

Reference:	21/01628/FUL	
Application Type:	Full Application	
Ward:	Prittlewell	
Proposal:	Demolish existing building and erect 4no. semi-detached dwellinghouses with associated amenity space, form parking to rear and new vehicle crossovers onto Chase Gardens	
Address:	Meyrin House, 35 Hoblethick Lane, Westcliff-on-Sea	
Applicant:	Mr Tim Knight	
Agent:	Tim Knight of Knight Gratrix Architects	
Consultation Expiry:	9th September 2021	
Expiry Date:	6th December 2021	
Case Officer:	Robert Lilburn	
Plan Nos:	1553 014e 1553 015d, 1553 010, 1553 011b, 1553 012c, 1553 013b, 1553 016, 1553 017, 1553 018, 1553 019	
Supporting Documents:	Design and Access Statement parts 1 and 2 Transport Statement by Vectos dated July 2021	
Recommendation:	GRANT PLANNING PERMISSION	



1 Site and Surroundings

- 1.1 The application relates to a two-storey, and part single-storey, detached building at the junction of Hobleythick Lane, Carlingford Drive and Chase Gardens. The building is a former residential care home for the elderly (Use Class C2).
- 1.2 The building is finished externally in white-painted render with some half timbering to the front elevation together with facing brick and red roof tiles. Pedestrian access leads through a front garden from Hobleythick Lane, and a vehicular access opens onto Chase Gardens to the rear. There is a rear car parking area surfaced in asphalt which includes a bin storage point.
- 1.3 The site is located within a predominantly residential area characterised principally by detached and semi-detached houses and flats with a school site opposite. The site is not specifically identified on the policies map of the Development Management Document. It is located within flood zone 1.

2 The Proposal

- 2.1 The application proposes the erection of two pairs of semi-detached dwelling houses (4no. dwellings in total), following demolition of the existing care home building. The dwellings would be two-to-three storeys incorporating accommodation in the roof space and provide 4 bedrooms each. Proposed external materials are described as render, brick, and slate roofs. Each dwelling would be situated within its own soft landscaped grounds. Each pair would measure some 11.5m wide, some 14m deep and some 9.5m high to ridge level.
- 2.2 The submitted plans show that each dwelling would incorporate off-street car parking to the rear, accessed via four individual private vehicular accesses to be formed from Chase Gardens. The plans indicate that two spaces would be provided per dwelling. Pedestrian accesses would be taken from Hobleythick Lane.

3 Relevant Planning History

- 3.1 21/00781/FUL: Change of use from care home (Class C2) to 15 bed HMO (Sui Generis) with associated amenity space, parking, cycle and bin store. Approved.
- 3.2 21/00249/FUL: Change of use from Care Home (Class C2) to five self-contained flats (Class C3), alter rear elevation, layout car parking, and amenity space. Approved.
- 3.3 20/01854/FUL: Change of use from Care Home (Class C2) to five self-contained flats (Class C3), alter rear elevation, layout car parking, and amenity space. Refused.
- 3.4 10/01280/FUL: Erect single storey extensions to front and rear. Approved.
- 3.5 04/01395/FUL: Erect single storey extensions to front and rear (Amended proposal). Approved.
- 3.6 Numerous earlier applications have been determined in relation to the site; these are considered not to have a significant bearing on the determination of the current application.

4 Representation Summary

4.1 Public Consultation

10 neighbouring properties were notified and a site notice was posted. No letters of representation have been received.

4.2 Fire Service

No objection.

4.3 Highways

No objections, subject to a condition requiring the PVXs to each be 4.88m to avoid overrunning the pavement. The applicant will be required to apply to Highways for the 4.88m wide PVXs.

4.4 Committee Call In

The application has been called into Development Control Committee by Councillor D Garston.

5 Planning Policy Summary

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

5.2 Planning Practice Guidance and National Design Guide (2021)

5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy) KP2 (Development Principles) CP2 (Employment Generating Development) CP3 (Transport and Accessibility) CP4 (Environment & Urban Renaissance) CP6 (Community Infrastructure) and CP8 (Dwelling Provision)

5.4 Development Management Document (2015): Policies DM1 (Design Quality) DM3 (The Efficient and Effective Use of Land) DM7 (Dwelling mix, size and type) DM8 (Residential Standards) DM9 (Specialist Residential Accommodation) and DM15 (Sustainable Transport Management)

5.5 Design & Townscape Guide (2009)

5.6 The Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) SPD (2020)

5.7 Vehicle Crossover Policy (2021)

5.8 Nationally Described Space Standards (2015) (NDSS) and Technical Housing Standards Policy Transition Statement (October 2015)

5.9 Community Infrastructure Levy (CIL) Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, impacts on neighbour amenities, living conditions for future occupiers, parking and highways implications, sustainability including RAMS and CIL.

7 Appraisal

Principle of Development

- 7.1 The National Planning Policy Framework (NPPF) encourages effective use of land in particular previously developed land. It notes that small and medium sized sites can make an important contribution to meeting the housing requirement and that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and promote and support the development of underutilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 7.2 Policy CP6 is relevant to the established use of the site and seeks to ensure the needs of all residents and visitors, including the disabled and other vulnerable groups, are met. It seeks to provide for health and social care facilities and to support improvements to existing, and the provision of new, facilities to support the needs of education, skills and lifelong learning strategies. Policy DM9 states that the Council supports independent living and avoid an over-provision of residential care, together with improvement of existing provision.
- 7.3 It has been identified previously in application 20/01854/FUL that there is a surplus of care homes and placements for older people in the borough. The home had closed following an 'inadequate' (Care Quality Commission) CQC rating. In regard to the community use provision, it was noted in the assessment of that application that there was no objection to its conversion away from a residential care use and no material changes in the wider circumstances have been identified to support a new objection on this basis. This principle has also since also been accepted in the applications 21/00249/FUL and 21/00781/FUL for conversion of the building to flats and a House in Multiple Occupation respectively.
- 7.4 Core Strategy (2007) Policies KP1, KP2 and CP4 seek to direct the siting of development through a sequential approach, minimising the use of 'greenfield' land. Policy CP4 stipulates that this should be achieved 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".
- 7.5 The existing building is not listed and is not in a conservation area. It includes characteristics reflective of its surroundings, however there is no objection in principle to its demolition.
- 7.6 Policy DM7 notes that the council will look favourably upon the provision of family size housing on smaller sites particularly where surrounding building types provide an appropriate context for this type of development.

- 7.7 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the Borough. Similarly, the Council's Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the Borough. The South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of one-bed units and smaller properties a consequence of which is that there is a lower percentage of accommodation of a suitable size for families.
- 7.8 For the proposed provision of housing, the HDT and 5YHLS weigh in favour of the principle of this type of development. The proposal would be of a type suitable for families. There is greater need for this type of housing as identified by the South Essex Strategic Housing Market Assessment. In these circumstances, the provision of additional housing is a consideration which should be given increased weight in the balancing exercise.
- 7.9 The site is located within the built-up area and in reasonable proximity to services and transport links. This is a relatively sustainable general location for development which conforms to the prevailing land use around it. The proposal is acceptable in principle.

Design and Impact on the Character of the Area

- 7.10 The NPPF states that planning decisions "should ensure that developments ...are visually attractive as a result of good architecture and ...are sympathetic to local character including the surrounding built environment while not preventing or discouraging appropriate innovation or change (such as increased densities)".
- 7.11 The National Design Guide notes that context including the grain of development, landscaping and the natural environment are important aspects of place and good design. Well-designed new development is integrated into its wider surroundings and responds positively to its context.
- 7.12 Policy DM1 requires development to respect the townscape and contribute positively to the space between buildings and their relationship to the public realm.
- 7.13 The proposal would generally follow the existing grain of development. The proposed layout would break the prevailing building line, with the two-storey bays and gabled roof projections of the northernmost pair of semis in particular being located forward of the established building line. This would aid the provision of a larger rear private amenity space.
- 7.14 The break in the building line would add to the prominence of the development at this corner plot. However, the building line is broken elsewhere on Holeythick Lane, and its uniformity is weakened by the open space to the north of Carlingford Drive.
- 7.15 The design of the proposed buildings incorporating two-storey front bays, would be reasonably consistent with the general character of suburban type dwellings within the borough. The contemporary design is not objected to.
- 7.16 The proposal is reasonably integrated into the characteristics of the wider surroundings and whilst the projection beyond the prevailing building line is a negative aspect, it would afford larger private amenity space. Given the provision of family housing in this instance this is considered acceptable in the round and on balance.

- 7.17 To Chase Gardens, dropped kerbs and frontage parking are established features. The extent of hardstanding and parking shown is a negative aspect of the proposal, as is the loss of soft verge to provide the vehicular accesses. Given the relatively constrained nature of the parking areas showing it is not considered reasonable to attempt to provide intervening soft landscaping to break this up.
- 7.18 However, the submitted plans indicate soft landscaping within the private amenity spaces, including tree planting, and these would aid reasonable integration of the proposal into the wider townscape in a manner reasonably consistent with the prevailing character. Full details of soft landscaping can be secured through a condition on any planning permission granted. Tree protection measures for the street trees on Carlingford Drive and Hobbeythick Lane can be secured through a pre-commencement condition which has been agreed by the agent.
- 7.19 The provision of rear elevations facing the street, in this case Chase Gardens, is a negative aspect, but this would not be materially worse than the existing arrangement.
- 7.20 Full details of external materials can be secured through a condition attached to any planning permission granted, and in light of the above it is considered, on balance, that the proposed design is acceptable and policy compliant.

Impact on Residential Amenity

- 7.21 The NPPF seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 7.22 Policies DM1 and DM3 of the Development Management Document seek to support sustainable development which is appropriate in its setting, and that “protects the amenity of the site, immediate neighbours, and surrounding area, having regard to matters including privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight”.
- 7.23 The Design and Townscape Guide also states that “the Borough Council is committed to good design and will seek to create attractive, high-quality living environments”.
- 7.24 The position of the proposed buildings would be reasonably consistent with the existing particularly in relation to no.33 Hobbeythick Lane to the immediate south. By reason of the scale, position and design of the proposed southernmost building, the development would not harmfully impact occupiers of no.33 in any relevant regard.
- 7.25 The proposed buildings would be separated from surrounding dwellings and spaces across the public realm. On this basis there would not be a material loss of privacy arising to surrounding occupiers. By reason of the scale, position and design of the proposed development, it would not have a harmful impact on surrounding occupiers across the public realm in any relevant regard.
- 7.26 The proposal would alter the use of the site and introduce potential noise impacts from occupiers and their comings and goings. Taking into account the existing use of the site and the site context these impacts would be within reasonable parameters given the scale and character of the proposal.

- 7.27 Given the proximity of the development to neighbouring properties and the relationships with the surroundings, it is considered appropriate in this case that permitted development rights should be controlled by condition so that the impacts of any future extensions or outbuildings on neighbours can be fully assessed. In the interests of maintaining neighbour privacy a condition can be attached to any planning permission granted prohibiting the use of flat roofed areas as balconies or amenity terraces and a condition could be imposed requiring the upper storey flank windows to be obscure glazed with limited openings to prevent any overlooking or loss of privacy.
- 7.28 Subject to conditions, the proposal is acceptable and policy compliant in its impacts on neighbour amenities.

Living conditions

- 7.29 The NPPF states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 7.30 Policy DM1 of the Development Management Document requires that developments provide an internal and external layout that takes account of all potential users. Policy DM8 states that the internal environment of all new dwellings must be high quality and flexible to meet the changing needs of residents.
- 7.31 Further to this, from the 1 October 2015 the Nationally Described Space Standards (NDSS) have been adopted and state that the following internal floor spaces are required:
- 4b7p three-storey dwelling: 121sqm.
- 7.32 The proposed dwellings would exceed these requirements providing some 150.8sqm accommodation. The bedrooms 1-3 would provide twin or double accommodation in accordance with the NDSS, however the fourth bedrooms would measure some 7.4sqm. This is 0.1sqm below the adopted standard for a single person bedroom. This is a negative aspect of the scheme, but given the very limited deficiency, in isolation would not justify a refusal of planning permission.
- 7.33 Good daylight and outlook conditions would be provided to all four dwellings. As a result of the site layout, the quantum of development and off-street parking requirements, the rear private amenity space sizes range from 50sqm, 60sqm, 70sqm to 100sqm. These are of a smaller size in the local context but it is considered that they are within acceptable parameters given the site constraints.
- 7.34 The submitted plans show M4(2) accessibility compliance and this is acceptable.
- 7.35 The submitted plans do not indicate secure covered cycle storage and bin storage for each dwelling. This could be reasonably secured through conditions on any planning permission in the context.
- 7.36 Subject to conditions, the proposal is considered acceptable and compliant with the policies relating to living conditions.

Traffic and Transportation Issues

- 7.37 Policy CP3 of the Core Strategy seeks to improve highway safety and accessibility. Policy DM15 of the Development Management Document states: *“All development should meet the parking standards (including cycle parking) set out in Appendix 6. 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. Reliance upon on-street parking will only be considered appropriate where it can be demonstrated by the applicant that there is on-street parking capacity”*.
- 7.38 The adopted Vehicle Parking Standards state that two spaces should be provided per dwelling at this location. The Council’s Vehicle Crossing Policy is a material consideration and identifies that off-street parking associated with dropped kerbs should measure at least:
- 2.44m wide by 4.8m deep where positioned at a right angle to the highway; and
 - 6.5m wide by 2.6m deep where positioned parallel to the highway.
- 7.39 The proposal includes 4no. dropped kerbs at Chase Gardens providing access to rear-curtilage parking on open hardstanding. These would each measure some 3.66m in width with a minimum separation of some 1.5m in the highway verge.
- 7.40 The parking areas shown indicate parking for two vehicles per dwelling, in accordance with the dimensions identified in the Vehicle Crossing Policy. This is acceptable. However, highways have recommended a condition requiring the crossovers to be increased in width to 4.88m to avoid vehicles overrunning the pavement. Subject to such a condition, the development is not considered to result in any highways safety concerns and provides policy compliant parking provisions.
- 7.41 The site is in a reasonably sustainable location close to bus links and secure cycle storage can be secured by condition. The application is acceptable and compliant to the adopted development plan policies in regard to highways and parking.

Sustainability

- 7.42 Policy KP2 of the Core Strategy states that all new development proposals should demonstrate how they will maximise the use of renewable and recycle energy, water and other resources. A minimum of 10% of the energy demands of the development, where feasible, should be provided by renewables in order to meet Policy KP2.
- 7.43 No details of renewable energy technologies have been indicated on the submitted plans. Full details could be reasonably secured through the use of a planning condition given the scope available in this case.
- 7.44 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 (lppd) (110lppd when including external water consumption). This requirement could be dealt with by condition.

- 7.45 The site falls within the Zone of Influence for one or more European designated sites scoped into the 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.
- 7.46 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) requires that a tariff of £127.30 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement.
- 7.47 The proposal would involve a net increase of four dwellings within the Zone of Influence. The applicant has provided for appropriate mitigation through a relevant payment.
- 7.48 Policy KP2 of the Core Strategy states all development proposals should demonstrate how they incorporate sustainable drainage systems (SuDS) to mitigate any increase in surface water runoff. The proposal would not increase the proportion of non-porous ground; as existing the site is to a large extent non-porous and soft landscaping is proposed. The use of permeable block paving can be secured through a condition on planning permission.
- 7.49 The application is policy compliant and acceptable on sustainability grounds.

Community Infrastructure Levy (CIL)

- 7.50 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 some 603.2sqm, which may equate to a CIL charge of approximately £15,451 (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.

8 Conclusion

- 8.1 The Council has a deficit in housing land supply so the tilted balance in favour of sustainable development is applied when determining the application. The test set out by the NPPF is whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when considered against the policies of the Framework taken as a whole. The development would provide four additional family dwellings, which would be a public benefit, and would re-use previously developed land for the purpose which is positive.
- 8.2 The proposal would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, street scene and the locality more widely, and would provide for reasonable amenities for future occupiers. The development would provide satisfactorily for off-street car parking. The application is therefore recommended for approval subject to conditions.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions:

01. The development hereby permitted shall begin no later than 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: 1553 014e 1553 015d, 1553 010, 1553 011b, 1553 012c, 1553 013b, 1553 016, 1553 017, 1553 018, 1553 019.

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

03. No development, including demolition shall take place until a scheme for the protection of the street trees adjacent to the site on Carlingford Drive and Holeythick Lane, in accordance with British Standard BS5837 (Trees in Relation to Construction – Recommendations) has been submitted to and agreed in writing by the local planning authority. The approved scheme of protection measures shall be fully installed before the commencement of works and maintained throughout construction. The development shall be implemented in full accordance with the approved scheme, measures and methods.

Reason: In the interests of visual amenity further to the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

04. No development above ground floor slab level shall take place until detailed specifications of materials to be used in the construction of all the external elevations of the dwellings hereby approved, including external walls, roofing, fascia and soffits, doors and windows, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out and completed solely in accordance with the approved details before it is brought into use.

Reason: In the interests of visual amenities further to the National Planning Policy Framework (2021), 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).

05. The dwellings hereby permitted shall not be occupied until and unless full details of both hard and soft landscape works to be carried out at the site in association with the development have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be completed prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development. The details submitted shall include, but not limited to:

- i. hard surfacing materials;**
- ii. details of the number, size and location of trees, shrubs and plants to be planted together with a planting specification;**
- iii. details of any permeable paving or other sustainable drainage measures to be implemented;**
- iv. all and any means of subdividing and enclosing the site;**
- v. Measures to be used to enhance biodiversity at 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, the amenities of occupiers and the amenities of neighbouring occupiers, and to ensure a satisfactory standard of landscaping and drainage is implemented pursuant to Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

06. Notwithstanding the details shown on the approved plans, the proposed first and second floor flank windows in the dwellings hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level of the room which they serve, and shall be retained as such in perpetuity thereafter.

Reason: In the interests of neighbour amenities further to the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

07. The dwellings hereby permitted shall not be occupied until and unless secure, covered, and appropriately ventilated refuse and recycling storage for occupiers has been provided and made available for use in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage shall be retained as such for the lifetime of the development thereafter.

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007).

- 08. The dwellings hereby permitted shall not be occupied until and unless secure, covered cycle storage for occupiers of the development has been provided in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be made available for use by the occupants of the dwellings hereby approved prior to its occupation and retained as such for the lifetime of the development thereafter.**

Reason: To ensure the provision of adequate cycle parking in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP3 of the Southend-on-Sea Core Strategy (2007), Policy DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 09. Construction hours for the development hereby approved shall be restricted to 8am to 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays or Bank or Public Holidays.**

Reason: To protect the environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 10. The development hereby approved shall be carried out in a manner to ensure the dwellings comply fully with Building Regulation M4(2) 'accessible and adaptable dwellings' before they are first occupied.**

Reason: To ensure the dwelling hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework (2021), 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).

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

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

- 12. The development hereby approved shall incorporate water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting before it is brought into use.**

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2021), 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).

- 13. Notwithstanding the provisions of Classes A, AA, B, D and E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any statutory amendment, modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions, roof extensions or outbuildings shall be erected at the dwellings hereby approved without the receipt of express planning permission.**

Reason: To allow consideration of impacts on neighbouring occupiers, in the interests of neighbour amenities, further to the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 14. The flat roofs of the buildings hereby approved shall not be used as balconies, roof gardens or similar amenity areas or for any other purpose. The roofs can however be used for the purposes of maintenance or to escape in an emergency.**

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the advice contained within the Design and Townscape Guide (2009).

- 15. The development hereby permitted shall not be occupied until and unless the car parking shown on the approved plan 1553 015 D has been provided and made available for use by occupiers of the dwellings and their visitors, and shall be retained as such for the lifetime of the development thereafter.**

Reason: In the interests of the living conditions of future occupiers and highway safety, further to the National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15 and the Design and Townscape Guide (2009).

- 16. Notwithstanding the details submitted and otherwise hereby approved, before the development is brought into use the proposed vehicular crossovers shall each be constructed to a width of 4.88m in accordance with details that have been previously submitted to and approved in writing by the local planning authority. The development shall be carried out and completed solely in accordance with the approved details before it is brought into use and retained as such thereafter.**

Reason: In the interests of highway safety, further to the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, and Development Management Document (2015) Policy DM15.

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.

10 Informatives:

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