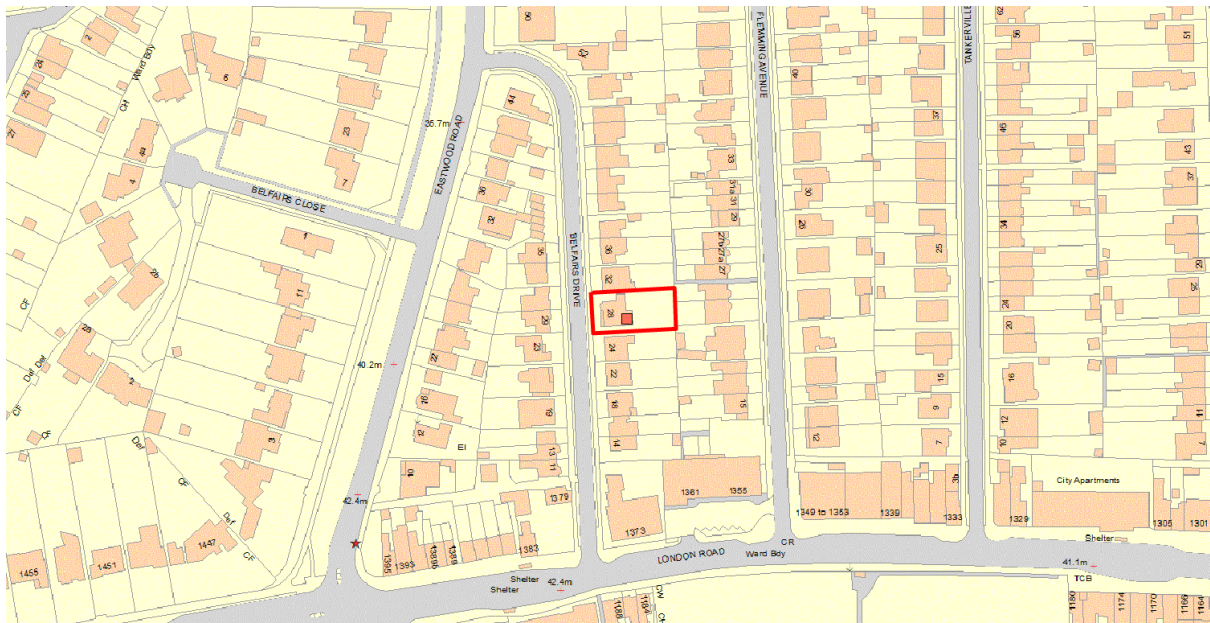


<b>Reference:</b>	22/01194/FUL
<b>Application Type:</b>	Full Application
<b>Ward:</b>	Belfairs
<b>Proposal:</b>	Demolish existing bungalow, erect two dwellinghouses, layout parking to front and amenity space to rear
<b>Address:</b>	28 Belfairs Drive, Leigh-on-Sea, Essex, SS9 3AA
<b>Applicant:</b>	Mr Ali
<b>Agent:</b>	Mr Tim Knight of Knight Gratrix Architects
<b>Consultation Expiry:</b>	11.08.2022
<b>Expiry Date:</b>	02.09.2022
<b>Case Officer:</b>	Oliver Hart
<b>Plan Nos:</b>	<b>010E; 020D; 021D; 022; 023; 024; 025</b>
<b>Recommendation:</b>	<b>GRANT PLANNING PERMISSION subject to conditions</b>



## **1 Site and Surroundings**

- 1.1 The application site contains a detached bungalow on the east side of Belfairs Drive. It shares a dropped kerb with the neighbouring property to the north (No.32) to facilitate one off-street parking space. Vegetation is noted to the front and rear of the application site but there are no trees or species of any note and in many instances this is overgrown.
- 1.2 The surrounding area comprises a varied streetscene in terms of scale and design, with a balanced mix of bungalows and two storey dwellings. There is no strong uniformity or distinctive characteristics. Ground levels change, with properties north of the application site sitting at progressively lower levels.
- 1.3 The site is not within a conservation area or subject to any site-specific planning policies.

## **2 The Proposal**

- 2.1 The application seeks planning permission for the demolition of the existing bungalow and erection of two new 4-bedroom (7-person) semi-detached dwellinghouses with accommodation over three levels. The gross internal area of each proposed dwelling would be some 184.1sqm.
- 2.2 The new dwellings would have main gable roofs with two storey gabled projections to the front and a gable roofed extension to their rear. The dwellings would be some 6.8m wide, 9.6m in maximum height and 14.5m in maximum depth, inclusive of the front bay windows and part-width single storey extensions to their rear.
- 2.3 The proposed dwellings have been set further back in their plots than the existing dwelling to enable the formation of parking areas within the front curtilage. Off-street parking is shown for 2no. vehicles to each new dwelling. The parking areas would be accessed via 2no. new dropped kerbs each some 4.88m wide. The proposed rear garden areas are each in excess of 100sqm.
- 2.4 The proposed dwellings would be finished in a combination face-brick, render and timber cladding to the exterior walls, slate roof tiles and grey aluminium framed windows and doors.

## **3 Relevant Planning History**

- 3.1 None.

## **4 Representation Summary**

### **Environmental Health**

- 4.1 No objection subject to conditions regarding construction and refuse/recycling.

### **h Highways**

- 4.2 No objections.

### **Leigh Town Council**

- 4.3 Objection raised. Summary of concerns:

- The application is considered overdevelopment as it will be overbearing in nature and does not respect the character of the site or the existing building.
- The conversion of the bungalow into two properties will have an adverse impact on neighbouring residents
- Objection to loss of bungalow provision in the City.

#### 4.4 Public Consultation

Eight (8) neighbouring properties were individually consulted, and a site notice was displayed for two rounds of consultation following receipt of revised plans. Fourteen (14) letters of objection from eleven (11) neighbouring properties were received. Summary of objections:

- Parking concerns
- Concerns with the dimensions of the proposed parking areas
- The proposed dwellings would be over scaled and out of keeping with character of the surrounding area.
- Proposal is overdevelopment of the site
- Concerns with loss of the bungalow
- Amenity concerns relating to noise and disturbance and loss of light and privacy.
- Concerns with viewing the plans
- Concerns with configuration of bedroom 4 in the loft

**[Officer Comment]** All relevant planning considerations are assessed within the appraisal section of the report (Section 7). The above concerns are noted, and they have been taken into account in the assessment of the application however, they were not found to represent a justifiable reason for refusal of the application in the circumstances of this case.

4.5 The application has been called into this Committee by Councillor Dear

#### 5 Planning Policy Summary

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

5.2 National Design Guide (2021)

5.3 Core Strategy (2007): Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance), CP8 (Dwelling Provision).

5.4 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).

5.5 The Southend-on-Sea Design and Townscape Guide (2009)

5.6 CIL Charging Schedule (2015)

5.7 Technical Housing Standards Policy Transition Statement (2015)

5.8 Waste Storage, Collection and Management Guide for New Developments (2019)

5.9 Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) (2020)

5.10 Vehicle Crossing Policy & Application Guidance (2021)

- 5.11 Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021)

## **6 Planning Considerations**

- 6.1 The main considerations in relation to this application are the principle of the development, the design and impact on the character of the streetscene and wider area, the standard of accommodation for future occupiers, the impact on residential amenity of neighbouring occupiers, traffic and transportation impacts, refuse and recycling storage, energy and water sustainability, water drainage and compliance with the Essex Coast RAMS SPD and CIL liability.

## **7 Appraisal**

### **Principle of Development**

- 7.1 Government guidance contained within the National Planning Policy Framework (2021) encourages effective use of land, in particular previously developed land. The NPPF identifies three objectives of the planning system with regard to sustainable development: economic, social and environmental.
- 7.2 Policy KP1 of the Core Strategy seeks sustainable development. Policy KP2 requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design and respecting the character and scale of the existing neighbourhood.
- 7.3 Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development. Policy CP8 requires that development proposals contribute to local housing needs.
- 7.4 Policy DM1 seeks design quality that adds to the overall quality of an area and respects the character of a site and its local context. Policy DM3 seeks 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.
- 7.5 Policy DM7 states that the Council will look favourably upon the provision of family size housing on smaller sites. Through Policy DM8 the Council seeks appropriate flexibility and dimensions within the internal accommodation to meet the changing needs of residents.
- 7.6 Policy DM15 states that development will be allowed where there is, or it can be demonstrated, that there will be, physical and environmental capacity to accommodate the type and amount of traffic generated in a safe and sustainable manner.
- 7.7 Policy DM3 (4) states that: "The conversion or redevelopment of single storey dwellings (bungalows) will generally be resisted. Exceptions will be considered where the proposal;
- (i) Does not create an unacceptable juxtaposition within the streetscene that would harm the character and appearance of the area; and

(ii) Will not result in a net loss of housing accommodation suitable for the needs of Southend's older residents having regard to building regulation M4 (2) – 'accessible and adaptable dwellings'

7.8 There is a bungalow on the site presently. This application proposes two replacement four-bed units suitable for families, a type of housing for which there is greater need as identified by the SESHMA. The application site is within an established residential area which is not in a conservation area nor a heritage asset and which is mixed in terms of the size and design of dwellings such that the replacement dwellings would not appear out of keeping in the street scene. Furthermore, the agent confirms the development will be built in accordance with building regulation M4 (2) and has provided annotated plans to evidence this.

7.9 The development is therefore acceptable in principle. Other material planning considerations are discussed in the following sections of the report.

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

7.10 Local and national planning policies and guidance seek to ensure that new development is well designed. 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.

7.11 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm. Policy DM1 of the Development Management Document and the Design and Townscape Guide provide further details on how this can be achieved

7.12 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.

7.13 The application seeks permission for the demolition of the existing building and the erection of a pair of semi-detached dwellings with accommodation over three levels.

7.14 The streetscene is mixed in terms of scale such that the height of the proposal is not considered to be out of keeping with the immediate surrounding neighbours or the wider surrounding area. Whilst the resultant gabled roof forms would be of significant scale and bulk, emphasised by the gabled projections to the front and rear, retention of a minimum 1m separation to either neighbouring flank boundary is such that there is considered, on balance, to be appropriate separation space to either neighbouring property such that the proposed dwellings would not appear unduly dominant in their setting. This is aided by the articulated front elevation and the separation of the main body of the dwellings from the public highway (approx.5.5m).

7.15 External materials locally are mixed. The proposed external materials are contemporary in nature and would be reasonably consistent with this however, it is appropriate that full details of external materials are secured by condition in the interest of visual amenity.

- 7.16 The proposed site layout would allow for a reasonable amount of soft landscaping. In principle the provision of two off-street car parking spaces per dwelling on the site frontage would be acceptable subject to details of materials and boundary treatments which can be secured by condition. Full details of soft and hard landscaping can be reasonably secured through condition.
- 7.17 On this basis, noting the mixed character, scale and design of neighbouring properties, on balance the character and appearance impacts are acceptable and policy compliant in this regard.
- 7.18 Subject to submission of materials details, the proposed development is considered acceptable and policy compliant in the above regards.

### **Impact on Residential Amenity**

- 7.19 Local and national planning policies and guidance seek to secure high quality development which protects amenity. Policy DM1 of the Development Management Document specifically identifies that development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Further advice on how to achieve this is set out in the Council's Design and Townscape Guide.
- 7.20 The proposal is bounded by No's 32 (north) and 24 Belfairs Drive to the south. A significant drop in ground levels (from south to north) is noted.
- 7.21 With regard to No.32, the proposed dwellings would project some 5m beyond the nearest neighbouring rear elevation. No 32 has no side windows facing the application site and a 1m separation to the shared boundary would be provided.
- 7.22 Regard has been had to a notional 45 degree guideline which is ordinarily used as a guide for assessing impacts on light and outlook in these sorts of situations. In this instance, the notional guideline would not be met however the following factors also apply.
- 7.23 No 32's ground floor rear elevation varies in depth on account of a part width rear extension some 3.7m deep. This is set some 2.9m from the shared boundary. The nearest neighbouring ground floor rear window in No 32 serves a kitchen area but its light and outlook is already significantly compromised by what appears on the balance of probability to be a semi-permanent roofed lean-to structure some 4m deep and 2.5m high serving that part of the dwelling. Weight is specifically placed on the non-habitable nature of the use of the room that the window serves such that limited protection, in planning terms, is afforded to it. On this basis and on balance, it is considered that the resultant impact on No 32's occupiers' amenity including the impact on light, outlook and sense of enclosure at ground floor level is acceptable.
- 7.24 The proposal would project some 5m beyond a bedroom window in No 32's rear elevation. Access to recent planning history at No.32 (ref. 16/00257/FULH) shows that the bedroom is served by both front and rear windows. The depth and height of the nearest proposed dwelling would impact on the receipt of light and outlook to this habitable room opening, but a 1m separation would be retained to the shared boundary and noting that bedroom is also served by an opening to the front elevation which would be unaffected, the resultant impact would not be so materially harmful as to justify refusal on this basis alone and as part of an overall balanced assessment.

- 7.25 With regard to No.24, the proposal would project some 1.65m beyond its nearest neighbouring rear window. When considered together with the 1m separation to the shared flank boundary (which increases to in excess of 2m to No.24 itself), the adjacent proposed dwelling would allow for a notional 45 degree angle from the centre of the nearest ground floor rear habitable room window such that the proposal would not result in a significant loss of light or outlook, nor would it be unduly overbearing to neighbouring rear openings serving No.24.
- 7.26 No 24's flank elevation contains three windows. The first and third are obscure glazed. The middle window is clear glazed and serves a shared kitchen/dining area which also has rear facing windows. On this basis, and having regard to the separations retained, and that the position of the proposed dwelling would be to the north of this window, it is not considered that the development would result in a significant loss of light or outlook, nor would it be unduly overbearing to the occupants at No.24.
- 7.27 The proposed dwellings include windows in their flank elevations serving bathrooms and en-suites. Subject to a condition requiring these are obscure glazed to prevent overlooking and retain neighbour privacy, no objections are raised on this basis.
- 7.28 Increased views of the neighbouring rear gardens could result from first and second floor accommodation in the proposed dwellings however, the existing two storey development that surrounds the site leads to an existing degree of intra-looking of neighbour amenity space and it is not considered that the proposal would give rise to any overlooking that would be materially worse than the existing situation or significantly harmful in its own right.
- 7.29 All other dwellings are sufficiently removed from the proposal to prevent any significant harm to residential amenity in any relevant regards. On this basis, and subject to conditions as described above, plus conditions requiring a Construction Method Statement and control of construction hours, the proposal is considered to be acceptable and policy compliant in the above respects.

### Standard of Accommodation

- 7.30 Delivering high quality homes is a key objective of the NPPF. Policy DM3 of the Development Management Document states that proposals should be resisted where they create a detrimental impact upon the living conditions and amenity of existing and future residents or neighbouring residents.
- 7.31 All new homes are required to meet the Nationally Described Space Standards (NDSS) in terms of floorspace, bedroom size and storage size. The required size for the type of unit proposed and the minimum standards for bedrooms are shown on the following table. The relevant dimensions of the proposed scheme are also shown on the table below:

**Table 1: Space Standards and Proposed Dimensions**

	Area (m <sup>2</sup> )	Bedroom 1	Bedroom 2	Bedroom 3	Bedroom 4	Storage area (m <sup>2</sup> )
Standard for three-storey 4 bed 7 person dwellinghouse	121	11.5m <sup>2</sup> Wmin=2.75m	11.5m <sup>2</sup> Wmin=2.55m	11.5m <sup>2</sup> Wmin=2.55m	7.5m <sup>2</sup> Wmin=2.15m	3
<b>Proposed Three-storey 4bed 7 person dwellinghouse</b>	<b>184.1</b>	<b>36m<sup>2</sup></b> <b>Wmin= 4.7m</b>	<b>13.7m<sup>2</sup></b> <b>Wmin= 3.9m</b>	<b>11.5sqm</b> <b>Wmin=3.3m</b>	<b>9.2sqm</b> <b>Wmin=2.85</b>	<b>5 (inclusive of built-in wardrobes)</b>

- 7.32 As noted in the table above, the gross internal floorspace for each dwelling and its bedroom sizes would satisfy the minimum sizes required by the technical housing standards. All habitable rooms will be provided with sufficient windows and openings to provide adequate light, ventilation and outlook.
- 7.33 Policy DM8 states that new dwellings should make provision for usable private outdoor amenity space for the enjoyment of intended occupiers. An amenity area in excess of 100sqm is located to the rear of each proposed dwelling. This is considered to be acceptable and complies with the above-noted policy guidance.
- 7.34 Facilities for waste storage are not shown on the submitted plans however there is considered to be sufficient space within the curtilage of each proposed dwelling for adequate provision. Subject to a condition requiring details to be submitted, no objections are raised on this basis.
- 7.35 Policy DM8 of the Development Management Document states that all new dwellings should comply with Building Regulation M4(2). Part M4(2) of the Building Regulations requires the need to provide adaptable and accessible dwellings. The applicant has submitted information demonstrating that the proposed dwellings would meet the criteria of building regulation M4(2). This matter can be reasonably secured with a planning condition.
- 7.36 On this basis, the proposal is considered acceptable and compliant with the policies relating to living conditions subject to conditions.

### **Traffic and Transportation Issues**

- 7.37 Policy DM15 of the Development Management Document requires a minimum of 2 parking spaces for 2+ bedroom dwellings and a minimum of 1 cycle storage space per dwelling. The EVCI SPD requires at least one car parking space is fitted with an active electric vehicle charging point.
- 7.38 The development includes two off-street parking spaces to the frontage of each of the dwellings (4.8m x 4.8m). The parking areas would be accessed via two proposed crossovers each 4.88m wide. This would provide policy compliant off-street parking. The Council's Highway Engineer does not object.
- 7.39 The proposed vehicular crossovers would comply with the dimensions in the Council's Vehicle Crossover Policy (2021). The Council's Highway Engineer has not objected. The applicant will be required to apply for separate highways consent to construct the vehicle crossover. An informative will be added as a reminder.
- 7.40 It is considered that the proposed vehicular access arrangement would provide suitable access for vehicles to access 2 off-street parking spaces and would not harm highway or pedestrian safety.
- 7.41 Facilities for cycle storage are not shown on the submitted plans but there is sufficient space within the curtilage of each dwelling for adequate provision. Subject to a condition requiring those details to be submitted, no objections are raised on this basis.
- 7.42 In line with the council's recently adopted EV charging schedule for new dwellings, a condition is also recommended requiring all resident parking spaces be fitted with EV charging points.



- 7.43 Subject to the described conditions, the proposal would be acceptable and policy compliant in the above regards.

### **Sustainability**

- 7.44 Policy KP2 of the Core Strategy requires that “at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in Design and Townscape Guide, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration.”. Policy DM2 of the Development Management Document also states that “to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions.”
- 7.45 No details have been submitted to demonstrate the proposal would provide 10% of the energy needs from renewable energy resources however, there is space to provide this, e.g. PV cells. This can be dealt with by condition.
- 7.46 Policy DM2(iv) of the Development Management Document requires all new development to provide “water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliance and water recycling systems such as grey water and rainwater harvesting.’ No detailed information has been submitted but this can be secured by condition.
- 7.47 On this basis and subject to the described conditions, the proposal is acceptable and policy compliant in the above regards.

### **Other Matters**

#### *Permitted Development*

- 7.48 Given the site’s close relationship to the neighbouring properties it is considered reasonable and necessary to restrict permitted development rights for this proposal via condition, to enable the Council to fully assess the impact of any future extensions and additions to these dwellings which could otherwise offer potential harm to neighbours’ amenity. This could be secured by condition were the proposal otherwise acceptable.

### **Recreational Disturbance Avoidance Mitigation Strategy (RAMS)**

- 7.49 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.
- 7.50 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 £137.71 (index linked) is paid per new dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement.

- 7.51 The applicant has made the relevant payment and the proposed development is therefore acceptable and compliant with the adopted RAMS Supplementary Planning Document SPD.

### **Flooding and surface water drainage**

- 7.52 National policy requires that any development is safe from flooding and does not increase the risk of flooding elsewhere. The proposed dwellings would be partially built within undeveloped land, an area of the ground where surface water would otherwise permeate. Adequate drainage should be installed to ensure that there is no increased risk of flooding on site or elsewhere. Details of drainage arrangements incorporating principles of Sustainable Drainage Systems can be secured by condition. Subject to such a condition, the development would be acceptable and policy compliant in these regards.

### **Equality and Diversity**

- 7.53 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)**

- 7.54 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 368.2sqm, which may equate to a CIL charge of approximately £9,403.26 (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 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 local and national policies and guidance.
- 8.2 This proposal creates new housing. Therefore, if any harm is identified, including in those areas for judgement identified within this report's analysis of the proposal, it would be necessary to demonstrate that in reaching the decision an appropriate balancing exercise has been undertaken considering the benefits of the proposal and any such harm. The Council has a 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 contribution to the housing needs of the borough which must be given increased weight in the planning balance, albeit the weight to be attached to this would not be so significant in this instance in view of the number of units involved. As there are no other material planning considerations which would justify reaching a different conclusion, this application is recommended for approval.

## **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 solely out in accordance with the following approved plans: 010E; 020D; 021D; 022; 023; 024; 025**

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

- 03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition works and construction up to ground floor slab level, until and unless details of the materials to be used in the construction of the external elevations of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority pursuant to this condition. The development shall be carried out in full accordance with the approved details before it is occupied.**

**Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained within the National Design Guide (Rev 2021) and the Southend-on-Sea Design and Townscape Guide (2009).**

- 04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the proposed first floor windows in the flank elevations of 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 for the lifetime of the development.**

**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 advice within the Southend-on-Sea Design and Townscape Guide (2009).**

**05** The dwellings hereby approved 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.

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** 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 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).

**07** 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 occupied.

Reason: To ensure the dwellings hereby approved provide 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).

**08** Prior to occupation of the development hereby approved details of energy efficiency and other sustainability measures to be included in the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details.

**Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2, and the advice contained within the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009)**

- 09 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).**

- 10 Notwithstanding the provisions of Classes A, AA, B, C, 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, porches, roof extensions or outbuildings shall be erected at the dwellings hereby approved without the receipt of express planning permission from the Local Planning Authority.**

**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).**

- 11 The development hereby permitted shall not be occupied until and unless two off-street car parking spaces per dwelling have been provided and made available for use for each of the dwellings hereby approved in accordance with plan no. 020D, with properly made accesses to the public highway. At least 1.no car parking space per dwelling shall be fitted with active electric vehicle charging infrastructure with the other car parking spaces fitted with passive electric vehicle charging infrastructure before the dwellings are occupied. The car parking spaces shall be made available for use by occupiers of the approved dwellings and their visitors prior to first occupation and shall be retained as such for the lifetime of the development thereafter.**

**Reason: To ensure that satisfactory off-street 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-on-Sea Design and Townscape Guide (2009) and the Electric Vehicle Charging Infrastructure (EVCi) for New Development Supplementary Planning Document (SPD) (2021)**

- 12 No development shall take place, including any works of demolition, until and unless a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:**
- i) the parking of the 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 and dirt during construction**
  - vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site**
  - vii) measures to limit noise and disturbance**

**Reason: This pre-commencement condition is required in the interests of visual amenity, highway safety and the amenities of occupiers and neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).**

- 13 No drainage infrastructure associated with the development hereby approved shall be installed until details of surface water attenuation for the site, based on Sustainable Urban Drainage principles, 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 accordance with the approved details before it is occupied.**

**Reason: To ensure the approved development does not increase flood risk elsewhere in accordance with National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2 and KP3.**

- 14 Notwithstanding the details submitted and otherwise hereby approved full details (including elevations) shall be submitted to and approved in writing by the Local Planning Authority under the provisions of this condition identifying the provision of refuse and recycling storage and at least one covered and secure cycle parking per dwelling for the approved development at the site before the development is occupied. The approved refuse and recycling store and covered and secure cycle store facilities shall be provided in full and made available for use by the occupants of the dwellings prior to their first occupation and shall be retained as such in perpetuity.**

**Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate refuse storage and cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Southend-on-Sea Design and Townscape Guide (2009).**

- 15 The roof of the single storey rear projection of the dwellings hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other similar purpose unless express planning permission has previously been obtained. 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) Policy CP4, Development Management Document (2015) Policy DM1, and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

#### **Informatives**

- 01** Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).
- 02** You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will 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** Separate highways consent will be required for the formation of new vehicular accesses.