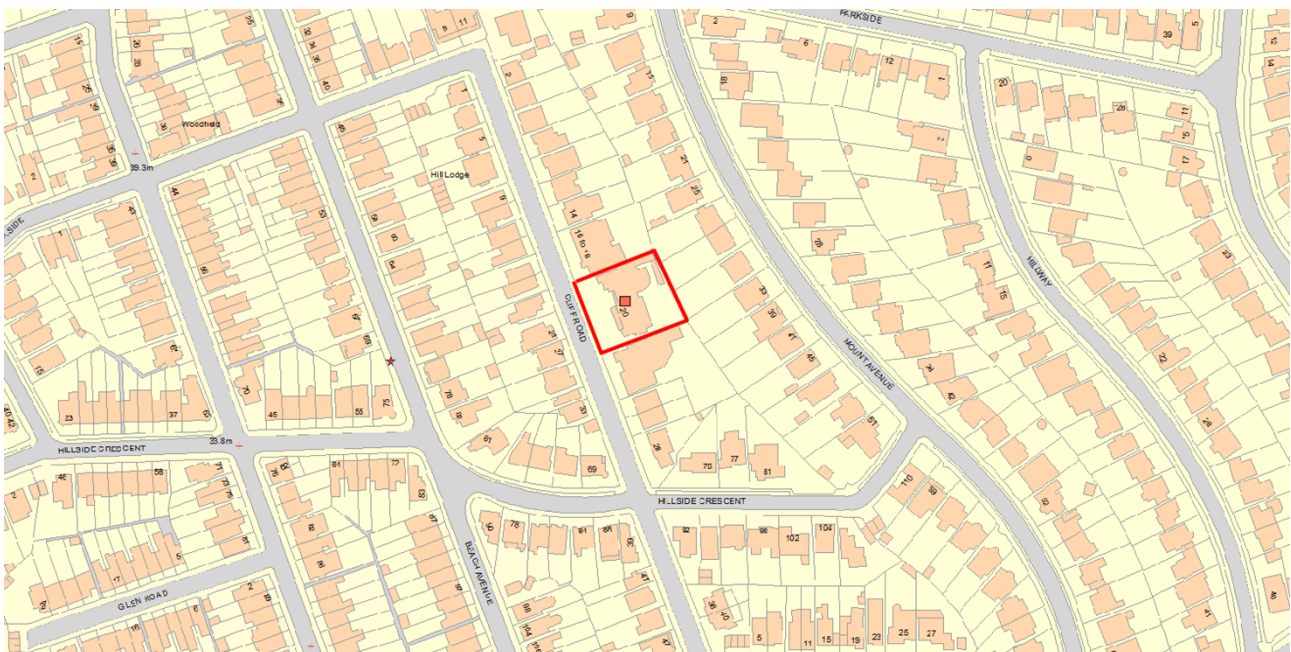


<b>Reference:</b>	20/01589/FUL	
<b>Ward:</b>	Chalkwell	
<b>Proposal:</b>	Convert residential home (Class C2) to 9 self-contained flats (Class C3), erect single storey rear extension, install balustrading, alter elevations, layout parking to front, erect balustrade to front and rear and erect raised platform to rear	
<b>Address:</b>	Adalah Residential Rest Home, 20 Cliff Road, Leigh-On-Sea, Essex, SS9 1HJ	
<b>Applicant:</b>	Mr Kandola	
<b>Agent:</b>	Mr Gary Cumberland of Form Architecture	
<b>Consultation Expiry:</b>	10.11.2020	
<b>Expiry Date:</b>	09.04.2021	
<b>Case Officer:</b>	Scott Davison	
<b>Plan Nos:</b>	1729/01 Rev A, 1729/02, 1729/03 Rev A & 1729/04	
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION</b>	



## **1 Site and Surroundings**

- 1.1 The application concerns a three-storey detached property on the eastern side of Cliff Road. The building is used as care home with 28 rooms (26 single & 2 shared) each with en-suite WC. The ground floor contains a communal lounge & dining area, conservatory, kitchen and offices. There is an internal lift that serves all floors. To the front of the building are two separate parking areas and a soft landscaped area. To the rear is a communal amenity space. Existing refuse storage is located to the front of the building. Land levels slope downwards from north to south across the site.
- 1.2 Two storeys detached and semi-detached residential properties of a similar scale and form are located to the north and south of the site in Cliff Road. To the east of the site are two storey detached dwellings in Mount Avenue. The wider surrounding area is residential in character.
- 1.3 The site itself has no specific allocation within the Development Management Document's Proposals Map

## **2 The Proposal**

- 2.1 The application proposes the conversion of the care home into 9 self-contained residential flats with 9 parking spaces. Three flats would have individual private amenity area enclosed by balustrading with two terraced areas to rear of the site on raised platforms, one of which would be new and the other located where the existing conservatory is located. A communal amenity space would be provided to the rear of the building.
- 2.2 The building would contain four flats at ground level, four flats, including a maisonette, at first floor level and one flat at second floor level. Limited external changes are proposed comprising:
- removal of the ground floor conservatory.
  - erection of a single storey rear extension with a new roof light and doors opening into the rear amenity area.
  - French doors inserted into the front elevation at ground floor level.
  - balustrading enclosing the private garden areas for flats 1, 2 & 4 including a new raised platform for flat 2.
  - communal amenity space is proposed to the rear of the site.
- 2.3 The dimensions of the proposed flats are set out below:

Flat 01	2b/3p	62sqm
Flat 02	2b/4p	72sqm
Flat 03	2b/3p	61sqm
Flat 04	3b/6p	101sqm
Flat 05	2b/4p	77sqm
Flat 06	3b/6p	124sqm
Flat 07	2b/3p	61sqm
Flat 08	2b/4p	70sqm
Flat 09	3b/5p	86sqm

- 2.4 Refuse storage is proposed in the front area of the building. Cycle storage is proposed to the rear. The area to the front of the site would be partially soft landscaped and 9 parking spaces would be laid out to the front of the building in two separate areas utilising existing crossovers.

### **3 Relevant Planning History**

- 3.1 86/0700 Erect two storey side and rear extension with accommodation in roofspace and windows front and rear to provide additional bedrooms for nursing home lay out parking spaces and form vehicular access to Cliff Road - Granted.
- 3.2 86/1696 Erect single storey rear extension and single storey and first floor side extensions to nursing home – Granted.
- 3.3 87/0563 Erect single storey and first floor side extensions to nursing home - Granted.
- 3.4 88/0725 erect 2 storey and single storey front and side extension to existing rest home with dormer windows to east south and west elevations extend existing vehicular access and form new access to Cliff Road and lay out parking at front - Granted.
- 3.5 90/0383 Erect two storey and single storey front and side extension to existing rest home with dormer windows to east south and west elevations and flues to rear extend existing vehicular access and form new access to Cliff Road and lay out parking at front - Granted.
- 3.6 94/1048 Erect replacement garden sheds to rest home - Granted.
- 3.7 08/00150/FUL Erect second floor extension, convert second floor managers flat into four additional residents bedrooms and alter rear elevation - Granted.

### **4 Consultation Responses**

#### **Public Consultation**

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

42 neighbours were notified, and a site notice was displayed. 23 letters of objection were received from 15 objectors at 12 addresses. These are summarised below:

- Insufficient parking
- Lack of parking would exacerbate existing parking stress from Commuters using Chalkwell Station and tourists in summer.
- Loss of a care home and employment for staff
- Larger bins storage area required.
- Concerns over shared occupancy
- Concerns over future occupants owning two or more cars.
- Damage to road from more cars and construction
- Noise pollution from use of site as dwellings

- Harm to neighbour's residential amenity

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 they have not been found to represent reasons justifying refusal of planning permission on those grounds.

### **Parks**

- 4.2 No objections subject to soft landscaping details to be agreed.

### **Environmental Health**

- 4.3 No objections subject to the imposition of a construction hours condition.

### **Essex Fire**

- 4.4 No objections. Applicant is advised of the benefit of the installation of sprinkler systems.

### **Highways**

- 4.5 No objections.

### **Planning Policy**

- 4.6 No objection.

### **Adult Social Care**

- 4.7 No objection.

## **5 Planning Policy Summary**

- 5.1 National Planning Policy Framework (NPPF) (2019)
- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision) and CP6 (Community Infrastructure).
- 5.3 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards) DM9 (Specialist Residential Accommodation) and Policy DM15 (Sustainable Transport Management).
- 5.5 Design & Townscape Guide (2009).
- 5.6 RAMS (Essex Coast Recreational disturbance Avoidance Mitigation Strategy) SPD (2020)
- 5.7 Community Infrastructure Levy Charging Schedule (2015).
- 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 including the loss of the care home, 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 Development:**

- 7.1 This proposal is considered in the context of the relevant Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 12 and Core Strategy Policies KP2, CP4, CP8 and DM11.
- 7.2 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 requires that development proposals contribute to local housing needs.
- 7.3 Policy DM9 sets out particularly clear and detailed policy criteria that should be met to allow the provision of *new* facilities for specialist residential accommodation and the supporting text from paragraphs 4.47 - 4.52 are relevant. The policy does not specifically refer to the loss of care homes but paragraph 4.50 states 'the promotion of independent living is therefore the policy focus of the Council rather than further expansion of residential care'. The consultation response from planning policy team considers that the need for such a facility needs to be very clearly justified and therefore the loss of such a facility would not be objected to on planning policy grounds.
- 7.3 The applicant has submitted a letter in support of the application. It states that there has been an increase in the number of care homes in the Southend-On-Sea Borough in recent times. The letter notes that there at least 68 privately owned care homes in the Borough and considers there is over supply of these facilities. In regard to the application site, it stated that there are third of the rooms are empty with no enquires coming forward. This has been exacerbated by the Covid 19 Pandemic. The applicant states that if the situation does not improve and the home loses more residents without new residents being admitted, it will no longer be financially viable to carry on as a care home. It is further noted that the applicant states that the building is not considered 'not fit for purpose' with current DDA requirements and a small number of residents can only be accepted with good mobility.
- 7.4 Adult Social Care do not raise any objections to the proposal and note in their response that the Local Authority has more residential beds in the borough compared with comparator authorities and were the home to close it is considered that residents would be able to find a placement in another home.

It is not considered that a refusal of planning permission could be justified on the grounds of the loss of employment associated with a facility of the nature of the current use.

- 7.5 It is considered that the proposed change of use from class C2 to use class C3 would provide benefits in the provision of additional housing that would outweigh the loss of the care home use, which is located within a residential area. No objection is therefore raised to the principle of converting the existing class C2 use to C3 use.
- 7.6 Policy DM3 of the Development Management Document states: *“Alterations and additions to a building will be expected to make a positive contribution to the character of the original building and the surrounding area through:*
- (i) The use of materials and detailing that draws reference from, and where appropriate enhances, the original building and ensures successful integration with it; and*
  - (ii) Adopting a scale that is respectful and subservient to that of the original building and surrounding area; and*
  - (iii) Where alternative materials and detailing to those of the prevailing character of the area are proposed, the Council will look favourably upon proposals that demonstrate high levels of innovative and sustainable design that positively enhances the character of the original building or surrounding area.”*
- 7.7 The principle of extensions and alterations to the building to form additional residential development is considered to be acceptable subject to detailed consideration as set out below.

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

- 7.8 Good design is a fundamental requirement of new development. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policies DM1 and DM3 of the Development Management Document.
- 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”*. Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.
- 7.10 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 The proposed development is the conversion of the building and would not result in a greater coverage of the site. A limited number of external changes are proposed which are located mainly to the rear of the building. These include the removal of the ground floor conservator, the erection of a single storey rear extension with roof light in an existing projection. New doors would open into the rear garden. A set of French doors would be inserted into the front elevation at ground floor level. Balustrading would be erected to a section of the front elevation between existing arch features to form a private amenity area. 1m high Balustrading would be erected to the rear where the existing conservatory is presently located. A new raised platform would be erected to the rear of flat two which would also be topped by balustrading. The extension and alterations would integrate satisfactorily with the existing building and would not result in any material harm to the character and appearance of the site or the wider surrounding area.
- 7.13 Nine spaces would be located in two separate areas to the front of the site and accessed from existing crossovers. These areas are already used as parking spaces and the new soft landscaping is proposed which would have an acceptable impact on the character and appearance of the site.
- 7.14 Refuse and cycle storage facilities for the whole development are shown in the front yard area (refuse) and rear amenity space (cycle store). The area to the front is open to view and this could potentially impact on the amenities of future occupiers of the ground floor flat to the front. The cycle store would be accessible to future occupants and there is space within the site to provide refuse facilities and details of these facilities can be secured by condition.
- 7.15 The development is therefore acceptable and policy compliant in these respects.

### **Impact on Residential Amenity**

- 7.16 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.*"
- 7.17 The proposed conversion of the care home to residential dwellings and the other relatively minor external alterations in the front and rear elevations would not have a detrimental impact on the amenity of neighbouring residential properties in any regard.

The proposed changes in the west facing elevation would not result in materially different impacts on the neighbouring dwellings on the western side of Cliff Road than those that already exist. The changes to the rear elevation include the removal of a conservatory and the erection of a single storey extension which would not project beyond an existing projection that adjoins the shared boundary to the north of the site. It is not considered that this would result in would not result in materially different impacts on the neighbouring dwellings in Cliff Road to the north or Mount Avenue to the east to those that already exist.

- 7.18 The proposed balustrading is to the front elevation, is not considered to result in adverse impacts on proposed neighbouring ground floor flat to the north or to the amenities to the properties to west or south of the site.
- 7.19 A new raised platform is proposed to rear of flat two. It would be some 1.2m high with a 0.7m high balustrade. Persons would be able to stand out on the platform with views over the rear garden and to the south of the site. However, there are existing rear facing windows and an obscure glazed screen could be erected in order to prevent any perceived or overlooking and loss of privacy of the neighbouring care home to the south of the site. Subject to a condition requiring a screen this relationship would be acceptable.
- 7.20 Balustrading is also proposed on the area where the existing conservatory presently exists. The conservatory would be removed, and the raised area would be used as an amenity area which would have views over the rear garden, the area to the south of the site and over the raised platform to flat two. Subject to a condition requiring an obscure glazed screen to prevent overlooking it is not considered that the amenity area would result in harmful impacts on neighbouring amenity.
- 7.21 In terms of noise and disturbance, the application site is a care home with 27 bedrooms with a maximum of 28 residents as well as a number of staff. The proposed nine flats would be capable of occupation of up to 40 people. Given that the site is a detached building and separated from neighbouring dwellings, on balance it is considered that it would not result in additional noise and disturbance to a degree that would warrant refusal of the application on these grounds.
- 7.22 The proposal is therefore acceptable and policy compliant in the above regards.

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

- 7.23 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 a 2-bedroom, 3 person flat over 1 storey is 61 square metres (1 storey dwelling).
  - Minimum property size for a 2-bedroom, 4 person flat over 1 storey is 70 square metres (1 storey dwelling).



- Minimum property size for a 3-bedroom, 5 person flat over 1 storey is 85 square metres (1 storey dwelling).
- Minimum property size for a 3-bedroom, 6 person flat over 1 storey is 95 square metres (1 storey dwelling).
- 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.

Weight should also be given to the content of policy DM8 which sets out standards in addition to the national standards including the provision of a storage cupboards, private outdoor amenity space, safe cycle storage and the provision of refuse facilities.

- 7.24 The proposed flats would have dimensions as set out above in paragraphs 2.3 of this report that would comply with the abovementioned standards and would provide adequate living conditions for future occupants in terms of outlook, daylight and sunlight and ventilation.
- 7.25 The two ground floor flats to the front of the building would have an outlook over landscaped areas and proposed car parking areas. Whilst this is not a positive aspect of the proposal on balance it is considered that these deficiencies in themselves would not warrant refusal of the application such that a specific reason for refusal on these grounds can be justified.
- 7.26 The Design and Townscape guide (paragraph 78) states: *“New development and public space should be easy to understand to enable the users to find their way around. In particular both pedestrian and vehicular entrances must be easily identified and visible from the public highway. Buildings and landscaping should be used to make the routes attractive, recognisable and distinctive to assist orientation”*. The Design and Townscape guidance also advises that the primary entrance should be provided in street facing elevations. The entrances to the building would be via existing entrances in the front elevation which would be acceptable.
- 7.27 The proposed development would create 9 flats with either two or three bedrooms. Two of the three-bedroom flats would be capable of occupation by up to 6 persons and one would be capable of occupation by 5 persons. The remaining flats would be capable of occupation by 3 or 4 persons. Private amenity space is proposed for flats 1, 2 & 4. The space proposed for flat 1 would be to the front of the building and would be sufficiently private to function as a private amenity area.

The same is true of the spaces to the rear which would require a degree of enclosure to truly function as private and secure amenity space. There is a single 270 sqm sized communal amenity space to the rear of the building and it is considered that this would be acceptable for the whole development.

- 7.28 Facilities for refuse storage are shown on the submitted plans to the front of the site which is not a positive aspect of the proposal. There is scope within the site to relocate these facilities and details of the refuse store and its location can be secured by condition.
- 7.29 In terms of noise transmission internally, it is considered that this would be adequately addressed by Building Regulations.
- 7.30 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations. It is noted that there is an existing lift within the building. Where proposals for new dwellings relate to conversions planning policies do not require compliance with the M4(2) standard of accessibility. Therefore, the proposal would not be required to adhere to these standards.
- 7.31 It is considered that the living conditions created for future occupiers would be acceptable and policy compliant.

#### **Highways and Transport Issues:**

- 7.32 Policy DM15 states that each flat at the site 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." The existing site benefits from 10 off street parking spaces to the front of the building. The space standards for C2 uses are 1 space per resident staff + 1 space per 3 bed spaces/dwelling units.
- 7.33 Provision of 9 parking spaces is policy compliant and the site is also within walking distance to public transport facilities including Chalkwell Station and amenities available in the Leigh Road and The Broadway. No objection is raised on parking grounds.
- 7.34 Highways officers raise no objection to the proposals.
- 7.35 Facilities for cycle storage are shown on the submitted plans to the rear of the building and this could be provided in an acceptable manner which would be accessible to all occupants.
- 7.36 It is not considered that parking conditions or highway safety would be materially harmed. The proposal is acceptable and policy compliant in the above regards.

## **Sustainability**

- 7.37 Policy KP2 of the Core Strategy states: “All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources” and that “at least 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)”.
- 7.38 No details have been submitted to demonstrate this proposal would provide 10% of the energy needs however there is space to provide this, e.g., PV cells on the roof slopes and it is considered this can be secured by condition.
- 7.39 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) (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. Whilst limited details have been submitted for consideration at this time, this could be dealt with by a condition if the application is deemed acceptable.

## **Community Infrastructure Levy**

- 7.40 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 853 sqm, which may equate to a CIL charge of approximately £ 67,858 (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)**

- 7.41 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. In principle, the loss of the care home and the conversion of the building to form new dwellings in this location is appropriate. It is considered that the alterations would satisfactorily maintain the character and appearance of the host building and the surrounding area. It is considered that the development does not cause material harm to the amenities of neighbouring residents or the safety of the highway and provides adequate amenities for future occupiers. It is recommended that planning permission is granted.

## **9 Recommendation**

**GRANT PLANNING PERMISSION subject to 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: 1729/01 Rev A, 1729/02, 1729/03 Rev A & 1729/04**

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

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

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

- 04 Prior to the first occupation of the development hereby approved full details of refuse and recycling facilities at the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development hereby approved, refuse and recycling facilities shall be provided and made available for use at the site in accordance with the approved details and retained in perpetuity thereafter for that use.**

**Reason:** In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2019), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

- 05** All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

**Reason:** In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and the advice in the Design and Townscape Guide (2009).

- 06** Prior to the first occupation of the development hereby approved, full details of 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 (2019), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

- 07** Prior to the first occupation of the dwellings hereby approved, full details of both hard and soft landscape works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The 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).**

- 08 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).**

- 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 prior to occupation of the development hereby approved and implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.**

**Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM2.**

- 10 Prior to the occupation of the development hereby approved the car parking spaces shall be provided and made available for use in accordance with the details shown on approved plan 1729 03A 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).**

- 11 Notwithstanding the details shown on the plans submitted, the external terraces shall not be used unless and until full details of privacy screens and balustrades have been submitted to and approved in writing by the local planning authority. The screens shall be provided in accordance with the approved details prior to first use of the terraces of the development hereby permitted and shall thereafter be retained in perpetuity in that form.**

**Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4,**

**Development Management Document (2015) Policies DM1 and DM3 and advice contained within the Design and Townscape Guide (2009).**

**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.**

### **Informative**

**01. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).**

**02. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.**

**3. The applicant is encouraged to provide active and passive electric vehicle charging points at the site in accordance with Policy DM15 which encourages their provision wherever practical and feasible.**