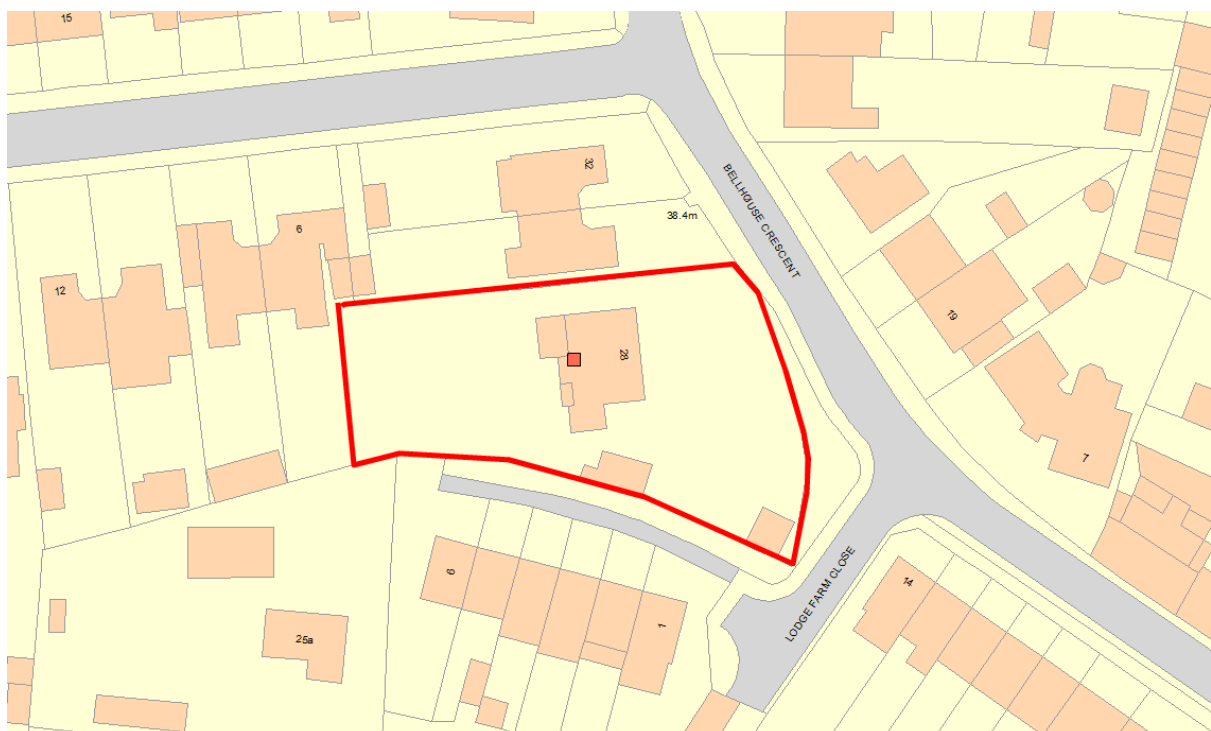


Reference:	19/00663/FUL	
Ward:	Belfairs	
Proposal:	Demolish existing dwellinghouse, erect four semi-detached two storey dwellinghouses and one detached two storey dwellinghouse, layout associated parking and landscaping, install refuse and cycle stores and form vehicular accesses onto Lodge Farm Close and Bellhouse Crescent (Amended Proposal)	
Address:	28 Bellhouse Crescent, Leigh-On-Sea, Essex, SS9 4PT	
Applicant:	Mr Martin Nossel	
Agent:	Stone Me Ltd	
Consultation Expiry:	09.05.2019	
Expiry Date:	10.06.2019	
Case Officer:	Scott Davison	
Plan No's:	1743 – 28, 1743 – 27D, 1743 – 23D, 1743 – 22B, 1743 – 21C, 1743 – 11A , 1743 – 08, 1743 – 06, Tree Protection Plan, Arboricultural Report, Ecological Appraisal including Bat Survey, Planning Statement & Supporting Document	
Recommendation:	GRANT PLANNING PERMISSION	



1 Site and Surroundings

- 1.1 The application site is located on the western side of Bellhouse Crescent between its junction with Lodge Farm Close and Broadclyst Avenue to the south of the A127. The existing two storey detached dwelling sits in a large plot that fronts onto the crescent. It is well set back from the highway and the site is bounded by a mix of boundary treatments. The site is verdant with some mature trees located on or close to the site boundaries and outside the edge of the site. The site is not level with land levels dropping away to the east and south of the site.
- 1.2 The streetscene in the vicinity of the site is mixed with detached and semi-detached bungalows and terraced houses. The surrounding area is characterised by traditional residential development where the fronts of dwellings line the street with generous verdant private gardens located at the rear of the dwellings. With the exception of the application property, dwellings within the vicinity have a similar frontage depth.
- 1.3 The application site has no specific allocation on the Development Management Document's Proposals Map. The site is not located within Flood Zone 2 or 3.

2 The Proposal

- 2.1 Planning permission is sought to demolish the existing detached dwelling and two existing outbuildings and to construct four, semi-detached, two storey dwellings and one detached dwelling along the Bellhouse Crescent frontage. The proposed dwellings are of a contemporary design with pitched roofs and brick exteriors and modern fenestration. The semi-detached dwellings would be 4 bedroom units containing one double/twin bedroom and three single bedrooms. The dwellings would be set over three levels with accommodation in the roof space and each with an internal floor area of some 119 square metres. The detached dwelling would be a 3 bedroom unit with one double/twin bedroom and two single bedrooms spread over three levels measuring some 106 sqm with accommodation in the roof space. The dwellings would have a staggered building line and each of the semi-detached properties would be provided with two parking spaces with crossovers provided from Bellhouse Crescent. The detached property would be accessed via a crossover off Lodge Farm Close and would have two parking spaces.
- 2.2 The proposed dwellings on plots 1- 4 would have a maximum width of 5m, a maximum depth of 12.2m and a maximum height of 9.1m. Plot 5 would have a maximum width of 6.4m, a maximum depth of 9.6m and a maximum height of some 9.1m.
- 2.3 The proposed dwellings will be finished in materials including render, facing brick work, interlocking clay roof tiles and upvc windows and permeable hard surfacing.
- 2.4 This application follows the refusal of planning application (reference 18/01170/FUL) described as "Demolish existing dwellinghouse, erect four semi-detached two storey dwellinghouses and two chalet bungalows, layout associated parking and landscaping, install refuse and cycle stores and form vehicular accesses onto Lodge Farm Close and Bellhouse Crescent". The application was refused for the following reasons.

01. The proposed development by reason of its limited plot size, cramped nature, awkward layout and poor design would conflict with the grain of the local area, and be out of keeping with and detract from the character and appearance of the site and wider locale. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018); Southend-on-Sea Core Strategy (2007) policies KP2 and CP4, Southend-on-Sea Development Management Document (2015) policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

02. The proposed dwelling at plot 6 would appear as a dominant and visually obtrusive feature that would detrimentally impact upon the amenities of the proposed dwellings at plots 1 & 2 and the existing dwellings at 30 Bellhouse Crescent and 6 Broadclyst Avenue. It would also harmfully impact on the amenity of residents at No.6 Broadclyst Avenue through an actual or perceived loss of privacy. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018); Southend-on-Sea Core Strategy (2007) policies KP2 and CP4, Southend-on-Sea Development Management Document (2015) policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

- 2.5 The main differences between the current and the previously refused schemes are that the refused scheme was for 6 dwellings and the proposed scheme is for 5 dwellings. The removal of the sixth dwelling results in the second reason for refusal being overcome. All of the proposed dwellings now have a frontage onto Bellhouse Crescent, the layout of the dwellings is stepped and the design and external appearance of the dwellings within the plot have been revised to incorporate pitched roof forms, gabled elevations and bay window features and canopies

3 Relevant Planning History

- 3.1 86/1641 Erect detached garage at side – Permission Granted
- 3.2 89/0814 Demolish existing dwellinghouse and erect two storey block of 10 self-contained flats and lay out parking at rear – Permission Granted
- 3.3 92/0738 Demolish dwellinghouse and erect two storey block of 10 self-contained flats and lay out parking at rear – Permission Granted
- 3.4 92/0822 Erect single storey rear extension. – Permission Granted
- 3.5 95/0891 Demolish dwelling house and erect two storey block of ten self-contained flats and lay out parking at rear – Permission Granted
- 3.6 98/0904 Demolish dwelling house and erect two storey block of ten self-contained flats and lay out parking at rear – Permission Granted
- 3.7 01/01283/OUT Demolish dwellinghouse and erect two storey block of ten self-contained flats and lay out parking spaces at rear (Renewal of outline permission) – Permission Granted
- 3.8 03/00999 Erect single storey rear extension – Permission Granted
- 3.9 11/01512/FUL Erect new chalet bungalow on land adjacent to 28 Bellhouse

Crescent – Application Refused

- 3.10 12/00806/FUL Erect new chalet bungalow on land adjacent to 28 Bellhouse Crescent (Amended Proposal) - Application Refused
- 3.11 13/00744/FUL Erect single storey infill and rear extension to form annex incorporating dormer windows to front elevation and alter rear elevation - Permission granted
- 3.12 18/01170/FUL Demolish existing dwellinghouse, erect four semi-detached two storey dwellinghouses and two chalet bungalows, layout associated parking and landscaping, install refuse and cycle stores and form vehicular accesses onto Lodge Farm Close and Bellhouse Crescent - Application Refused

4 Representation Summary

Public Consultation

- 4.1 Councillors Dear and Ayles have called the application in for consideration by the Development Control Committee.
- 4.2 14 neighbour letters were sent out and a site notice was displayed. Three letters of support have been received which make the following summarised comments:
- 4.3
- The proposal will not affect the neighbour in any way and will offer a better outlook when finished.
 - The scheme would be in keeping with the rest of the road
 - The scheme would be in line with the Council objective of making reasonable use of the land. The proposal would improve view from the neighbours property by removing overgrown trees and bushes

Environmental Health

- 4.4 No objections raised.

Highways

- 4.5 There are no highway objections to this proposal. Each new dwelling has 2 off street parking spaces which is policy compliant. The application is for 5 dwellings and the current vehicle crossing policy is for small developments (up to two dwellings, on the same site). Therefore in this instance the application is considered to be acceptable and it is not considered that the proposal will have a detrimental impact upon the public highway. The applicant will be required to apply to highways to construct the new vehicle accesses.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (NPPF) (2019)

- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), and CP8 (Dwelling Provision).
- 5.3 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).
- 5.4 Design & Townscape Guide (2009).
- 5.5 CIL Charging Schedule (2015)
- 5.6 National Technical Housing Standards (2015)

6 Planning Considerations

- 6.1 The main considerations in the determination of this application are the principle of the development, design and impact on the streetscene including the loss of trees, impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers, traffic and highways issues and CIL (Community Infrastructure Levy) contributions and whether this amended proposal overcomes the reasons for refusal of the previous application.

7 Appraisal

National Planning Policy Framework (NPPF) (2019); Core Strategy (2007) Policies KP1, KP2, CP4, and CP8; Policies DM1, DM3, DM8 and DM15 of the Development Management Document (2015), advice in the Design and Townscape Guide (2009) and Strategic Housing Land Assessment (SHLAA)

- 7.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework sections 124, 127 & 130. The planning principles of the NPPF include para.124 which 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. Paragraph 127 states: Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Paragraph 130 states: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.
- 7.2 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design, and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 requires that development proposals contribute to local housing needs.

- 7.3 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. Policy CP8 also expects 80% of residential development to be provided on previously developed land
- 7.4 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.”*
- 7.5 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.”*
- 7.6 The site lies within a residential area and the broad principle of residential development on the site has been considered to be acceptable. The principle of development did not form part of the reasons for refusal of the most recent application (ref.18/01170/FUL). However, the suitability of the site to accommodate the dwellings as proposed 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) (NPPF), Core Strategy (2007) Policies KP2 and CP4; Policies DM1 & DM3 of the Development Management Document (2015) and advice in the Design & Townscape Guide (2009)

- 7.7 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.”*
- 7.8 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.”* Paragraph 130 states; *“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.”*

- 7.9 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”*.
- 7.10 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”*.
- 7.11 Paragraph 190 of the Design and Townscape Guide states *“Redevelopment is defined to be the replacement of existing buildings with new buildings. When this is proposed the new scheme may be of a similar scale and accommodation mix to the original building but often the proposed seeks a more intense development either in terms of a larger scaled building or a greater number of smaller units”*. Paragraph 191 states *“Where this form of intensification arises the Council will decide whether the proposed intensification is appropriate for the area. Outside the town centre, seafront and priority urban areas, significant amounts of intensification will not normally be considered appropriate.”*
- 7.12 The sections of Bellhouse Crescent, Broadclyst Avenue and Lodge Farm Close that surround the application site have a residential character with the fronts of dwellings lining the street and private spaces such as gardens located at the rear of dwellings. The area is made up of detached, semi-detached and terraced houses of various designs fronting onto the highway. They are generally of a similar scale and a degree of cohesion is provided by the prevailing building line, set back from the highway and scale of frontages, the use of traditional materials and entrances to the street providing an active frontage to the properties. The proposed development would not be out of character in this respect.
- 7.13 Dwelling houses in the immediate surrounding area are typically set within reasonably sized linear plots although there are examples of irregular sized plots which vary in size and shape. It is not considered that the plots forms for proposed dwelling would be out of character in the surrounding area. In layout terms, the provision of two storey dwellings, as proposed, in this location would not be out of keeping with the character or at odds with the urban grain and overall cohesion of the area.
- 7.14 The design and age of the dwellings within the locality is mixed. The design of the dwellings proposed is a contemporary take on a traditional form of development with pitched roofs containing small gable features, projecting front bay features, front canopies above the door openings and there is no objection in principle to a well-designed contemporary approach.

- 7.15 In terms of siting, the proposed development would follow a stepped building line fronting onto Bellhouse Crescent, in order to reflect the existing building lines. The semi-detached dwellings on plots 1 – 4 would be set slightly further forward compared to the refused 2018 scheme and the detached dwelling plot 5 in the south western plot has been moved back into the site compared to the dwelling in the refused 2018 scheme.
- 7.16 The existing detached dwelling (No.28 Bellhouse Crescent) sits forward of the dwelling at No.30 by some 1.7m and the dwelling now proposed (plot 1) would sit some 2.5m forward of No.30 and its footprint would be closer to the site boundary. The proposed development would be prominent in the street scene, especially given the elevated land levels and that the proposed dwellings are each two storeys in scale.
- 7.17 The previously refused scheme contained blank side walls which emphasised the prominence in the street scene. Now, in the flank elevation, horizontal banding and window openings are proposed, which break up the section of north and south facing flank walls visible in the street scene and it is considered that this would integrate acceptably with the character of the surrounding area.
- 7.18 The proposed dwelling on plot 5 is set back in the plot and its footprint would be set further from the rear (western) boundary and the side boundary to the south of the site than the refused scheme (ref.18/01170/FUL). Whilst the proposed dwelling would be higher than the dwelling in the refused scheme in this section of the site, given its location set in from the boundary and its limited depth it is not considered that the proposed dwelling would appear as an overly prominent feature when viewed from Lodge Farm Close to the south of the site and the proposal has therefore overcome the previous reason for refusal in this respect.
- 7.19 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”. Limited landscaping details have been submitted with the application indicating a mix of landscaping to the front of the dwellings. The areas to the front of plots 1 & 2 appear comprised largely of hardsurfacing together with some limited soft landscaping. Plots 3, 4, & 5 in comparison have larger areas of soft landscaping and whilst there is relatively limited opportunity to landscape the frontages because of the parking areas, this issue could be addressed through the provision of high quality hard and soft landscaping. Subject to such a condition no objection is raised on this basis. In terms of boundary treatments, the submitted plans and information do not specify the boundary treatments proposed. However, a condition could be imposed on any grant of consent requiring boundary details. Subject to such a condition no objection is raised on this basis.
- 7.20 Trees on the site are not subject of a TPO however an arboricultural report has been submitted indicating that a number of trees would be removed. The trees to be removed are considered to be of low amenity value and a number of other trees would require canopy reductions. The applicant has proposed that any excavation works within the root protection area (RPA) of the trees could be overseen by a qualified arboriculturalist. Subject to a relevant condition, no objection is raised on this basis. It would be expected that replacement trees should be provided to replace those lost as a result of the development.

- 7.21 For the reasons set out above, it is considered that the proposed development would be acceptable and policy compliant and it has overcome the previous reason for refusal in the above regards.

Impact on Neighbouring Properties

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

- 7.22 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”.
- 7.23 The proposed dwellings on plots 1- 5 would be set in a stepped arrangement facing towards Bellhouse Crescent. Plot 1 would be positioned 1.3 metres from the northern boundary with No.30. The proposed dwelling would be 9.1m in height. Given the height of the existing dwelling and its separation distance from No.30, it is not considered that the proposal would have an overbearing impact or result in a sense of enclosure for the neighbouring surrounding dwellings which is materially greater than already exists. In terms of overlooking, the front windows for plot 1- 5, would overlook the public highway which is already open to public gaze and would not therefore result in any material overlooking or loss of privacy. Nor would the dwellings appear as an overly dominant feature that would have an overbearing impact or result in an unacceptable sense of enclosure on surrounding dwellings to the east of the site in Bellhouse Crescent.
- 7.24 In terms of the relationship between the terrace of houses in Lodge Farm Close which lies to the south of the site and plots 1 – 4, there would be a minimum separation distance of 15m increasing to 32m. The terrace sits at a materially higher level than the application site. It is not considered that this relationship would give rise to any detrimental overbearing, perceived or actual dominant impacts upon the dwellings to the south of the site or result in any material loss of privacy or light. It is not considered the proposed development on plot 5 would result in overlooking nor would it be detrimental to the amenities enjoyed by residents at 14 Bellhouse Crescent or in the terrace of houses in Lodge Farm Close to the south of the site.
- 7.25 The proposal would result in a minimum separation distance of some 30m between the nearest dwelling of the proposed development (plot 1) and No.6 Broadclyst Avenue to the north west of the site. Although rear facing windows are proposed, it is not considered that the proposed development would result in materially harmful overlooking or loss of privacy. Nor would the proposed development appear as an overly dominant feature that would have an overbearing impact or result in an unacceptable sense of enclosure on surrounding dwellings to the north west.

- 7.26 In terms of the inter-relationships between plots 2 and 3 and the inter-relationship between plots 4 and 5. , plot 3 sits forward of plot 2 by some 4.5m and there is a separation distance of 1m between the dwellings. Plot 5 sits forward of plot 4 by the same distance and has the same separation. It is not considered the proposed relationships would infringe on a notional horizontal 45 degree angle of light taken from the windows of the ground floor and first floor habitable rooms (living room and bedroom) of plots 2 & 4. Nor would the houses impact harmfully upon each occupier's amenities in terms of sense of enclosure, overbearing impact or loss of daylight, sunlight etc. Windows are proposed in the north facing flank elevations of plots 3 & 5. These serve hallways and staircases and could be obscure glazed to prevent adverse impacts in terms of overlooking or loss of privacy.
- 7.27 Given the size of the dwellings and their relationships within the site layout, it is considered necessary to remove certain permitted development rights including enlargements, improvements and alterations to the proposed dwellings, additions to the roof and outbuildings in order to protect the amenities of surrounding occupiers and visual amenity of the site.
- 7.28 Subject to those conditions the proposal is acceptable and policy compliant in the above regards.

Living Conditions for Future Occupiers

National Planning Policy Framework (2019) (NPPF), Core Strategy (2007) Policies KP2, CP4 and CP8; Policy DM8 of the Development Management Document (2015), advice in the Design and Townscape Guide (2009) and the National Technical Housing Standards (2015)

- 7.29 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 Technical Housing Standards regarding the minimum internal floorspace standards.
- 7.30 Paragraph 124 of the National Planning Policy Framework seeks to secure high quality design and a good standard of amenity for all existing and future occupants 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 table:
- Minimum property size for a 4 bedroom (5 person) 3 storeys dwelling shall be 103 square metres. Plots 1- 4
 - Minimum property size for a 3 bedroom (4 person) 3 storeys dwelling shall be 90 square metres. Plot 5
 - 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.

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.

7.31 The proposed residential units would have internal floor spaces and bedroom sizes that exceed the minimum size required by the technical housing standards.

7.32 All habitable rooms will be provided with sufficient windows and openings to provide adequate light, ventilation and outlook. The rear amenity space areas vary for each dwelling, the smallest being approximately 80 sqm and the largest being approximately 167 sqm and are considered sufficient to meet the outdoor needs of future occupiers of the proposed dwellings.

7.33 The Design and Townscape Guide states 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. Cycle storage and refuse storage facilities are shown to be provided in the rear gardens of each dwelling. Subject to a condition in this respect no objection is therefore raised on this basis.

7.34 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. The supporting statement indicates that the design is compliant with Part M4 (2) of the Building Regulations. Subject to a condition requiring the development to be built in accordance with M4 (2) no objection is therefore raised on this basis.

- 7.35 Subject to conditions, the proposal is therefore acceptable and policy compliant in the above regards.

Traffic and Transport Issues

National Planning Policy Framework (2019); Policy CP3 of the Core Strategy (2007) Policy DM15 of the Development Management Document (2015); Design and Townscape Guide (2009)

- 7.36 Policy DM15 states that a 2+ Bedroom Dwelling (house) should provide a minimum of two spaces per dwelling. Policy DM15 states that “Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/ or where the rigid application of these standards would have a clear detrimental impact on local character and context.”
- 7.37 The plans submitted indicate that each dwelling will be provided with 2 parking spaces. The dwellings on plots 1 & 2 would have tandem parking spaces which can be inconvenient for occupiers and could result on street parking and this weighs against the proposal. The dwellings on plots 3, 4 & 5 would each have two spaces that would be side by side. There are no highway objections to this proposal as each new dwelling would have 2 off street parking spaces which is policy compliant. The width of the crossings range from 6m for plot 1 & 2 and plot 5 up to 9m wide for plots 3 & 4. The maximum width for a crossover for a single dwelling is 4.8m however the Vehicle Crossing Policy & Application Guidance is applicable to small developments (up to two dwellings, on the same site). Given that the proposed development is for 5 dwellings, in this instance the application is considered to be acceptable in this regard. The applicant would be required to apply to highways to construct the new vehicle accesses. On balance the proposal would be acceptable and in accordance with policy in the above regards.
- 7.38 Covered cycle storage is shown to the rear of the houses within the curtilage of the application site. The application site has sufficient space to accommodate cycle parking for each dwelling and subject to a condition in this respect no objection is raised on this basis.

Use of on Site Renewable Energy Resources and Sustainable Construction

National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Design and Townscape Guide (2009)

- 7.39 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”*
- 7.40 No details have been submitted to demonstrate this proposal would provide 10% of

the energy needs from renewable energy resources however there is space to provide this, e.g. PV cells. A suitable condition can be imposed to ensure compliance with policy KP2 of the Core Strategy.

- 7.41 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.*” Changes to legislation means that these standards have now been incorporated into Building Regulations and as such it is considered that it is reasonable and necessary to impose conditions to any permission granted at this site to require development to achieve the ‘enhanced standard’ of building regulations. Subject to a condition no objection is therefore raised on this basis.

Ecology

- 7.42 The applicant has provided an ecological appraisal of the site which incorporates a bat survey inspection. The report found no evidence of bats or other European Protected Species. It was not considered that any great crested newts or reptile species would be affected by the proposed development and no active or inactive badger setts were found. The report concluded that the proposed development would not have any adverse impact on legally protected or priority species provided that mitigatory guidance and enhancement recommendations are adhered to. These can be secured by condition.

Community Infrastructure Levy

CIL Charging Schedule 2015

- 7.43 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 application site is located within Zone 1 therefore a CIL rate of £24.46 per sq.m is required for the proposed development. The proposed development equates to approximately 584sq.m of new residential floorspace which may equate to a CIL charge of approximately £14,284.64 (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 would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, and the streetscene more widely.
- This scheme is considered to have overcome the reasons for refusal of the previously refused application and is therefore recommended for approval subject to

conditions.

9 Recommendation

GRANT PLANNING PERMISSION subject to conditions

- 01 The development hereby permitted shall begin no later than 3 (three) years from the date of this decision.**

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

- 02 The development hereby permitted shall be carried out in accordance with the approved plans: 1743 – 28, 1743 – 27D, 1743 – 23D, 1743 – 22B, 1743 – 21C, 1743 – 11A , 1743 – 08, 1743 – 06**

Reason: To ensure that the development is carried out in accordance with provisions of 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 construction up to ground floor slab level until samples of the materials to be used in the construction of the external elevations of the buildings 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, 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 Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no development falling within those classes shall be undertaken at the site unless express planning permission has been obtained from the Local Planning Authority.**

Reason: To safeguard the design and appearance of the proposed development in the interest of visual amenities of the locality and in order to protect the amenities of surrounding occupiers in accordance with the National Planning Policy Framework , Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

05 Prior to the first occupation of the dwellings hereby approved, full details of both hard and soft landscape works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works shall be carried out in accordance with the approved details 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. means of enclosure, of the site including any gates or boundary fencing;
- ii. car parking layouts;
- iii. other vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;
- v. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- vi. 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 and the amenities of occupiers 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).

06 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 by the Local Planning Authority prior to occupation of the development hereby approved 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 (2007) and Development Management Document (2015) Policy DM2.

07 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 and made available for use 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).

- 08 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time Sundays or Bank Holidays.**

Reason: In order to protect the amenities of surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 09 Prior to the first occupation of the development hereby approved, full details of refuse and bicycle storage facilities for the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, refuse and bicycle storage facilities shall be provided at the site in accordance with the approved details and retained in perpetuity thereafter.**

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

- 10 The development hereby approved shall be carried out in a manner to ensure that it complies with Building Regulation part M4 (2) 'accessible and adaptable dwellings', before it is brought in to use.**

Reason: To ensure the dwellinghouse hereby approved provide high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

- 11 No site clearance, preparatory work or development shall take place until a scheme for the protection of the trees within the application site; (the tree protection plan) and the appropriate working methods (the Arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and agreed in writing by the local planning authority. The approved measures shall be installed before the commencement of works and the development implemented in full accordance with the approved measures.**

Reason: A pre-commencement condition is required in the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Core Strategy (2007) policies KP2 and CP4, Development Management (2015) policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide 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 hoarding including decorative displays and facilities for public viewing, where appropriate**
- v. wheel washing facilities**
- vi. measures to control the emission of dust and dirt during construction**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works**

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance with National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4; and Development Management Document (2015) policies DM1 & DM3

13 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings 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 proposed dwellings that are to be permanently glazed with obscured glass (to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent) 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 buildings 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, in accordance with the National Planning Policy Framework, Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and advice contained in The Design and Townscape Guide (2009).

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 Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notices. 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. Replacement trees must be provided as part of a landscaping scheme to replace those lost as a result of the development.

04. You are advised that the development should follow the recommendations as set out in section 5.2 of the Ecological Appraisal Ref MH800 version 1 dated 14/02/18.