

Reference:	21/02034/OUT	
Application Type:	Outline Application	
Ward:	St Laurence	
Proposal:	Erect nine dwellinghouses with associated landscaping and car parking (Outline)	
Address:	Land Adjacent, 1 Smallholdings, Eastwoodbury Lane, Southend-on-Sea, Essex	
Applicant:	Millen	
Agent:	N/A	
Consultation Expiry:	19 th November 2021	
Expiry Date:	8 th April 2022	
Case Officer:	Oliver Hart	
Plan Nos:	Location Plan; SEOS001 Rev 1; SEOS004	
Supporting Documents	Design and Access Statement; Habitat Mitigation Plan; Reptile Survey; Tree Survey and Arboricultural Impact Assessment (ref no. 22_5837_02_42)	
Recommendation:	Members are recommended to GRANT OUTLINE PLANNING PERMISSION subject to CONDITIONS	



1 Site and Surroundings

- 1.1 The application site consists of a parcel of land to the south of Eastwoodbury Lane, some 0.27ha in area. Irregular in shape, the site is currently undeveloped with an existing access point from Eastwoodbury Lane.
- 1.2 The land immediately to the south of the site is undeveloped land and beyond that is a community allotment. To the north-west and east of the site are residential dwellings positioned along Eastwoodbury Lane (north) and Eastwoodbury Crescent and Eastwoodbury Close (east). To the west is undeveloped land comprising a small area of woodland to its fringe. The majority of the site is covered in a mix of bramble, small trees, long grass, vegetation and saplings.
- 1.3 The accompanying Design and Access Statement states that the application site once formed part of the rear garden to 1 Smallholdings (north-west) but was historically separated from the property's legal title upon sale of the property so that it could be retained by the current owner.
- 1.4 The site is designated as Best and Most Versatile Agricultural Land (BMVAL) within the Core Strategy and Development Management Document. It also lies within the area covered by the London Southend Airport Joint Area Action Plan (JAAP) however, it holds no specific designation. The application site is not the subject of any other site-specific policy designations.

2 The Proposal

- 2.1 Outline planning permission is sought for access and layout only for a residential development comprising 9no. 2- bedroom dwellinghouses, with all other matters, namely appearance, scale and landscaping, reserved for future consideration.
- 2.2 The accompanying site plan outlines the layout of the dwellings as a short terrace and 3no. pairs of semi-detached dwellinghouses set in a crescent arrangement around a central turning area. The site plan details each dwelling would be provided with its own private garden area and 2no. off-street car parking spaces, several of which would be provided either in a tandem arrangement, or within double garages.
- 2.3 The site plan also details the removal of 5no. existing trees in the application site to make way for the development, with a total of 128 new trees and shrubs proposed to be planted across the site. No specific details of planting have been submitted at this time with landscaping being a reserved matter for later consideration.
- 2.4 Whilst scale is a reserved matter, from the site plan and accompanying submission documents, it can reasonably be determined that each dwelling would be two storeys and would measure some 8.5m deep by 5m wide.
- 2.5 Access is not a reserved matter and details have been submitted for full consideration as part of this outline application. It is proposed to enlarge the existing vehicle crossover to 4.8m from Eastwoodbury Lane and install a private access road some 4.8m wide to ensure vehicles can access and egress the site in a forward gear.

3 Relevant Planning History

- 3.1 17/00002/FUL – Erect two storey detached dwellinghouse with parking to front on land adjacent to 1 Smallholdings- Refused
- 3.2 17/00829/FUL- Erect two storey detached dwellinghouse with parking to front (Amended Proposal)- Refused. Dismissed at Appeal.

Officer Comment: These previously refused applications relate to development that was proposed to infill the space between 12 Eastwoodbury Lane and 1 Smallholdings. They were refused as the siting and design of the dwelling proposed was considered to have appeared out of keeping with the existing layout and character of development in the area and would have resulted in infill development which was visually harmful to the character and appearance of the surrounding area.

This application differs in that development would be positioned to the rear of 1 Smallholdings, retaining the existing separation space between 12 Eastwoodbury Lane and 1 Smallholdings. It is therefore considered that the nature of the two applications is materially different and therefore, only very limited weight can be attached to these previous refusals.

4 Representation Summary

4.1 Public Consultation

34 neighbouring properties were consulted and a site notice displayed. 11 letters of representation have been received which make the following summarised comments:

- Objection to loss of Agricultural land.
- Objection to lack of Affordable housing.
- Proposal may set a precedent for other similar development in the immediate vicinity
- Concerns about impact of development on protected species
- Concerns about increased pollution from loss of trees
- Proposal will lead to increased traffic movements
- Objection to loss of Green Belt
- Amenity concerns
- Impact on existing views and receipt of sunlight to properties and neighbouring rear gardens
- Noise and disturbance concerns from new access road
- Design and character concerns- proposal would appear out of keeping with surrounding development
- Highway safety concerns
- Parking concerns
- The land was farmed successfully for a period post the first world war
- Undeveloped land should be preserved
- Proposal represents overdevelopment
- New landscaping encroaches onto neighbouring properties
- Concerns about impact on existing trees

[Officer Comment] These concerns are noted and they have been taken into account

in the assessment of the application, but are not found to constitute reasons for refusal in the specific circumstances of this case. The application site does not form part of the Green Belt.

Committee Call In

4.2 This application has been referred to committee by Cllrs Cowan, McGlone, Walker.

Highways Team

4.3 No objections - Car parking provision is policy compliant. No detrimental impact on the local highway network. The proposed access will not be suitable for adoption as public maintainable highway. Waste collection policy should inform the construction of the road.

Parks

4.4 No objections - The recommendations of the ecological report and other biodiversity enhancing measures should be conditioned. As per the tree survey, an arboricultural method statement and tree protection plan should be conditioned to detail how the retained trees will be protected through the development phase. This method statement should include the requirement for tree removal to be undertaken outside of bird nesting season.

4.5 Environmental Health

No objections subject to conditions relating to construction management and waste management.

4.6 London Southend Airport

No objections subject to condition limiting the height to be no taller than the surrounding properties and an informative about cranes.

4.7 Essex County Fire & Rescue

No objections subject to an informative about sprinklers.

5 Planning Policy Summary

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

5.2 Planning Practice Guidance (PPG) – National Design Guide (NDG) (2021)

5.3 Technical Housing Standards - Nationally Described Space Standards (2015)

5.4 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP5 (Minerals and Soils Resources) and CP8 (Dwelling Provision).

5.5 Development Management Document (2015): Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).

5.6 Design & Townscape Guide (2009)

- 5.7 Vehicle Crossover Application Guidance (2021)
- 5.8 Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 5.9 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.10 Southend Airport Joint Area Action Plan (2014)
- 5.11 Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021)
- 5.12 Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)
- 5.13 Technical Housing Standards Policy Transition Statement (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application include the principle of the development, biodiversity considerations, design and impact on the character and appearance of the area, residential amenity implications, whether the development would provide suitable living conditions for future occupiers, highway, parking and traffic and transportation considerations, sustainability, waste, ecology, flood risk and surface water drainage and CIL liability.

7 Appraisal

Principle of Development

Provision of housing and loss of Best and Most Versatile Agricultural Land (BMVAL)

- 7.1 Paragraph 119 of the NPPF states *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.'*
- 7.2 Paragraph 121 of the NPPF states *'Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them.'*
- 7.3 Policy KP2 of the Core Strategy states that all new developments should *'...make the best use of previously developed land, ensuring that sites and buildings are put to best use...respect, conserve and enhance and where necessary adequately mitigate effects on the nature and historic environment...do not place a damaging burden on existing infrastructure...promote improved and sustainable modes of travel...secure improvements to the urban environment through quality design...respect the character and scale of the existing neighbourhood where appropriate...'*

- 7.4 Policy CP8 of the Core Strategy states: *‘Provision is made for 3,350 net additional dwellings between 2001 and 2011 and for 3,150 net additional dwellings between 2011 and 2021.’* However, this document is more than fourteen years old, pre-dating the NPPF, and as such SBC’s policy related to the number of homes required to be delivered in the City is out-of-date. Accordingly, the Standard Method (December 2020) applies. This increases the annual housing need of Southend-on-Sea from 325 dwellings per annum to 1,181 dwellings per annum, representing a 263% increase and highlighting the pressing need for housing within the City. The Addendum to the South Essex Strategic Housing Market Assessment (“SESHMA”) (May 2017) identified a similar level of housing need.
- 7.5 Policy DM3 of the Development Management Document states *‘The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.’*
- 7.6 The Government’s latest Housing Delivery Test (“HDT”) Results (January 2022) show that Southend-on-Sea delivered 31% of its total housing requirement between 2018-2021, thereby triggering the presumption in favour of sustainable development under paragraph 11 of the NPPF. Southend-on-Sea’s Five-Year Housing Land Supply (“5YHLS”) figure shows that there is a deficit in housing land supply in Southend-on-Sea. The latest available figure stands at 2.55 years’ worth of housing land supply. Together, this demonstrates a pressing need for housing delivery within the City. The SESHMA identifies that Southend-on-Sea has a higher proportion of flats/maisonettes and a housing stock comprised of a greater 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.
- 7.7 The proposed development would provide additional housing within the City, including dwellings which could be utilised by small family groups which is a positive of the scheme and for which there is a significant identified need in the City. This is considered to carry significant weight in the assessment of the scheme.
- 7.8 In terms of the BMVAL designation, the key policy is CP5 of the Core Strategy which *‘seeks to protect the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) from irreversible damage where this is consistent with the full range of sustainability considerations, including biodiversity; quality and character of the landscape; amenity value or heritage interest; accessibility to infrastructure, workforce and markets; maintaining viable communities; and the protection of natural resources, including soil quality.’*
- 7.9 Annex 2 of the NPPF defines BMVAL as Land in grades 1, 2 and 3a of the Agricultural Land Classification. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by recognising the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the BMVAL. Paragraph 175 and footnote 58 of the NPPF states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
- 7.10 The proposal would result in new development on land that is designated as BMVAL and

sequentially is less preferable than lower grades of agricultural land. Despite the conflict with policy, this issue is not capable of disengaging the presumption in favour of sustainable development.

- 7.11 The planning statement submitted details that the neighbouring parcels of undeveloped land are all of modest size and under private ownership, representing a significant obstacle in mobilising the site for any future commercial agricultural activity. In addition, the modest size of the site itself, its position in a semi-urban locale and proximity to residential development to the immediate north and east are such that it is unlikely to hold any value in terms of agricultural potential.
- 7.12 This case is supported by the applicant with the submission of an appeal decision¹ for a site in Winterley, Cheshire (the “Winterley Decision”) where the Planning Inspector reasoned that due to the size of the land and its isolation from any non-residential surrounding land, the introduction of residential development would not materially impact on agriculture production. The size of the site in question was some 2.1ha, which is significantly larger in comparison to the application site. The Planning Inspector afforded modest weight to the loss of BMVAL. This part of the submitted Winterley Decision is relevant to the determination of this application and should be given significant weight. Other matters weighed in the Winterley Decision, such as the provision of housing and affordable housing, the HDT and 5YHLS of Cheshire East Council, the application of local policies of that Local Planning Authority are not directly relevant for the consideration of this application.
- 7.13 The relevant part of the Winterley Decision would suggest that, in the circumstances of this application site, due to the size of the application site and isolation from any non-residential use of land, the loss of BMVAL in this instance would not compromise agricultural activities in Southend-on-Sea. This is further highlighted by the fact that the site only makes up a small percentage of such land within the City limits, and that the majority of such land is already protected by a Green Belt designation (to the north-east of the City bordering Rochford District Council). In line with the Winterley Decision, modest or even limited weight should be given to this less positive aspect of the proposal.
- 7.14 It is considered that the indicative scheme of 9no. dwellings at the density proposed would constitute effective and efficient use of the land. The results of the HDT and 5YHLS position weigh significantly in favour of the proposed housing scheme which in this instance, given its scale, is considered to make a significant contribution towards the provision of housing for the area. The development is considered to satisfy national and local planning policy in these regards. The tilted balance in favour of sustainable development should be applied.

Backland development

- 7.15 The location of the proposed dwellings would render the proposal backland development. Policy DM3 is applicable which states: “All development on land that constitutes backland and infill development will be considered on a site-by-site basis. Development within these locations will be resisted where the proposals:

¹ PINS reference APP/R0660/W/20/3251104, date 1 March 2021

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

7.16 The surrounding area is mixed in character, comprising residential development to the north-west and east and undeveloped land to the south and west. Regard is had to the position of the application site in a broadly sustainable location for development and which, on balance, would duly conform to the prevailing land use around it. As discussed in more detail in the relevant sections of the report, the proposal would comply with the relevant criteria of policy DM3.

7.17 On the basis of the information outlined above, it is considered in this instance and on balance, that the resultant harm caused by the loss of BMVAL is outweighed by the case for new residential development and the application of the presumption in favour of sustainable development. Subject to other detailed considerations outlined below, the principle of development is acceptable.

Design and Impact on the Character of the Area

7.18 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that “the Council is committed to good design and will seek to create attractive, high-quality living environments.”

7.19 Paragraph 126 of the National Planning Policy Framework states that ‘The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.’

7.20 Development Management Document Policy DM1 states that development should “add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features.”

7.21 Policy KP2 of the Core Strategy states that new development should “*respect the character and scale of the existing neighbourhood where appropriate*”. Policy CP4 of the Core Strategy requires that development proposals should “*maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with development, and respecting the scale and nature of that development*”.

7.22 This is an outline application with appearance, scale and landscaping matters reserved for later consideration. Site layout plans have been submitted with the application to allow the formal assessment of the proposed layout and access arrangements.

- 7.23 The application site is positioned on the fringe of the suburban area, between established residential development to the north-west and east and open land to the west. As noted, the development will introduce built form on presently undeveloped land and the impact on the open and spacious character of the area is a less positive aspect of the proposal.
- 7.24 Regard is had to the layout of the dwellings as a short terrace and 3no. pairs of semi-detached dwellinghouses set in a crescent arrangement around a central turning area. There is significant separation between the dwellings themselves and deep rear gardens are also noted such that it is considered that spaciousness has been carefully designed into the scheme. The proposal will have an impact on the open and spacious character of the area, but having due regard to the urgent need for new housing and noting that there would not be a total reduction in the sense of spaciousness that exists between the existing dwellings 12 Eastwoodbury Lane and 1 Smallholdings, on balance, no objection is raised to the development on this basis.
- 7.25 There is no overall order to the siting and/or arrangement of neighbouring properties in the adjoining roads, with properties along Eastwoodbury Lane and Eastwoodbury Crescent following a more traditional rectilinear pattern whilst those dwellings along Eastwoodbury Close resemble 'backland' development, owing to their position beyond the rears of dwellings fronting Eastwoodbury Crescent and siting around a central turning area. On this basis, it is not considered that the proposal as a residential 'backland' development would appear significantly at odds with the urban grain of the area.
- 7.26 The character of the neighbouring properties is also mixed, comprising terraced and semi-detached two-storey properties of varying form and design, positioned on plots of varying size. Due to the mixture of the surrounding development and having regard to the position of the proposed dwellings to the rear of neighbouring development, away from clear public views, it is not considered that there is a prevailing character or appearance that the proposed development should replicate or reference. Rather, the new small estate will establish its own character.
- 7.27 Scale, appearance and materiality are reserved matters. The site layout plan indicates the proposed dwellings would be two storeys in scale, hip roofed in design, and some 5m wide by 8.5m deep. In general terms, it is considered that the scale and appearance of the development, as indicated on the submitted plans, is acceptable. Limited material details have been submitted at this stage given the outline nature of the application. Conditions are suggested to require full details of the above matters.
- 7.28 Landscaping is also a reserved matter and specific landscaping details have not been provided for consideration within the outline application. As noted above, the site layout plan shows the development is to be set within a landscaped setting following the planting of 128 new trees and shrubs which is a positive feature of the development. Subject to conditions requiring full landscaping details, the level of planting being suggested is considered acceptable.
- 7.29 The application has been submitted with a tree survey and an Arboricultural Impact Assessment (AIA). The proposal seeks to remove 3no. Elder trees to make way for the proposed development: T6, T14 and T15 and 2no. Sycamore trees: T9 and T11. These trees are not the subject of a TPO. The Elder trees have been categorised in the AIA as being in poor physical condition (category U trees) with a life expectancy of less than 10 years. The Sycamore trees

are identified in the AIA as in good condition (category B trees) with a life expectancy between 20 and 40 years. The AIA concludes that the loss of the 5 trees will have little impact on the visual amenity of the area. Due regard is had to the generally poor condition of those identified trees and the generous planting schedule proposed such that on balance, no objection is raised on this basis.

- 7.30 All retained trees will require suitable tree protection and specialist methods of design and construction will need to be employed to minimise any impact on trees to be retained. Subject to a condition requiring the development to be undertaken in accordance with the recommendations of the AIA, the development is considered to have an acceptable impact on the trees within and adjacent to the site and would not significantly harm the character and appearance of the site or surrounding area in this regard, especially noting the extensive tree planting proposed as part of this proposal.
- 7.31 Overall, the proposal is considered to be, on balance, and subject to conditions, acceptable and policy compliant in terms of its impact on character and appearance of the site, streetscene and wider surrounding area.

Living Conditions of Future Occupiers

- 7.32 Paragraph 129 of the NPPF states that “Planning policies and decisions should ensure that developments: create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”.

Technical Housing Standards

- 7.33 Significant weight should be given to the Technical Housing Standards that have been published by the Government which are set out below:
- Minimum property size for residential units shall be as follow:
 - 2 bedroom (3 person units) - 61sqm to 70sqm (depending on the storeys)
 - 2 bedroom (4 person units) – 70sqm to 79sqm (depending on the storeys)
 - Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
 - Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
 - A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.
- 7.34 The following is also prescribed:
- Provision of a storage cupboard with a minimum floor area of 1.25m² should be provided

for 1-2 person dwellings. A minimum of 0.5m² storage area should be provided for each additional bed space.

- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home.
- Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.
- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

7.35 Limited details have been submitted at this stage as the internal layout, scale and appearance are reserved for later consideration, however, it is considered that dwellings could be designed on the site which could satisfy all of the minimum requirements of the technical space standards.

Light and outlook

7.36 Limited details have been submitted at this stage as the layout, scale and appearance are reserved for later consideration. However, it is considered that the scheme for 9no. new dwellings could be provided on the site that provides adequate and acceptable levels of light, outlook and ventilation for any future occupiers. It is also considered that the proposed layout is such that it would not result in unacceptable levels of intervisibility between the units.

Amenity Areas

7.37 Policy DM8 of the Development Management Document states new dwellings should *'Make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reason for which will need to be fully justified and clearly demonstrated.'*

7.38 The site layout plan shows each dwelling would benefit from their own private rear gardens. Based on the application submissions, it is considered that the dwellings would be provided on the site with acceptable amenity areas for their future residents. No objection is therefore raised on this basis.

Accessibility

- 7.39 Policy DM8 of the Development Management Document as amended by the Technical Housing Standards Policy Transition Statement states that developments should meet building regulation M4 (2) – ‘accessible and adaptable dwellings’ unless it can be clearly demonstrated that it is not viable and feasible to do so.
- 7.40 Limited details have been submitted in this respect, given the outline nature of the proposal. However, the applicant’s agent has confirmed that all of the dwellings are designed to be Building Regulation M4(2) compliant. Subject to a condition in this respect, the development is acceptable and policy compliant in this regard.
- 7.41 Subject to conditions, the development is considered to provide acceptable living conditions for future occupiers and the development is acceptable and policy compliant in the above regards.

Impact on Residential Amenity

- 7.42 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High-quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods.
- 7.43 The application seeks to obtain outline planning permission with the details of appearance, scale and internal layout reserved for later consideration. However, a site layout plan has been provided to help assessment at this stage.
- 7.44 Plot 1 is the nearest proposed dwelling to 1 Smallholdings, 12 Eastwoodbury Lane and 23 and 25 Eastwoodbury Crescent. Plot 1 would be located some 3m from the rear boundary of 1 Smallholdings (north) and some 23m from the rear of the neighbouring property itself. It would be positioned some 19m from the rear/flank boundary of 12 Eastwoodbury Lane (north-east) and some 30m from the rear of the neighbouring property itself. With regards to No’s 25 and 23 Eastwoodbury Crescent, Plot 1 would be removed from the respective rear boundaries by some 8.5m and some 40m from the rears of the neighbouring properties themselves. The other proposed dwellings are further removed. It is not considered the proposed development would appear significantly overbearing or result in an undue sense of enclosure to these properties.
- 7.45 The proposed terrace (Plots 1-3) and the nearest semi-detached pair (Plots 4-5) are positioned between 9 and 9.9m from the rear boundary of 7 Eastwoodbury Close. The separation increases to between 22 and 24m from No.7’s rear and flank elevations such that it is not considered the proposed development would appear significantly overbearing or result in an undue sense of enclosure to this property.
- 7.46 Plot 9 is the nearest proposed dwelling to neighbouring dwellings at 3 to 6 Eastwoodbury Close. The position of Plot 9 is such that its flank elevation would be located adjacent to the neighbouring rear boundaries. A separation between 4.5m and 5.5m from the flank of Plot 9 to the respective neighbouring rear boundaries would be maintained. The separation increases to between 14m and 16m from the rears of the neighbouring properties such that it is not

considered the proposed development would appear significantly overbearing or result in an undue sense of enclosure to these properties.

- 7.47 It is understood that the proposal will impact upon available views from the rears of adjoining properties, particularly along Eastwoodbury Close. However, there is a distinction in planning terms between the protection of private views and outlook. Outlook is the more immediate confines of a vista, an expectation that vistas would not be hemmed in unreasonably by development and is duly safeguarded by planning controls. A view refers to unrestricted access to the wider surrounds. Neighbouring properties presently benefit from private views across open land. However, unless the presence of built form contains their outlook unreasonably, the loss of the open view is not a reason to refuse planning permission. It is reasoned that the separations involved and the spacious layout of the proposed dwellings are such that the resultant outlook of the adjoining properties will not be significantly reduced so as to warrant refusal of the planning application on this basis.
- 7.48 The arrangement of the proposed dwellings is such that there would be a degree of overlooking of neighbouring rear gardens. Generally, when considering the site as a whole, this is not considered to be against the grain of what can reasonably be expected in a residential setting. The arrangement of neighbouring properties as two-storey terraces and semi-detached pairs is such that a degree of over-looking of rear gardens exists at present and is considered to form part of the character of the rear garden scene. Therefore, there is no objection to a similar arrangement at the proposed development. The separation of proposed Plot 5 to 6 Eastwoodbury Close, is some 16.5m. Due to the angled position of 6 Eastwoodbury Close away from Plot 5, together with Plot 5's corner location (where primary windows can face into the side elevation) and additional screening provided by proposed trees, on balance, this relationship is considered acceptable.
- 7.49 In addition, whilst internal floor layout of the dwellings is a matter for later consideration, the separations as identified above, together with the suggested condition for an obscure glazing strategy within which any proposed flank windows impacting on the privacy of neighbours would be required to be obscured, are considered sufficient to preclude harmfully intrusive views of neighbouring habitable accommodation.
- 7.50 It is not considered the proposal would give rise to undue additional noise and disturbance to the detriment of neighbouring occupants' amenity. A construction management plan is referred to in 7.52 below and a condition to control hours of construction is also recommended.
- 7.51 Whilst the proposed provision of an access road running along the flank/rear boundaries of neighbouring dwellings has potential to give rise to noise and disturbance from vehicular movements, due regard is had to the modest number of dwellings and the modest occupancy levels proposed such that it is not considered this would be significantly harmful. Significant planting is also shown within the proposed site layout plan which is considered to further mitigate against any potential air pollution to within acceptable levels. A condition to require an external lighting strategy is recommended, to minimise light pollution.
- 7.52 Given the relationship of the plots with neighbouring properties, alterations/extensions to the proposed dwellings may result in unacceptable living conditions of the future occupiers or impact on the neighbouring amenity. A condition to remove permitted development rights for classes

A, AA, B, D, E and F would therefore be necessary.

Construction Method Statement

- 7.53 Environmental Health have recommended a condition is imposed on any grant of consent requiring the submission of a construction method statement which includes details of the control of dust, a dust management plan and hours of work. Given the nature and scale of the proposal, a construction method statement is considered necessary and can be secured with a planning condition.
- 7.54 On balance and subject to conditions, the proposed development is considered acceptable and policy compliant in the above regards.

Highways, Parking and Traffic and Transportation Issues

Access

- 7.55 Details of access have been submitted with this outline application. An existing dropped kerb from Eastwoodbury Lane is proposed to be enlarged to 4.8m to enable access and egress from the new estate. The submitted planning statement confirms this access has a visibility splay of 2.4m/43m in either direction. A private access road some 4.8m wide would then be installed. Details of surfacing materials have not been provided at this outline stage so the requirement for such details is conditioned. Highways confirm that the design of this new access is acceptable to accommodate the development traffic in terms of capacity and highway safety and have raised no objection.

Parking

- 7.56 Policy DM15 of the Development Management Document seeks a minimum of 2 car parking space per 2+ bedroom dwelling. It is also a requirement to provide a minimum of 1 cycle parking space per dwelling. The Electric Vehicle Charging Infrastructure SPD requires at least one car parking space per dwelling to be fitted with active provision of charging infrastructure with any remaining spaces being provided with passive provision.
- 7.57 The proposal provides 2 parking spaces per unit in accordance with Policy DM15. The parking spaces will all be accessed via proposed crossovers off the new access road. A condition to secure the necessary charging infrastructure is recommended. Highways have raised no objection to the proposal, commenting that the parking proposed is acceptable and concluding that the development would not harm the public highway network. Sufficient space for parking would be retained for the existing property at 1 Smallholdings.
- 7.58 No cycle storage has been shown on the submitted plans but it is considered space exists within the application site for acceptable provision. This is subject of a condition. Highways have not objected to the scheme. Overall, the proposed development is considered acceptable and policy compliant in the above regards subject to the described conditions.

Sustainability

- 7.59 Policy KP2 of the Core Strategy states; “*All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources*” and that “*at least 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)*”. The provision of renewable energy resources should be considered at the earliest opportunity to ensure an integral design. No details have been submitted at this time as this an outline application. Details of the sustainability requirement can be secured by a planning condition. Subject to this, the development is acceptable in this respect.
- 7.60 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.’ Subject to a condition requiring the development to comply with this requirement, no objection is raised on this basis.

Refuse and Recycling Storage

- 7.61 It is expected that the proposed dwellinghouses would be served by the Council’s kerbside sack collection scheme. Access for waste freighters is satisfactory as well as maximum distances to carry the sacks which are in line with the relevant guidance. The proposal would be acceptable and policy compliant in this regard.

Drainage

- 7.62 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. Adequate drainage should be installed to ensure that there is no increased risk of flooding on site or elsewhere, including any undue discharge of surface water on the highway. Details of drainage arrangements incorporating principles of Sustainable Drainage Systems can be secured by condition. Subject to this, the development is acceptable and policy compliant in these regards.

Ecology

- 7.63 Paragraph 170 of the NPPF states that ‘*Planning policies and decisions should contribute to and enhance the natural and local environment by...protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils...recognising the intrinsic character and beauty of the countryside...minimising impacts on and providing net gains for biodiversity...*’
- 7.64 A Preliminary Ecological Appraisal was carried out for the applicant in January 2021. There were no badger setts found within the application site itself. However, 2no. setts were located to the south of the site. The submission states that the design of the proposal has been prepared in association with the planning agents’ ecologist to ensure any new development is a substantial distance from these setts so as to not give rise to undue disturbance (distance in excess of 25m).
- 7.65 The application has also been submitted with a Reptile Survey and Habitat Mitigation Plan. The

survey identified a “good” population of slow worm (peak count 15 adults) on the development site. Breeding activity was confirmed by gravid (i.e. pregnant) females visible in August and juveniles identified during the late August/September visits. The survey states that no other reptile species were found.

- 7.66 The application site does not include an area of some 0.18ha to the south of the application site which is in the applicant’s control. This area includes dense scrub and grassland and is also noted in the submitted ecological surveys to support badger setts. The survey suggests that some scrub can be removed to accommodate a larger area of grassland with log piles and hibernaculum for the reptiles. The survey moreover states that utilising this area as habitat for the reptiles would also mean connectivity to the allotments is maintained. As the land is privately owned, in the applicant’s control, and there is no public access, the suggested measures can be managed long term.
- 7.67 The survey goes on to state that following receipt of the planning permission sought, a Temporary Amphibian Fence (TAF) will be erected to define the receptor area and the reptiles would be trapped over at least 30 consecutive days until 5 clear days are achieved. This must be carried out by experienced ecologists between March-October when reptiles are most active. Once the site is deemed clear of reptiles, the habitat can then be cleared. Importantly, the TAF will remain in situ until development is complete and the fence line must be kept clear of vegetation throughout the construction phase. Subject to the above, it is considered that the development could proceed lawfully. This approach is considered acceptable and this has been confirmed by the Council’s in-house specialist (within the Parks department). A condition to secure the recommendations of the relevant reports is recommended.
- 7.68 The accompanying planning statement also outlines a number of bio-diversity enhancement measures, including: Eco-grid paving to parking areas to ensure that the green outlook on site is maintained; Brick bird houses to the gable ends of each dwelling; Wildlife friendly fencing in all areas; Bee towers to encourage solitary bees in the gardens; Extensive native planting; Hedgehog Houses. Along with the proposed tree planting, the biodiversity enhancement measures are considered acceptable, mitigating appropriately the loss of habitat. The Council’s in-house specialist supports these measures. A condition to secure the suggested measures is recommended.

RAMS

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

- 7.70 The applicant has paid the relevant tariff. The development would offer suitable mitigation of the in-combination effect of the net increase of 9no. dwellings on habitats and species. The development is acceptable and in line with policies in this regard.

Equality and Diversity

- 7.71 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended). They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

Community Infrastructure Levy (CIL)

- 7.72 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. As this is an outline application, the CIL amount payable will be calculated on submission of the reserved matters application(s) when the floorspace figures will be confirmed.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposed development is acceptable in principle and subject to conditions, is acceptable in terms of ecology, sustainability, highways and living conditions of future occupiers. On balance, the proposal would also be acceptable in terms of design and impact on the character and appearance of the site and wider surrounding area, and it would not result in any significant harm to the residential amenity of nearby residents.
- 8.2 The development constitutes sustainable development, providing economic, social and environmental benefits. Any limited harm identified as a result of the proposal is clearly outweighed by the benefits of the proposal, including the provision of 9 additional dwellings. If any harm is identified, including in those areas for judgement identified within this report's analysis of the proposal, it is necessary to demonstrate that in reaching a decision, an appropriate balancing exercise has been undertaken considering the benefits of the proposal and any such harm. The report summarises that the site forms Best and Most Versatile Agricultural Land but also that this Council has a significant deficit in housing land supply so the tilted balance in favour of sustainable development should be applied when determining the application as relevant. 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 NPPF taken as a whole. The proposal would make a significant contribution to the housing needs of this City which must be given increased weight in the

planning balance. Subject to conditions, the application is therefore recommended for approval.

9 Recommendation

9.1 GRANT OUTLINE PLANNING PERMISSION subject to the following conditions:

General conditions

- 01 Details of the appearance, scale, and landscaping (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved under the reserved matters. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matters to be approved.**

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of details mentioned.

- 02 The development shall be carried out in accordance with the approved plans: Location Plan; SEOS001 Rev 1; SEOS004.**

Reason: To ensure the development is carried out in accordance with the development plan.

Design related conditions

- 03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the development hereby permitted shall not commence, other than for groundworks and site preparation works, unless and until full details of the materials to be used for all the external surfaces of the proposed buildings at the site including facing materials, roof detail, windows, doors, balustrading, fascia and balconies have been submitted to and approved in writing by the Local Planning Authority. The works must then be carried out in full accordance with the approved details before the dwellings hereby approved are first occupied.**

Reason: To safeguard character and appearance of the area and the visual amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

- 04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the dwellinghouses hereby permitted shall not exceed 8.2m in height.**

Reason: To safeguard the character and appearance of the area and the visual amenities of neighbouring occupiers plus aviation safety in accordance with Policies KP2 and CP4

of the Core Strategy (2007), Policies DM1, DM3 and DM4 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

Construction related conditions

- 05** No development shall take place, including any site preparation works, unless and until a Construction Management Plan to include Noise and Dust Mitigation Strategies has been submitted to, and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to in full throughout the construction period. The Statement shall provide, amongst other things, for:
- i) the parking of vehicles of site operatives and visitors**
 - ii) loading and unloading of plant and materials**
 - iii) storage of plant and materials used in constructing the development**
 - iv) the erection and maintenance of security hoarding**
 - v) measures to control the emission of dust, dirt and noise during construction**
 - vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.**
 - vii) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.**
 - viii) details of the duration and location of any noisy activities.**

Reason: This pre-commencement condition is required in the interests of the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

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

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

Landscaping related conditions

- 07** No development above ground level shall be undertaken unless and until details of existing and proposed site levels at and surrounding the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken and completed at the levels shown on the approved drawing and shall not exceed the highest level of land adjacent to the application site.

Reason: In the interests of the residential amenity of adjoining residents and the character and appearance of the area and to ensure that the development complies with 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).

- 08 Notwithstanding the details shown on the plans hereby approved, no development shall take place, other than ground and site preparation works, unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping for the site.**

The submitted hard and soft landscaping schemes shall include full details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the treatment of all hard and soft surfaces, including any earthworks to be carried and all means of enclosing the site, including boundaries within the site.

Prior to first occupation of the dwellings hereby approved, the approved hard landscaping scheme shall be implemented and completed in full accordance with the details approved pursuant to this condition. Within the first available planting season (October to March inclusive) following the first use of the development hereby approved, the approved soft landscaping scheme shall be implemented and completed in full accordance with the details approved under the provisions of this condition.

Within a period of five years from the completion of the development hereby approved, or from the date of the planting of any tree or any tree planted in its replacement, if any tree existing or planted as part of the approved landscaping scheme is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that of the original tree shall be planted in the same place or in accordance with alternative tree replacement details approved under the scope of this planning condition.

Reason: In the interests of visual amenity, biodiversity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

Ecological related conditions

- 09 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby permitted shall not commence unless and until the biodiversity mitigation measures outlined within the Reptile Survey (by Hybrid Ecology Ltd. dated September 2021) which includes mitigation in relation to reptiles, badgers and their habitats have been carried out in full. A timescale for the implementation of these measures shall first be submitted to the Local Planning Authority and approved in writing pursuant to this condition. The measures shall be implemented in accordance with the approved timescale and retained as approved thereafter.**

Reason: This pre-commencement condition is required in the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 10 Prior to first occupation of the dwellings hereby approved, the biodiversity enhancement**

measures outlined within the Design and Access Statement (or alternative details which have previously been submitted and approved in writing by the Local Planning Authority under the provisions of this condition) shall be implemented and completed in full. These measures shall be retained for the lifetime of the development.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 11 Tree removal works shall not take place between March and August and shall only be carried out (including which trees will be removed) in accordance with the recommendations contained in the Tree Survey and Arboricultural Impact Assessment (ref no. 22_5837_02_42) by ROAVR Environmental Ltd.

Reason: In the interest of biodiversity in accordance with National Planning Policy Framework (2021) and Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 12 No development shall take place on site unless and until details of tree protection measures for the trees to be retained on site, have been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The development shall be carried out in full accordance with the approved tree protection measures throughout the construction phase of the development.

Reason: This pre-commencement condition is needed to safeguard the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

Highways related conditions

- 13 The development hereby approved shall not be first occupied unless and until 18 on site car parking spaces (2no. for each dwelling) have been provided and made available for use at the site in full accordance with drawing SEOS001 Rev 1, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. At least one of the parking spaces for each approved residential unit, shall be fitted with an active electric vehicle charging point. The parking spaces shall be permanently maintained thereafter solely for the parking of occupiers of and visitors to the development.

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 guidance in the Southend Design and Townscape Guide (2009) and the Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021).

- 14 The development hereby approved shall not be first occupied or brought into first use

unless and until full details (including elevations) of the covered and secure cycle parking to serve the new dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in full accordance with the approved cycle storage details and the cycle storage shall be provided and made available for use prior to the first occupation of the dwellings hereby approved.

Reason: To ensure that adequate cycle parking is provided to serve the residential development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Plan (2015).

Waste storage related conditions

- 15 The residential dwellings hereby approved shall not be first occupied unless and until full details (including elevations) of the refuse and recycling stores have been submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling stores shall be provided in accordance with the approved plans and details and shall be made available for use prior to the first occupation of the dwelling to which they relate and shall be retained as such for the lifetime of the development.

Reason: To ensure that the development provides adequate refuse and recycling facilities in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

Drainage related conditions

- 16 No drainage infrastructure associated with this consent shall be undertaken at this site unless and until full details of the drainage infrastructure and a drainage strategy have been submitted to and approved in writing by the Local Planning Authority. The strategy submitted shall apply the sustainable drainage principles and the sustainable drainage hierarchy. Where more sustainable methods of drainage are discounted clear evidence and reasoning for this shall be included within the strategy submitted. The approved drainage infrastructure and strategy shall be implemented in full accordance with the approved scheme prior to the first occupation of the development hereby approved and be retained as such for the lifetime of the development.

Reason: To ensure satisfactory drainage of the site in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM14.

Sustainability related conditions

- 17 Prior to construction of the development hereby approved above ground floor slab level a scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority. No building in the scheme shall be occupied until and unless it has been implemented in accordance with the details approved under this

condition. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development and ensuring a high quality of design in accordance with Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

- 18 Prior to occupation of the development hereby approved water efficiency 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 shall be installed in the development hereby approved and be retained for the lifetime of the development.**

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

- 19 The development hereby approved shall be carried out in a manner to ensure that the dwellings fully comply with the Technical Housing Standards – Nationally Described Space Standards (2015) and with Building Regulation M4(2) ‘accessible and adaptable dwellings’ before they are brought into use and first occupied.**

Reason: To ensure provision of high quality and flexible internal layouts to meet the changing needs of residents in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM8 and Design and Townscape Guide (2009).

Neighbour amenity safeguarding related conditions

- 20 Prior to the occupation of each dwelling hereby approved, obscure glazing shall be installed in accordance with an obscure glazing strategy for the site which shall have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. The submitted strategy shall include details of which plots on site and which windows on each plot require obscure glazing. The openings that are identified as needing to be glazed in obscure glass, shall only be so with 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 finished floor level of the room or area served by the window. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4 on the Pilkington scale.**

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM8 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the National Design Guide (2021) and Southend-on-Sea

Design and Townscape Guide (2009).

- 21 No external lighting shall be installed on the site subject of this permission unless it is in accordance with the details and specifications of a Lighting Strategy which has previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition. All lighting shall be retained on site in accordance with the approved scheme for the lifetime of the development.**

Reason: In the interest of the residential amenity of future occupiers in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1, DM3 and DM5 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the National Design Guide (2021) and Southend-on-Sea Design and Townscape Guide (2009).

- 22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any order revising or re-enacting that Order with or without modification, no development shall be carried out on the new dwellinghouses within Schedule 2, Part 1, Classes A, AA, B, D, E or F of that Order without the receipt of express planning permission.**

Reason: To safeguard the character and appearance of the area and in the interest of the residential amenity of the adjoining residents 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 Design and Townscape Guide (2009).

Informatives:

- 01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The amount of levy due will be calculated at the time a reserved matters application is submitted. Further information about CIL can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).**
- 02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.**
- 03 Please note that you are required to apply to the Highways Authority for consent to have a vehicular crossover installed on Eastwoodbury Lane and that the private access road for this development will be expected to support the weight of refuse freighters in accordance with the Council's Waste Storage, Collection and Management Guide for New Developments (2019).**

- 04 The applicant is advised that refuse stores should not be prominently located within the development. As such it is recommended that the refuse stores are not located to the front of the dwellings.**
- 05 No waste as part of the development shall be burnt on site.**
- 06 Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority. Any crane applications should be directed to sam.petrie@southendairport.com / 01702 538521.**
- 07 The applicant is advised to consider installation of Automatic Water Suppression Systems (AWSS) within the new dwellings.**