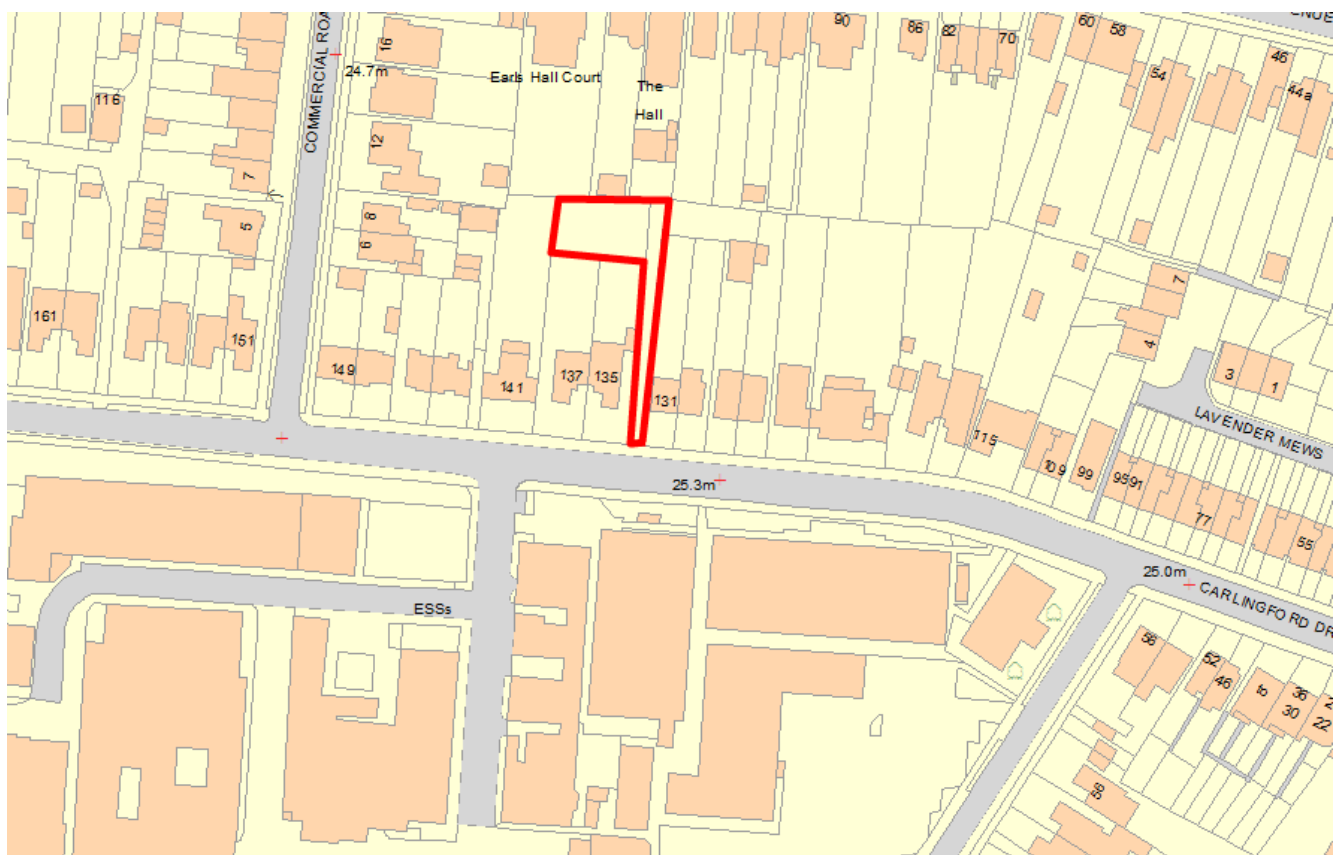


Reference:	19/00795/FUL
Ward:	Prittlewell
Proposal:	Erect detached chalet bungalow with associated parking at land r/o 135 Carlingford Drive (Amended Proposal) Retrospective)
Address:	135 Carlingford Drive, Westcliff-On-Sea, Essex, SS0 0SD
Applicant:	Mr Graham Eiles
Agent:	DK Building Designs Ltd
Consultation Expiry:	05.06.2019
Expiry Date:	08.07.2019
Case Officer:	Scott Davison
Plan Nos:	3534 -04 Revision A
Recommendation:	GRANT PLANNING PERMISSION



1 Site and Surroundings

- 1.1 The application site is a backland site on the northern side of Carlingford Drive located to the rear of 135 Carlingford Drive. The application site is an irregular shaped plot some 21m deep and ranges in width from 12m - 14m. The site is accessed by an existing vehicular access from Carlingford Drive. Prior to development commencing on site, it was a vacant overgrown plot of land that had been formerly occupied by garages.
- 1.2 The application site abuts the rear gardens of 135, 137 and 141 Carlingford Drive to the south and west of the site and the rear of 104, 102 and the Gospel Hall in Carlton Avenue to the north. The front of the site adjoins the rear garden of 131 Carlingford Drive to the east. The site is located within a residential area comprising of 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 private gardens located at the rear. However there is some backland development evident in the surrounding area notably in Lavender Mews some 100m to the east.
- 1.3 The site is not located within a conservation area or within flood zones 2 or 3 and is not subject to any site specific planning designations.

2 The Proposal

- 2.1 The application seeks planning permission for the erection of a detached dwelling on a former garage plot to the rear of 135 Carlingford Drive and to layout parking and amenity areas. The applicant has commenced development and the shell of the building has been erected.
- 2.2 The proposed dwelling would be a chalet bungalow measuring some 6.5m in height, some 10.3m in deep and 12m wide with a pitched roof. Vehicular and pedestrian access to the site would be via an existing vehicle crossover on Carlingford Drive that would be shared with a garage that is located to the rear of the site.
- 2.3 The proposed dwelling would have an internal floor area of some 136 sqm with 3 bedrooms that would measure 9 sqm, 23.3sqm and 21.6 sqm, together with an open plan lounge / diner / living area and utility room on the ground floor and a bathroom on the first floor. The proposed development would have two parking spaces to the front of the dwelling and a roughly rectangular shaped amenity area to the rear of the building of some 102 sqm.
- 2.4 The external finishing materials for the proposed dwelling include welsh slate, white upvc doors and windows and Hoskins Flemish Antique brick in red, beige and blue

3 Planning History

- 3.1 04/01339/FUL Erect detached bungalow with garage to side - Permission granted. This development was not built out and although the applicant states that development commenced on site, no evidence to support this position has been submitted.

4 Representation Summary

Public Consultation

- 4.1 Councillor D Garston has called the application in for consideration by the Development Control Committee.
- 4.2 19 neighbours were notified of the application and a site notice was displayed. 3 letters of objection have been received and are summarised as follows:
- Size and height of the building is excessive
 - Harm to neighbouring amenity
 - Overlooking and loss of privacy
 - Use of the site is unlawful
 - Impact on drainage
 - Design is unacceptable and harms character of site and area

[Officer Comment: These concerns are noted and where relevant to material planning considerations they have been taken into account in the assessment of the application. Those remaining are found not to represent a reasonable basis to refuse planning permission in the circumstances of this case].

Anglian Water

- 4.3 No comment

Highways

- 4.4 There are no highway objections to this proposal. Two off street parking spaces have been provided which is policy compliant. Vehicles can enter the site, manoeuvre and leave in a forward gear. It is not considered that the proposal will have a detrimental impact upon the public highway.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (2019)
- 5.2 Core Strategy (2007) Policies CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), CP8 (Dwelling Provision), KP1 (Spatial Strategy) & KP2 (Development Principles).
- 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 Community Infrastructure Levy Charging Schedule (2015)
- 5.5 Design & Townscape Guide (2009).
- 5.6 Waste Storage, Collection and Management Guide for New Developments (2019)

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 rear garden environment, the impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers, traffic and highways issues, impact on ecology and CIL (Community Infrastructure Levy) issues.

7 Appraisal

Principle of Development

- 7.1 This proposal is considered in the context of Council planning policies relating to design. Also of relevance are National Planning Policy Framework sections 124, 127 & 130 and Core Strategy Policies KP2, CP4 and CP8. Para.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.* 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. It further states that; “all development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:*
- (i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or*
 - (ii) Conflict with the character and grain of the local area; or*
 - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or*

(iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.”

- 7.5 Paragraph 193 of the Design and Townscape Guide (2009) states *“Backland sites are defined to be landlocked areas between existing development, usually with a single and often narrow access onto an existing street. They encompass areas such as disused garage courts, vacant sites and other odd shaped areas left over between housing blocks which may offer an opportunity for redevelopment. Where acceptable in principle, such development can take advantage of access to local facilities and infrastructure, provide natural surveillance and generally lift an area which may be susceptible to crime and disorder”*.
- 7.6 The surrounding area is characterised largely by traditional residential development where the fronts of dwellings line the street with reasonably sized private gardens located at the rear of the dwellings although there is some backland development evident in surrounding area. In this instance Council photographic records show that this site has been vacant for a number of years however it is understood it was formerly occupied by a garage court. Whilst planning permission was granted in 2004 for a detached bungalow with garage to side on this site, no evidence has been submitted to demonstrate that this development commenced and this is considered not to set a precedent for supporting development proposals.
- 7.7 Given the nature of the proposed development and backland development evident in surrounding area in Lavender Mews, on balance, there is no objection to the development of the site in principle subject to other detailed considerations in relation to the proposed development such as the design, impact on the residential amenity of the adjoining residents, parking implications and whether the development can provide adequate living conditions for the future occupiers of the site. These are addressed below.

Design and Impact on the Character of the Area

- 7.8 In the Council's Development Management Document, Policy DM1 states that development should “add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features.”
- 7.9 Policy DM3 states that *“all development on land that constitutes backland and infill development will be considered on a site-by-site basis.*
- 7.10 The Design and Townscape Guide (paragraph 116) states: “All buildings must have the same high quality of design for all facades, limited views of the side and rear elevations or of backland development are not an excuse for bland or ‘dumbed down’ elevations”.
- 7.11 The sections of Carlingford Drive and Carlton Avenue 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 mainly of detached and semi-detached houses of various designs fronting onto the highway. They are of a similar scale and cohesion is provided by the prevailing

building line, set back from the highway and the scale of frontages, the materials including brick, render and red/brown tiles and entrances to the street providing an active frontage to the properties.

- 7.12 The proposed chalet dwelling is of a traditional design and whilst of limited merit, is shown to incorporate traditional materials including brick and slate which would be acceptable in principle. Brick, tiles and light coloured render are evident in the surrounding street scene. The scale of the proposed development is similar to the surroundings and acceptable in principle.
- 7.13 The dwelling will have limited visibility from the wider street scene given its backland position, however the proposed development would be a pitched roof dwelling that would reflect the height of other dwellings in the locality. Whilst the detailed design is functional and of limited merit, there is a mix of roof forms in the surrounding street scene and the proposed pitched roof and gable features are not considered to detract from the prevailing character and appearance of the area. Therefore, on balance, the design and external appearance is not harmful to the character and appearance of the surrounding area. It is considered that the development would draw satisfactory reference from the neighbouring dwellings and would not be detrimental to the character of the wider area.
- 7.14 In terms of the relationship to the surrounding properties, the dwelling would sit some 6m from the western boundary, 1m in from the northern boundary and some 7m off the eastern boundary. A 4.5m section of the southern elevation would be parallel to the southern site boundary. The north and south facing elevations would be blank and the absence of window openings in the flank elevations is a measure intended presumably to protect neighbouring residential amenity given the proximity of the built form to the site boundaries.
- 7.15 It is considered that the proposed development has an acceptable degree of separation and spacing from other surrounding dwellings. In layout terms, it is noted that the position of the built form would be located close towards one of the site boundaries. However given that this is only a 4.5m long section, it is not considered that this would result in the dwelling having a cramped appearance in the plot. The height of the dwelling above ground level would on balance not appear as an unduly prominent feature when viewed from the surrounding dwellings and garden areas.
- 7.16 Dwelling houses in the immediate surrounding area are typically set within reasonably sized linear plots. The plot for this residential development would be smaller than development fronting onto surrounding roads but not dissimilar to backland development evident in the surrounding area to the east of the site in Lavender Mews. Given the size of the plot it would be reasonable to restrict permitted development rights for the proposed development because of adverse impacts on amenity which could result from uncontrolled use of permitted development rights.
- 7.17 For the reasons set out above, It is considered that the proposed development would be acceptable and policy compliant.

Impact on Residential Amenity

National Planning Policy Framework (2019), Policies KP1, KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

- 7.18 Policy DM1 of the Development Management Document states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”
- 7.19 In the east facing (front) elevation, the distance between the front roof light windows and rear of the nearest dwellings to the east of the site on the northern side of Carlingford Drive is some 25m. The proposed dwelling would be some 6.5m in height above ground level. Given the separation distance, it is not considered that the development would appear as an overly dominant feature that would have an overbearing impact or result in an unacceptable sense of enclosure to surrounding dwellings. Windows could be obscure glazed to prevent adverse impacts in terms of overlooking or loss of privacy.
- 7.20 The west facing rear elevation would contain a dormer window that would be some 6m from the rear (western) boundary of the site. The distance between this rear window and the rear of the nearest dwellinghouses to the west of the site would be some 25m to Carlingford Drive, 40m to Carlton Avenue and some 45m to Commercial Road. Given these separation distances it is considered that the development would not result in materially harmful overlooking or loss of privacy to the rear of surrounding dwellings and gardens. Windows could be obscure glazed to prevent adverse impacts in terms of overlooking or loss of privacy.
- 7.21 In terms of the relationship to the south of the site with 131, 135 & 137 Carlingford Drive, a 4.5m wide section of the south facing flank elevation would be set 0.3m off the southern boundary. There would be a separation distance of some 19m from the rear of No.135. The south facing elevation would be some 22m and 26m from the rear elevations of No's 137 & 131. No windows are proposed in the south facing elevation and it is not considered that this relationship would result in materially harmful overlooking or loss of privacy. Whilst there would be a close relationship to the southern boundary, on balance, it is not considered that this element of the proposal would appear as an unduly overbearing and dominant feature nor would it result in an undue sense of enclosure within the rear gardens of neighbouring properties to the south of the site.
- 7.22 In regard to the relationship to the north of the site with properties in Carlton Avenue, the north facing flank elevation would be set 1.0m in from the northern boundary. There would be a separation distance in excess of 30m to the rear of No.104 and 102 Carlton Avenue. No windows are proposed in the north facing elevation and it is not considered that this relationship would result in materially harmful overlooking or loss of privacy or would appear as an overly dominant feature that would have an overbearing impact or result in an unacceptable sense of enclosure to surrounding dwellings.

- 7.23 Given the size of the dwelling and its relationship within the site layout, it is considered necessary to remove certain permitted development rights including enlargements, improvements and alterations to the proposed dwelling, additions to the roof and outbuildings in order to protect the amenities of surrounding occupiers and visual amenity of the site.
- 7.24 In summary, for the reasons set out above, it is not considered that the proposed development would result in material harm to any adjoining neighbours in terms of overlooking and loss of privacy. The proposed development would not result in any adverse impacts in terms of undue dominance, an overbearing impact or a sense of enclosure or loss of light. Subject to conditions regarding permitted development rights and obscure glazing, no objection is raised to the proposal in these regards as it is not considered to result in any adverse impacts on the amenity of neighbours and is therefore acceptable and policy compliant in this respect.

Standard of Accommodation for future occupiers

- 7.25 Paragraph 127 of the NPPF states that “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”. 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 3 bedroom (5 person bed space) 2 storey dwelling shall be 93 square metres.
 - Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m; and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
 - Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
 - A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

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.

- 7.26 The proposed dwelling would be built to dimensions as set out in paragraph 1.3 of this report and would comply with the abovementioned standards. The layout and outlook for habitable rooms is considered acceptable.
- 7.27 Policy DM8 states that new dwellings should make provision for usable private outdoor amenity space for the enjoyment of intended occupiers. The garden area for the proposed dwelling would be located to the rear of the proposed building within a rectangular shaped area. It is considered that this would be sufficiently screened and private and would provide an acceptable and usable amenity space for future occupants capable of meeting day to day activities such as providing an outdoor sitting out space or for hanging out washing etc. The proposed amenity space would therefore be acceptable and policy compliant.
- 7.28 Facilities for refuse storage are shown to the side of the side of the dwelling. The "Waste storage, Collection and Management Guide for New Developments" published in January 2019 states that a waste producer is not expected to collect and carry wastes more than 30m to the public highway. The distance from the dwelling to the public highway is in excess of 40m and a refuse collection point is indicated towards the front of the access drive. It is considered that it would be possible to address this matter through the imposition of a condition to secure detail of the refuse facilities and waste management.
- 7.29 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 Design and Access statement states that the design is compliant with Part M4 (2) of the Building Regulations. This matter can be controlled through the imposition of a condition.

Highways and Transport Issues

- 7.30 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."

- 7.31 Access to the site is via the existing driveway. The scheme provides 2 off street parking spaces to the front of the proposed dwelling with one parallel space and one at right angles. Parking provision would be in accordance with policy.
- 7.32 There are no highway objections to this proposal. Two off street parking spaces have been provided which is policy compliant and vehicles can enter the site, manoeuvre and leave in a forward gear. It is not considered that the proposal will have a detrimental impact on highway safety.
- 7.33 No details of secure covered cycle storage are shown. Details of this can be secured via a condition.
- 7.34 The highways and parking implications are therefore considered acceptable and policy compliant.

Sustainability

- 7.35 Core Strategy Policy KP2 and the Design and Townscape Guide require that 10% of the energy needs of a new development should come from on-site renewable resources, and also promotes the minimisation of consumption of resources. 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 and measures to comply with policy can be achieved by condition.
- 7.36 Policy DM2 states that water efficient design measures should be incorporated into development. 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. No detailed information has been submitted, but measures to ensure compliance with policy can be achieved by condition.

Community Infrastructure Levy

- 7.37 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. This application is being considered on the basis that it is retrospective. 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 136sq.m of new residential floorspace which may equate to a CIL charge of approximately £3326.56 (subject to confirmation). As development has commenced in relation to this chargeable development, no exemption or relief can be applied for.

8 Conclusion

Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would, on balance, 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, the proposed development would provide satisfactory internal living conditions for future occupiers and would have an acceptably sized external amenity space. The proposal would have an acceptable impact on the amenities of neighbouring occupiers, highway safety and parking and the character and appearance of the application site, the street scene, and the locality more widely. The provision of additional housing is considered to be a public benefit of the scheme which has been weighed in the balance of material factors. The application is 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 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 not be carried out except in complete accordance with the details shown on the submitted plan numbers: 3534 -04 Revision A**

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

- 03 Prior to the occupation of the development hereby permitted, the development shall be constructed in accordance with details of materials shown on application form, Hoskins Flemish Antique mixture bricks, (red/blue/beige), natural welsh slate, white upvc windows and doors unless alternative details of external materials have previously been submitted to and agreed in writing by the Local Planning Authority.**

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 (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the Design and Townscape Guide (2009).

- 04 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).

- 05** Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00hours 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).

- 06** Prior to the first occupation of the dwelling hereby approved, full details of refuse, recycling and secure, covered bicycle storage facilities at the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the dwelling hereby approved, refuse, recycling and bicycle storage facilities shall be provided and made available for use 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, CP3 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

- 07** Prior to the occupation of the dwelling hereby approved the car parking spaces shall be provided and made available for use in accordance with the details shown on approved plan 3534 -04 Revision A. The car parking spaces shall be kept available for the parking of motor vehicles of occupiers of the dwelling hereby approved and their visitors and shall be permanently retained as such thereafter.

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

- 08** Prior to the first occupation of the development 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. 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 DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

- 09 Notwithstanding the provisions of Classes A, B, 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 within those classes shall be undertaken at the site without express planning permission first having 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 (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and 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 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 prior to occupation of the development hereby approved by the Local Planning Authority 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.

- 12 Notwithstanding the details shown in the plans submitted and otherwise hereby approved, the dwelling hereby granted consent shall not 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 dwelling 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 dwelling hereby approved is 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.

10 Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount and when this is payable. As this chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will shortly be issued. Charges and surcharges may apply 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.