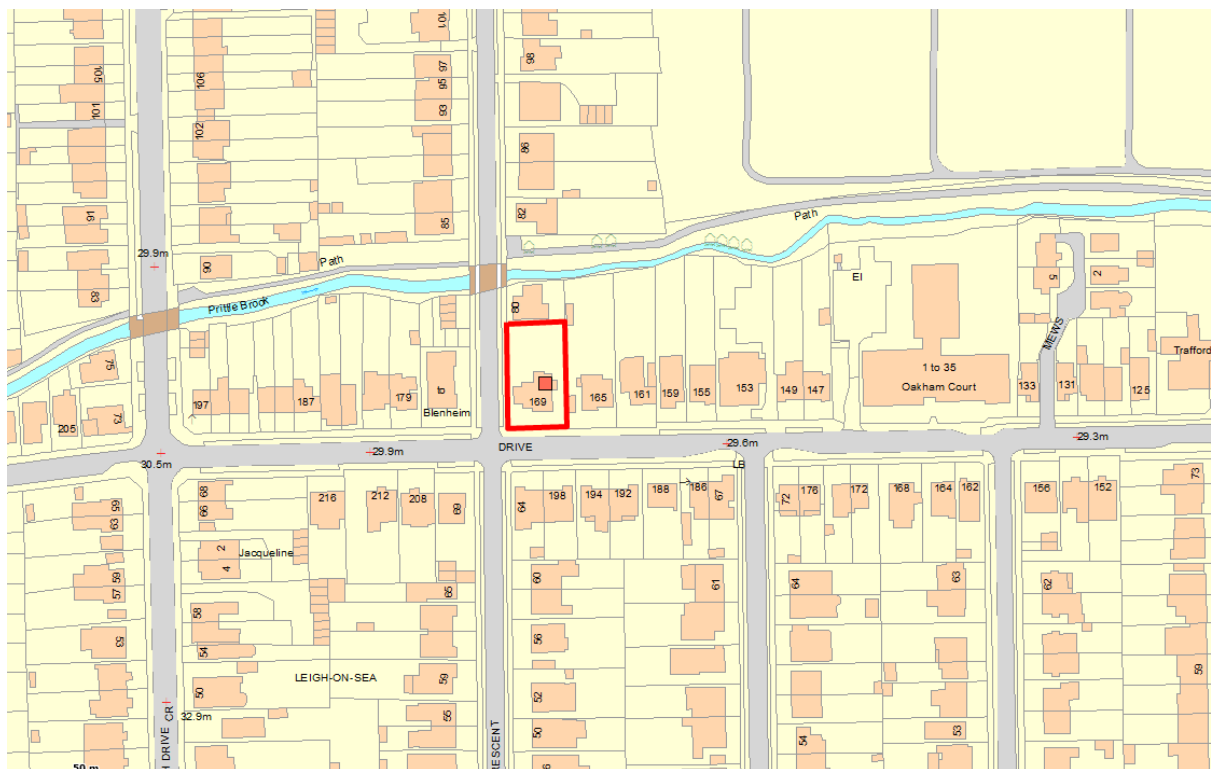


<b>Reference:</b>	19/00528/FUL	
<b>Ward:</b>	Blenheim Park	
<b>Proposal:</b>	Demolish existing bungalow, erect two detached dwellinghouses with associated parking and form vehicular access on to Manchester Drive (Amended Proposal)	
<b>Address:</b>	169 Manchester Drive, Leigh-on-Sea, Essex, SS9 3EX	
<b>Applicant:</b>	Mr George Panayi	
<b>Agent:</b>	IWPS Planning and Building Control	
<b>Consultation Expiry:</b>	25.04.2019	
<b>Expiry Date:</b>	10.06.2019	
<b>Case Officer:</b>	Abbie Greenwood	
<b>Plan Nos:</b>	Location Plan, GP-001-19/A, GP-002-19/A, GP-003-19/A, GP-004-19/B, GP-005-19/A, GP-006/19B, GP-007-19/A, GP-008-19/A	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The application site is located on a corner plot on the northern side of Manchester Drive and to the east of the junction with Blenheim Crescent. The existing chalet-dwelling fronts onto Manchester Drive. There is an existing brick wall marking the boundary of the site on Blenheim Crescent. There are street trees in Blenheim Crescent and Manchester Drive.
- 1.2 The streetscene in the vicinity of the site is mixed with detached and semi-detached chalets and bungalows, detached and semi-detached houses and flats. To the rear of the site is a contemporary dwelling (No.80 Blenheim Crescent).
- 1.3 The application site has no specific allocation on the Development Management Document's Proposals Map. The site is located to the south of Prittle Brook but is not located within Flood Zone 2 or 3.

## **2 The Proposal**

- 2.1 Planning permission is sought to demolish the existing chalet-dwelling and to construct two detached, two storey dwellings with roof accommodation. The proposed dwellings are of a traditional mock Tudor design with tiled hipped roofs, are part red brick and part render with feature timber decoration, a jettied front gable and dark grey casement windows. Both dwellings proposed are 4-bedroom units and front Manchester Drive. Each unit would be provided with two parking spaces on the frontage with a shared crossover provided from Manchester Drive.
- 2.2 The proposed dwellings have a maximum width of 7.3m, a maximum depth of 11.4m at two storeys plus a further 4m at single storey only and a maximum height of 8.5m. The properties are each 167.6 sqm with 3 bedrooms of 18 sqm, 15 sqm and 7.5 sqm at first floor and a further bedroom in the roof space measuring 14.8 sqm. The application is supported by a Design and Access Statement and a Badger Survey.
- 2.3 The proposal is an amended scheme following the refusal of application reference 18/00224/FUL which sought permission for two detached houses of a modern design and which were sited facing the Blenheim Crescent frontage. That proposal was refused for the following reasons:

*01 The development proposed by reason of its material adverse impact on the street tree adjacent to the vehicular crossover and its size, scale, siting and design would result in an excessively prominent and incongruous development that would result in material harm to the character and appearance of the surrounding area. The development is therefore unacceptable and contrary to the National Planning Policy Framework (2012), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).*

*02 By virtue of the siting of the proposed dwellings and the proximity of the clear glazed, upper floor rear windows to the boundary with No.165 Manchester Drive, the proposed development would result in material overlooking and loss of privacy to the occupiers of No.165 Manchester Drive. The development is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).*

*03 Through its reliance on a substandard tandem parking layout the proposal would compromise the amenity of future occupiers and would lead to a cramped, overdeveloped visual impact in the streetscene. In both respects the substandard parking arrangements are unacceptable and contrary to the National Planning Policy Framework (2012), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).*

### **3 Relevant Planning History**

- 3.1 18/00224/FUL - Demolish existing bungalow, erect two detached dwellinghouses with associated parking and form vehicular access onto Blenheim Crescent -refused
- 3.2 17/01971/FUL – Demolish existing bungalow, erect 2no detached dwelling houses with associated parking and form vehicular access on to Blenheim Crescent – application withdrawn.

### **4 Representation Summary**

#### **Public Consultation**

- 4.1 9 neighbouring properties were consulted and a site notice displayed. 4 representations have been received from neighbouring properties raising the following issues:
  - The proposed houses are too bulky.
  - The proposal houses are out of scale with the surrounding properties.
  - The proposal is an over development of the site.
  - Chalet bungalows would be more appropriate in this location - similar to that approved at 23 Blenheim Crescent.
  - Concern over overlooking of neighbouring properties particularly from the Juliette balcony.
  - Highway safety concerns - this is a busy junction which has frequent accidents, 4 additional cars and a relocated street light will make this worse; including loss of night time visibility.
  - Loss of trees on the site.
  - Impact on badgers living in the rear garden.
  - Concern over relocation of street light.
  - Loss of bungalow.
  - Loss of light.
  - Inappropriate building line.
  - Site dominated by parking.
  - Impact on drainage and foul water disposal which is already stretched.

- The existing property should be renovated.
- Limited access to plans.

**[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 the circumstances of this case.]**

4.2 Councillor Boyd has called the application in for consideration by the Development Control Committee

### 4.3 **Highways**

There are no highway objections to this proposal the applicant has provided 2 off street parking spaces per dwelling which meets current policy guidance.

The applicant will be required to relocate the existing lamp column at their cost, return the disused vehicle crossover back to footway and apply to highways to construct the new vehicle crossover.

### 4.4 **Environmental Health**

No objection.

Conditions recommended relating to hours of construction.

### 4.5 **Essex Badger Protection Group**

The Badger Survey has been reviewed. This concludes that badgers were not resident on the land under consideration. We therefore have no objections to the scheme proposed.

### 4.6 **Leigh Town Council**

The Leigh Town Council Committee resolved to object to this application. We recognise the improvements made to the plans however we feel this is still an overdevelopment of the site, therefore in our opinion is in contravention to policy DM1 and DM3 as it is over-intensification of the site and does not positively contribute to the space between buildings. Whilst the houses are pleasing to the eye the Town Council has concerns that they will be too small and questions whether they meet the room standards and whether sufficient amenities will be provided. There is also some concern that 4 cars would now be coming out on to the road at a busy junction.

## 5 **Planning Policy Summary**

5.1 The National Planning Policy Framework (2019)

5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision)

5.3 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (The Efficient and effective use of land), DM8 (Residential Standards) and DM15 (Sustainable Transport Management)

5.4 The Design and Townscape Guide (2009)

5.5 CIL Charging Schedule (2015)

## **6 Planning Considerations**

6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, impact on trees, living conditions for future occupiers, impact on neighbouring properties, any traffic and transport issues, sustainability and CIL and whether the proposal has overcome the previous reasons for refusal due to impact on the street tree, impact on the streetscene, overlooking of number 165 Manchester Drive and unacceptable parking layout. It is noted that the principle of loss of a bungalow on this site and its redevelopment to form two residential units was not a reason for refusal of the previous application 18/00224/FUL. The National Planning Policy Framework has been revised since this time but the national and local policy framework has not changed in any material respects as regards this proposal.

## **7 Appraisal**

### **Principle of Development**

**National Planning Policy Framework (NPPF) (2019), Core Strategy (2007) Policies KP1, KP2, CP3, CP4 and CP8, Development Management Document (2015) policies DM1, DM3, DM8, DM11 and DM15 and advice in the Design and Townscape Guide (2009)**

7.1 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.

7.2 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.

7.3 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.”

7.4 Policy DM3(2) requires that all development on a land that constitutes backland and infill development will be resisted where the proposal:

*“(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*

7.5 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.*

7.6 Concerns have been raised in relation to the loss of a bungalow and the subsequent loss of housing accommodation for the needs of older residents. However, the existing dwelling that is to be demolished constitutes a chalet-dwelling rather than a single storey bungalow. Subject to compliance with M4(2) requirements (considered below) no objection is therefore raised on this basis. The design and impact of the proposal on the streetscene is similarly considered below.

7.7 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 should be assessed; 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 (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and advice in the Design and Townscape Guide (2009)**

7.8 Paragraph 124 of the NPPF states “*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. Being clear about design expectations and how these will be tested, is essential for achieving this.*”

7.9 Policy KP2 of the Core Strategy advocates the need for all new development to “*respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design*”. Policy CP4 of the Core Strategy states “*development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.*”

- 7.10 Policy DM1 of the Development Management Document advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 7.11 The previous application was refused because it was considered that the size, scale, siting and design of the proposal would result in an excessively prominent and incongruous development which would result in material harm to the streetscene. The previous application was a modern mono pitched roof design similar to number 80 Blenheim Crescent. The highest side of the mono pitched roof of the southern house faced onto Manchester Drive which resulted in a development of a full 3 storeys on this frontage. The scale, orientation of the site and the proximity of the development to the principal street frontage was also considered to be at odds with the overall pattern of development in this location. In order to address this the proposed houses have been reoriented to face onto Manchester Drive and they have been reduced in scale to 2 storeys with a traditional hipped roof with accommodation in the roofspace. The hipped roof design, which also has a lower gable to the front, helps to minimise the impact of the development in the streetscene. The roof accommodation has been accommodated within the proposed hipped roof to the front which extends to a gable to the rear and this too has helped to minimise the impact of this storey. A streetscene drawing has been submitted with the application which demonstrates that the scale is reasonable in this mixed context and it does not result in an unacceptable juxtaposition of scale with the neighbour or in the wider streetscene. There is therefore no objection to the principle of 2.5 storey dwellings in this location.
- 7.12 The design of the dwellings is more traditional than that previously sought under reference 18/00244/FUL. The proposal now has a mock Tudor style including half timbering decoration and a jettied first floor gable feature. The streetscene in this area is very mixed and there is no cohesive style of development. Therefore, although the proposal contrasts to the other properties in the street this will not appear harmful to character in this mixed context.
- 7.13 The houses are set on a slightly different building line to the neighbouring property however as with the general style of development there is also variation in building line between the houses so it is considered that this will not appear out of place in the wider context of development in this location.
- 7.14 A parking area and turning area is proposed to the front. The drawings show that this will be surrounded by box hedging to provide softening and screening to the street. This is welcomed although it appears that there would be scope for some additional landscaping in front of the houses. This can be controlled via a condition.
- 7.15 The overall design of the proposal has addressed the previous reason for refusal 01 in relation to size, scale, siting and design and is therefore considered to be acceptable and policy compliant in this regard.

## **Standard of accommodation for future occupiers**

### **National Planning Policy Framework (2019), Development Management (2015) policy DM8, the National Technical Housing Standards and advice in the Design and Townscape Guide (2009)**

#### *Floor space standards*

- 7.16 All new homes are required to meet the National Technical Housing Standards in terms of floorspace. The required size for a 3 storey, 4 bed 6 person household is 112 sqm and the minimum standards for double bedrooms are:
- Master min - area 11.5 sqm, min width 2.75m
  - Other doubles – min area 11.5 sqm, min width 2.55m
  - Singles - Min area 7.5 sqm, min width 2.15m

- 7.17 The internal floorspace of each of the proposed two storey dwellings is 167.6 sqm which meets the standard. The bedrooms are all above the required size. The proposal therefore meets the space standards required

#### *Building Regulations M4(2) – Accessible and Adaptable Dwellings*

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

#### *Quality of Living Space*

- 7.19 The internal layout shows that all the habitable rooms are of a useable size and shape and have good daylight and outlook. The proposal would therefore provide an acceptable quality of living accommodation and is policy compliant in this regard.

#### *Amenity Provision*

- 7.20 Each dwelling has a private amenity space to the rear measuring approximately 97 sqm. This is a useable and accessible space and is considered of a reasonable size to serve the scale of dwelling proposed. This aspect of the proposal is therefore acceptable and policy compliant.
- 7.21 Overall therefore it is considered that the proposal would provide a good standard of accommodation for the future occupiers and is policy compliant in this regard.



## **Traffic and Transportation**

**National Planning Policy Framework (2019); Core Strategy (2007) policies KP2, CP4, CP3; Policy DM15 of the Development Management Document (2015) and advice in the Design and Townscape Guide (2009).**

- 7.22 Development Management Policy DM15 requires that all new dwellinghouses outside the central area provide 2 off street car parking spaces. The plans show that 4 off street spaces will be provided on the frontage as well as space for turning. A new shared crossover of 4.8m will be provided to Manchester Drive which requires the relocation of a street lamp. The existing crossover on this frontage will be reinstated. Refuse storage is shown on the frontage and cycle storage is proposed within the rear gardens.
- 7.23 The plans for refuse and cycle storage are consistent with Council guidelines and the Councils Highways Officer has no objections to the proposal subject to the applicant paying for the relocation of the lamp post. The proposal has therefore overcome the previous reason for refusal 03 in relation to the layout of parking and is acceptable and policy compliant in the above regards.

## **Impact on Residential Amenity**

**National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and advice in the Design & Townscape Guide (2009)**

- 7.24 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."
- 7.25 The previous application was refused because it was considered that the first floor rear windows, which were located 7.3m from the eastern boundary, would give rise to materially harmful overlooking of the private amenity area of 165 Manchester Drive. In order to address this the amended proposal has reoriented the site so that the houses face Manchester Drive not Blenheim Crescent. This would provide a distance of 16m between the proposed rear windows and the flank elevation of number 80 Blenheim Crescent to the north. This is considered to be a more appropriate rear separation distance given the grain of this area.
- 7.26 The proposal would maintain a separation of 1m to the east boundary and 5.8m to the flank wall of 165 Manchester Drive. Whilst no 165 has clear glazed windows in the flank elevation, given the isolation space provided and given that the development would not impinge on a notional 45 degree guideline from these side windows, it is considered that the proposal would not result in material harm to No.165 in terms of loss of light and outlook in this respect. The proposal extends past the rear building line of 165 but at ground floor only. The proposal has 1 first floor window on its east elevation facing this neighbour but this is to an en-suite bathroom and is labelled as obscure glazed. Subject to a condition requiring this, the proposal is considered to have an acceptable impact on the amenities of 165 Manchester Drive

- 7.27 No other properties are affected. The amended proposal has therefore addressed reason for refusal 02 and is now considered to be acceptable and policy compliant in this regard.

### **Impact on Street Tree**

**National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 Policy DM1 of the Development Management Document (2015) and advice in the Southend Design and Townscape Guide (2009).**

- 7.28 The Council seeks to protect trees which make a positive contribution to the amenity of the area from the impact of new development.
- 7.29 The previous application was refused because it was considered to have an adverse impact on the adjacent street tree in Blenheim Crescent. The proposal has been reoriented so that it now faces Manchester Drive including the parking access. This has addressed concerns relating to the impact on this tree and the proposal is acceptable and policy compliant in this regard, subject to a condition requiring tree protection details in this respect.
- 7.30 Concerns have been raised regarding the previous felling of trees on the site however these trees were not covered by a preservation order so this is permitted development and not a constraint for this application. It is also noted that replacement landscaping can be conditioned. The proposal is therefore acceptable and policy compliant in this regard.

### **Sustainable Development**

**National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 Policy DM2 of the Development Management Document (2015) and advice in the Southend Design and Townscape Guide (2009).**

- 7.31 Policy KP2 of the Core Strategy requires that “at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources).’ Policy DM2 of the Development Management Document states that “to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions”. This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.
- 7.32 The Design and Access Statement comments pvs could be provided on the front inner gable roof slopes to provide the 10% renewable energy requirement. No details have been provided to demonstrate that this target would be met but it is considered this can be controlled by condition. A condition relating to low water consumption fittings will also be required. Subject to these conditions The proposal is considered to be acceptable and policy compliant in this regard.

### *Badgers*

- 7.33 A badger survey has been carried out at the property by the Essex Badger Protection Group. This concludes that, although there are setts in the vicinity, that there are no badger setts on site nor do they appear to be feeding here although they may travel through the site occasionally. The report concludes that no mitigation measures are required at this time. The proposal is therefore acceptable and policy compliant in this regard.

#### *Sustainable Drainage*

- 7.34 Limited information has been provided regarding sustainable drainage however, it is considered that these issues can be controlled by a condition. The proposal is therefore acceptable and policy compliant in this regard.

#### *Permitted Development*

- 7.35 Given the site's close relationship to the neighbouring properties and the size and depth of the amenity area it is considered reasonable and necessary to restrict permitted development for this proposal to enable the Council to fully assess the impact of any future extensions and additions to these dwellings which could otherwise offer potential harm to neighbours' amenity. This can be achieved via a condition.

### **Community Infrastructure Levy (CIL)**

#### **Charging Schedule (2015).**

- 7.36 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 335.2 sqm, which may equate to a CIL charge of approximately £8,199.51 (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.

## **8 Conclusion**

- 8.1 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 principle of the development is found to be acceptable and the proposal has overcome previous reasons for refusal relating to design and scale, parking and the impact on the amenities of neighbouring properties and the adjacent street tree. The highways and sustainability impacts of the proposal are also acceptable. This application is therefore recommended for approval subject to conditions.

## **9 Recommendation**

### **GRANT PLANNING PERMISSION subject to the following conditions**

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

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

**02 The development hereby permitted shall be carried out in accordance with the following approved plans Location Plan, GP-001-19/A, GP-002-19/A, GP-003-19/A, GP-004-19/B, GP-005-19/A, GP-006/19B, GP-007-19/A, GP-008-19/A**

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

**03 The materials for the development hereby approved shall be Weinberger Terca Kassandra dark red multi stock brick, K-Rend through colour render (limestone white), Marley ACME plain clay tiles (antique) roof tiles, slate grey (RAL 7004) double glazed upvc windows, slate grey timber decoration and a composite door unless details of alternative materials are subsequently approved in writing by the Local Planning Authority.**

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

**04 The first floor windows in the east and west elevation of the eastern house and the first floor windows in the east elevation of the west house hereby approved shall only be permanently 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 permanently fixed shut up to a height of 1.7m above first floor level before the occupation of the dwellings hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.**

**Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and advice contained within the Design and Townscape Guide (2009).**

**05 No development above ground floor slab level shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority.**

**The details submitted shall include, but not limited to:-**

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

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

**Reason: In the interests of visual amenity of the conservation area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)**

**06 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDS) Principles) have been submitted to and approved by the local planning authority. The approved scheme shall be implemented, in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity. Those details shall include:**

- i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;**
- ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;**
- iii) a timetable for its implementation; and**
- vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.**

**Reason: A pre commencement condition is required to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)**

**07 Notwithstanding the provisions of the Town and Country Planning (General**

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

**Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).**

**08 The four car parking spaces and the associated vehicular access for the spaces to and from the public highway, shown on approved plan GP-007-19/A shall be provided and made available for use at the site prior to the first occupation of the dwellings hereby approved. The car parking spaces and the associated vehicular accesses to and from the public highway shall thereafter be permanently retained for the parking of vehicles of the occupiers and visitors to the dwellings and the accessing of the car parking spaces in connection with the dwelling hereby approved.**

**Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).**

**09 The roof of the single storey rear projections hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained from the Local Planning Authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.**

**Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the Core Strategy (2007) policies KP2 and CP4, the Development Management Document (2015) policies DM1 and DM3 and advice contained within the Southend Design and Townscape Guide (2009)**

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

**Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework**

**(2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).**

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

**Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) policy DM2.**

**12 The development hereby approved shall be carried out in a manner to ensure the dwellinghouses comply with building regulation M4(2) 'accessible and adaptable dwellings' before the dwellings are 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 National Planning Policy Framework (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).**

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

**Reason: In the interests of visual amenity and the amenities of neighbours and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).**

**14 Notwithstanding the information submitted with the application, no development shall be undertaken unless and until details of tree protection measures for street trees to the side of the site in Blenheim Crescent 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 tree protection measures throughout the construction phase of the development.**

**Reason: This pre-commencement condition is needed to safeguard the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management Document (2015) and Policies Kp2 and Cp4 of the Core Strategy (2007).**

**15. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved statement shall be fully adhered to throughout the construction period.**

**The Statement shall provide, amongst other things, for:**

- i) the parking of vehicles of site operatives and visitors;**
- ii) loading and unloading of plant and materials;**
- iii) storage of plant and materials used in constructing the development;**
- iv) the erection and maintenance of security hoardings;**
- v) measures to control the emission of dust and dirt during construction;**
- vi) a scheme for recycling/disposing of waste from construction works that does not allow for the burning of waste on site.**

**Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and Dm3 of the Development Management Document (2015).**

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

#### **Informatives**

**01 Please note that the development the subject of this application is liable for a charge under the 01 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](http://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 The applicant is advised that they will be required to cover the cost of re locating the street lamp and reinstating the redundant crossover as part of this proposal. This should be done as part of the crossover application which should be made to the Councils Highways Team.**



