

Reference:	22/01199/FUL	
Application Type:	Full Application	
Ward:	Prittlewell	
Proposal:	Change of Use from Dwellinghouse (C3) to 7 bed Large HMO (Sui Generis) (Retrospective)	
Address:	171 West Road Westcliff-on-Sea Essex SS0 9DH	
Applicant:	Mr K Virk	
Agent:	Mr G Miles of Miles Design	
Consultation Expiry:	31.08.2022	
Expiry Date:	02.12.2022	
Case Officer:	Scott Davison	
Plan Nos:	1574-00, 1574-00 A, 1574-01, 1574-SP 1574-OS	
Additional information:	Private Sector Housing HMO License	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The application site is on the northern side of West Road and occupied by a two storey, mid terrace property of traditional design. There is an existing vehicular crossover to the rear of No.173 in Westborough Road which is used to access the area to the rear of that neighbour plus, informally, the rear of this site. That is subject of a separate application ref: 22/01276/FULH, under consideration, seeking to layout parking and form vehicular access on to Westborough Road. It is given no consideration in the assessment of the current application. The area is residential in character with terraced dwellings. The site is within flood zone 1 and is not within a conservation area or subject to any site-specific planning policies.

2 The Proposal

- 2.1 Planning permission is sought retrospectively for a change of use from a dwelling house to a house of multiple occupation (HMO) (Sui generis) with seven bedrooms. The building is accessed from West Road. No changes are proposed externally or to the current internal layout of the building. There are 3 bedrooms on the ground floor as well as a communal kitchen and a shower/WC. There are four bedrooms on the first floor and a shower/WC. Bedrooms 4 and 7 have their own en-suite shower/WC. To the rear of the site is a small area of soft landscaping. There is also informal on-site parking for two cars that takes place on a loose stone surface.

Bedroom 1	16.5 sqm
Bedroom 2	14.6 sqm
Bedroom 3	13.5 sqm
Bedroom 4	16.4 sqm
Bedroom 5	14.8 sqm
Bedroom 6	13.3 sqm
Bedroom 7	10.7 sqm

- 2.2 The existing HMO use does not have planning permission and no Certificate of Lawfulness (Existing) exists or has been applied for. The application form states the use as an HMO commenced on 1st October 2018. The applicant has provided a copy of a license for a House in Multiple Occupation from Private Sector Housing dated 1 October 2018. The HMO is licensed for 7 persons. Private Sector Housing have provided details confirming the historic use of the property which has been licensed since 2018 and that the submitted plans match those for the licensed use.

3 Relevant Planning History

- 3.1 The most relevant planning history for the determination of this application is shown on Table 1 below:

Table 1: Relevant Planning History of the Application Site

Reference	Description	Outcome
22/01276/FULH	Layout parking and form vehicular access on to Westborough Road	Pending consideration
16/00468/FUL	Erect two storey dwellinghouse on land adjacent to 171 West Road, layout parking and form vehicular access on to Westborough Road (Amended Proposal)	Granted
15/01763/FUL	Erect two storey dwellinghouse on land adjacent to 171 West Road, layout parking and form vehicular crossover on to Westborough Road	Granted

4 Representation Summary

Call-in

- 4.1 The application has been called in to Development Control Committee by Councillor Garston.

Public Consultation

- 4.2 Fourteen neighbours were notified of the application by letter and a site notice was displayed. No representations have been received.

Environmental Health

- 4.3 No objections subject to conditions for traffic noise, refuse and recycling and construction.

Private Sector Housing

- 4.4 Property has been licensed since 2018 and no changes are proposed to the HMO as licensed. PSH usually only issue licences for the maximum number of persons requested on the licence application.

Essex Fire

- 4.5 No objection.

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), CP3 (Transport and Accessibility), CP4 (Environment and Urban Renaissance), 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), DM15 (Sustainable Transport Management).
- 5.6 Southend-on-Sea Design and Townscape Guide (2009)
- 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 The Essex HMO Amenity Standards (2018)
- 5.11 Community Infrastructure Levy (CIL) Charging Schedule (2015).

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, the design and impact on the character and appearance of the area, the residential amenity for future and neighbouring occupiers, the standard of accommodation, traffic and parking implications, refuse and recycling storage, mitigation for impact on designated sites, and CIL liability.

7 Appraisal

Principle of Development

- 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 users, while safeguarding and improving the environment and ensuring safe and healthy living conditions." Furthermore, the NPPF requires development to boost the supply of housing by delivering a wide choice of high-quality homes.
- 7.2 Policy CP8 of the Core Strategy identifies that the intensification of the use of land should play a significant role in meeting the housing needs of Southend, providing approximately 40% of the additional housing that is required to meet the needs of the City. Policy CP8 also expects 80% of residential development to be provided on previously developed land. The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the City.
- 7.3 Similarly, the Council's Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the City. The HDT and 5YHLS weigh in favour of the principle of the development, particularly in light of the tilted balance in favour of sustainable residential development as required by paragraph 11 of the NPPF. The proposal would result in the loss of one family sized unit and creation of one large HMO which is a modest contribution to the housing supply of the City.
- 7.4 Policy DM8 states that non-self-contained accommodation should be directed toward the central area of Southend or where such type of accommodation is needed by certain institutions, such as Southend Hospital or University of Essex. This Council's development framework does not currently contain any policies that specifically relate to HMOs. The NPPF states that where the development plan is silent the general presumption in favour of sustainable development should apply meaning that planning permission should be granted unless, "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."
- 7.5 Irrespective of the retrospective nature of this application, the planning considerations for the development must be assessed on their merits. In this regard, and when considering the building's lawful use as a single-family dwelling house, there would have been a potential fall-back position in relation to establishing an HMO use at the site. That is because the former dwelling could have been converted to a six-person HMO within Use Class C4 under the provisions of the General Permitted Development Order, without the need for express planning permission or prior approval by the Local Planning Authority. Whilst retention of the HMO development in situ would not provide any units suitable for family accommodation and would formalise loss of the former family dwelling, the need for additional housing and the fall-back position are considered in this instance to outweigh the conflict identified with policy CP8 of the Core Strategy.

- 7.6 The NPPF encourages the effective use of land and seeks to create sustainable, inclusive and mixed communities. Whilst the loss of family sized accommodation is a negative aspect of the development, on balance, there is no objection to the principle of an HMO in this location, subject to the material considerations discussed in the following sections of the report.

Design and Impact on the Character of the Area

- 7.7 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.
- 7.8 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 and the Council's Design and Townscape Guide provide further details on how this can be achieved.
- 7.9 No changes to the external appearance of the building are proposed as part of this application. Subject to adequate waste arrangements, addressed later in this report, the development is considered to be acceptable and policy compliant in terms of its impact on the character and appearance of the site, the streetscene and the area more widely.

Amenity Impacts

- 7.10 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.
- 7.11 HMOs are generally compatible with a residential setting. The nearest neighbouring residential properties to the application site are Nos 169 and 173 West Road, attached either side of the application site. No physical alterations are proposed as part of this application so there would be no impact on neighbours' amenity in terms of privacy, overlooking, outlook, sense of enclosure/overbearing relationship, daylight and sunlight. It is considered that the level of occupancy proposed would not give rise to any significantly harmful noise and disturbance or pollution to the material detriment of the amenity of neighbouring occupiers.
- 7.12 The development is acceptable and policy compliant in these regards.

Standard of Accommodation and Living Conditions for Future Occupiers

- 7.13 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.

7.14 In relation to residential standards for non-self-contained accommodation, Policy DM8 of the Development Management Document, states that all proposals of this nature will be required to meet the internal space standards set out in Policy Table 6 which states that a minimum bedroom size should be 6.5 sqm for single and 10.2 sqm. It also states for non-self-contained accommodation, each bedroom must have a convenient layout that provides appropriate hanging storage space for clothes; a study desk and chair; and shelving storage for books.

7.15 The Council has adopted the Essex Approved Code of Practice with respect to HMOs and this document represents a material planning consideration when read along with the above policy table, although it is noted that the Code of Practice is not a planning policy document. This document sets out the following standards for HMOs.

Table 1: Minimum room size requirements

Room size requirements are given in sq.m. For clarity, a room size of 12sqm is equivalent to a room measuring 4m by 3m and also a room measuring 6m by 2m.

Room use	Number of occupants	HMO with shared facilities (kitchen/ dining/living)	HMO with shared kitchen facilities (no shared living room)	HMO without shared facilities (i.e. bedsits or studios)
Bedroom or Letting	1	6.51sqm	8.5sqm	11sqm
	2	10.22sqm	12sqm	15sqm
Shared Kitchen	Up to 5	7sqm	7sqm	
	6	8.5sqm	8.5sqm	
	7	10sqm	10sqm	
	8 -10	14sqm (or 2 rooms each 7sqm)	14sqm (or 2 rooms each 7sqm)	
Shared Living/Dining Room	up to 5	11sqm	*5sqm	
	6	12sqm	*6.5sqm	
	7	13sqm	*8sqm	
	8	14sqm	*10sqm (or 2 rooms each 5sqm)	
	9	15sqm	*10sqm (or 2 rooms each 5sqm)	
	10	16.5sqm	*10sqm (or 2 rooms each 5sqm)	

Table 3: Minimum requirements for bathrooms/shower rooms and WC compartments

Occupants sharing	Bathrooms Comprising 1 Bath/Shower Unit (With Hot and Cold Water) and may contain a WC (but see * below)	Separate WC compartment with wash hand basin with H & C	Ventilation (suitable and adequate)	Adequate size and layout: Minimum floor area for safe use of bathroom
Less than 5	1	0	Mechanical ventilation is required in all bathrooms and WC compartments which lack natural ventilation via an openable window. It will also be required, in addition to any natural ventilation, where necessary, to mitigate problems of damp and mould. It is always recommended that where possible, in addition to any natural ventilation, mechanical ventilation is provided in all bathrooms and WC compartments.	Bath only 2.3sqm Bath & WHB 2.5sqm Bath,WC&WHB 2.8sqm Shower only 1.7sqm Shower&WHB 2.0sqm Shower,WC&WHB 2.2sqm WC & WHB 1.2sqm
	1	1		
6	2*	1		
7	2*	1		
8	2*	1		
9	2*	1		
10	2	2		
Ensuite for 1 or 2	1	0	Comments as above	

7.16 The asterisk* in table 1 indicates that for HMOs without a shared living room additional shared dining space is required close to a shared kitchen that is more than 1 floor distant from any letting room it serves.

7.17 All of the HMO rooms within this development meet the minimum size requirement (8.5 sqm) for single occupancy rooms, with no shared living room, when assessed against the Essex Approved Code of Practice (highlighted with an arrow in table 1).

Assessed against the Essex Approved Code of Practice, six of the seven rooms meet the size requirements for double occupancy rooms with no shared living room (i.e., 12sqm). So, in theory the application property could potentially accommodate a maximum 13 people in terms of bedroom capacity, subject to the application property meeting the other relevant criteria for an HMO of that size. The current HMO license is for a maximum 7 persons and was granted in October 2018 for five years. Private Sector Housing have confirmed that they usually only issue licences for the maximum number of persons requested on the licence application and the information submitted indicates that the rooms are restricted to single occupancy units. A planning condition can be imposed restricting the formation of any more than seven bedrooms and no more than seven residents, justified in planning terms and irrespective of separate licensing controls, by the following factors.

- 7.18 Firstly, the shared kitchen facilities (14.2 sqm) suffice only for a max of 10 residents according to the above standards (i.e., 14 sqm shared kitchen for 8-10 residents). Secondly, the development lacks any reasonable external amenity space and in this regard 7-person occupation is considered to be just within the limits of acceptability. Finally, some due weight has been given in this overall balanced assessment to the fallback position which existed for formation of a 6 bed HMO. In this regard 7-person occupation is a modest increase in number and impact, whereas less weight would be given for any greater number of potential residents when assessing the comparative impacts of the use and living conditions created for its occupiers.
- 7.19 On the above basis the development is in practice reasonably capable of providing accommodation for up to 7 persons within the required standards and site circumstances. All of the shower rooms would meet the minimum 2.2sqm required. On balance it is considered that each of the bedrooms would have adequate outlook and sunlight.
- 7.20 In regard to the issue of noise, Environmental Health have recommended a condition requiring a noise assessment in regard to traffic noise. Given that the proposal is for a change of use from one type of residential usage to another residential use and there are no external changes proposed, it is considered unreasonable and disproportionate to attach such a condition in this instance
- 7.21 There is no parking proposed in this application. An area to the rear of the site is used informally for parking and is subject to a separate application which seeks planning permission for this to be used for two parking spaces served by a new vehicle access onto Westborough Road. That development is outside the scope of the current application. Regardless of whether that separate application is approved or refused, no formal external amenity space is shown within the site which is a negative aspect of the development. Having regard to the existing site characteristics, which is of the higher-density form of accommodation typically found in the town centre, where limited amenity space might be expected and traded off against benefits such as the access to services and amenities, and to the density of occupation being limited to 7 persons as recommended, the lack of formal amenity space to serve the HMO is considered to be just within acceptable limits and is not considered to justify a reason for refusal on balance.
- 7.22 To sum up, when taken in the round and subject to the described conditions, the development is considered acceptable and in line with policy in the above regards.

Traffic and Transportation Issues

- 7.23 The NPPF states (para 111) that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or, the residual cumulative impacts on the road network would be severe.”
- 7.24 Policy CP3 of the Core Strategy and Policy DM15 of the Development Management Document aim to improve road safety, quality of life and equality of access for all. Policy DM15 of the Development Management Document states: “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”. The policy also requires that adequate parking should be provided for all development in accordance with the adopted vehicle parking standards.
- 7.25 The parking standards do not include any standards for HMOs. The submitted plans do not show that the development would have any on-site parking, albeit there is a separate application ref: 22/01276/FULH to layout two parking spaces and form a vehicular access on to Westborough Road under consideration. The following assessment is undertaken regardless of the outcome of the separate application proposing on-site parking with access to the highway. The site is in a sustainable location, within reasonable walking distance from the centre of Southend as well as local services along West Road and Westborough Road. The lawful use of the site as a dwellinghouse would attract a minimum standard of two spaces. Bearing in mind that the dwellinghouse on site could have initially been converted to a six-person HMO without the need for planning permission, the development in situ is not considered to have harmed highway safety, traffic or parking conditions of the area. As part of a balanced assessment, it should be noted that Inspectors at appeals have generally taken the view that HMOs in the City do not generate significant traffic movements or parking need.
- 7.26 Altogether the parking, traffic and highway safety impacts of the development in situ are considered to be acceptable and policy compliant. Highway officers have confirmed that they have no objection to the scheme on parking or highways grounds.
- 7.27 Cycle parking is not shown on submitted plans. Taking account of the Essex Approved Code of Practice Standards which states, “Where required, planning permission is likely to be dependent on the provision of either adequate vehicle parking and/or secure cycle storage for the number of occupants,” subject to a condition requiring the provision of a minimum of 7 secure and covered cycle parking spaces within the site no objection is raised on this basis. The development is acceptable and policy compliant in relation to traffic and transportation issues.

Refuse and Recycling

- 7.28 The submitted plans do not show waste storage facilities. There is space within the curtilage of the site for adequate provision but should be better screened. Existing bins are open to public view from Westborough Road. A condition is recommended requiring full details of these screened facilities to be approved and then provided, subject to which no objection is raised on this basis.

Sustainability

- 7.29 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)”.

Policy DM2 of the Development Management Document states that: “to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions”. This includes energy efficient design and the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.

- 7.30 No details have been submitted with the application to demonstrate whether the development meets the target of renewable energy sources covering at least 10% of the anticipated energy consumption in line with policy requirement or if/how the water consumption is limited. It is considered that the requirements for renewable energy and restrictions on water usage can be controlled with conditions. Care would be needed to ensure that any renewable technologies submitted for approval under such a condition would not harm the character and appearance of the area. Subject to conditions, this aspect of the development is, therefore, considered to be acceptable and policy compliant in these regards.

Ecology and RAMS

- 7.31 The proposal would not result in the loss of local ecological assets including wildlife habitats and significant or protected trees. 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). Any new residential development has the potential to cause disturbance to European designated sites and therefore development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017.
- 7.32 The development has changed from a C3 use to a HMO (sui generis). Whilst the proposal results in a material change of use, the development does not result in any additional uplift in the number of dwellings at the site so, the RAMS payment is not applicable in this instance.

Community Infrastructure Levy (CIL)

- 7.33 As the development does not create more than 100m² of floorspace and does not involve the creation of a new dwelling (Class C3), the proposal benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

Equality and Diversity Issues

- 7.34 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.

Conclusion

- 7.35 Having taken all material planning considerations into account, it is found that the development is acceptable and in line with the objectives of the relevant local and national policies and guidance.

The development, is, subject to conditions, acceptable in principle, is considered to offer acceptable living conditions for occupiers and to have an acceptable impact on the highway safety, traffic and parking conditions of the area. The development also results in an acceptable impact on residential amenity and can provide adequate refuse and recycling storage for the maximum number of occupiers which is to be controlled through planning conditions. This application is, therefore, recommended for approval subject to conditions.

8 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions

- 01 The development hereby approved shall be retained in accordance with the approved plan: 1574.01**

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

- 02 Notwithstanding the provisions of the Town and Country Planning Act 1990 (as amended) the development hereby approved shall not at any time be adapted to enable formation of more than seven (7) bedrooms and the property shall not be occupied by more than seven (7) residents at any one time.**

Reason: To ensure the use hereby approved would offer acceptable living conditions for its occupiers having regard to the need for commensurately sized shared kitchen facilities and lack of external amenity facilities and to protect the amenities of neighbouring occupiers and that character of the area in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, and Development Management Document (2015) Policies DM1, DM3 and DM8.

- 03 Within three months from the date of this permission, the development hereby approved shall be provided with at least 7 on site, secured and covered cycle parking spaces which shall be available for use by the occupiers of the development and their visitors in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority pursuant to this condition. If such details are not submitted to the Local Planning Authority and approved in writing within 3 months of the date of this permission the use as a 7 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The cycle parking shall then be implemented and made available for use within two months of the date of the approval of the details and in complete accordance with the agreed details. If the secure covered cycle parking is not implemented and/ or made available for use in full accordance with the details approved under this condition within 2 months of the date of the approval of the details by the Local Planning Authority the use as a 7 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The approved cycle parking shall be retained for the lifetime of the development.**

Reason: To ensure the provision of adequate cycle parking and in the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (Rev 2021) and the Southend-on-Sea Design and Townscape Guide (2009).

- 04** Within three months of the date of this grant of planning permission, the development hereby approved shall be provided with secure, screened and covered refuse and recycling storage which shall be available for use by the occupiers of the development in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. If such details are not submitted to the Local Planning Authority and approved in writing within 3 months of the date of this permission use as a 7 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The secure and covered refuse and recycling storage shall then be implemented and made available for use within two months of the date of the approval of the details and in complete accordance with the agreed details. If the secure and covered refuse and recycling storage is not implemented and/or made available for use in full accordance with the details approved under this condition within 2 months of the date of the approval of the details by the Local Planning Authority the use as a 7 bedroomed HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The approved cycle parking shall be retained for the lifetime of the development.

Reason: To ensure the provision of adequate waste, recycling and food waste storage and in the interest of visual amenity in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1, DM3, DM8 and DM15, and the advice contained within the National Design Guide (Rev 2021), the Southend-on-Sea Design and Townscape Guide (2009) and the Waste Storage, Collection and Management Guide for New Developments (2019).

- 05** Within 3 months from the date of this permission 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. If such details are not submitted to the Local Planning Authority and approved in writing within 3 months of the date of this permission the use as a 7 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The energy efficiency and other sustainability measures shall then be implemented within two months of the date of the approval of the details and in complete accordance with the agreed details. If the energy efficiency and other sustainability measures are not implemented and/ or made available for use in full accordance with the details approved under this condition within 2 months of the date of the approval of the details by the Local Planning Authority the use as a 7 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The energy efficiency and other sustainability measures shall be implemented for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) 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).

- 06 Within 3 months from the date of this permission, 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. If such details are not incorporated within 3 months of the date of this permission the use as a 7 bedroom HMO shall cease and revert to a six bed HMO (Use Class C4) until such time as they are. The water efficient design measures shall be implemented for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) 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).

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

- 1 You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See 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) for further details about CIL.
- 2 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.
- 3 The applicant is advised that no account is given consideration has been given in the determination of this application to the informal parking on site which is considered to represent a breach of planning control and if not regularised including by way of pending separate application 22/01276/FULH is likely to lead to the Council considering the expediency of enforcement action to seek to regularise any identified harm.