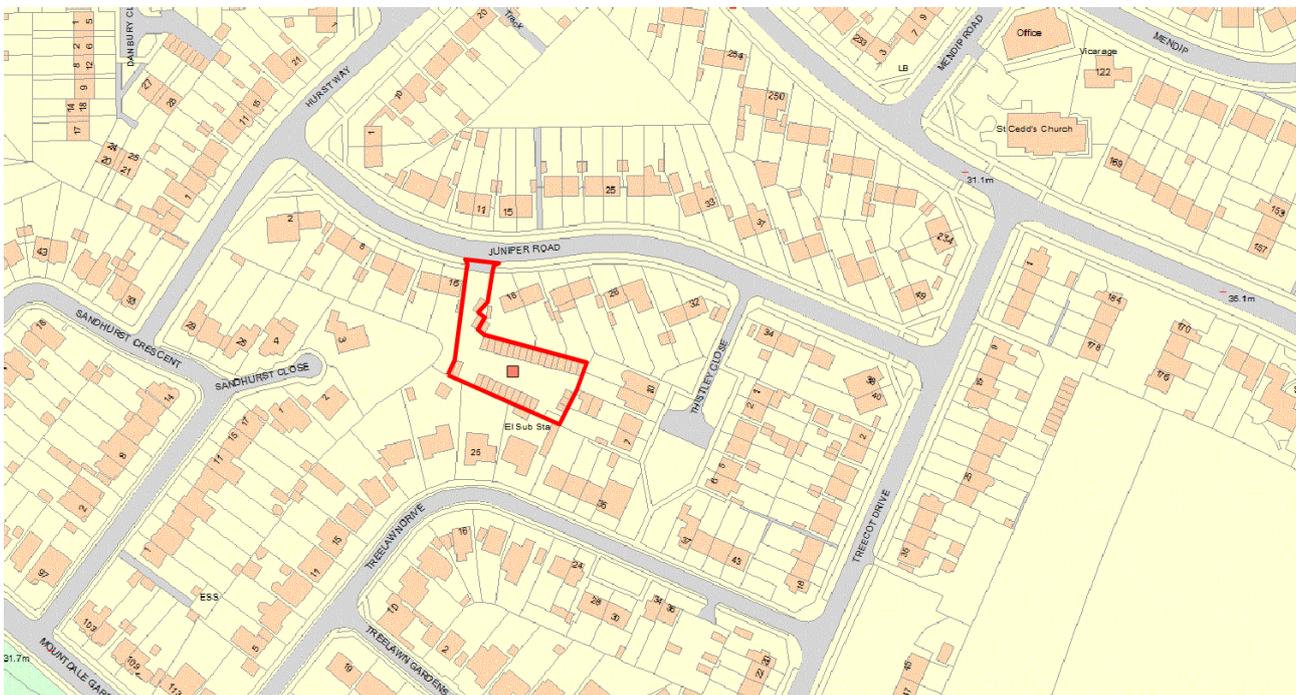


Reference:	21/01715/BC3	
Ward:	Blenheim Park	
Proposal:	Demolish existing garages, erect six modular dwellings (Use Class C3), associated landscaping works, refuse and cycle stores	
Address:	Garages Juniper Road Leigh-on-sea Essex	
Applicant:	Hill Partnerships Limited & Southend-on-Sea Borough Council	
Agent:	Lanpro Services Limited	
Consultation Expiry:	27 th October 2021	
Expiry Date:	5 th November 2021	
Case Officer:	Abbie Greenwood	
Plan Nos:	109-16-PS-001, 109-16-PS-002-B (showing tree protection measures), 109-16-PS-003-A, 109-16-PS-004-A, 109-16-PS-005-A, 109-16-PS-006-A, 109-16-PS-007-B Cabin specifications 0000-HF-000-00-DR-BC-0002-C08, 0000-HF-000-00-DR-BC-0006-C02, CHM-01-D5, CHM-83-D7, CHM-88-D4, CHM-89-D3, CHM-90-D3 Existing and Proposed Site Levels S21-269-301-A 109-16-PS-012-A -Proposed-Boundary-Treatment-Plan	
Supporting Documents	Planning Statement by Lanpro dated August 2021 Copy of Public Consultation Follow Up Letter from Southend Council Housing Section dated September 2021 including FAQ MMC Foundation 200 Project - Juniper Road Garage Site Management Plan dated 19 th October 2021 Soft Landscape Plan by Nigel Cowlin Landscape Planning and Design reference 21.672 rev A dated 11.08.21 Soft Landscape Proposals Plan reference NC21.672-P-200-B	

	<p>Proposed External Lighting Plan reference 109-16-PS-022</p> <p>Geo-Environmental Report by Enzygo reference CRM.1027.097.GE.R.001.A dated September 2021</p> <p>Drainage Plans C7523/CE1 and C7523/CE2</p> <p>Construction Transport Management Plan by Hill reference PDN05-G3-12.02.2018-Version 5</p> <p>Construction & Demolition Management Plan by Hill reference PDN05-G3-12.02.2018-Version 5</p> <p>Construction Traffic Delivery Route</p> <p>Carbon Emissions Statement by Volumetric dated August 2020</p> <p>Air Source Heat Pump Technical Specifications aroTHERM</p> <p>Foundation 200 Design Features</p> <p>Fire Resistance Test Certificate x2</p> <p>Water Efficiency Calculations</p> <p>Images of other completed Foundation 200 Sites</p> <p>Fire Tender Tracking Diagram</p> <p>Ecological Statement by Ecology Solutions reference 9883.EcoAs.vf dated October 2021</p> <p>Demolition Strategy by Hill dated 20.10.21</p>
<p>Recommendation:</p>	<p>Members are recommended to GRANT PLANNING PERMISSION subject to conditions</p>



1 Site and Surroundings

- 1.1 The application relates to a dog-leg shaped site located between Juniper Road, Thistley Close, Treelawn Drive and Sandhurst Close which currently contains 31 concrete garages and an electricity substation. The central area has a noticeable slope running east to west and is surfaced in concrete. The site is accessed from Juniper Road to the north. 11 properties from these streets back onto the site boundary on all sides. The rear walls of the garages currently form the rear garden boundaries to a number of the surrounding properties. The area is generally unkept. 28 of the 31 garages are stated to be vacant and many are in a poor state of disrepair. There is evidence of fly tipping at the site and in its current state it is detrimental to the character of the surrounding area.
- 1.2 The surrounding area is residential in character containing mainly 2 storey family housing. There are some trees of varying quality in the rear gardens surrounding the site. 8 Thistley Close to the east side has a garage in their rear garden which is accessed via the development.
- 1.3 The site is located with walking distance of local bus routes (0.2 miles), amenities including Kent Elms Health Centre (0.5miles) and Blenheim Park. It is some distance to the nearest rail station but within cycling distance. There are no policy designations affecting this site.

2 The Proposal

- 2.1 Planning permission is sought to demolish the existing garage blocks and to erect 6 single-occupancy, modular homes that would be occupied by individuals who would otherwise be homeless. It is intended that the facility will provide high quality, transitional accommodation for former rough sleepers so that they can 'move on' from emergency housing and learn to live independently. On 23 February 2021, Cabinet considered a report of the Deputy Chief Executive and Executive Director (Growth and Housing) presenting the Modern Methods of Construction (MMC) Foundation 200 project. Cabinet resolved that the MMC Foundation 200 Project be progressed, which would see a maximum of 8 single unit homes developed on the Juniper Road garage site for this purpose and authority was delegated to the Director of Property and Commercial for the formal approval of the land transaction for the Juniper Road garage site.
- 2.2 The units are arranged as two blocks of 3 dwellings. They are sited on the same orientation as the existing garage block to the north but will be set off the boundary to these neighbours in Juniper Road by 1.5m and from all other site boundaries by at least 7.5m. As part of the proposed works, the site will be regraded to provide 2 flat tiers connected by a short slope. Full details of existing and proposed levels have been provided with the application.
- 2.3 Each unit has an internal area of 24sqm and would provide a living area with kitchenette, sleeping area and a bathroom. They each measure 3.8m wide, 7.9m deep and 2.8m high. The units have been specifically designed for this use to ensure the occupants are safe and to prevent 'cuckooing' (sharing with others). The proposed materials are grey and blue aluminium cladding, membrane roofing and Nordan high performance windows and doors. The units are modular construction made off site.
- 2.4 A small terrace is proposed to the front of each unit. The remaining area of the site will be landscaped to provide outdoor amenity space for the residents. This area includes provision of cycle parking and refuse storage. The proposal has no allocated parking for

the occupants, but 1 visitor space is provided in the centre of the site and 2 off street parking spaces have been maintained at the entrance to the site for the continued use of neighbours in Juniper Road. There will also be options for informal parking within the site area. Access for emergency vehicles, for servicing the substation and to a neighbouring garage will be maintained.

- 2.5 The applicant states that it is unfeasible for rear elevations of the existing garages to be retained following demolition of the garages so it is proposed that these boundaries are replaced with a 2.2m high boundary fence. Partly in response to themes within neighbour representations, this fencing has been raised from the initial 1.8m so that it would be the same height as the existing garages. During the construction period these boundaries would be fully secured.
- 2.6 The proposal is a joint venture between the Council's Housing Service, the Hill Foundation 200 Project and the Salvation Army. The residents of the site will be managed by a dedicated support worker provided by the Salvation Army who will also utilise a group of volunteer support workers. Each resident will receive up to 4 hours of support each week which will be tailored to their specific needs, including help with living skills and seeking employment. An out of hours number will be provided in case of emergencies for both residents and neighbours.
- 2.7 A Management Plan has been submitted with the application. This confirms that the units will be let to individuals with low to medium support needs (not those with high or complex needs) for a temporary period of up to 2 years to allow tenants time to develop independent living skills and to re-establish stability in their lives and have their own address. After two years, residents will look to move onto more permanent general housing with the help of the Council's Housing Solutions Team. The proposal is supported by HARP who provide the initial emergency accommodation for homeless individuals.
- 2.8 The residents will be required to sign a tenancy agreement prior to moving in. A breach of tenancy agreement can include matters such as non-payment of rent, non-engagement with support services, anti-social behaviour and use of alcohol or drugs. The Salvation Army aims to reduce breaches of tenancy by offering person-led, trauma-informed support to ensure the resident's needs are met and that they can live well within a community. The supporting documentation also confirms that the installation of CCTV will be considered to cover the external areas of the site.
- 2.9 The following comment has been provided in the planning statement in support of the need for this kind of facility in the Borough:

'Homelessness across many of the UK's major cities and towns is a clear and obvious problem. Despite the efforts of many, the number of people who do not have a safe and secure place to live is increasing. As a consequence, more people are being forced to seek temporary accommodation, assistance from homeless shelters or worse, including living on the street. The recent Covid-19 pandemic has exacerbated this critical problem.'

In December 2019, the housing and homelessness charity Shelter composed a report of Local Authorities' estimated homeless levels. The numbers were stark – on any given night in 2019, the report estimated that there were approximately 259,400 individuals homeless in England. This figure is made up of 4,677 rough sleepers, with the remainder living in temporary accommodation.'

While the homelessness crisis has been growing over a number of years, it has been brought sharply into the spotlight by the Covid-19 pandemic, and the need for Local Authorities to immediately house people sleeping on the streets as part of the call for 'Everyone In'.

This nationwide position is reflected in the Borough. The Borough Council's Homelessness and Rough Sleeping Strategy 2018-2028 seeks to support people facing homelessness quickly and effectively and to prevent it from happening; when it does, the Borough Council is committed to making the situation brief and non-recurrent. The five strategic aims of the Strategy are to:

- *Prioritise the supply of safe, locally affordable homes.*
- *Regenerate and grow to create inclusive, healthy places to live and thrive.*
- *Encourage good quality housing design, management and maintenance.*
- *Support people to live independently in their own homes and avoid homelessness.*
- *Any instance of homelessness to be brief and non-recurrent.*

This planning application is seeking to provide 6no modular homes that will be for the sole use of local homeless people. The homes are intended as a steppingstone between rough sleeping or reliance on hostels, and independent living. The design of the modular homes follows extensive consultation with homeless charities and has been specifically designed to help meet the needs of vulnerable residents, providing them with a robust, safe, and secure place to call home.'

- 2.10 A separate prior approval application for demolition has also been recently submitted for this site. This will be considered independently to the current proposal. Under that type of application, the Council can only consider the method of demolition and restoration of the site.

3 Relevant Planning History

- 3.1 21/01951/DEM - Demolish garages (Application for Prior Approval for Demolition) – withdrawn

4 Representation Summary

Public Consultation

- 4.1 29 neighbouring properties were individually consulted and a site notice displayed. The applicant advises that the Council's Housing Team, in conjunction with the Salvation Army, held a public meeting consultation event on 20th August 2021 and followed up with a letter and FAQs to the surrounding residents.

In relation to this application, representations have been received from 18 neighbours raising the following issues:

- Security concern over loss of existing back wall of the garages which forms the boundaries to the surrounding properties which provides good security. The proposed replacement fence is not adequate. Lack of information about proposed replacement boundary.

- Concern that this use will cause an increase in crime and anti-social behaviour – no information has been provided on to crime. Will the pods be let to ex-offenders? Crime rates near other sites have significantly increased.
- Crime figures for other sites are misleading as they are from lockdown periods. Impact on Police resources.
- The success of this kind of development is patchy. Those that are successful usually have a full-time support officer on site – the proposal is offering minimal support (4hrs/week/resident). Concerns over low level of proposed support by Salvation Army. The proposal should be staffed 24/7. Lack of information about levels of support from all parties. Is there an option for the level of support to be increased if required? Why no full-time support officer? Change of tenants every 3 years will bring new teething problems each time.
- Concerns that if there is a problem it will impact on the wider community.
- Concern over implications for existing sub-station.
- Blenheim Park nearby already has drug and alcohol problems and fires so this is not a sensible location.
- No information has been provided about the calibre of people who will live in these units – they should not be those who are prone to drug and alcohol problems given the concerns in this area already. How are potential residents selected? Will there be behaviour rules? Have other schemes resulted in significant breaches of the tenancy agreements? The tenants will have many issues – they are not cured.
- Site not suitable as drug rehabilitation dwellings. These type of units should be in the centre of town.
- Homeless people should be given a chance to get back on their feet.
- Bat and wildlife survey should be considered.
- Lack of public consultation. The proposal should be deferred to enable better consultation with neighbours. Ward Councillors were unaware of these proposals.
- Impact on existing peaceful neighbourhood.
- Impact on property prices.
- Safety of local residents.
- Concern that the proposal has already been passed by the Housing Section and Councillors outside of planning.
- The pods should be located on the Salvation Army land at Hadleigh.
- The concerns of residents are not being listened to.
- The Salvation Army complaint form is inadequate.
- Loss of parking. – the entrance to the site has been used for parking by neighbours for many years. The residents should have the option to buy the land for parking.
- Unsuitable site access for vehicles.
- This family neighbourhood is unsuitable for this type of development.
- Noise and disturbance from residents.
- Impact on neighbour privacy.
- Impact on established plants growing against the garage wall which is to be demolished. These are homes for birds.
- The site is not close to public transport links. Lack of easy access to support systems.
- Were any other sites considered? Why was this site chosen?
- The existing garages may contain asbestos in garages and the ground.

- Concern that a second floor of pods may be added at a later date.
- The pods should be more visible - lack of natural surveillance.

A proforma letter with a series of questions about the development signed by 83 households has also been received. The Council's Housing Service has provided answers to the residents on questions asked in this proforma.

Officer Comment: The concerns summarised within the representations are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

Strategic Housing

- 4.2 The Strategic Housing Team is supportive of the proposal as it is helping to address a recognized ongoing need within the borough as summarized below:

In Southend there are issues with rough sleeping and street begging, with both often being conflated by the general public. The Council commissions several homelessness services, works with local charities, and runs an awareness campaign and website aimed at the general public. Rough sleepers in Southend typically have multiple needs (including substance misuse, mental/physical health needs, and histories of offending) that require long term dedicated support to live independently and successfully. In addition, the Council does not own empty high street properties that could be used as housing and faces a high demand for residential properties in general. This proposal will provide ready-made modern modular properties combined with professional support, to provide a sustainable, long-term solution to rough sleeping in Southend.

This scheme will provide permanent homes within Southend to rough sleepers and people who have recently been rough sleeping (i.e. have moved from rough sleeping to emergency temporary accommodation). In addition to providing a home, both the design of the units (which are compact and modern, and easy to maintain and keep tidy) and the ongoing professional support from The Salvation Army will maximise the success of each resident's tenancy, whilst minimizing the risk of a return to rough sleeping. Many rough sleepers in Southend are well known to the Council and local services/charities, and their situation does not allow for an 'easy fix' (i.e. help to reconcile with families and return home). For this cohort, providing a home within this proposal, on a 'Housing First' style basis is the best solution to getting them off the streets and into a home of their own.

This proposal complements the current provision in Southend in terms of housing available and suitable for rough sleepers, combined with long term support to rough sleepers around housing and other needs. There is an ongoing need amongst rough sleepers for this type of accommodation and support. We have received consistent feedback from local rough sleepers, the services and charities that support them, that a longer term, permanent housing solution run on Housing First style principles would greatly benefit local rough sleepers, who have medium support needs, require regular (although not constant) support, and often do not want to stay in hostel style supported accommodation.

Highways

- 4.3 There are no highway objections to this proposal. It is considered acceptable that these dwellings will not attract parking need given the occupant nature. 1 visitor space has been provided along with cycle parking provision.

It is not considered that the proposal will have a detrimental impact on the public highway. The applicant will be required to apply to highways should access be required for the delivery of the structures which may require road closures which the applicant will be responsible for funding.

Environmental Health

- 4.4 Reviewed the Geo-Environmental Report by Enzygo Geoenvironmental Ltd and dated September 2021. This has found asbestos in one of the boreholes. The boreholes were taken outside of the footprint of the garages and there is the possibility that there is asbestos fibres within the made ground below the garage bases due to their age. Therefore, further investigation is required as part of the remediation of the site. This can be controlled by condition. It is noted that that it is more of a health and safety at work issue.

Air source heat pumps consist of an external extract system with a fan and there is the potential for them to create a nuisance from tonal noise. No objection subject to a suitable noise condition.

Concern that the bin location is remote from the dwellings and closer to neighbours.

Parks

- 4.5 There are no parks objections to the proposal development. The soft landscaping plans include biodiversity enhancing measures and plant species with recognised benefit to pollinators which would result in a biodiversity net gain on site.

London Southend Airport

- 4.6 No objections.

Essex Fire Service

- 4.7 As this dead-end route is longer than 20 metres, access for fire service purposes will be considered satisfactory subject to confirmation that fire appliance turning facilities are provided.

Officer Comment: A Fire Tender Tracking Diagram has been provided in support of the application which demonstrates adequate access. This issue will be fully considered under building regulations.

Sustainable Drainage Engineer

- 4.8 The cumulative impacts of minor developments can increase flood risk in an area. As we have been consulted, we have undertaken a review in line with the agreed methodology for this type of development. The SuDS proposals in the development involve the provision of blue roofs, permeable pavement and a flow control (50mm orifice plate in a

chamber). These are in principle, acceptable for a development of this nature, in line with the methodology. However, further information is required to fully assess the proposals and remove the need for a condition:

1. Infiltration measures are not used in this site. Evidence in the form of ground investigations or available ground records is required to prove that infiltration is not feasible. The applicant is reminded that if infiltration rates are low, it may still be possible and beneficial to use partial infiltration in the permeable pavement by removing the proposed impermeable membrane, as long as groundwater conditions and sensitivity allow for that.
2. The use of an orifice size of 50mm is considered acceptable in terms of discharge restriction from the site. However, further evidence is required to show that the available storage in the permeable pavement and blue roof is sufficient to protect the development against flooding in a 1 in 100 year storm including 40% allowance for climate change. The required storage volume and run off for the site can be calculated using the [UK SuDS website](#).
3. Evidence of Anglian water's acceptance in principle for the discharge of flows, flow controls and flow rates is required. It should be clarified in the plan if the drainage from the site connects into the existing private drainage system or into the Anglian Water sewer.
4. The applicant should provide details of the body that will be responsible for the maintenance of proposed SuDS/drainage throughout the lifetime of the development. The applicant should also provide a management statement to outline the required maintenance for the site and a maintenance schedule. This should cover all the SuDS/drainage systems including the flow control/orifice plate, which is currently provided in an inspection chamber, and therefore should be replace/remove for maintenance from the surface.
5. Overland flow routes due to exceedance or failure in the proposed drainage system should be shown on the proposed plan. These should be assessed in relation to the impact off and within the site, especially the proposed buildings.
6. A detailed drawing of the blue roof is required.

4.9 This application was called to Development Control Committee by Councillor Boyd.

5 Planning Policy Summary

5.1 The National Planning Policy Framework (NPPF) (2021)

5.2 National Planning Policy Guidance

5.3 National Design Guide (2021)

5.4 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance).

5.5 Development Management Document (2015): Policies DM1(Design Quality), DM2 (Low Carbon and Development and Efficient Use of Resources) DM3 (Efficient and Effective Use of Land), DM8 (Residential Standards), DM9 (Specialist Residential Accommodation) and DM15 (Sustainable Transport Management).

5.6 Design & Townscape Guide (2009)

5.7 CIL Charging Schedule (2015)

6 Planning Considerations

6.1 The main planning considerations in this case are the principle of development, design quality and impact on surrounding area, living conditions for future occupiers, highway and transport considerations, amenities of neighbouring occupiers, ecology and CIL (Community Infrastructure Levy).

7 Appraisal

Principle of Development

7.1 Amongst other policies to support sustainable development, the NPPF seeks to boost the supply of housing by delivering a wide choice of high-quality homes.

7.2 Southend Borough Council's development plan does not currently contain policies that specifically relate to provision for the homeless. The National Planning Policy Framework states that where the development plan is silent the general presumption in favour of sustainable development means that planning permission should be granted unless, "*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*"

7.3 Core Strategy policies KP2 and CP4 seek to promote sustainable development, and Policy KP2 seeks to direct the siting of development through a sequential approach, minimising the use of 'greenfield' land. Policy CP4 seeks the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend.

7.4 Policy DM3 of the Development Management Document seeks the efficient and effective use of land, provided it responds positively to local context and does not lead to over-intensification.

7.5 The NPPF encourages the effective use of land and seeks to create sustainable, inclusive and mixed communities. As such there is no objection to the principle of accommodation for formerly homeless people in this location, subject to the adequate resolution of other material considerations including design, impact on neighbours, highways and living conditions as discussed below.

Design and Impact on the Character of the Area

7.6 Paragraph 126 of the NPPF states "*the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations and how these will be tested, is essential for achieving this.*"

7.7 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 states: *“development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.”*

- 7.8 Policy DM1 of the Development Management Document advocates the need for good design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 7.9 The proposal seeks to demolish the existing dilapidated garages and to erect 6 modular housing units. The units are single storey around the size of a small garage and will be arranged as 2 groups of 3 units set within landscaped grounds. The design is a simple box-like form with full height glazing to front and back and a small rain porch and terrace area to the front. These show that the proposal is a well-considered design for the intended purpose and uses good quality robust materials with a quality finish. The proposed landscaping of the site will uplift this site’s visual contribution to the quality of design and the area generally and is a positive aspect of the scheme.
- 7.10 The proposed design is therefore considered to be acceptable and policy compliant in this regard.

Living Conditions for Future Occupiers

- 7.11 A core principle of the National Planning Policy Framework is 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.”* Moreover Policy DM1 states that development should *“Provide an internal and external layout that takes account of all potential users.”*
- 7.12 There is no space standard for this particular type of residential development. The units, each 24sqm, fall below the National Technical Housing Standards which is 37 sqm for a single person studio. However, they are very efficiently planned internally and respond directly to the needs and circumstances of the intended occupiers, including how design informs how space is arranged and used within the unit. The size of the accommodation is considered to be acceptable as shorter- term accommodation as proposed, and for this particular purpose. However, a condition should be imposed to ensure that these are not converted to general market housing and remain as units of single occupancy.
- 7.13 All rooms have satisfactory levels of light and outlook and ventilation. The submitted statement confirms that the units are M4(2) compatible. Each unit has a sitting out terrace to the front facing south and use of the communal landscaped grounds.
- 7.14 Overall, attaching due weight to the design quality of the interiors, it is considered, on balance, that the standard of accommodation is satisfactory and proportionate to the intended use of the development and the proposal is acceptable and policy compliant in this regard.

Traffic and Transportation

7.15

Policy DM15 of the Development Management Document states that development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner.

- 7.16 The proposed development will replace the 31 sub-standard and redundant garages on the site. These fall well below the standard and size required by the Development Management Document to be considered as viable parking spaces for modern cars.
- 7.17 The scheme proposes 3 parking spaces on site. The two spaces adjacent to the access will be retained for parking of neighbouring properties in Juniper Road. 1 space is proposed within the site for visitors and can be used by the site supervisor. Informal parking will also be possible. Cycle parking for 6 cycles is also proposed as part of the development.
- 7.18 The Council does not have any adopted Vehicle Parking Standards in respect of this type of first step accommodation for homeless people and it is accepted that this is not comparable to other use class C3 housing in this regard. The applicant's assertion that there is likelihood that occupiers will not own cars is considered to be a realistic and reasonable assumption. The Council's Highways Officer has not raised any concerns in relation to the loss of the existing garages or the proposed level of parking at the site. Given the particular circumstances in this case, it is considered, on balance, that the proposal would have an acceptable impact on parking and highways and is policy compliant in this regard.

Waste and Refuse Storage

- 7.19 A waste and recycling store is proposed close to the entrance of the site. Full details of the store have been provided. These details are considered to be acceptable and policy compliant in this regard.

Construction Management Plan

- 7.20 A Construction Traffic Management Plan and Construction Demolition Management Plan have been submitted with the application which set out how the transportation and delivery of the units from off-site and the construction of the development will be managed to ensure minimal disruption to neighbours and the local highway network. The Council's Highways Officer has not raised any objections to these plans and their implementation can be controlled via condition.
- 7.21 Overall, the proposal is therefore considered to be acceptable and policy compliant in regards to traffic and transportation.

Impact on Residential Amenity

- 7.22 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities "*having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.*"
- 7.23 The proposed new housing units will each be 2.8m high and set 1.5m away from the rear boundaries of the closest properties in Juniper Road and at least 7.5m from the boundaries

with other dwellings to the east, west and south. Unlike the current garage blocks, they will not extend the full length of the site. The rear elevations of the garages, which currently form the rear boundaries for some of the surrounding residential properties will be replaced with 2.2m fences. This is the same height as the existing garages to maintain a comparable level of enclosure for the properties.

- 7.24 The proposed units themselves are modest in scale and will have less of an impact on neighbouring properties in terms of outlook, sense of enclosure and light than the existing garages. The privacy of neighbours will be satisfactorily maintained by the new 2.2m boundary treatment. The proposal is therefore acceptable and policy compliant these regards.

Noise and Disturbance from Occupants

- 7.25 Given the proximity of neighbouring dwellings it is also appropriate to consider the potential impacts on the amenities of neighbours in respect of noise and disturbance from the proposed development. Concerns have been raised by neighbours in relation to the potential for antisocial behaviour at the site.
- 7.26 The Planning Statement and site Management Plan submitted with the application provide details of site supervision, emergency out of hours service, complaints procedures and the requirement for tenancy agreements. Taking into consideration the relatively low scale and level occupancy overall, that each home is designed for single person occupancy and the pro-active and reactive mitigation measures which have identified to address potential anti-social behaviour, noise and disturbance issues at the site, it is considered that, on balance, the proposal would not significantly harm the amenities of its surroundings including the amenities of nearby occupiers subject to a condition which requires compliance with the Management Plan for the site. This can be secured by condition.
- 7.27 Two Air Source Heat pumps, which contain fans, are proposed to provide space heating for the units and will be located between the two sets of dwellings relatively close to properties in Juniper Road. A condition can be imposed to ensure that noise from these units is below background noise levels. Subject to this condition the proposal is policy compliant in this regard.
- 7.28 The submitted details also include information on external lighting which will be provided by a single fitting fixed to the front of each unit and bollard lighting in the communal area. It is considered that this will provide the appropriate balance between ensuring a safe and secure environment and not causing harmful levels of light pollution to neighbouring residents.
- 7.29 Overall, therefore, it is considered that the impact of the proposal on the amenities of neighbours is, on balance, acceptable subject to the conditions described.

Sustainability

- 7.30 Policy KP2 of the Core Strategy states: *'All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options'* and 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 and water usage.'

7.31 Technical Specifications for the units and a Carbon Emissions Statement have been submitted with the application. These set out how the development meets the objectives of sustainable development and can be summarised as follows:

- The units are designed to meet the Future Homes Standard.
- Low energy white goods and controlled flow showers and cisterns will be used.
- Renewable energy will be provided through Air Source Heat Pumps
- Mechanical Ventilation and Heat Recovery Systems will reuse heat from showers and control air changes.
- It is envisaged the running costs of the unit will be £5 per week
- As a minimum the proposal will reduce carbon dioxide emissions by 39.17% as compared to the baseline Building Regulations Part LA 2013.

7.32 The units have been specifically designed to ensure that the running costs for tenants are low and thereby addressing fuel poverty. No figures have been provided to demonstrate that this would meet the requirements of policy KP2 in terms of a 10% energy reduction however this can be secured by condition. Subject to that, the proposal is acceptable and policy compliant in the above regards.

Sustainable Drainage

7.33 Some information has been submitted in relation to sustainable drainage at the site but it is insufficient to cover all aspects of the Sustainable Drainage Essex Design Guide Minor Applications Guidelines. However, full details can be secured by condition. The proposal is therefore acceptable and policy compliant in this regard. The Council's Drainage Engineer has reviewed the submission and has no objection to the proposal subject to conditioning full details of the drainage proposal. Subject to this condition, the proposal is acceptable and policy compliant in this regard.

Contamination

7.34 A Phase 1 Desk Study for Contaminated Land has been submitted with the application. This states that the site is 'Made Ground' comprising 150mm-200mm of reinforced concrete over silty clay. No ground gas was evident. Asbestos was detected in one sample and the study therefore recommends therefore that the Made Ground is removed and sets out a number of safety recommendations to be followed to remediate the site. The Council's Environmental Health Officer has no objection subject to the implementation of these recommendations and the submission of a verification strategy prior to occupation of the units. This can be secured by condition. Subject to this the proposal is acceptable and policy compliant in the above regards.

Ecology

7.35 Concerns have been raised in some neighbour representations that there may be bats in the area. An ecological report has been submitted with the application. This confirms that all buildings within the site were assessed for their potential to support roosting bats in August 2021. The report concludes '*No evidence for the presence of bats was recorded during the external survey work of the units. While the garage doors feature*

some small gaps which may provide internal access for bats, the overall design of the buildings are considered to offer negligible roost suitability. The site is also unlikely to be of value for foraging and commuting bats, with the site consisting almost entirely of well-lit buildings and hardstanding and very limited in terms of planting or green infrastructure. The report also notes that there is no evidence of badgers or other protected species and that the site generally is very unlikely to support wildlife due to the lack of natural habitat on the site. It is therefore considered that the proposal is acceptable and policy compliant in terms of ecological impacts.

Community Infrastructure Levy (CIL)

Charging Schedule (2015).

- 7.36 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 144sqm (including conversion of the existing buildings to a new use), which may equate to a CIL charge of approximately £3688.62 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount. In this instance the applicant may also be able to apply for charitable relief.

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, on balance, be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The principle of the development which makes a more- tailored contribution to the Borough's housing needs, is found to be acceptable and, on balance, the proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the street scene and the locality more widely. The highways impacts of the proposal are acceptable as is the quality of accommodation for new occupiers, with both of these considerations taking into account the specific design, purpose and intended occupation of the proposal. This application is recommended for approval subject to conditions.

9 Recommendation

The proposal is recommended for APPROVAL subject to the following conditions:

01 The development hereby permitted shall begin not later than three years of 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 109-16-PS-001, 109-16-PS-002-B (showing tree protection measures), 109-16-PS-003-A, 109-16-PS-004-A, 109-16-PS-005-A, 109-16-PS-006-A,

109-16-PS-007-B, Cabin specifications 0000-HF-000-00-DR-BC-0002-C08, 0000-HF-000-00-DR-BC-0006-C02, CHM-01-D5, CHM-83-D7, CHM-88-D4, CHM-89-D3, CHM-90-D3 and Existing and Proposed Site Levels S21-269-301.

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

03 Before they are first occupied the materials for the external surfaces of the dwelling units hereby approved shall be as set out on drawing reference 0000-HF-000-00-DR-BC-0006-C02 or any other details that have previously been submitted to and approved in writing by the Local Planning Authority under the terms of this condition.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The replacement boundaries to the rear gardens of the neighbouring dwellings which directly share a boundary with the site subject of this approved development shall be have a 2.2m close boarded fence as shown on plans reference 109-16-PS-007-B and 109-16-PS-012-A and the hard and soft landscaping at the site shall be carried out in full accordance with the proposed Soft Landscape Plan by Nigel Cowlin Landscape Planning and Design reference 21.672 rev A dated 11.08.21 and Soft Landscape Proposals Plan reference NC21.672-P-200-B in both cases prior to occupation of the dwellings units hereby approved, or any other details that have previously been submitted to and approved in writing by the Local Planning Authority under the terms of this condition. 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. The fencing shall be maintained for the lifetime of the development.

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

05 The development hereby approved shall only be used as short-term accommodation for people who are, or would otherwise be, defined as homeless under the Housing Act 1996. The number of persons residing at any one time in the development hereby approved shall not exceed 6. The units shall each only be single occupancy.

Reason: In the interests of the amenities of future occupiers, the amenities of neighbours and parking provision in accordance with Policies KP2 and CP5 of the Core Strategy (2007) and Policies DM1, DM3 and DM15 of the Development Management Document (2015).

06 Occupation of the dwelling units hereby approved and the management of the site shall be undertaken solely in accordance with the submitted MMC Foundation 200 Project - Juniper Road Garage Site Management Plan dated 19th October 2021 for the lifetime of the use hereby permitted.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

07 The 3 car parking spaces and the associated vehicular access for the spaces to access the public highway, shown on approved plan 109-16-PS-002-B shall be provided and made available for use at the site prior to the first occupation of the dwelling units hereby approved. The single car parking space within the main body of the site and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwellings hereby approved and their visitors.

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 (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

08 The development hereby approved shall not be occupied or brought into use until and unless the refuse and recycling and cycle storage facilities are provided and made available for use in full accordance with the details shown on approved drawing numbers 109-16-PS-002-B and 109-16-PS-006-A . The refuse and recycling and cycle storage facilities shall be permanently retained for occupiers and visitors to the approved residential units for the lifetime of the development.

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

09 All development at the site in relation to this approval shall be carried out in full accordance with the Construction Transport Management Plan by Hill reference PDN05-G3-12.02.2018-Version 5, the Construction & Demolition Management Plan by Hill reference PDN05-G3-12.02.2018-Version 5 and Demolition Strategy dated 20.10.21. The tree protection fencing shown on approved plan reference 109-16-PS-002-B shall, so far as is reasonable, be installed immediately following the demolition of the garages in this location and shall be retained throughout the construction period.

Reason: This condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

10 The site subject of this approval shall be remediated in full accordance with the Site Remediation Strategy set out in Section 8.6 of the Geo-Environmental Report by Enzygo reference CRM.1027.097.GE.R.001.A dated September 2021 before the construction of the development hereby approved begins. A Validation Report for the Site Remediation Strategy shall be submitted to, and agreed in writing by the Local Planning Authority before completion of the development or occupation of the dwellings (whichever comes first).

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) Policies KP2 and CP4 and Policies DM1 and DM14 of the Development Management Document (2015).

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

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 (2021), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide(2009).

11 With reference to BS 4142:2014+A1:2019, the noise rating level arising from all plant including the air source heat pumps within the development hereby approved shall be at least 10dB(A) below the prevailing background which is expressed as a LA90,15minutes at the boundary of the nearest residential property with no tonal or impulsive character. The rated noise levels from plant and equipment shall include any penalties for noise characteristics such as tone, intermittency, etc. Background noise levels shall be established for the following periods: Daytime 0700 to 1900, Evening 1900 to 2300 and Night 2300 to 0700 by a suitably competent person.

Prior to operation a post completion noise survey must be been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. Where the proposed or actual plant and equipment noise levels are predicted to be in excess of 10 dB(A) above background noise levels a noise mitigation scheme shall be implemented and maintained as such for the lifetime of the development.

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

12 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the ground floor slab level shall take place unless and until a scheme detailing how at least 10% of the total energy needs of the new build element of the approved development will be supplied using on site renewable sources, has been submitted to and agreed in writing by the Local Planning Authority. The agreed renewables shall be implemented in full in accordance with the approved details 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.

13 Prior to occupation of the new build residential units hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to not more than 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the development and thereafter 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 (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Southend Design and Townscape Guide (2009).

14 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, and in accordance with Drainage Plans C7523/CE1 and C7523/CE2, the development hereby permitted shall not be commenced, other than for demolition works, unless and until a detailed design of a surface water drainage scheme and surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include, but not be limited to:-

- 1.** Infiltration measures are not used in this site. Evidence in the form of ground investigations or available ground records is required to prove that infiltration is not feasible. The applicant is reminded that if infiltration rates are low, it may still be possible and beneficial to use partial infiltration in the permeable pavement by removing the proposed impermeable membrane, as long as groundwater conditions and sensitivity allow for that.
- 2.** The use of an orifice size of 50mm is acceptable in terms of discharge restriction from the site. However, further evidence must be submitted to show that the available storage in the permeable pavement and blue roof is sufficient to protect the development against flooding in a 1 in 100 year

storm including 40% allowance for climate change. The required storage volume and run off for the site can be calculated using the [UK SuDS website](#).

3. Evidence of Anglian water's acceptance in principle for the discharge of flows, flow controls and flow rates is required. It must be clarified in the plan if the drainage from the site connects into the existing private drainage system or into the Anglian Water sewer.
4. The applicant shall provide details of the body that will be responsible for the maintenance of proposed SuDS/drainage throughout the lifetime of the development. The applicant shall also provide a management statement to outline the required maintenance for the site and a maintenance schedule. This must cover all the SuDS/drainage systems including the flow control/orifice plate, which is currently provided in an inspection chamber, and therefore should be replaced/removed for maintenance from the surface.
5. Overland flow routes due to exceedance or failure in the proposed drainage system shall be shown on the proposed plan. These shall be assessed in relation to the impact off and within the site, especially the proposed buildings.
6. A detailed drawing of the blue roof is required.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2021), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

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

Reason: In order to protect the amenities of occupiers of the development, the amenities of the 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).

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no extensions or detached buildings shall be erected at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, D, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority .

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

17. Before the units hereby approved are first occupied external lighting for the development shall be installed as set out on plan reference 109-16-PS-022 or in accordance with any other details that have previously been submitted to and approved in writing by the local planning authority under the terms of this condition.

Reason: A condition is justified to ensure any protected species and habitats utilising the site are adequately protected in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2.

Informatives

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). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought.

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.

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.