Following the statutory consultation process, a number of representations have been received stating that the rear access is under private ownership and that the applicant has no right of way. However, this is not a matter for the planning system to arbitrate on and that this access falls outside the site boundary. It should be noted that no vehicular access or parking is proposed at the rear of the site.
- 4.39 Furthermore, the Council's Highway Engineer has not raised objection to the proposed development.
- 4.40 In terms of waste management and cycle parking, safe storage can be provided within the rear gardens of the dwellings. Bins can be safely moved to the highway on collection days. No objection is therefore raised on this basis.
- 4.41 The proposed development is therefore considered acceptable and compliant with planning policy in regard to highway and pedestrian safety and the free flow of traffic and overcomes the previous reason for refusal.

Use of on Site Renewable Energy Resources and Sustainable Construction

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

- 4.42 Policy KP2 of the Core Strategy requires that *"at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in Design and Townscape Guide, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration."* Policy DM2 of the 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"*

- 4.43 No details have been submitted in relation to on-site renewables. A condition could be imposed on any grant of consent in this respect. Subject to such a condition no objection is raised on this basis.
- 4.44 Policy DM2(iv) of the Development Management Document requires all new development to provide “*water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliance and water recycling systems such as grey water and rainwater harvesting.*” Subject to a condition in this respect no objection is raised on this basis.

Community Infrastructure Levy

CIL Charging Schedule 2015

- 4.45 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 118sqm, which may equate to a CIL charge of approximately £2,841.44 (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, it is found that, subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal would provide adequate amenities for future occupiers and would have an acceptable impact on the character and appearance of the application site, the streetscene and the locality more widely, the highway and parking conditions would not result in material harm to the amenities of neighbouring occupiers. The application 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), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), 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), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).

6.4 Design & Townscape Guide (2009).

6.5 CIL Charging Schedule (2015)

6.6 National Housing Standards (2015)

7 Representation Summary

7.1 The application has been called in to Development Control Committee at the request of Councillor Garston.

Transport & Highways

7.2 No objections.

Environmental Health

7.3 No objection, subject to conditions in relation to construction/demolition.

London Southend Airport

7.4 No objection

Public Consultation

7.4 10 neighbour letters were sent out and a site notice was displayed. 2 persons have written objecting making the following summarised comments;

- The 2 sheds and hard paved area at the rear could be used for garaging and parking;
- The garden fences must define the boundary of the properties;
- There should be no common areas adjacent to the unmade private access track;
- The rear access track is in poor condition, is insufficient in size and not suitable for increased traffic or manoeuvres;
- The applicant has no access to the rear track;
- Proposal rather ambitious;
- Should be conditioned to prevent vehicular access at rear.

7.5 Officer comment: 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 this instance.

8 Relevant Planning History

8.1 15/02033/FULH - Erect single storey rear extension, install dormers to front and dormer to rear to form habitable accommodation in roof and alter elevations – Granted 11.02.2016.

- 8.2 18/00480/FUL - Change of use from existing dwellinghouse (Class C3) to a seven bedroom HMO (Sui Generis), erect single storey rear extension, dormers to front and rear and convert loft into habitable accommodation, alterations to front and side elevations, layout parking, cycle and bin stores to rear and install wheelchair ramps to front, side and rear. Withdrawn 11.06.2018.
- 8.3 18/01324/FUL - Demolish existing bungalow, erect two semi-detached two storey dwellinghouses with dormers to rear, garage to rear, associated landscaping and extend existing vehicular access on to Carlton Avenue – Refused 06.09.2018.

9 Recommendation

9.1 Members are recommended to hereby 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 following approved plans: 1619/305/P1, 1619/310/P0, 1619/320/P1, 1619/441/P0, 1619/450/P0, 1619/300/P2, 1619/410/P2, 1619/420/P2, 1619/430/P2.**

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

- 03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition works and the construction up to ground floor slab level, until samples of the materials to be used in the construction of the external elevations of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details before it is occupied.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2018), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

- 04 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.**

Reason: In the interests of providing sustainable development in

accordance with Policy KP2 of the Core Strategy and Development Management Document policy DM2.

- 05 Water efficient design measures as 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 shall be installed prior to the first occupation of the development hereby approved and retained in perpetuity.

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

- 06 No part of the development shall be occupied until space has been laid out within the site in accordance with drawing 1619/420/P2 for 4 cars to be parked. The parking spaces shall be made available for use prior to first occupation of the dwellings hereby approved and shall be permanently retained thereafter only for the parking of occupiers of the development hereby approved and their visitors.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

- 07 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any order revising or re-enacting that Order with or without modification, no development shall be carried out at the application site within Schedule 2, Part 1, Classes A, B, D, E, F or G to those Orders without the receipt of express planning permission.

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

- 08 Prior to first occupation of the development hereby granted, secure, covered refuse and recycling storage areas to serve the development shall be provided in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development and these facilities shall be permanently retained as such thereafter.

Reason: To ensure that adequate waste storage is provided and retained

to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015).

- 09 The proposed first and second floor flank windows shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The windows shall be retained in accordance with the agreed details in perpetuity thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1 and SPD1 (Design and Townscape Guide).

- 10 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that the dwellings hereby approved comply with the Building Regulation M4(2) 'accessible and adaptable dwellings' standard.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

- 11 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development shall not be first occupied unless and until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i proposed finished site levels or contours;
- ii. means of enclosure, of the site including any gates or boundary fencing;
- iii. hard surfacing materials and their permeability;
- iv. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- v. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or

becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity, drainage, flood risk and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

Informative

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.
2. 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.
- 3.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.