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|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Reference:</b>           | 19/01593/FUL                                                                                                                                                  |  |
| <b>Application Type:</b>    | Full Application                                                                                                                                              |  |
| <b>Ward:</b>                | Kursaal                                                                                                                                                       |  |
| <b>Proposal:</b>            | Change of use from 6 bedroom House in Multiple Occupation (HMO) (Class C4) to 7 bedroom House in Multiple Occupation (HMO) (Sui Generis) (Part Retrospective) |  |
| <b>Address:</b>             | 10 Cromer Road, Southend-On-Sea, Essex, SS1 2DU                                                                                                               |  |
| <b>Applicant:</b>           | Mr Martin Saunders                                                                                                                                            |  |
| <b>Agent:</b>               | Mr Wilton Nodoro of Krystal Architecture Ltd.                                                                                                                 |  |
| <b>Consultation Expiry:</b> | 23.09.2019                                                                                                                                                    |  |
| <b>Expiry Date:</b>         | 20.11.2019                                                                                                                                                    |  |
| <b>Case Officer:</b>        | Scott Davison                                                                                                                                                 |  |
| <b>Plan Nos:</b>            | <b>562-200- Rev 02, 562-201 Rev 02 &amp; 562 202 Rev 01</b>                                                                                                   |  |
| <b>Recommendation:</b>      | <b>GRANT PLANNING PERMISSION</b>                                                                                                                              |  |



## **1 Site and Surroundings**

- 1.1 The application site is a two storey, end of terrace dwelling house located on the eastern side of Cromer Road between its junctions with York Road and Kilworth Avenue. It has a hard surfaced area to the front of the house and a private rear garden. There is a narrow gated undercroft that allows access for persons to the rear garden.
- 1.2 The surrounding area is made up of predominately residential dwellings. However, a garage block is located immediately to the east (rear) of the application site.
- 1.3 The site has no specific allocation within the Development Management Document's Proposal's Map.

## **2 The Proposal**

- 2.1 The application seeks planning permission for a change of use of the site from a 6 person 6 bedroom house in multiple occupation (HMO) (Class C4) to a 7 person, 7 bed house in multiple occupation (Sui Generis). The dwelling was previously in use as a two storey, four bedroom dwelling house. A site visit revealed that works to convert the building into a 7 room HMO had commenced and the application form stated that these works had commenced in June 2019. The applicant has submitted photographs that show the works have been completed and confirmed that the first tenant moved in on the 28<sup>th</sup> October 2019.
- 2.2 The design and access statement submitted with the application states that an existing maintenance store and WC would be converted to a 7<sup>th</sup> bedroom with an en-suite. The design and access statement notes that the property has been converted to a class C4 HMO for 6 people under the General Permitted Development Order. A communal kitchen, dining and living area is provided on the ground floor and a private amenity area is located to the rear of the building. The submitted information indicates that all of the rooms will be single occupancy and the rooms are shown with single beds. Photographs of the bedrooms show double beds and given their size and depending on which standards are applied, 1 of the 6 rooms is capable of double occupancy and as such the development must be considered based on providing accommodation for up to 8 people. This is discussed in detail below.
- 2.3 Two off-street parking spaces are proposed to the front of the site. A cycle parking store is shown in the rear garden and a bin store is proposed in the rear garden. No external changes are proposed as a result of this development.
- 2.4 This application follows the refusal of planning application Ref: 18/02320/FUL, "Change of use from Dwellinghouse (Class C3) to House In Multiple Occupation (Sui Generis) and erect dormer to rear." The application was refused for the following reasons.

*01. The proposed development would result in the loss of a family sized dwelling, for which there is need within the Borough. The development is therefore unacceptable and contrary to National Planning Policy Framework (2018), Policy CP8 of the Core Strategy (2007) and DM7 of the Development Management Document (2015).*

*02. By virtue of the scale and potential intensity of use with up to 11 residents living at the dwelling, the development would result in material adverse harm to the residential amenity of the adjoining residents in terms of noise and disturbance. The development is therefore unacceptable and contrary to The National Planning Policy Framework (2018), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).*

*03. The proposed development fails to provide sufficient parking to meet the needs of occupiers and would result in a material increase in on-street parking to the detriment of parking conditions, highway safety and free flow of traffic on the local highway network. This is unacceptable and contrary to the National Planning Policy Framework (2018), Policy CP3 of the Core Strategy (2007) and Policies DM3 and DM15 of the Development Management Document (2015).*

*04. The rear escape staircase would by reason of its size, design and height, represent a discordant feature which is detrimental to the character and appearance of the host property and the area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2018) Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).*

2.5 The differences between the previously refused scheme and the proposed development are as follows:

- No external alterations are proposed i.e. no rear dormer and no external staircase.
- The applicant states that the property has been converted to a 6 room HMO (use class C4) and is no longer a single family dwelling.
- The proposed internal layout is altered.
- Maximum occupancy reduced from 11 people to 8 persons.

### **3 Relevant Planning History**

3.1 18/02320/FUL Change of use from Dwellinghouse (Class C3) to House In Multiple Occupation (Sui Generis) and erect dormer to rear. Refused.

3.2 18/02313/CLP Use as House In Multiple Occupation and dormer to rear (Lawful Development Certificate - Proposed). Refused due to the inclusion of work, (veranda), outside the scope of permitted development.

#### Enforcement History

3.3 19/00144/UCOU\_B Unauthorised HMO. Initial complaint received 22<sup>nd</sup> May 2019. Applicant stated that the property is being converted to a 6 bed (6 person) C4 HMO through reconfiguration of the existing footprint. Case Closed 31<sup>st</sup> May 2019.

## **4 Representation Summary**

### **Public Consultation**

4.1 'Councillor Dent has called the application in for consideration by the Development Control Committee and made the following comments on the application:

- The application fails to mitigate the previous reasons for refusal.
- The harm to local amenity will be considerable in terms of noise and disturbance.
- The increase number of residents will have a negative impact on street parking as insufficient parking is provided.
- The area suffers from parking challenges and is subject to a resident permit scheme.

4.2 15 neighbouring properties were consulted and a site notice was displayed. 6 letters of representation have been received which raise the following points;

- A 7 or 8 bedroom HMO will have a detrimental impact on the immediate and surrounding area.
- Cromer Road which is a quiet residential road
- Limited parking already and insufficient parking is provided.
- Proposed development will impact on quality of life for local residents
- Fear of crime and anti-social behaviour.
- Proposed development would result in disturbance to the local residents
- 12 adults in one house if tenants are in a relationship.
- Provision of cycle storage in rear would result in increased use of alleyway and will disturb neighbouring residents if used on an everyday basis
- Increase in number of visitors and associated movements
- Proposal would result in an increase in household waste with potential impact on health and the environment.
- Proposal would add to problems associated with hostels and rehab centres in York Road.
- Concerns over future occupants of HMO.

The concerns raised are noted and they have been taken into account in the assessment of the proposal.

### **Environmental Health**

4.3 No objection.

## **5 Planning Policy Summary**

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

5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy) KP2 (Development Principles), KP3 (Implementation and Resources), CP3 (Transport and Accessibility), CP4 (Environment & Urban Renaissance), and CP8 (Dwelling Provision).

- 5.3 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).
- 5.4 Design & Townscape Guide (2009)
- 5.5 The Essex HMO Amenity Standards (2018)
- 5.6 CIL Charging Schedule (2015)

## **6 Planning Considerations**

- 6.1 The main planning considerations in this case are: the principle of development (including the loss of a family dwelling), living conditions for future occupiers, car parking arrangements/transport considerations, design quality and impact on surrounding area, amenities of neighbouring occupiers, CIL (Community Infrastructure Levy) and whether the proposal overcomes the previous reasons for refusal.

## **7 Appraisal**

### **Principle of Development**

- 7.1 Southend Borough Council's development plan does not currently contain policies that specifically relate to Houses in Multiple Occupation. Paragraph 11 of the National Planning Policy Framework states that *'where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.'*
- 7.2 Paragraph 117 of the National Planning Policy Framework states 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'
- 7.3 Core Strategy Policies KP2 and CP4 seek to promote sustainable development, and Policy KP2 seeks to direct the siting of development through a sequential approach, minimising the use of 'greenfield' land. Policy CP4 seeks the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend.
- 7.4 Policy DM3 of the Development Management Document seeks the efficient and effective use of land, provided it responds positively to local context and does not lead to over-intensification. Policy DM8 of the Development Management Document provides for additional dwellings in the Borough but seeks to resist the loss of existing valuable residential resources.

- 7.6 Land Registry records indicate that the property was sold on 14th May 2019. The Council's planning enforcement team investigated an alleged breach of control at the application site in May 2019. The owner of the property indicated the process of converting the dwelling to a 6 bedroom HMO had commenced in May 2019. The application form states that work commenced to convert the property to a 7 bedroom HMO on 28th June 2019.
- 7.7 National and Local planning policy encourages the efficient use of land. Whilst no certificate of lawfulness has been granted, the Design and Access Statement indicates that the building has been converted to a 6 person HMO (Class C4) as permitted development. This proposal would increase the size of the HMO from 6 bedrooms to 7 bedrooms. No objection is therefore raised to the principle of the development, subject to other material considerations including design, impact on neighbours and living conditions. The principle of a HMO use is established at the site through the change under permitted development.

### **Design and Impact on the Character of the Area**

- 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 the 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."*
- 7.9 Paragraph 124 of the NPPF states *'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.'*
- 7.10 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 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"*.
- 7.12 The proposed development would not result in any alterations to the external elevations of the building. As such it is not considered that the proposal would result in any material harm to the character and appearance of the site or the wider surrounding area. The proposal therefore overcomes the previous reason for refusal in this regard.

- 7.13 The submitted plans show a bin store provided to the rear of the site abutting the shared boundary with No.12 Cromer Road. A covered cycle store is also proposed abutting the same boundary. Concern is raised that a refuse store and cycle store in such a location could be materially harmful to the amenities of neighbouring residential occupiers in terms of noise and disturbance, however, a condition can be imposed on any grant of consent requiring the repositioning and full details of these facilities to be approved. Subject to a condition in this respect no objection is raised on this basis.
- 7.14 The development is acceptable and policy compliant in the above regards.

### **Impact on Residential Amenity**

- 7.15 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.”
- 7.16 Further to the above policies and guidance development proposals must protect the amenity of neighbours having regard to matters such as privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.
- 7.17 The proposed development would not result in any changes to the external elevations of the building. It is not proposed to increase the size of the existing building or insert any additional windows. As such, it is considered that the proposal would not result in any material harm to the residential amenity of nearby and adjoining residents in terms of dominance, an overbearing impact, loss of light and outlook, overshadowing, a material sense of enclosure or loss of privacy and overlooking. It is not considered that the proposed change of use would result in relationships that are materially different than the prevailing views available from the existing ground and first floor windows.
- 7.18 This applicant states that proposal seeks to change the use of the site from a Class C4 HMO of up to 6 persons to a Sui Generis HMO comprising 7 bedrooms. Under permitted development and expressly restricted within that Legislation, a C4 HMO could only accommodate a maximum of 6 persons. The information submitted with this application indicates that all rooms would be single occupancy only and it is stated that the additional room sought would be single occupancy. Using the Essex HMO Amenity Standards for a HMO with shared kitchen facilities (no shared living room), bedroom one would be capable of double occupancy. The application is an end of terrace property however ground floor bedrooms 1 and 2 would not abut the attached neighbour due to the undercroft/alleyway between the dwellings. Bedrooms 3 and 5 would abut the first floor of the attached dwelling. The overall development would be capable of accommodating up to 8 persons. The existing and proposed plans are annotated with single beds. It is considered that the proposal with up to 8 persons would have the potential to result in additional noise and disturbance to adjoining residents and this represents a material change in the potential impact of the use compared with its fallback position as a 6 person use class C4 HMO.

- 7.19 The Design and Access statement submitted statement comments that the rooms will be single occupancy only. Given that the application site is an end of terrace property and that the ground floor which contains the room capable of double occupancy is separated from the neighbouring dwelling by the alleyway, and, given the fallback position of 6 person HMO under class C4, it is considered that an increase to a maximum number of 8 people would on balance not result in additional noise and disturbance to a degree that would warrant refusal of the application on these grounds.
- 7.20 The proposal therefore overcomes the previous reason for refusal in this regard and such, the proposed scheme is acceptable and policy compliant.

### **Living Conditions for Future Occupiers**

- 7.21 Paragraph 127 of the NPPF 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, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'
- 7.22 In relation to residential standards for non-self-contained accommodation Policy DM8 states that all proposals for non-self-contained accommodation (such as student and hospital staff accommodation) will be required to meet the internal space standards. This requires accommodation to have a minimum bedroom size of 6.5sqm for single bedrooms and 10.2sqm for double bedrooms. Paragraph 4.46 of the Development Management Documents states, "*The licensing and management of Houses in Multiple Occupation, including space standards, is set out in relevant housing legislation.*"
- 7.23 The Council has adopted the Essex Approved Code of Practice with respect to Houses in Multiple Occupation and this document represents a material planning consideration, although it is noted that this is not a planning policy document.
- 7.24 The proposed rooms include small 'kitchen' areas comprising a fridge and breakfast bar but do not include cooking facilities. The Essex HMO Code of practice provides minimum sizes for rooms with no independent kitchen facilities as follows:
- One Occupier: 8.5sqm minimum size requirement
  - Two Occupiers: 12sqm minimum size requirement.
- 7.25 The proposal would provide the following sized rooms:
- Unit 1: 14 sqm
  - Unit 2: 11.9 sqm
  - Unit 3: 10.5sqm
  - Unit 4: 10.5sqm
  - Unit 5: 10.5 sqm
  - Unit 6: 8.5 sqm
  - Unit 7: 11.4sqm
- Each room would have an en-suite.



- 7.26 Taking account of the Essex Approved Code of Practice Standards, all of the rooms meet the minimum size requirement for single occupancy rooms. It is noted that all rooms are shown to have single beds. The information submitted with the application states that this application is for single occupancy rooms only. One room (bedroom 1) would exceed the minimum size requirement for a double occupancy room and as such the development would be capable of providing accommodation for up to 8 people in this respect. The standards within Policy DM8 for non-self-contained accommodation indicates that 6 of the 7 rooms would exceed the standard required for double occupancy rooms. Policy DM8 states that the licensing and management of Houses in Multiple Occupation, including space standards is governed under separate legislation. In this instance the Housing Act 2004 introduced mandatory licensing for buildings that are occupied by five or more persons. The proposed development is a two storey HMO which would be occupied by 5 or more people and given the sizes of the rooms and shared facilities provided, the proposed development would be licensed for a maximum of 8 persons under the relevant legislation. It is therefore considered that the proposed development would be capable of accommodating a maximum of 8 persons and that this is a reasonable basis for the assessment of the application.
- 7.27 In terms of shared kitchen facilities, the Code of Practice states that a shared kitchen should normally provide for a maximum of 5 persons. In this respect the development would be for a maximum of 8 persons. One kitchen / dining area is provided on the ground floor measuring some 22.6 sqm. The Code of Practice states *'kitchen facilities should be no more than one floor away from the letting. Where this is not practicable, a dining area of a size suitable for the number of occupiers should be provided on the same floor, as, and close to, the kitchen. It would be expected that other food preparation and storage facilities are provided within the room for minor food preparation not involving cooking. This is to comprise a kettle as a minimum.'* The Code of Practice requires kitchens to be up to 18 sqm or requires 2 kitchens to be provided for premises of 6-10 people. In this respect, whilst only 1 kitchen/dining area is proposed on the ground floor, it has two sinks, two ovens and two hobs and includes a dining area and measures some 22.6 sqm. Each room would be provided with small ancillary kitchen facilities and, on balance, it is considered that the development would satisfy this requirement.
- 7.28 Each unit will be provided with an en-suite which would include a wash hand basin. This proposal therefore satisfies this requirement.
- 7.29 In terms of amenity provision the development includes a communal kitchen/dining space which is considered to be of an appropriate size and usable shape to meet the requirements of any future occupiers. A rectangular shaped rear amenity area of some 140 sqm would be adequate to meet the needs of future occupiers.
- 7.30 Each room would be provided with windows to provide sufficient light, outlook and ventilation. Storage areas are located in every room.
- 7.31 The submitted plans show a covered cycle store and a bin store provided to the rear of the site cycles and bins could be brought to the highway as per the existing situation via the gated undercroft. Concerns are raised in respect of the location of the facilities abutting the shared boundary with No.12 however there is adequate space within the rear of the site to relocate the refuse & recycling store and cycle store.

Subject to a condition requiring full details of these facilities, a waste management plan and full details of the cycle store no objection is raised on this basis.

- 7.32 It is considered that the development would, provide adequate living conditions for any future occupiers of the site. The development is acceptable and policy compliant in this respect.
- 7.33 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.
- 7.34 By reason of being a conversion it is considered that it would be unrealistic to require the development to accord with the abovementioned standards. On this basis it is considered that the application should not be refused on the grounds that it has not been demonstrated that the development would accord with Part M of the Building Regulations. This would in any event be addressed by the Building Regulations requirements.
- 7.35 In summary, it is considered that the development would, provide adequate living conditions for any future occupiers of the site. The development is acceptable and policy compliant in this respect.

#### **Traffic and Transportation Issues**

- 7.36 Policy DM15 of the Development Management Document states that development will be allowed where there is, or it can be demonstrated that there will be physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner. Further to Policy DM15, proposed development is expected to contribute to sustainable transport objectives and promote walking, cycling and public transport as the preferable form of transport.
- 7.37 The development provides two off-street parking spaces within the front hardstanding and this provision would be retained. The site is in a sustainable location, within walking distance of Southend Central Station and close to bus services and cycle parking is proposed. The Council does not have any Vehicle Parking Standards in respect of HMOs (sui-generis use) and the parking implications therefore need to be assessed as a balanced judgement in the individual circumstances of the case.
- 7.38 The proposal is for a HMO with 7 bedrooms and whilst the information submitted indicates that the rooms are to be restricted to single occupancy units, given the size of bedroom 1 which constitutes a double occupancy room, a maximum of 8 people could occupy the site. The previously refused development (ref: 18/02320/FUL) was assessed as an 8 bedroom HMO with up to 11 occupants and the on street parking demand was considered likely to be significantly greater than that of a four bedroom dwelling.

- 7.39 Taking into account the permitted development fallback position that would enable the site to be occupied by up to 6 people as a HMO under Class C4 of the General Permitted Development Order 2015 (as amended), a use which has now commenced, on balance, it is considered that the additional occupation as a result of this application would not result in increased parking demand such that it would result in material harm to highway safety or the free flow of traffic. Subject to a condition requiring the provision of a minimum of 8 secure and covered cycle parking spaces no objection is raised on this basis. In coming to this conclusion, consideration has been given to a recent appeal decision at 117-119 Hamstel Road (reference APP/D1590/W/18/3214190) in which the Inspector concluded that 5 off-street parking spaces were sufficient for a HMO to serve up to 18 people.
- 7.40 The development is acceptable and policy compliant in this respect.

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

- 7.41 As the proposed extension(s) or change of use to the property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, on balance, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. Given the existing use of the property, the principle of the development is found to be acceptable and 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, and the streetscene more widely. It is considered that the proposed development has overcome the reasons for refusal of the previously refused application and the fall-back position of a 6 person HMO has been weighed in the balance of material factors. The application is therefore recommended for approval subject to conditions.

## **9 Recommendation**

### **9.1 GRANT PLANNING PERMISSION subject to the following condition(s):**

- 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: 562-200- Rev 02, 562-201 Rev 02 & 562 202 Rev 01.

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

**03** 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).

**04** Notwithstanding the details shown on the drawings submitted and otherwise hereby approved, prior to the first occupation of the development hereby approved, full details of refuse and bicycle storage facilities for the development 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).

**05** Prior to the occupation of the development hereby approved, 2 car parking spaces for No.10 Cromer Road shall be provided and made available for use in accordance with details shown on approved plan 562-200- Rev 02. The car parking spaces shall be kept available only for the parking of motor vehicles of occupiers of No.10 Cromer Road 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).

**06** The building shall not be adapted or altered to form more than 7 bedrooms at any time without the receipt of express planning permission from the Local Planning Authority.

**Reason:** To clarify the terms of the permission and enable the suitable consideration of any intensification of the use of the site.

**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 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about 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.**