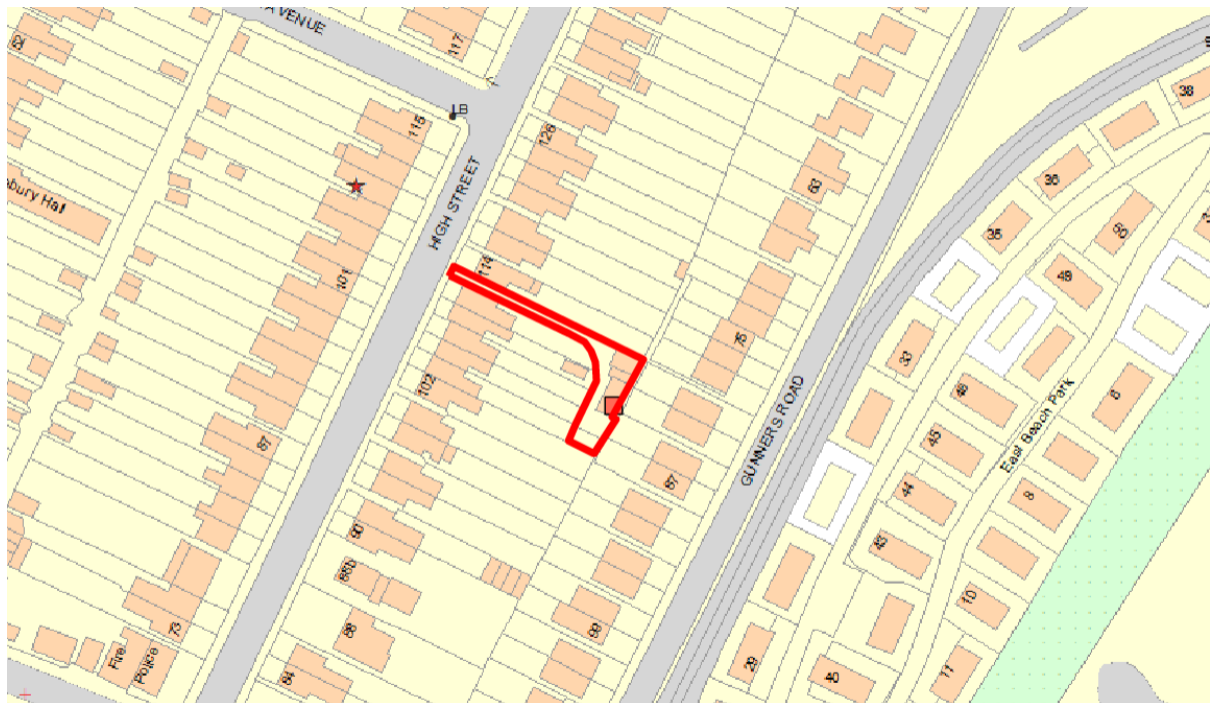


Reference:	18/00839/FUL	
Ward:	Shoeburyness	
Proposal:	Demolish existing commercial buildings, erect single storey dwelling, layout parking and amenity area rear of 104-112 High Street (Amended Proposal)	
Address:	Land Rear Of 106 To 112 High Street, Shoeburyness	
Applicant:	Mr Hundal	
Agent:	N/A	
Consultation Expiry:	19.04.2019	
Expiry Date:	08.07.2019	
Case Officer:	Kara Elliott	
Plan No:	338-01 Rev A, 338-02 Rev C, 338-03 Rev A, 338-04	
Recommendation:	GRANT PLANNING PERMISSION	



## **1 Site and Surroundings**

- 1.1 The application site is located to the rear of residential properties at 102-112 High Street, Shoeburyness and is accessed via an existing access between 112 and 114 High Street which is some 36m long.
- 1.2 The site access is 2.4m wide and leads to a rectangular site which incorporates garages and a former commercial workshop. The existing buildings are single storey with a mixture of flat and pitched roofs.
- 1.3 The site lies to the rear of residential properties in High Street which are mainly two storey terraced houses. It also backs onto the rear of semi-detached two storey housing within Gunners Road which have rear gardens of limited depth.
- 1.4 High Street, Shoebury is a classified road and there is a bus stop sited adjacent to the entrance of the site.

## **2 The Proposal**

- 2.1 Planning permission is sought to demolish the existing workshop/garage/storage building on site and to erect a single storey dwelling, layout parking for two vehicles and amenity area at the rear of 102-112 High Street, Shoeburyness.
- 2.2 Planning permission was granted on 08.06.2015 for a very similar development but has since expired (reference 15/00505/FUL).
- 2.3 The proposed dwelling will measure a maximum of 4.8m wide x 14.6m deep x 3.5m high and have a mono-pitched roof.
- 2.4 The proposed dwelling will have two bedrooms (double bedroom approximately 12m<sup>2</sup>, single bedroom approximately 7.5m<sup>2</sup>), a total floorspace of approximately 62sq.m overall and a private rear garden of 70sq.m.
- 2.5 One car parking space is proposed together with space to turn a car.
- 2.6 Materials to be used on the external elevations of the dwelling include white render and cedar cladding, grey roof membrane, grey aluminium windows and timber doors.
- 2.7 Consideration of the application was deferred from the October 2018 Development Control Committee meeting in order to allow the applicant to submit a corrected ownership certificate. The application was subsequently deferred from the April 2019 Development Control Committee meeting in order to enable the applicant to respond to parking concerns. Revised plans were submitted repositioning the building approximately one metre further south, enabling two on-site parking spaces to be formed. However, following assessment of the layout by the Council's Highways department, it has been evidenced that the proposed layout with two parking spaces restricts the

vehicular movement within the site and does not enable a vehicle to enter and leave in a forward gear in no more than a 3 point turn. This is a requirement of the Vehicle Crossing Policy as High Street Shoebury is a classified road. Therefore, the application is proposed as originally submitted, with one on-site parking space. The application was deferred from the June 2019 Development Control Committee meeting in order to clarify a proposed speaking request.

### **3 Relevant Planning History**

- 3.1 14/01981/FUL: Demolish existing commercial buildings, erect single storey dwelling, layout parking and amenity area rear of 104-112 High Street – Refused planning permission on 24.02.2015 for the following reasons:

*“01. The proposed dwelling by reason of its siting, height and position up to the site boundary would be overbearing upon and result in an undue sense of enclosure, to the detriment of the amenities of the occupiers of 83 and 85 Gunners Road. This would be exacerbated by the limited depth of these neighbour's rear gardens and the span of the proposed dwelling along the width of these neighbour's rear gardens. This is contrary to the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies H5 and H10 and the Design and Townscape Guide (SPD1).*

*02. The applicant has failed to demonstrate how renewables would be incorporated into the development to meet at least 10% of the energy needs of the dwelling. It is unclear whether the required amount of renewables could be accommodated on the site to meet the requirements of Policy KP2 and the visual impact of the renewable options would need to be assessed. This is contrary to National Planning Policy Framework, Core Strategy Policy KP2 and the Design and Townscape Guide (SPD1).”*

- 3.2 15/00505/FUL: Demolish existing commercial buildings, erect single storey dwelling, layout parking and amenity area rear of 104-112 High Street (Amended Proposal) - Granted 08.06.2015.

### **4 Representation Summary**

- 4.1 Councillor N Ward called the application in for consideration by the Development Control Committee.

#### **Highways**

- 4.2 No objection.

#### **Environmental Health**

- 4.3 No objection. Suggests conditions in relation to contaminated land etc.

## Public Consultation

- 4.4 19 neighbours were notified and a site notice was displayed. Neighbours were re-notified following receipt of revised plans submitted in response to the April 2019 Development Control Committee deferral. Five letters of representation have been received.
- 4.5 Letters of objection (4);
- Neighbour uses land for parking;
  - Loss of privacy;
  - Harm to neighbour amenity and amenity of area;
  - Loss of light;
  - The land must be kept clear for access and parking;
  - Difficult for emergency vehicles to gain access;
  - Security of the neighbour's property once fences removed.
  - Land not under ownership of applicant;
  - Loss of right of way for neighbours;
  - Object to replacement of the neighbour's fencing. **[Officer Comment: This is a private matter between the applicant and those neighbours concerned.]**
- 4.6 Letter of representation (1)
- Would like applicant to make offer to purchase land.
- 4.7 Officer comment: These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in this instance. Following deferral of the application, the applicant has submitted the correct ownership certificate and served the requisite notices upon all person/s with an interest in the land. A grant of planning permission would not override any property rights held by interested parties.

## 5 Planning Policy Summary

- 5.1 National Planning Policy Framework (2019)
- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP1 (Employment Generating Development), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance) and CP8 (Dwelling Provision).
- 5.3 Development Management Document (2015) Policy DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards), DM11 (Employment Areas), and DM15 (Sustainable Transport Management).
- 5.4 The Design & Townscape Guide (2009)
- 5.5 The Nationally Described Space Standards (2015)

## 6 Planning Considerations

- 6.1 The main issues for consideration are the principle of the development, design and impact on the streetscene, any impact on neighbours, standard of accommodation for future occupiers, highways and parking implications, sustainable development, CIL contributions, history and whether any new material considerations would lead to a different conclusion i.e. new local and national policy considerations and guidance, to the previous consent granted.

## 7 Appraisal

### Principle of Development

**National Planning Policy Framework (2019), Core Strategy (2007) Policies KP1, KP2, CP1, CP4 and CP8; Development Management Document (2015) Policies DM1, DM3, DM11 and advice contained within The Design & Townscape Guide (2009)**

- 7.1 Policy CP1 of the Core Strategy seeks to resist planning permission for proposals which would involve the loss of existing employment land unless it will contribute significantly to the objective of regeneration of the economy in other ways, including significant enhancement of the environment, amenity and condition of the local area. Similarly, Policy DM11 of the Development Management Document states that applications for alternative uses on sites used (or last used) for employment purposes will only be acceptable if it will no longer be effective or viable to accommodate the continued use of the site for employment purposes.
- 7.2 The site is currently occupied by a disused garage, and a smaller garage not used for any associated parking. The largest building is a vacant workshop which has a floor area of 101sq.m and is used for storage. Therefore, the site is generally used for storage and its loss will have negligible to no impact upon employment. Given the constraints of the site, tightly surrounded by residential properties, it is recognised that there would be little value in marketing the site for commercial use. No objection was raised by Members to the loss of the existing use at the time of the previous application.
- 7.3 Policy DM3 of the Development Management Document, in respect of backland development states;

*“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 contrived and unusable garden space for the existing and proposed dwellings;*

*or*

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

- 7.4 The site is tightly surrounded and within close proximity of neighbouring residential occupiers which adjoin the site in the High Street and at the rear in Gunners Road.
- 7.5 Although the siting of the dwelling is out of keeping with the pattern of development within the local area in certain regards, given that there are existing buildings on the site, no objection is raised on this basis.
- 7.6 It is considered that the residential use of the site would be more compatible and appropriate in the local area than the existing workshop use. Therefore, there is no objection to the principle of development subject to each of the considerations detailed below being satisfactorily achieved.
- 7.7 Additionally, at the time of granting the now expired planning permission in June 2015, no objection was raised to the principle of development. It is considered that there are no new material considerations which alter this view.

### **Design and Impact on the Streetscene**

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

- 7.8 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 (2009) also states that *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*
- 7.9 *Paragraph 124 of the NPPF (2019) 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.”*
- 7.10 *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”.*
- 7.11 The proposed dwelling is single storey and given its rearward siting some 41m from High Street, it will not be visible from nor have any impact in the streetscene.

- 7.12 Whilst the proposed dwelling is relatively wide, it is of limited height and there is no objection to its design and appearance. The use of cedar panelling and larger height windows will help break up the width of the building and use of render. Furthermore, due to its single storey nature and similarity to the existing buildings on site in terms of size, scale and bulk, the proposal would not appear overly dominant in this location and would not result in demonstrable harm to the character and appearance of the site or the wider area.
- 7.13 The existing buildings are in a relatively poor state of repair and make no positive contribution to the site and their surroundings. The proposed development would 'tidy up' and improve the appearance of the site overall.
- 7.14 Furthermore, at the time of granting the now expired planning permission in June 2015, no objection was raised to the proposed development in terms of its impact upon the character and appearance of the site and the wider area. It is considered that there are no new material considerations which alter this view.
- 7.15 The proposed development satisfies the policies detailed above.

#### **Impact on Neighbouring Occupiers**

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

- 7.16 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods.
- 7.17 The application site is surrounded by the rear gardens of residential properties in High Street to the north, south and west of the site and Gunners Road to the east of the site.
- 7.18 The total height of the dwelling is 3.5 metres. The proposed mono-pitch roof varies from 2.9m to 3.5m in height, with its highest point being located away from the rear of neighbouring properties in Gunners Road, located to the east of the site and 2.9m to the boundary. Additionally, whilst it is appreciated that the general siting of the building remains very similar to the previous application, the proposed dwelling has been slightly set off the eastern boundary adjacent to the rear of properties in Gunners Road by 100mm.
- 7.19 Submitted plan no. 338-03 Rev A details the outline of the existing structures to be demolished. The proposed dwelling will be a maximum of one metre higher than the existing buildings on site at its highest point. However, the majority of the building is only 400mm higher than the existing.

- 7.20 The building is sited approximately 10m to the rear of dwellings in Gunners Road and 23m from the rear of dwellings in High Street. It is not considered that the proposed fenestration would give rise to overlooking or loss of privacy to neighbouring occupiers. The windows on the eastern elevation of the building are high level only and would be primarily concealed behind existing fencing and the proposed rooflights will be at an angle away from neighbouring occupiers, with no direct views creating overlooking. All other windows will face out onto boundary fencing, sufficient to prevent overlooking and loss of privacy.
- 7.21 Neighbouring occupiers in High Street have relatively deep rear gardens at some 21m in depth. It is considered that the proposed dwelling would not be overbearing upon these neighbours given the level of separation (some 23m), limited scale and siting.
- 7.22 With regard to the impact on neighbouring occupiers which adjoin the site in Gunners Road, these properties have gardens, ranging from approximately 7m – 12m in depth. Those properties with the shortest gardens (no's 81 & 83) have flat roof single storey rear extensions. Given the minimal height of the building and its acceptable design, size, scale, bulk and siting it is not considered that the proposed dwelling would be overbearing on or result in an undue sense of enclosure to neighbours in Gunners Road. It is not considered that the proposal would have a detrimental impact upon the amenities of neighbouring occupiers.
- 7.23 The activity associated with a domestic dwelling would be no greater, and probably less than that of the existing use (storage). Furthermore, at the time of granting the now expired planning permission in June 2015, no objection was raised to the proposed development in terms of its impact upon neighbouring occupiers. It is considered that there are no new material considerations which alter this view. The proposed development is acceptable and satisfies the policies detailed above.

### **Standard of Accommodation for Future Occupiers**

**National Planning Policy Framework (2019), Policy KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1, DM3 and DM8 and the Design and Townscape Guide (2009), National Technical Housing Standards (2015).**

- 7.24 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"*.
- 7.25 Policy DM8 of the Development Management Document states that it is the Council's aim to deliver good quality housing, ensuring that new development contributes to a suitable and sustainable living environment now and for future generations. To achieve this, it is necessary to ensure that new housing provides the highest quality internal environment that will contribute to a good



quality of life and meet the requirements of all the Borough's residents.

- 7.26 It is considered that most weight should be given to the Government's Technical Housing Standards which were introduced on 1<sup>st</sup> October 2015 and introduce a new material consideration which was not in place at the time of the previous permission.
- 7.27 The proposed dwellinghouse would have a floorspace of approximately 62m<sup>2</sup>. Since the granting of the previous planning permission, the National Technical Standards prescribing the minimum sizes for dwellings state that a 2 bedroom, 3 person dwelling must have a minimum floorspace of 61m<sup>2</sup>. The proposed development would therefore meet the minimum acceptable size. In addition, both bedrooms are in excess of the minimum floorspace standards which state a single bedroom must be over 7.5m<sup>2</sup> and a double bedroom over 11.5m<sup>2</sup>.
- 7.28 Bedroom two is served solely by a high level window. However, this is not considered to result in a poor standard of accommodation overall as the other rooms main outlooks are to the north and south and on balance, the light and outlook for the main habitable room is satisfactory.
- 7.29 The proposed dwelling will have a private rear garden of 70sq.m. This is considered to be an acceptable, useable size to meet the needs of future occupiers.
- 7.30 It is considered that the standard of environment would be acceptable for future occupiers and would satisfy the policies and standards detailed above.

### **Traffic and Transportation**

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

- 7.31 Policy DM15 of the Development Management Document states: *"5. All development should meet the parking standards (including cycle parking) set out in Appendix 6. 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. Reliance upon on-street parking will only be considered appropriate where it can be demonstrated by the applicant that there is on-street parking capacity".*
- 7.32 The proposed dwelling would benefit from one off-street parking space. Following the April 2019 Development Control Committee the applicant submitted revised plans showing two spaces on site with the dwelling sited one metre to the south. However, it has been evidenced that providing two parking spaces on site does not result in adequate turning space and manoeuvrability for vehicles to enter and leave the site in a forward gear in no

more than a 3 point turn, resulting in material harm to pedestrian and highway safety. This is a requirement of the Council's Vehicle Crossing Policy as High Street Shoebury is a classified road.

- 7.33 Minimum standards are expressed within DM15 of the Development Management Document and a flexible approach may be applied in relation to parking provision on a site by site basis. In this instance, regard should be had to its sustainable location within short walking distance of Shoeburyness Station and local bus stops (there is a bus stop outside the site on the High Street). Additionally, the proposed development is likely to create less parking demand than its former use as a workshop and the proposed dwellinghouse is of limited size with only two bedrooms. The Council's Highways Officer has raised no objection to providing one parking space for the above reasons and it should also be noted that the approved application in 2015 (15/00505/FUL) only proposed one off-street parking space for the dwelling. Therefore, in this instance, the level of off-street parking is considered to be acceptable.
- 7.34 The site is accessed off a classified road whereby vehicles are required to be able to enter and leave a site in forward gear, i.e. able to turn a car on site. There is sufficient internal space to turn a car on site. No objection has been received from the highways department.
- 7.35 There is also no objection in respect of the access way which is an existing established access and this also meets emergency vehicles guidance (45m).
- 7.36 An area for refuse storage has been allocated to the north of the building adjacent to the proposed parking. Whilst this is outside of collection guidance distance which is 15m, it has been detailed that this can be placed on the roadside for kerbside collection on collection days by future occupiers and there has been no objection raised to this by the Council's Highways Officer.
- 7.37 It is considered that the highway and parking provision would be acceptable for future occupiers and satisfies the policies detailed above. Furthermore, at the time of granting the now expired planning permission in June 2015, no objection was raised on highway or parking grounds. It is considered that there are no new material considerations which alter this view. The proposed development satisfies the policies detailed above.

### **Sustainable Development**

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

- 7.38 Policy KP2 of the Core Strategy states;

*"All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low*

*carbon energy sources), such as those set out in the Design and Townscape Guide”.*

- 7.39 The applicant has detailed that solar photovoltaic panels or a ground source heat pump could be installed to sufficiently meet the 10% renewable energy requirements in accordance with Policy KP2 of the Core Strategy. It is considered that further details can be dealt with by condition should permission be granted.
- 7.40 Policy DM2 of the Development Management Document is clear that there is an identified need for increased water efficiency measures to be integrated into new developments to take account of the water resourcing issues identified in Essex. It is considered that an appropriate condition in relation to the installation of water efficient fittings and features could be imposed to any positive decision.

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

#### **CIL Charging Schedule 2015**

- 7.41 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 62 sqm, which may equate to a CIL charge of approximately £1,443.60 (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.

### **Other Issues**

#### **National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, and Development Management Document (2015) Policy DM14**

- 7.42 The site is classed as being potentially contaminated land which would need to be addressed and could be dealt with by condition should permission be granted.

## **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 proposal would provide adequate amenities for future occupiers, have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the streetscene and the locality more widely. The highways

impacts of the proposal are not considered to be such that they would cause a conflict with development plan policies. The application is therefore recommended for approval, subject to conditions.

## **9 Recommendation**

### **9.1 Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions;**

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

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

- 02 The development shall be carried out in accordance with the approved plans: 338-01 Rev A, 338-02 Rev C, 338-03 Rev A, 338-04**

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

- 03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition works and the construction up to ground floor slab level, until and unless details of the materials to be used in the construction of the external elevations of the building hereby permitted have been submitted to and approved in writing by the local planning authority. 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 (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 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above ground floor slab level shall take place until full details of both hard and soft landscape works proposed for the site, have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours, means of enclosure, hard surfacing materials. Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and the initial tree planting and tree staking details. The approved hard landscaping works shall be carried out prior to first occupation of the development hereby approved and the soft landscaping works shall be carried out within the first planting season following first occupation of the development. 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, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to 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).

- 05** No development shall take place until a site investigation of the nature and extent of any land contamination present has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority.

The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any construction begins. The site shall be remediated in accordance with the approved remediation measures before the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and these shall be fully implemented before the site is occupied.

**Reason:** To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

- 06** 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 occupiers of the development 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).**

- 07 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 first occupation of any part 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.**

- 08 Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems shall be installed prior to the first occupation of the development hereby approved and retained in perpetuity.**

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

- 09 No part of the development shall be occupied until space has been laid out within the site in accordance with drawing 338-01C for 1 car to be parked. The parking space shall be made available for use prior to first occupation of the dwelling hereby approved and shall be permanently retained thereafter only for the parking of occupiers of the development hereby approved and their visitors.**

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

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any order revising or re-enacting that Order with or without modification, no development shall be carried out on the new dwellinghouse within Schedule 2, Part 1, Classes A, B, C, D, E, F or G to those Orders without express planning permission from the Local Planning Authority.**

**Reason: To safeguard the living conditions of the future occupiers of the site and in the interest of the residential amenity of the adjoining residents and the character and appearance of the site and the wider area in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management**

Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

- 11 Secure, covered refuse and recycling storage areas to serve the development hereby approved shall be provided and made available for use in accordance with details that have previously been submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development and these facilities shall be permanently retained as such thereafter.

Reason: To ensure that adequate waste storage is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015).

- 12 The development hereby approved shall be carried out in a manner to ensure the dwelling complies with building regulation M4(2) 'accessible and adaptable dwellings' prior to first occupation.

Reason: To ensure the residential unit hereby approved provides high quality and flexible internal layout 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 DM2 and the Design and Townscape Guide (2009).

#### Informative

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).
2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when

**implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.**

**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.**