

# Southend-on-Sea Borough Council

Agenda  
Item

Report of the Corporate Director of Place  
To  
Development Control Committee  
On  
08<sup>TH</sup> June 2016

## Report(s) on Pre-Meeting Site Visits

### A Part 1 Agenda Item

WARD & TIME	APP/REF NO.	ADDRESS	PAGE
West Shoebury	16/00551/FUL	30 Thorpedene Gardens Shoeburyness	3
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**Depart Civic Centre at: 11.15am**

## **DEVELOPMENT CONTROL COMMITTEE**

### **SITE VISIT PROTOCOL**

#### **1. Necessity**

A site visit is only likely to be necessary if either:

- (i) The proposed development is difficult to visualise from the plans, photographs and supporting material; or
- (ii) There is good reason why the comments of the applicant and / or objector(s) cannot be expressed adequately in writing; or
- (iii) The proposal is particularly contentious; or
- (iv) A particular Member requests it and the request is agreed by the Chairman of DCC.

#### **2. Selecting Site Visits**

- (i) Members can request a site visit by contacting the Head of Planning and Transport or the Group Manager for Planning; providing the reason for the request. The officers will consult with the Chairman.
- (ii) If the agenda has not yet been printed, notification of the site visit will be included on the agenda. If the agenda has already been printed, officers will notify Members separately of the additional site visit.
- (iii) Arrangements for visits will not normally be publicised or made known to applicants or Agents unless access is required to be able to go on land.

#### **3. Procedures on Site Visits**

- (i) Visits will normally take place during the morning of DCC.
- (ii) A planning officer will always attend and conduct the site visit, and will bring relevant issues to the attention of Members. The officer will keep a record of the attendance, and a brief note of the visit.
- (iii) The site will normally be viewed from a public place, such as a road or footpath.
- (iv) Representations will not be heard, and material will not be accepted. No debate with any party will take place. Where applicant(s) and/or other interested person(s) are present, the Chairman may invite them to point out matters or features which are relevant to the matter being considered having first explained to them that it is not the function of the visit to accept representations or to debate.

**Version: April 2016**

<b>Reference:</b>	16/00551/FUL
<b>Ward:</b>	West Shoebury
<b>Proposal:</b>	Demolish existing bungalow and erect two storey building of four self-contained flats, layout amenity space, parking, cycle and bin stores and form vehicle crossovers on to St Andrews Road
<b>Address:</b>	30 Thorpedene Gardens, Shoeburyness, Southend-on-Sea, Essex, SS3 9JB
<b>Applicant:</b>	Mr R Golding
<b>Agent:</b>	APS Design Associates Ltd.
<b>Consultation Expiry:</b>	12.05.2016
<b>Expiry Date:</b>	14.06.2016
<b>Case Officer:</b>	Janine Rowley
<b>Plan Nos:</b>	Proposed site plan 03 12.05.2016; Proposed floorplan 03 12.05.2016; 05 11.05.2016
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>

## 1 The Proposal

- 1.1 Planning permission is sought to demolish an single storey bungalow and erect a two storey building comprising of four self-contained flats with car parking, cycle and bin store.
- 1.2 The proposed building is 12.2m wide x 17.5m deep (excluding terraces) x 8.8m high; gable roof.
- 1.3 The four flats would include the following internal floorspace:

Flats	Bedroom	Internal Floorspace	Balconies/Patio areas
1	2 (4 persons)	69sqm	3.8sqm (access to garden at rear)
2	2 (3 persons)	61sqm	4sqm (access to garden at rear)
3	1 (2 persons)	58sqm	Access to the communal garden to the rear
4	2 (4 persons)	69sqm	5.63sqm (access to communal garden to the rear)

- 1.4 Five off street parking spaces are proposed. A communal amenity area would be
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located to the rear of the site equating to 130sqm (32.5sqm per flat). Separate refuse and cycle storage is provided to the rear of the garden area.

- 1.5 The proposed materials to be used in the construction of the development include upvc to the doors and windows, walls including red brick and cream render, plain red roof tile, close boarded fencing to the boundaries.

## **2 Site and Surroundings**

- 2.1 Thorpedene Gardens is a residential street of mixed character. Most properties are two storey detached or semi-detached houses of traditional but varied designs but there are also a few bungalows and chalets within the streetscene although these are less common than two storey houses. The properties are generally well spaced with generous frontages. The application site is located at the junction of Thorpedene Gardens and St Andrews Road. It is a relatively large plot which currently contains a detached bungalow. The site is not designated by the Development Management Document in terms of a specific allocation.

## **3 Planning Considerations**

- 3.1 The main considerations in relation to this application are the principle of the development, design of the building and impact on the streetscene, impact on neighbouring properties, living conditions for future occupiers, CIL, sustainable construction and traffic and parking issues.

## 4 Appraisal

**National Planning Policy Framework; DPD1 (Core Strategy) policies KP1, KP2, CP4, CP8; DPD2 (Development Management) policies DM1, DM3, DM7, and the Design and Townscape Guide SPD1 (2009)**

- 4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy DPD1 Policies KP2, CP4 and CP8. The core planning principles of the NPPF the need to:

*“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”*

*Paragraph 56 of the NPPF states; “the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”*

*Paragraph 64 of the NPPF states; “that 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.”*

- 4.2 Policy DM3 of the Development Management Document part 4 states;

*“The conversion or redevelopment of single storey dwellings (bungalows) will generally be resisted. Exceptions will be considered where the proposal:*

- (i) Does not create an unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and*
- (ii) Will not result in a net loss of housing accommodation suitable for the needs of Southend’s older residents having regard to the Lifetime Homes Standards”.*

- 4.3 The existing site is a bungalow located on the east side of Thorpedene Gardens with the junction of St Andrews Road to the north. The streetscene is characterised by predominantly two storey properties, with the exception of two bungalows to the north of the site on the junction corners. It is considered that a two storey building in this location would not break the continuity of the streetscene to the north and south and as such, is considered acceptable in principle.

- 4.4 As noted above the proposed two storey block containing 4 flats is considered acceptable in principle, given that the prevailing character of the area is for two storey properties. The applicant has submitted details whereby drawing 03 Revision A 10.05.2016 demonstrates that the proposal will provide appropriate for the needs of the older residents providing two ground floor flats compliant with Lifetime Homes criteria C3 to C15 and therefore satisfies Policy DM3 (4) of the Development Management DPD2.

## **Design and impact on the character of the area**

### **National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; DPD2 (Development Management) policies DM1, DM3 and the Design and Townscape Guide SPD1 (2009)**

- 4.5 It is proposed to erect a two storey block of 4 flats. In terms of scale, height and massing, the successful integration of any new development is dependent upon its relationship with the existing built form. The existing building is single storey 11.4m wide x 15.2m deep x 4.65m high. The proposed building is 12.2m wide x 17.5m deep (excluding terraces) x 8.8m high; gable roof. The overall scale of the development proposed relates to the properties to the south and west. The flatted block does not exceed the height of no. 28 Thorpedene Gardens to the south and the eaves and window proportions align. The design has a broadly traditional form with modern fenestration. Given the mixed character of the street there is no objection in character terms to the replacement of the bungalow with a two storey building of a similar scale to the surrounding houses. On balance, the proposal is considered acceptable in terms of scale, height and massing in the streetscene.
- 4.6 It is noted that the fenestration provides a more vertical emphasis relating to the surrounding townscape and is welcomed. The introduction of corner windows on both levels helps to define the junction and adds interest to the proposal at this point. The simplification of the entrance feature is welcomed. The simpler roof form will not appear at odds with the surrounding character and subject to an appropriate condition relating to the flat roof section being sunken to ensure that it does not interrupt the ridge of the rear projection no objection is raised.
- 4.7 In terms of layout, the siting of the parking to the rear has provided a significant amount of amenity space for potential future occupiers and this will result in a much more useable garden area. The split parking arrangement also seems generally acceptable subject to high quality landscaping and surfacing. The location of bin and bike stores are also acceptable and will be dealt with by condition.

### **Living conditions for future occupiers**

#### **National Planning Policy Framework, Development Management Document policy DM8, The National Technical Housing Standards DCLG 2015 and Design and Townscape Guide (SPD1)**

- 4.8 It should be noted on the 1<sup>st</sup> October 2015 the National Housing Standards were adopted and these have replaced the local standards that were set out in DM8 of the Development Management DPD. All of the flats would be in excess of the required standards and therefore no objection is raised. Furthermore, all flats will have sufficient outlook and daylight for future occupiers.

- 4.9 Policy DM8 (iii) states that all new dwellings should meet the Lifetime Home Standards, unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Home Standards has now been superseded by the National Technical Housing Standards and all new dwellings are required to meet building regulation M4(2)- 'accessible and adaptable dwellings'. The applicant has submitted information demonstrating that the two of the four flats meet these requirements and therefore this can be a condition of the development to be sure it is achieved on site.
- 4.10 Policy DM8 of the Development Management Document DPD2 states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers.
- 4.11 Paragraph 143 of the Design and Townscape Guide, 2009 (SPD1) states:
- “There is no fixed quantitative requirement for the amount of amenity space as each site is assessed on a site by site basis according to local character and constraints. However, all residential schemes will normally be required to provide useable amenity space for the enjoyment of occupiers in some form...”*
- 4.12 The four flats will have access to the rear garden equating to approximately 130sqm and also access to balconies and terraces, which is considered sufficient and suitable provision.

#### **Impact on residential amenity**

#### **National Planning Policy Framework; DPD1 (Core Strategy) policy CP4, policy DM1 of the DPD2 (Development Management Document) and the Design and Townscape Guide SPD1.**

- 4.13 Policy DM1 of the Development Management Document states that any new 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. Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.
- 4.14 The proposed building will be located 1m from the boundary abutting no. 28 Thorpedene Gardens to the south. The building has been stepped away from no. 28 to ensure the amenities of the existing residential occupiers are safeguarded in terms of loss of light. The overall height is 8.8m but does not breach a notional angle 45 degree rule from the neighbour and the proposed building is to the north of no. 28 Thorpedene Gardens. It is not considered the development will result in loss of light nor be overbearing to the amenities enjoyed by existing occupiers at no. 28 Thorpedene Gardens taking into account the stepped layout design.

The flank elevation (south) shows no windows and condition 2 below ensures if the application is deemed acceptable the development is carried out in accordance with the approved details. In relation to impact on properties to the north and west of the site there is sufficient distance to mitigate the development being overbearing or resulting in loss of light given the properties are across the road in Thorpedene Gardens and St Andrews Road respectively.

- 4.15 In terms of loss of privacy, whilst it is acknowledged balconies are proposed to the front elevation given their siting on the street junction they will not result in direct overlooking or loss of privacy. The windows on the rear elevation will serve habitable rooms however, given the separation of 19m to rear (east) adjoining a substation this will mitigate against any potential overlooking and loss of privacy. There is sufficient distance to the north and west of the site to mitigate against overlooking and loss of privacy.

### **Traffic and Transport Issues**

**National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; policy DM15 of the DPD2 (Development Management Document) and the Design and Townscape Guide SPD1.**

- 4.16 The vehicle access will be from both St Andrews Road to the north for three parking spaces and two spaces fronting Thorpedene Gardens. In accordance with policy DM15 of the Development Management Document DPD2, one space per flat is required to comply with current policy. The proposal provides five parking spaces for four flats in excess of current policy. The Councils Highway Officer has raised no objection to the extension of the existing crossover along Thorpedene Gardens, nor the additional crossover to be formed adjacent to the existing substation along St Andrews Road. In light of the above, no objection is raised to the proposed vehicle parking which is in accordance with policy DM15 of the Development Management Document DPD2 that requires a minimum of one parking space per flat in this location.
- 4.17 Five cycle spaces provision can be successfully accommodated to the rear the site and dealt with by condition to ensure it is secure and full details are agreed with the local planning authority.

### *Refuse storage*

- 4.18 Refuse storage is proposed to the rear of the site and falls within the current standards as set out in the Waste Management Guide in terms of distance from the street.



## **Sustainable Construction**

### **NPPF, Core Strategy Policy KP2, Development Management Document policy DM2 and SPD1**

- 4.19 Policy KP2 of the DPD1 and the SPD1 require that 10% of the energy needs of a new development should come from onsite renewable resources, and also promotes the minimisation of consumption of resources. Policy DM2 of the Development Management Document states that all new development should contribute to minimising energy demand and carbon dioxide emissions. The Design and Townscape Guide advises that options for renewable power must be considered at the beginning of the design process so that they are an integral part of the design scheme. In terms of renewable energy sources to comply with 10% renewable energy requirement no details have been submitted with this application, however this can be secured through condition.
- 4.20 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (1110 lpd) when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst details have not been submitted for consideration at this time, this can be dealt with by condition.

### **Community Infrastructure Levy (CIL) Charging Schedule.**

- 4.21 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. CIL is payable on net additional gross internal floorspace. The existing floorspace of the site calculates to approximately 105sqm. The proposed development will result in 290sqm of residential floorspace (£20 per sqm zone 1). The proposed development will therefore, result in a CIL liability of approximately £3913.46.

## **6 Planning Policy Summary**

- 6.1 National Planning Policy Framework
- 6.2 Development Plan Document 1: Core Strategy policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance) and CP8 (Housing)
- 6.3 Development Management Document 2: Development Management Document 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), DM14 (Environmental Management), DM15 (Sustainable Transport Management)

- 6.4 Supplementary Planning Document 1: Design and Townscape Guide 2009
- 6.5 Waste Management Guide
- 6.6 Community Infrastructure Levy CIL Charging Schedule

## **7 Representation Summary**

### **Design and Regeneration**

- 7.1 Thorpedene Gardens is a residential street of mixed character. Most properties are two storey detached or semi-detached houses of traditional but varied designs. There are also a few bungalows and chalet within the streetscene but these are less common than two storey houses. The houses are generally well spaced with generous frontages.

The application site is located at the junction of Thorpedene Gardens and St Andrews Road. It is a relatively large plot which currently contains a detached bungalow. The proposal seeks to demolish this and erect 4 self-contained flats on the site. The design has a broadly traditional form with modern fenestration. Given the mixed character of the street there is no objection in character terms to the replacement of the bungalow with a 2 storey building of a similar scale to the surrounding houses.

The detail of this proposal has been refined during the pre app process and is much improved. The amended plans, which have reduced the scale of the roof, matched the eaves and ridge to the neighbour and omitted the dormers, is a significant improvement in terms of scale and form and the proposal will now have a positive scale reference in the streetscene.

It is noted that the fenestration has also been amended following concerns raised to the previous square proportions, the change to a more vertical emphasis better relates to the surrounding townscape and is welcomed and the introduction of corner windows on both levels helps to define the junction and adds interest to the proposal at this point. The simplification of the entrance feature has removed the previous conflict of forms and is a significant improvement. The simpler roof form is also an improvement subject to the flat roof section being sunken so that it does not interrupt the ridge of the rear projection. A detail of this should be clarified or conditioned.

In terms of layout the reorganisation of the parking to the rear has freed up a significant amount of amenity space and this will result in a much more useable garden area. The split parking arrangement also seems generally acceptable subject to high quality landscaping and surfacing. The location of bin and bike stores is also acceptable. Internally the layouts seem tight but functional.

10% renewables will be required and this should be considered as part of the overall design.

Details of all external materials and product details for the proposed porch, window, door and balcony, the landscaping, boundaries, the design of bins and cycle stores and the renewables will need to be conditioned.

### **Traffic and Highways**

- 7.2 No objection is raised in relation to the parking or cycle provision provided onsite or the vehicle access to the site as sufficient space has been provided.

### **Environmental Health**

- 7.3 During the demolition and construction phase noise and dust issues may arise which could lead to the hours of work being restricted. Therefore the following conditions are to be attached in relation to construction and demolition hours **[Officer Comment: Condition 11 will ensure the hours of construction and demolition are controlled]**.

### **Public Consultation**

- 7.4 A site notice displayed on the 21<sup>st</sup> April 2016 and neighbours notified of the proposal.

77 letters of objection have been received stating:

- Flats out of character with the surrounding area;
- Surrounding houses will be overlook by the flats;
- Increased car and traffic parking;
- Noise and disturbance;
- Light pollution;
- Visibility will be poor for people travelling along Thorpedene Gardens and St Andrews;
- Landscape of the area will be affected;
- Overlooking;
- Lack of privacy;
- Bin area will result in smells and increased potential of fox and rodent activity **[Officer Comment: This will be dealt with by condition to ensure full details of the secure bin store are submitted and agreed with the Council to preserve the amenities of nearby occupier];**
- Scale and bulk of the development does not relate to the area **[Officer Comment: Amended drawings have been received with the proposal only being two storeys now including four flats with no roof accommodation];**
- Bungalow should be retained;
- The proposal will affect local schools;
- High density housing as proposed is not in keeping with the surrounding area
- Value of properties will be affected **[Officer Comment: This is not a material planning consideration];**

- Overdevelopment of the site;
- The parking allocated is not enough **[Officer Comment: Policy DM15 of the Development Management Document DPD2 requires at least one parking space per flat which has been provided together with one additional parking space for visitors, in excess of the Councils requirements];**
- This development will set a precedent for other developers to develop properties;
- The junction of Thorpedene Gardens and St Andrews Road is a blind spot when going or coming from the east, with the bend in the road it is very difficult to see around now with many parked vehicles on both sides of the road **[Officer Comment: Having taking into consideration concerns relating to visibility splays and sightlines it is not considered that the proposal will have a detrimental impact upon highway safety within the local area. The proposed drive way would be no different to other drive ways directly opposite the proposal. Therefore no highway objections are raised];**
- Any further traffic in this area will be potentially dangerous;
- There are already 13 converted flats along St Andrews Road and this will increase pressures given the short distance to Thorpedene Gardens and Richmond Avenue. There are in fact 17 flats and most do not have allocated parking;
- There are already a vet on the corner Richmond Avenue which also has no parking provision plus a dentist;
- More residents results in more visitors and there is no parking;
- Footprint and elevational design not acceptable;
- This will result in the loss of parking provision on street

7.5 Councillor Woodley and Councillor Jarvis have requested this application be dealt with by Development Control Committee.

## **8 Relevant Planning History**

8.1 Demolition of existing bungalow and construction of five units- 16/00169/PREAPF.

## **9 Recommendation**

**Members are recommended to 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 be carried out in accordance with the approved plans Proposed site plan 03 12.05.2016; Proposed floorplan 03 12.05.2016; 05 11.05.2016.**

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

- 03 No development shall take place until samples of the facing material to be used, including elevations, gate for parking, brickwork, glazing, doors, window, balustrades, cladding, canopy, roof, boundary treatments and paving have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials unless otherwise 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 (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).**

- 04 The vehicle accesses shall be installed in accordance with drawing 03 12105.2016 'Proposed Site Plan' and the four flats shall not be occupied until the vehicle access has been constructed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.**

**Reason: In the interests of highway efficiency and safety in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management Document) policy DM15.**

- 05 5 car parking spaces shall be provided in accordance with drawing 03 12.05.2016 'Proposed Site Plan' and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants and visitors to the development and for no other purpose unless otherwise agreed in writing by the local planning authority.**

**Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).**

- 06 No part of the development shall be occupied until cycle parking spaces and waste storage has been provided in a secure and enclosed store in accordance with details which shall have previously been submitted to and approved by the local planning authority and both shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.**

**Reason: To ensure that satisfactory off cycle off-street car parking and waste storage is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).**

- 07 No development shall commence until full details of the trees to be retained to the northern boundary and details of hard and soft landscape works for the new development have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out within the first planting season as approved unless otherwise agreed in writing by the Local Planning Authority. These details shall include, for example: proposed finished levels or contours; means of enclosure; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or storage units).**

**Soft landscape works shall include details of existing trees and shrubs to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site. If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species**

**Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Policy CP4 of the Core Strategy DPD1 and DPD2 (Development Management) policy DM1.**

- 08 Prior to the commencement of development a renewable energy assessment shall be submitted to and agreed in writing with the Council to demonstrate how at least 10% of the energy needs of the development will come from onsite renewable options (and/or decentralised renewable or low carbon energy sources. The scheme as approved shall be implemented and brought into use on first occupation of the development unless otherwise agreed in writing with the Local Planning Authority.**

**Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) policy DM2 and SPD1 (Design and Townscape Guide).**

- 09** Prior to occupation of the development hereby approved details of the water efficient design measures 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 such as grey water and rainwater harvesting.

**Reason:** To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

- 10** The development hereby approved shall be carried out in accordance with drawings 03 12.05.2016 'Proposed Site Plan' to ensure the flats to the ground floor comply with building regulation M4 (2) 'accessible and adaptable dwellings'.

**Reason:** To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

- 11** Construction and demolition shall only take place between 0730 and 1800 Monday to Friday 0800 and 1300 Saturday and not at all on Sundays or Bank Holidays.

**Reason:** In the interests of the character and amenity of the area in accordance with NPPF; DPD1 (Core Strategy) 2007 policy KP2 and CP4; DPD2 (Development Management Document) policy DM1.

#### **Informatives**

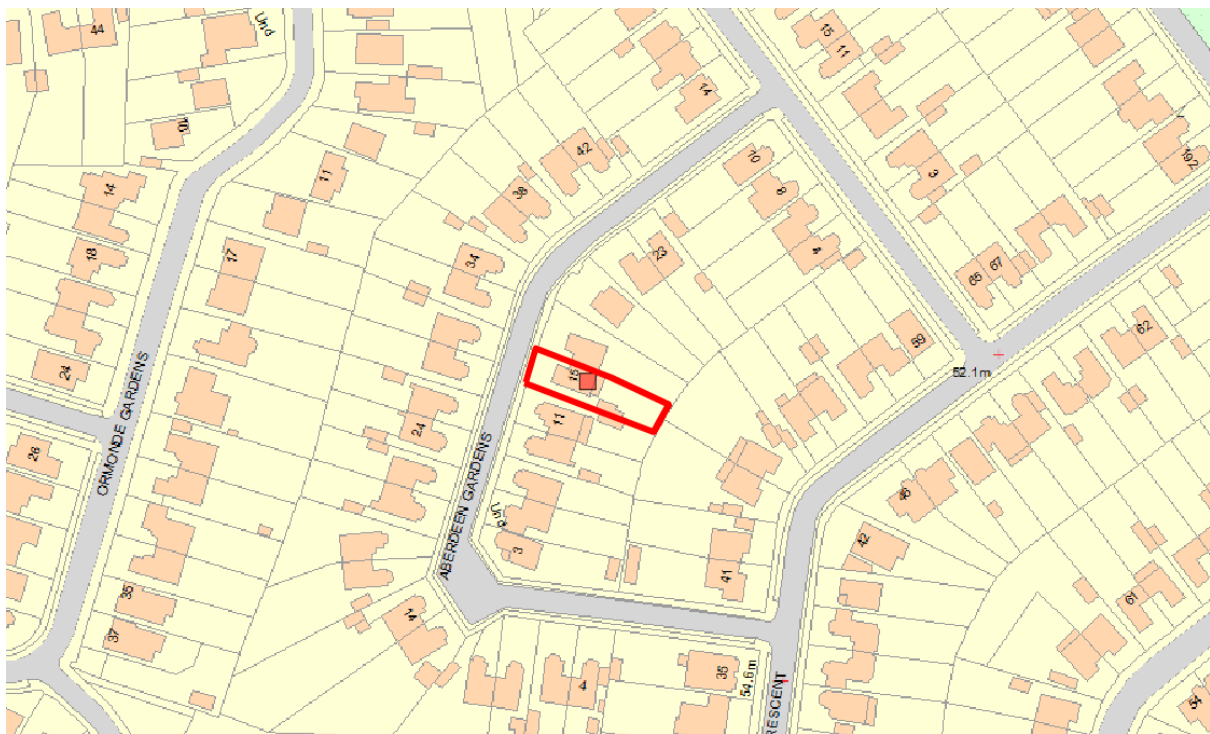
- 1** Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) .
- 2** You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website [http://www.southend.gov.uk/info/200011/building\\_control](http://www.southend.gov.uk/info/200011/building_control) for further information.

- 3 The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.**

**The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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.**



<b>Reference:</b>	15/00242/UNAU-B
<b>Ward:</b>	West Leigh
<b>Breach of Control</b>	Without planning permission, the erection of an outbuilding which exceeds 2.5m in height and is located within 2.0m of a boundary of the curtilage of the dwellinghouse.
<b>Address:</b>	15 Aberdeen Gardens, Leigh-on-Sea, Essex, SS9 3RH
<b>Case Opened:</b>	7 <sup>th</sup> October 2015
<b>Case Officer:</b>	Neil Auger
<b>Recommendation:</b>	<b>TAKE NO FURTHER ACTION</b>



## **1 Site and Surroundings**

- 1.1 Two storey semi-detached dwellinghouse located to the east side of Aberdeen Gardens approximately 100m from its junction with St David's Drive.

## **2 Lawful Planning Use**

- 2.1 The lawful planning use is as a dwellinghouse within Class C3 of the Town and Country Planning Use Classes (Amendment) Order 2005.

## **3 Present Position**

- 3.1 On 7<sup>th</sup> October 2015, an enforcement case was opened as a result of concerns raised by a local resident about an outbuilding which had been constructed within the curtilage of this property.
- 3.2 On 14<sup>th</sup> October 2015, a site visit was carried out when it was confirmed that an outbuilding with a height exceeding 2.5m to the ridge was under construction within 2.0m of the rear and side boundaries of the curtilage of the dwellinghouse.
- 3.3 The householder advised that the outbuilding was proposed to be used for purposes ancillary to the dwellinghouse.
- 3.4 The householder was informed that planning permission was required to retain the outbuildings and a letter confirming this and inviting the submission of a retrospective application was sent on 14<sup>th</sup> October 2015.
- 3.5 An application was received on 16<sup>th</sup> November 2015 and given the reference 15/01894/FULH. This was found to be invalid by the Planning Registration Team and a letter was sent to the householder/applicant, dated 19<sup>th</sup> November 2015, explaining why the application was invalid and requesting the submission of the additional information required to validate it. This was not received and the application remains invalid.
- 3.6 The invalid application includes an elevational drawing of the proposed outbuilding which indicates its finished external height as being 3.345m to the ridge.
- 3.7 A letter dated 8<sup>th</sup> February 2016 was received from a planning agent objecting to the development on behalf of unnamed clients described as "local residents".
- 3.8 Further site visits were undertaken on 9<sup>th</sup> February 2016 and 10<sup>th</sup> March 2016 to photograph the outbuilding from neighbouring properties.

## **4 Appraisal**

- 4.1 In order for outbuildings located within 2.0m of a boundary of the curtilage of a dwellinghouse to benefit from permitted development rights under Schedule 2 Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (formerly the Town and Country Planning (General Permitted Development) Order 1995 (as amended)), they must not exceed 2.5m in height.

- 4.2 According to the householder, the outbuilding here has a height of 3.345m which means it cannot be classed as 'permitted development' and specific planning permission is, therefore, required. As such, in planning terms, the building is unauthorised.
- 4.3 It should be noted that the adjoining properties on either side (i.e. numbers 11 and 17 Aberdeen Gardens) also have large outbuildings to the rear but these do not exceed 2.5m in height and, as such benefit from permitted development rights.
- 4.4 Members will be aware, of course, that the carrying out of operational development works without the necessary authorisation is not, in itself, reason for a local planning authority to take enforcement action. This must only be taken if the development in question is considered to result in demonstrable harm to the amenities of the area.
- 4.5 If the retrospective application for planning permission to retain the outbuilding had been validated, the key considerations would be the principle of the development, the design and impact on the character of the area and the impact on residential amenity.
- 4.6 Policy CP4 of the Core Strategy requires new development to contribute to a sustainable urban environment by maintaining and enhancing amenities, appeal and character of residential areas securing good relationships with existing developments.
- 4.7 In the Council's Development Management DPD, 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."
- 4.8 The outbuilding here is of a traditional form and has been finished to a high standard. Also, it is not visible from the public domain. Whilst higher than the adjacent outbuildings it does not appear over-scaled in the context.
- 4.9 If planning application 15/01894/FULH had been validated and determined on its merits, it is considered that it would have been recommended for approval for the reasons given.
- 4.10 The impact of the building on the residential amenities and character of the area is considered to be minimal due to generous garden depths and separation distances between properties.
- 4.11 For the reasons given, it is considered that the development is generally in accordance with Policies CP4 of the Core Strategy and DM1 of the Development Management DPD and it is, therefore, not considered expedient to take enforcement action.

## 5.0 **Relevant Planning History**

5.1 None.

## 6 **Planning Policy Summary**

6.1 The National Planning Policy Framework (NPPF).

6.2 Core Strategy (DPD1) Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance).

6.3 Development Management DPD Policy DM1 (Design Quality)

6.4 Design and Townscape Guide 2009 (SPD1).

6.5 Community Infrastructure Levy Charging Schedule.

## 7 **Recommendation**

7.1 **Members are recommended to TAKE NO FURTHER ACTION.**

<b>Reference:</b>	16/00328/FUL
<b>Ward:</b>	Chalkwell
<b>Proposal:</b>	Convert ground floor 3 bed flat into two flats, convert existing flat roofed areas to roof terraces (6th - 9th floor), alter hard and soft landscaping at frontage of the site, alter elevations and erect free standing sign
<b>Address:</b>	The Shore, 22 - 23 The Leas, Westcliff-On-Sea, Essex
<b>Applicant:</b>	The Shore Limited
<b>Agent:</b>	Daniel Watney LLP
<b>Consultation Expiry:</b>	20/05/16
<b>Expiry Date:</b>	26/04/16
<b>Case Officer:</b>	Ian Harrison
<b>Plan Nos:</b>	TWI-1250-AF-D101 B, TWI-1250-AF-D102 A, TWI-1250-AF-D103 A, TWI-1250-AF-D104 C, TWI-1250-AF-D105 B, TWI-1250-AF-D106 B, TWI-1250-AF-D107 B, TWI-1250-AF-D108 B, TWI-1250-AF-D109 B, TWI-1250-AF-D110 B, TWI-1250-AF-D111 B, TWI-1250-AF-D112 B, TWI-1250-AF-D113 B, TWI-1250-AF-D114 B, TWI-1250-AF-D115 B, TWI-1250-AF-D116 C, TWI-1250-AF-D117 B, TWI-1250-AF-D118 C, TWI-1250-AF-D119 B, TWI-1250-AF-D120 C, TWI-1250-AF-D121 B, TWI-1250-AF-D122 C, TWI-1250-AF-D123 B, TWI-1250-AF-D124 D, TWI-1250-AF-D125 B, TWI-1250-AF-D126 B, TWI-1250-AF-D127 C, TWI-1250-AF-D128 B, TWI-1250-AF-D129 B, TWI-1250-AF-D130 B, TWI-1250-AF-D131 C, TWI-1250-AF-D132 A, TWI-1250-AF-D133 A, TWI-1250-AF-D135 A
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>



## **1 The Proposal**

- 1.1 The application seeks permission for the modification of the building and grounds of The Shore, formerly known as Nirvana, to enable the formation one additional flat, roof terraces, the provision of signage and alterations to the landscaping and enclosure of the site.
- 1.2 When the application was first submitted, the application also proposed the formation of an additional parking area at the rear of the building, but this element has been removed from the proposal and is no longer for consideration.
- 1.3 The wider site is the subject of a lengthy planning history that is set out in full detail below. In summary, two buildings were approved at the site under the terms of application 07/00820/FULM and 07/00850/FUL and subsequently erected to a condition that resembles completion. The ownership of the building is understood to have changed and this led to amendments to the building being sought and approved in December 2014 and February 2015. This application represents further alterations.
- 1.4 The alteration to the ground floor flat would see a three bedroom flat (with an internal area of 165 square metres) be divided to form two one bedroom flats that would measure 72 and 77 square metres in area. No external alterations are required as a result of this proposal.
- 1.5 The building currently features flat roofs above the fifth, sixth, seventh and eighth floors of the building. The application also seeks permission to utilise parts of these flat roofs to enable the provision of roof terraces to serve flats 6.1, 6.2, 7.2, 8.1 and 9.1. The roof terraces would be enclosed by 1.3 metres tall glazed screens which would be positioned at the edges of the existing roof. The roof terraces proposed would measure 121, 130, 129 and 40 square metres in area.
- 1.6 The proposal also seeks permission to increase the height of the balcony enclosures from 1.1 metres to 1.3 metres to comply with building regulations which have recently changed and to reflect the increased floor level of the balconies that would result from fixing new flooring to the balconies.. Permission is also sought to lay different materials to the steps and ground floor terrace at the frontage of the site and erect a sign at the south east corner of the application site.

## **2 Site and Surroundings**

- 2.1 The application site is located to the North of The Leas. The site measures a maximum of 83 metres deep and 68 metres wide and contains a residential development with 9 floors of residential accommodation that appears to have been largely completed but unoccupied. The contents of the site have been developed under the terms of planning permissions 07/00850/FUL and 07/00820/FULM.
- 2.2 The application site is located outside The Leas Conservation Area but within close proximity to it.

### 3 Planning Considerations

- 3.1 The main considerations in the determination of this application are the principle of the development, design and impact on the streetscene, impact on residential amenity of neighbouring residents, the standard of accommodation for future occupiers and sustainability.

### 4 Appraisal

#### Principle of Development

**National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP8; Development Management DPD Policies DM1, DM3, DM7, DM8 and DM15 and the Design and Townscape Guide SPD1 (2009)**

- 4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy DPD Policies KP2, CP4 and CP8. Amongst the core planning principles of the NPPF includes to *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.”* Paragraph 56 of the NPPF states; *“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Paragraph 64 of the NPPF states; *“that 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.”*
- 4.2 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 and identifies that 80% of residential development shall be provided on previously developed land.
- 4.3 From this basis it is considered that the provision of an additional dwelling at the application site should not be found objectionable in principle. Moreover, as the other developments are ancillary to the proposed residential use of the building and do not represent a change of use of land, it is considered that the proposals should not be found unacceptable in principle, although the following matters require more detailed consideration. Although the proposal would see the loss of a two bed flat and the provision of two smaller flats, as the remainder of the development includes larger flats it is considered that the mix of units should be found acceptable.

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

### **The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) policies DM1 and DM3 and the Design and Townscape Guide.**

- 4.4 As set out above, the provision of an additional flat at the application site would occur without any material changes occurring to the external appearance of the building and as such the provision of an additional flat should not be objected to on visual grounds.
- 4.5 The existing building features balconies that were arranged to become a prominent feature of the site, with the underside of the balconied painted in a variety of bright colours. The provision of roof terraces would represent a continuation of the theme of providing external amenity areas at the site, with the proposed roof terraces being enclosed by similar screens. As the screens would be positioned at the front edge of the building's roofs, the screens would be visible from the public domain. However, as they would be of the same style as the existing balconies, it is considered that the roof terraces would not be out-of-keeping with the treatment of the remainder of the building and would not have a harmful visual impact.
- 4.6 The proposed changes to the materials used at the frontage of the site would not materially change the character or appearance of the site or the building. The proposed signage at the frontage of the site would be more visible, but would not become an unduly dominant feature of the site or the streetscene as it would be positioned in a grassed enclave at the frontage of the site that is surrounded by tall walls. The impact of the signage would therefore be localised and would not materially detract from the appearance of the site or the area. It is noted that it was previously the intention of the applicant to provide an art installation at this part of the site, but this has not been secured through the imposition of a condition and it is not therefore possible to insist upon its provision.

### **Impact on Residential Amenity.**

#### **National Planning Policy Framework, Policy CP4 of the Core Strategy, Development Management DPD Policy DM1 and Design and Townscape Guide.**

- 4.7 Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management DPD also 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."



- 4.8 The proposed roof terraces would be positioned on the lower roofs between the two taller parts of the building which exist at the East and West end of the site. These taller buildings would restrict views from the roof terraces to the East and the West. No properties exist to the South and it is therefore considered that the only potential views from the terraces that would overlook residential properties would be to the North. In most instances the terraces would be positioned to the South of parts of the existing building and therefore views to the North would be restricted. Where there are no structures to prevent views, the high level of the terraces means that most views from the properties would be well above the neighbouring residential properties and any views downwards would be so acute that they would not enable passive overlooking to occur. Noting that the existing building already features balconies and a number of windows on the North elevation it is considered that the development would not cause materially worse overlooking of the neighbouring properties than the existing situation and therefore no objection should be raised to this application on those grounds.

**Standard of Accommodation:**

**National Planning Policy Framework, Policy KP2 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM8 and the Design and Townscape Guide.**

- 4.9 Paragraph 17 of the NPPF states that “*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. 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 residential units shall be as follow:
  - (a) 1 bedroom (2 bed spaces) 50 square metres
- Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7.5m<sup>2</sup> for a single bedroom with a minimum width of 2.15m ; and 11.5m<sup>2</sup> 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.

The following is also prescribed:

- Provision of a storage cupboard with a minimum floor area of 1.25m<sup>2</sup> should be provided for 1-2 person dwellings. A minimum of 0.5m<sup>2</sup> storage area should be provided for each additional bedspace.

- 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.
- Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7m<sup>2</sup> for a single bedroom with a minimum width of 2.15m<sup>2</sup> ; and 12m<sup>2</sup> for a double/twin bedroom with a minimum width of 2.55m<sup>2</sup>.
- 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.

4.10 The proposed flats would be of adequate size to comply with the abovementioned standards and adequate refuse and cycle storage facilities would be provided at the application site.

4.11 It has not been demonstrated that the proposed flats would be able to accord with Part M4(2) of the Building Regulations, but given the context of the site and the fact that the parameters of the conversion are fixed as it is not feasible to extend the building, it is considered that the proposal should not be required to accord with those standards in this instance.

### **Planning Obligations and Community Infrastructure Levy**

4.12 The proposal sees the creation of one additional residential unit and this element of the proposal is therefore considered to be CIL Liable. However, due to the terms of Section 128A of the Community Infrastructure Levy Regulations it is considered that the CIL charge would be zero as there is no increase in floorspace caused by the new application in comparison to the previous approval.

4.13 The development at this site was approved subject to the completion of Section 106 agreements to secure the provision of affordable housing and financial contributions towards education and bus services and the landscaping of a planter at the frontage of the site. It is known that the affordable housing has been provided at an off-site location, but the terms of the legal agreement remain in effect as the financial contributions are yet to be paid as the requisite number of flats have not been occupied. It is considered that this proposal will not amend the need to comply with the requirements of the Section 106 agreement that has previously been completed and it is therefore not necessary to amend or vary the Section 106 agreement that has been completed.

## **5 Conclusion**

- 5.1 Following the modification of the proposals, it is considered that no objection should be raised to this application. The proposed developments and alterations would not cause material harm to the character or appearance of the site or the surrounding area and would not harmfully change the relationship of the building with the neighbouring properties.

## **6 Planning Policy Summary**

### **6.1 National Planning Policy Framework**

Core Strategy DPD (adopted December 2007) Policies KP2 (Spatial Strategy) and CP4 (Development Principles).

Development Management DPD (adopted July 2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).

Design and Townscape Guide SPD (adopted December 2009)

## **7 Representation Summary**

### **Highway Authority**

- 7.1 Access to the proposed parking area is via an existing access way in Grosvenor Mews, the parking layout shows parking for an additional 16 vehicles which are able to manoeuvre effectively and leave the site in a forward gear. It is not considered that the additional vehicle movements which will be generated as a result of the parking proposal will have a detrimental impact upon the public highway within the local area. Therefore given the above information there are no highway objections to this proposal.

### **Design and Regeneration Team**

- 7.2 No objections have been raised to the proposals except for the following points:

- the original approval shows that the position of the signage was designated as a space for an art installation and it is regrettable that it is now proposed to change this to signage. It is considered that a more subtle approach to signage could be achieved maybe on the building itself and that a more artistic piece with associated landscaping would be better in this location and make more of a contribution to the streetscene rather than advertising the development. As proposed the signage looks rather like the entrance to a business park and is not really appropriate in this context. If art is no longer viable then a good quality landscaping scheme would be preferred in this location.

- A concern is raised in relation to the rendered blocks on the proposed roof terraces and it is therefore considered that details in relation to the materials used where the terraces are to be divided should be submitted under the terms of a condition.

## **Public Consultation**

7.3 A site notice was posted and letters were sent to 47 neighbouring properties. Letters were also sent to neighbouring properties following the amendment of the proposals. 4 letters of objection have been received which object to the application for the following reasons:

- The proposal should not be considered.
- Landscaped gardens should be provided as previously proposed and not car parking.
- Additional lighting of the car parking area will cause light pollution.
- Additional traffic will use Grosvenor Mews.
- The use of Grosvenor Mews might put residents of Bellway Court in danger as they access their bin stores.
- Vehicles will pass very close to neighbouring properties.
- Objects might be blown from the proposed roof terraces due to winds.
- The use of the car parking area would cause noise.

7.4 The application was called-in to the Council's Development Control Committee by Cllr Folkard.

## **8 Relevant Planning History**

8.1 Under the terms of application 07/00850/FUL planning permission was granted for the erection of a 9 storey block of 9 flats linked to and utilising parking facilities beneath the development at no. 22 The Leas. The development of 22 The Leas was granted under the terms of application 07/00820/FULM.

8.2 Application 11/01095/AD sought the approval of details pursuant to Condition 08 (Landscaping) of planning permission 07/00850/FUL. The submitted details were approved.

8.3 Current application 16/00624/FUL seeks permission for Minor Material Amendments to the previous planning permission at the site (07/00820/FULM). That application is yet to be determined.

## **9 Recommendation**

9.1 **It is recommended that planning permission be GRANTED 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 be carried out in accordance with the following approved plans: TWI-1250-AF-D101 B, TWI-1250-AF-D102 A, TWI-1250-AF-D103 A, TWI-1250-AF-D104 C, TWI-1250-AF-D105 B, TWI-1250-AF-D106 B, TWI-1250-AF-D107 B, TWI-1250-AF-D108 B, TWI-1250-AF-D109 B, TWI-1250-AF-D110 B, TWI-1250-AF-D111 B, TWI-1250-AF-D112 B, TWI-1250-AF-D113 B, TWI-1250-AF-D114 B, TWI-1250-AF-D115 B, TWI-1250-AF-D116 C, TWI-1250-AF-D117 B, TWI-1250-AF-D118 C, TWI-1250-AF-D119 B, TWI-1250-AF-D120 C, TWI-1250-AF-D121 B, TWI-1250-AF-D122 C, TWI-1250-AF-D123 B, TWI-1250-AF-D124 D, TWI-1250-AF-D125 B, TWI-1250-AF-D126 B, TWI-1250-AF-D127 C, TWI-1250-AF-D128 B, TWI-1250-AF-D129 B, TWI-1250-AF-D130 B, TWI-1250-AF-D131 C, TWI-1250-AF-D132 A, TWI-1250-AF-D133 A, TWI-1250-AF-D135 A

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

- 03** The landscaping of the land to the rear (North) of the building at the rear of the site shall be undertaken in accordance with condition 05 of planning permission 14/01663/AMDT. Such planting shall be undertaken within 12 calendar months of the first occupation of any of the flats hereby approved unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD2.

- 04** The materials used in the works hereby approved shall only be in accordance with the plans hereby approved unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt, no other alterations to the materials previously approved are hereby approved

**Reason:** To ensure the adequate management of surface water drainage at the site in accordance with the National Planning Policy Framework and policy KP2 of the Core Strategy (DM1).

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.

**Informative:**

- 1.** The grant of this permission does not affect the terms of planning permissions 07/00820/FULM and 14/01663AMDT. All conditions attached to those permissions and the requirements of the associated legal agreement are still required to be complied with.