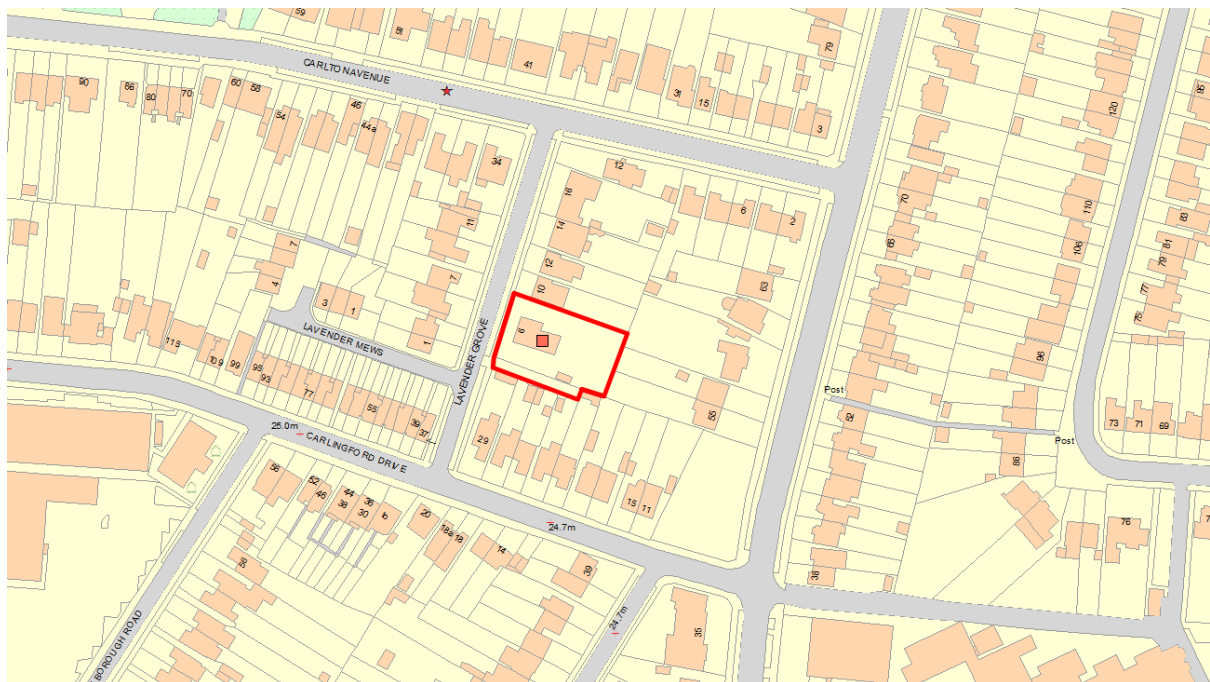


Reference:	20/01619/FUL	
Ward:	Prittlewell	
Proposal:	Demolish existing bungalow, erect two residential buildings comprising no7 self-contained flats with associated amenity space, parking, bin and cycle store	
Address:	6 Lavender Grove, Westcliff-On-Sea, Essex, SS0 0QP	
Applicant:	Mr David Bromage of Architectural Properties Dev Ltd	
Agent:	N/A	
Consultation Expiry:	29/10/2020	
Expiry Date:	11/12/2020	
Case Officer:	Scott Davison	
Plan Nos:	10A, 15, 16, 17 & 18, Noise Impact Assessment (Climate Acoustics dated 22/10/2020), Ecological Report, Arboricultural Report, Design and Access Statement	
Recommendation:	GRANT PLANNING PERMISSION	



## **1 Site and Surroundings**

- 1.1 The application site is located on the eastern side of Lavender Grove and is occupied by a modest, single-storey detached bungalow set within a plot some 42m deep and 24m wide. The application dwelling is vacant and the site has been largely cleared of vegetation and trees. There is a service access road off Lavender Grove that falls within the application site. It gives vehicular access to the application site and to the rear of other properties facing Carlingford Drive to the south of the site. There is a large white lined, permit controlled parking bay immediately to the front of the site and there are double and single yellow lines to either side of the street.
- 1.2 The surrounding area is largely residential in nature. Lavender Grove is made up of predominantly single storey and chalet style dwellings. Carlingford Drive to the south of the site is comprised of a mix of single and two storey dwellings.
- 1.3 The site is not located within a conservation area and does not have any specific policy designation within the Development Management Document Proposals Map.

## **2 The Proposal**

- 2.1 The application seeks planning permission demolish the existing dwelling and to erect 2 x two storey buildings comprising 7 flats in total and to layout parking and amenity space for the flats. A Design and Access statement, ecological report, arboricultural report and noise impact assessment report have been forwarded with the application.
- 2.3 The proposal would create seven new flats contained within two buildings. Building A would contain 3 flats and would be some 17m in depth, 8.4m wide and maximum height of 8.3m. Building B would contain 4 flats and would be some 16m in depth, 10.9m wide and maximum height of 8.3m. Building A would follow the same building line as dwellings to the north of the site. The front elevation of Building B would be set some 2m further back than building A. The buildings would contain a mix of pitched and hipped roof elements.

Building A would contain flats A1, A4 & A7

A1 – 51 sqm 1 bedroom 2 person flat. Bedroom 13.6 sqm

A4 – 57 sqm 1 bedroom 2 person flat. Bedroom 12.7 sqm

A7 -- 73.5 sqm 2 bedroom 4 person flat. Bedrooms 12.6 sqm & 17 sqm

Building B would contain flats A2, A3, A5 & A6

A2 – 72 sqm 2 bedroom 4 person flat. Bedrooms 15 sqm & 13.1 sqm

A3 – 72 sqm 2 bedroom 4 person flat. Bedrooms 12.3 sqm & 16.5 sqm

A5 – 72.1 sqm 2 bedroom 4 person flat. Bedrooms 15 sqm & 13.1 sqm

A6 – 73.5 sqm 2 bedroom 4 person flat. Bedrooms 12.3 sqm & 16.5 sqm

- 2.4 The flats would be accessed from entrances in the front and side elevations of the buildings. Seven parking spaces would be provided within the site using an existing vehicle crossover and an access off Lavender Grove. Some 290 sqm of communal amenity space is provided to the rear of the site. A cycle store is provided to the rear of the buildings and a bin store to the south of building B.

2.5 Details of the external finishing material include red and terracotta bricks and brown pantiles.

2.6 A Noise Impact Assessment (NIA), Ecological Report, Arboricultural Report and Design and Access Statement have been submitted in support of the application.

### **3 Relevant Planning History**

3.1 No relevant planning history

### **4 Representation Summary**

#### **Public Consultation**

4.1 Councillor Garston has called the application in for consideration by the Development Control Committee.

17 neighbours were notified and a site notice was displayed. 7 letters of representation were received, two in support and five objecting to the application (including four from the same address). They are summarised as follows:

#### **Support**

- The proposal would be in character with the street scene
- The development would provide suitable accommodation for the older persons and the disabled.
- The proposal would result in an untidy site being regenerated.

#### **Objection**

- Proposal would be an overdevelopment of the site
- Security concerns from the open rear garden / car parking
- Impact on neighbouring amenity i.e. loss of privacy and loss of daylight, sunlight. Concerns over proximity to the site boundary.
- Inadequate parking. No parking provided for visitors

Officer Comments: The concerns in the above representations are noted and where they refer to material planning considerations they have been taken into account in the assessment of the application, but have not been found to represent reasons justifying refusal of planning permission on those grounds.

#### **Environmental Health**

4.2 No objection subject to conditions controlling construction hours and erection of fencing to mitigate the impact of noise from the parking area

#### **Parks**

4.3 No objections. It is noted that all trees on site have been felled which is undesirable. To mitigate for biodiversity loss, the soft landscaping scheme should include biodiversity enhancing features and planting of species with known ecological value.

#### **Essex Fire**

4.4 No objections, subject to informatives relating to water supplies for firefighting and sprinkler systems.

## **5 Planning Policy Summary**

- 5.1 The National Planning Policy Framework (NPPF) (2019).
- 5.2 Planning Practice Guidance and National Design Guide (2019).  
  
Nationally Described Space Standards - Technical Housing Standards Policy Transition Statement (2015)
- 5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles) KP3 (Implementation and Resources) CP3 (Transport and Accessibility) CP4 (Environment and Urban Renaissance) and CP8 (Dwelling Provision).
- 5.4 Development Management Document (2015) DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), and DM15 (Sustainable Transport Management).
- 5.5 Design & Townscape Guide (2009).
- 5.6 Community Infrastructure Levy (CIL) Charging Schedule 2015.
- 5.7 RAMS (Essex Coast Recreational disturbance Avoidance Mitigation Strategy) SPD (2020)
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, living conditions for future occupiers, impact on neighbouring properties, any traffic and transport issues, sustainability and CIL (Community Infrastructure Levy) and RAMS considerations.

## **7 Appraisal**

### **Principle of the development**

- 7.1 This proposal is considered in the context of the relevant Council policies relating to new development and design. Also of relevance are the National Planning Policy Framework including section 12 (Achieving well-designed places) and Core Strategy Policies KP2, CP4 and CP8.
- 7.2 Policy KP2 of the Core Strategy requires that all 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 of the Core Strategy identifies the need of 6,500 homes to be delivered within the whole Borough between 2001 and 2021 and that the intensification of the use of land should play a significant role in meeting the housing needs of the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough.

- 7.3 The figures of the Housing Delivery Test (HDT) and the Five Year Housing Land Supply (5YHLS) show that there is a need for housing in the Borough and the South Essex Strategic Housing Market Assessment shows that the Borough needs a higher proportion of family units. The proposed development contains 2 bedrooms flats and does not include family sized units.
- 7.4 Policy DM3 of the Development Management Document promotes *“the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.”*
- 7.5 The location of the proposed development would be considered infill development. Policy DM3 is applicable. Policy DM3(2) requires that all development on a land that constitutes backland and infill development will be resisted where the proposal:

*“(i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or  
(ii) Conflict with the character and grain of the local area; or  
(iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or  
(iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.”*

Policy DM3 (4) of the Development Management Document states that *“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.”*

- 7.6 The existing site is occupied by a modest bungalow located on the eastern side of the road. The streetscene is characterised predominantly by bungalows and chalet bungalows and Carlingford Drive contains two storey dwellings. The proposal would result in the loss of a bungalow and a Design and Access Statement has been submitted which states that the proposal will provide appropriate facilities for the needs of older residents and that the proposal would meet the M4 (2) standard, which replaced the Lifetime Homes Standard. Therefore the broad principle of the loss of the bungalow and redevelopment of the site is considered to be acceptable subject to the following detailed considerations such as the suitability of the site to accommodate the dwellings as proposed. In this regard other material planning considerations, including the impact on the design and character of the area, living conditions for future occupiers, the impact residential amenity and parking availability are assessed below.

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

- 7.7 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF (section 12) and in Policies KP2 and CP4 of the Core Strategy and also in Policies DM1 and DM3 of the Development Management Document.

The Design and Townscape Guide also states that “the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”

- 7.8 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.*” (Section 12 Para 124 – ‘Achieving well-designed places’).
- 7.9 Policy KP2 of the Core Strategy advocates the need for all new development to “*respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design*”.
- 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 DM3 (1.) advises that: *The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.*
- 7.12 DM3 (2) states *All development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:*
- (i) Create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents; or
  - (ii) Conflict with the character and grain of the local area; or
  - (iii) Result in unusable garden space for the existing and proposed dwellings in line with Policy DM8; or
  - (iv) Result in the loss of local ecological assets including wildlife habitats and significant or protected trees.
- 7.13 The proposed development is comprised of two buildings giving the appearance of two dwellings when viewed from the street scene, with entrance doors and porches. The building frontages would be some 8.4m & 12m onto Lavender Grove projecting some 17m and 16m in depth. The roof heights at some 8.4m would match the existing chalets to the north of the site. The buildings would be separated by a minimum 1m gap increasing to 2m at the front. The front elevation of Building A would not project any further forward than the neighbouring dwelling, No.10. Building B would be set some 2m behind the prevailing building line. The rear elevation of the Building A would project beyond the rear elevation of the neighbouring dwelling, No.10 by some 5m however the section nearest to No.10 projects by 2.9m only and then steps in a further 2.3m, which is a measure to limit the impact on the amenities of the neighbouring dwellings.

- 7.14 The proposed development would have greater coverage of the frontage compared with the existing bungalow, however, the scale and form of the proposed development in the street scene would be comparable to dwellings to the north of the site in Lavender Grove. It draws reference from their pitched roof form and eaves height. The roof forms of the buildings to the rear and flank elevations are fairly consistent and coherent. Lavender Grove is comprised of single family dwellings of various designs fronting onto the highway. They are generally of a similar scale, and a degree of cohesion is provided by the prevailing building line, set back from the highway and the scale of frontages, use of traditional materials and entrances to the street providing an active frontage to the properties. The proposed development is comprised of two, 2 storey buildings with main entrances to the front and sides of the building and which, on balance, would not appear out of character in the streetscene. The development is split into two buildings and the degree of projection rearwards would project beyond the prevailing rear building line. On balance, the scale and height of proposal would not appear overly dominant or harmful to the character of the street scene or rear environment and visual amenities of the wider area. In this respect the proposal would be compliant with the above-noted policies.
- 7.15 In terms of design detail and materials, the windows and doors across the proposed development are consistent in design, scale and proportions. The building would be finished in brick, tile and uPVC windows. The detailed matters of materials can be dealt with as a condition of any planning permission.
- 7.16 Areas to the front and rear of the site would be given over to car parking. A significant area to the rear of the site would provide a communal amenity space. Given the existing service access and garages to the rear of dwellings in Carlingford Drive and that the parking area would be set to the southern side of plot adjacent to the access and garages, it is not considered that it would adversely impact on the rear garden setting to the building or be harmful to the domestic character of the rear garden scene surrounding the plot. Details of hard landscaping can also be secured by condition.
- 7.17 An arboricultural report was forward with the application. All trees on the site have been removed prior to the submission of the application (without the need for planning permission). There are limited details of the soft landscaping to the front and rear of the building shown on the submitted plans. Parks have requested that any soft landscaping scheme should include biodiversity enhancing features and planting of species with known ecological value and this can be secured by condition.
- 7.18 For the reasons set out above, it is considered that the proposed development would be acceptable and policy compliant in the above regards.

## **Traffic and Transport Issues**

- 7.19 Policy DM15 states that each flat should be served by one parking space. Policy DM15 also states that *“Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/or where the rigid application of these standards would have a clear detrimental impact on local character and context.”*
- 7.20 A total of seven parking spaces would be provided for the proposed development, which would be policy compliant. Five spaces would be to the rear of the site and two to the front. The site is considered to be a sustainable location with public transport within walking distance.
- 7.21 The site would be accessed by an existing vehicle crossover to the south leading to an existing access presently serving the rear of dwellings in Carlingford Drive. The access to these properties would be retained. It is considered that vehicles would be able to enter the site and access the parking spaces from the access. Separate planning permission would be required if the applicant wanted to extend the existing crossovers
- 7.22 Residential cycle storage facilities indicated are shown on the plans, but full details are required. Details can be secured by a planning condition.
- 7.23 The proposal is acceptable and policy compliant in the above respects.

## **Impact on Neighbouring Properties**

- 7.24 Paragraph 343 of The Design and Townscape Guide (2009), under the heading of Alterations and Additions to Existing Residential Buildings states, amongst other criteria, that extensions and alterations 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 Document 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.”*
- 7.25 To the north of the site is No.10 Lavender Grove, a chalet bungalow with windows in its flank elevation. The proposed development would be set some 1m in from the shared boundary and approx. 2m from the flank elevation of No.10. A single storey pitched roof projection some 6.3m to ridge height and 2.5m would project some 2.9m beyond the rear of the no.10. The roof of this projection would be pitched away from the boundary with No.10. There is a further single storey projection which projects beyond the section nearest to No.10 by some 2.1m and is some 3.9m high. It would be stepped in from the shared boundary by 3.3m. The ground floor of the flank elevation would contain four windows and the first floor would contain two obscure glazed windows. On balance, it is considered that the development would not be overbearing, have perceived or actual dominant impacts or result in an undue sense of enclosure or a materially harmful loss of daylight or sunlight.



Subject to the provision of obscure glazing to the first floor windows, the proposal is not considered to result in a loss of privacy or overlooking of these neighbouring dwelling.

- 7.26 Given the 27m separation distance from the side of the proposed development to the rear of the dwellings in Carlingford Drive, the first floor windows of the proposed flats are not considered to result in a loss of privacy or overlooking of these neighbouring dwellings or amenity areas. It is not considered that the proposed development would give rise to any detrimental overbearing, perceived or actual dominant impacts or loss of light on these neighbouring occupiers to the south of the site.
- 7.27 To the west of the site on the other side of Lavender Grove, there are mix of single storey dwellings and chalet bungalows. The proposed development is not considered to result in loss of privacy or overlooking of the front elevations of the buildings to the west of the site given separation distances which are in excess of 25m. It is not considered that the proposed development would give rise to any detrimental overbearing, perceived or actual dominant impacts upon the residential properties to the east of the site
- 7.28 To the rear of the site are residential dwellings in Hobleythick Lane. The separation distances to dwellings would be in excess of 40m. Given the separation distance from the proposed development to the rear of the neighbouring dwellings the proposed flats are not considered to result in a loss of privacy or overlooking of these neighbouring building or amenity areas. It is not considered that the proposed development would give rise to any detrimental overbearing, perceived or actual dominant impacts or loss of light on these neighbouring dwellings to the east of the site.
- 7.29 The use of the service road by up to 7 additional vehicles and the resultant parking and manoeuvring would introduce activity into what is presently a tranquil rear garden location. A Noise Impact Assessment (NIA) was submitted with the application which examined noise impact from the proposed car parking activities on the neighbouring noise sensitive premises. Environmental Health considers the NIA to be satisfactory and is satisfied that impacts would be within acceptable limits.
- 7.30 No objections to the proposed development are raised in regard to impacts on the amenities on future occupiers of the proposed development. The proposed development would be acceptable and policy compliant in the above regards.

#### **Standard of Accommodation:**

- 7.31 Paragraph 127 of the NPPF states that “Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:

- Minimum property size for a 1 bedroom, 2 person flat (one storey) is 50 sqm.
- Minimum property size for a 2 bedroom, 4 person flat (one storey) is 70 sqm.
- Bedroom Sizes:

The minimum floor area for bedrooms to be no less than 7.5sqm for a single bedroom with a minimum width of 2.15m; and 11.5sqm 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.

- 7.32 Weight should also be given to the content of policy DM8 which has standards in addition to the national standards including provision of amenity space, storage facilities and refuse facilities.
- 7.33 The gross internal floorspace for the dwellings and bedroom sizes would exceed the minimum sizes required by the technical housing standards. All habitable rooms will be provided with sufficient windows and openings to provide adequate light, ventilation and outlook.
- 7.34 The Council has no adopted standards for amenity space provision and policy DM8 states, "*Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances*". No private amenity space is provided for the flats however a communal amenity space of some 290 sqm is provided to the rear of the buildings. The garden area for would be provided within a single irregular shaped area, would be sufficiently screened and private and would provide an acceptable and usable amenity space for future occupants.
- 7.35 Policy DM8 of the Development management Document states that all new dwellings should meet the Lifetime Homes Standards, which from the 1st October 2015 have been substituted by Building Regulation M4(2). The Design and Access statement states that the proposal would meet Building Regulations 2010 Part M including M4 (2) and M4 (3) 2015/2016 amendments. Subject to the use of conditions to secure this the proposal is found to be acceptable in these regards.
- 7.36 The development is therefore considered acceptable and policy compliant.

### **Sustainability**

- 7.37 Policy KP2 of the Core Strategy requires that "at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in the Design and Townscape Guide, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration." Policy DM2 of the Development Management Document also states that "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions"
- 7.38 The plans show solar panels on the roof of each building however no information has been submitted in relation to the details of provision of renewables on site. It would be possible to address this matter through the imposition of a condition

- 7.39 Policy DM2 (iv) of the Development Management Document requires all new development to provide “*water efficient design measures that limit internal water consumption to 105 litres per person per day (ldp) (110 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.*” No information has been submitted but this could be achieved by condition.
- 7.40 As such, subject to conditions it is considered that the development is acceptable and policy compliant and in the above regards.

### **Waste Storage**

- 7.41 Policy DM8 states that 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.
- 7.42 The submitted plans contain details of the location of refuse storage for the proposed flats to the side of Building B which is acceptable in principle. There is scope within the application site for the provision of facilities for refuse storage and details of the location and type of refuse storage facilities can be secured by condition.
- 7.43 The proposal is therefore acceptable and policy compliant in the above regards

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

- 7.44 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material ‘local finance consideration’ for the purpose of planning decisions. The proposed development includes a gross internal area of 487 sqm, which may equate to a CIL charge of approximately £12 511. 03 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the ‘in-use building’ test, as set out in the CIL Regulations 2010 (as amended), may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

### **Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS)**

- 7.45 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS). It is the Council’s duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The RAMS Supplementary Planning Document (SPD), which was adopted by Full Council on 29th October 2020, requires that a tariff of £125.58 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement.

The applicant has made this this payment and therefore the ecological implications of the site can be considered acceptable and policy compliant.

## **8 Conclusion**

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance on balance. The principle of the development is found to be acceptable and the proposal would provide satisfactory internal living conditions for future occupiers of the proposed flats. The proposal would have an acceptable impact on the amenities of neighbouring occupiers, highway safety and parking and on balance, the character and appearance of the application site, the street scene and the locality more widely. The provision of additional housing is considered to be a public benefit of the scheme. This scheme is therefore recommended for approval subject to conditions.

## **9 Recommendation**

**GRANT PLANNING PERMISSION subject to the following conditions:**

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

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

- 02 The development hereby permitted shall be carried out in accordance with the approved plans: 10A, 15, 16, 17 & 18.**

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

- 03 Prior to the occupation of the development hereby approved car parking spaces shall be provided and made available for use in accordance with the details shown on approved plan 5606 15 and shall be permanently retained as such thereafter. The car parking spaces shall be kept available solely for the parking of motor vehicles of occupiers of the dwellings hereby approved and their visitors.**

**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).**

- 04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed building at the site including for elevations, brickwork, render, glazing, doors, windows and roofing materials have been submitted to and approved in writing by the Local Planning Authority.**

The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it is occupied.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

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

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2018), 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).

- 06** Prior to the first occupation of the dwellings hereby approved, full details of both hard and soft landscape work to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. The details submitted shall include, but not limited to: -

- i. means of enclosure, of the site including any gates or boundary fencing;
- ii. car parking layouts;
- iii. other vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;
- v. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- vi. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

- 07** Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development shall be carried out in a manner to ensure that the dwellings labelled 1, 4, 5, 6 & 7 on plan number 5606 015 comply with the building regulation M4 (2) 'Accessible and Adaptable Dwellings' standard before they are occupied.

**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 (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

- 08** Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development shall be carried out in a manner to ensure that the dwellings labelled A2 & A3 on plan number 5606 015 comply with the building regulation M4 (3) 'Wheelchair User Dwellings' standard before they are occupied.

**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 (2019), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide (2009).

- 09** A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

**Reason:** In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007).

- 10** 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).

- 11** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of noise, dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

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

- 12** Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the buildings hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed dwellings that are to be permanently glazed with obscured glass (to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent) and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

**Reason:** To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings, in accordance with the National Planning Policy Framework, Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1 and advice contained in The Design and Townscape Guide (2009).

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

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

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**

- 1** Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).
- 2** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.
- 3** The applicant is encouraged to provide electric vehicle charging points at the site in accordance with Policy DM15 which encourages their provision wherever practical and feasible.