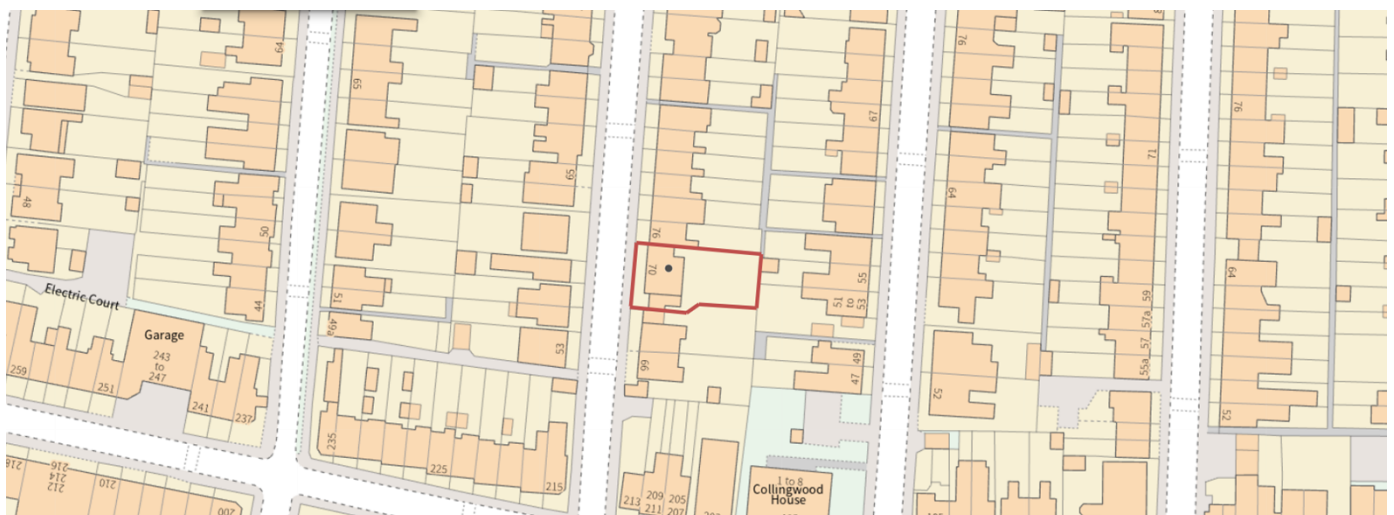


Reference:	23/01330/FUL	
Application Type:	Full Application	
Ward:	Westborough	
Proposal:	Change of use from 6-bedroom HMO (class C4) to 10 bedroom HMO (Sui Generis), demolish existing garage to side, install dormer to rear to form habitable accommodation in the loftspace, erect single storey side extension, install bin and cycle stores to rear, form 1no. additional parking space to front, form canopy over front entrance and alter elevations	
Address:	70 Westcliff Park Drive, Westcliff-on-Sea	
Applicant:	Mr Bradley Watkins	
Agent:	N/a	
Consultation Expiry:	28th September 2023	
Expiry Date:	3rd November 2023	
Case Officer:	Kara Elliott	
Plan Nos:	Location Plan, 1009-001, 1009-002, 1009-003, 1009-004, 1009-005, 1009-006	
Supporting Documents:	Security Design Proposal Statement Sept 2023, HMO Licence 23/00034/HMO5, Planning Statement V2 July 2023, Badger Survey 144323 August 2023	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The application relates to a two-storey, six-bedroom, detached building occupied as a House in Multiple Occupation (HMO) on the eastern side of Westcliff Park Drive. The junction with Westborough Road is towards the south of the site. The building is slightly raised from the highway and the neighbouring dwelling to the north. There is a gentle rise to the ground level from south to north.
- 1.2 The surroundings are mainly defined by a mix of semi-detached and terraced two-storey dwellings, some with accommodation in the roof space, traditional in appearance with pitched roofs and projecting front gables, finished in predominantly render, with brickwork detailing in instances and clay tile roofs in red and brown. The site and its immediate locality are not affected by any site-specific planning policy designations.

2 The Proposal

- 2.1 Planning permission is sought for change of use of the building from the existing six-room HMO, falling within the definition of Use Class C4, to a ten-room HMO which can accommodate more than six occupiers (maximum of ten occupiers proposed) and would be a Sui Generis use. The additional bedrooms would be formed from the replacement of the existing garage with a single storey side extension with a flat roof and false pitch at the front, measuring 3.6m high x 6.6m deep, set 2.9m behind the front building line (front bay) x 2.7m wide, reaching the site's northern boundary. A proposed flat roof rear dormer, also facilitating new habitable accommodation, at second storey would be set 800mm below the ridge height of the building 2.25m high x 7.6m wide x 3m deep, and set 650mm in from the flank elevations. The building's internal layout would be altered to facilitate additional bedrooms.
- 2.2 A timber canopy with a tiled monopitched roof is proposed over the existing entrance. Alterations are proposed to fenestration, including 3 no. rooflights to the front roof slope, a smaller window to the southern flank at ground floor and a set of bi-fold doors to the rear at ground floor.
- 2.3 A timber, lockable bike store, accommodating 10 no. bicycles is proposed within the rear of the site, attached to the rear wall. A secure bin store is proposed within the rear of the site.
- 2.4 The existing communal accommodation consists of a dining room and kitchen only. The proposed accommodation would comprise a kitchen/diner at ground floor with an additional, smaller dining room at first floor. Bedrooms range in size from 9.27sqm to 13.48sqm.
- 2.5 Removal of the existing garage and the set-back position of the proposed single storey side extension enable creation of an additional off-street parking space to the front of the site. The remains of a, largely demolished, front boundary wall would be removed and the frontage of the site re-laid with block paving. The 2 off-street car parking spaces would be served by existing crossovers from the highway.
- 2.6 The application is supported by a Badger Survey which identifies that a badger sett is in the property's rear, some 12m from the development, and proposes construction methods i.e., buffer zone and mitigation measures to prevent the development works causing any ecology harm in this regard.

3 Relevant Planning History

- 3.1 07/01179/FUL - Erect two storey rear/side extension incorporating replacement garage and convert detached dwelling into two semi-detached dwellings – Granted 27.09.2007

4 Representation Summary

4.1 The application has been called in to Development Control Committee by Cllr A Jones.

Public Consultation

4.2 22 No neighbouring properties were consulted, and a site notice was displayed. 6 No representations were received which are summarised below:

- Parking concerns
- Increase in noise and disturbance
- Potential for antisocial behaviour
- Overconcentration of HMO's in area
- Waste management concerns
- Strain on local services
- Out of character (HMO use)
- Green spaces should be encouraged
- Over-development of the site

[Officer comment]: The comments in the representations have been taken into consideration in the assessment of the application where they raise matters relevant to material planning considerations but are not found to be justifiable reasons for refusing planning permission in the circumstances of this case.

Highways

4.3 No objections. The site provides 2 off street parking spaces. It should be noted that the site is not suitable to include a parallel space as well. Should a vehicle park parallel as well as the 2 right angle spaces (highways) enforcement action will be taken. It is not considered that the proposal will have detrimental impact on the local highway network. The site benefits from being in a sustainable location with regard to public transport with good links in close proximity. Future occupiers will not be eligible for a residential parking permit.

Parks

4.4 No objections. Suggests conditions to secure recommendations in badger survey.

Environmental Health

4.5 No objections. Suggests conditions in relation to hours of construction and refuse and recycling.

Essex Police – Designing Out Crime

4.6 No objections. The security of the HMO has been thought out carefully and it appears that it would provide adequate security at the property.

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 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), DM15 (Sustainable

Transport Management).

- 5.5 Southend-on-Sea Design and Townscape Guide (2009)
- 5.6 Technical Housing Standards – Nationally Described Space Standards (2015)
- 5.7 The Essex HMO Amenity Standards (2018)
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.9 Community Infrastructure Levy (CIL) Charging Schedule (2015)
- 5.10 Electric Vehicle Charging Infrastructure for new development SPD (2021)
- 5.11 The Essex Coast Recreation Disturbance Avoidance Strategy (RAMS) (2020)
- 5.12 Protection of Badgers Act (1992)

6 Appraisal

Principle of Development

- 6.1 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.” Furthermore, the NPPF requires development to boost the supply of housing by delivering a wide choice of high-quality homes.
- 6.2 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the City. 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 carry weight in favour of the principle of the development given the proposed creation of additional housing.
- 6.3 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 however the building is already in use as an HMO and of some relevance to this proposal is the location of Southend Hospital less than a mile from the application site.
- 6.4 The NPPF encourages the effective use of land and seeks to create sustainable, inclusive and mixed communities. There is no objection to the principle of the creation or extension 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

- 6.5 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.

- 6.6 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.
- 6.7 The enlargements and alterations proposed are considered to result in development of acceptable form and design and would be finished in materials that would match the existing building. The side extension would set suitably back from the front building line (which is further back than the existing garage) and would have a false pitched roof at the front with corresponding fenestration to the existing building, assisting its assimilation with the main building. On this basis, the side extension would appear suitably integrated. The rear dormer follows the form and width of the building and so is wider than typical dormers elsewhere in the broader rear garden scene of which there are some nearby examples. However, it would be set sufficiently within the limitations of the rear roofscape and set down from the ridge such that, on balance, it is considered that it would not appear overly dominant or bulky.
- 6.8 Areas for waste and cycle storage are shown on the submitted plans. No character-based objections are raised to the position of the stores within the rear of the site. In terms of landscaping, the entire block-paving of the frontage of the site and complete omission of a front boundary wall is a modest negative element of the development as it results in a blank expanse of hard landscaping with no differentiation or articulation at a relatively wide site in relation to neighbouring plots. However specific details of landscaping to be incorporated can be agreed by condition subject to which the potential visual harm can be mitigated such that the streetscene impact would be acceptable.

Standard of Accommodation and Living Conditions for Future Occupiers

- 6.9 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.
- 6.10 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 6.5m² for single and 10.2m² for double bedrooms and that the accommodation must have some communal areas, such as a living room, kitchen, diner.
- 6.11 The Council has adopted the Essex Approved Code of Practice with respect to HMO's 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)	

*In 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.

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. <i>It is always recommended that where possible, in addition to any natural ventilation, mechanical ventilation is provided in all bathrooms and WC compartments.</i>	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	

*For properties with 6-9 occupants sharing there shall be a minimum of 2 wcs and 2 bathrooms and one of the wcs must be separate.

6.12 The development would create a 10-bedroom HMO with capacity for 10-persons. The proposed rooms are as follows:

Bed 1	10.36sqm	(2.2sqm ensuite)
Bed 2	13.48sqm	(2.2sqm ensuite)
Bed 3	10.73sqm	(2.55sqm ensuite accessible for all)
Bed 4	9.27sqm	(2.61sqm ensuite)
Bed 5	11.22sqm	(2.8sqm ensuite)
Bed 6	13.41sqm	(2.34sqm ensuite)
Bed 7	11.58sqm	(2.2sqm ensuite)
Bed 8	10.44sqm	(2.7sqm ensuite)
Bed 9	11.12sqm	(2.97sqm ensuite)

6.13 There would also be shared kitchen/dining facilities (some 20.3sqm) at ground floor, a separate laundry room and cupboard and a first floor communal room/dining room of some 6.5sqm. The rear garden amenity space for the residents amounts to approximately 240sqm.

6.14 The proposal would meet the Essex HMO Standards for a 10 person HMO containing 10 x single occupancy rooms without shared living room (each bedroom must be a minimum of 8.5sqm and the communal kitchen/dining provision a minimum of 24sqm). If any rooms became used as double occupancy, of which some are capable, this would result in

unacceptable living conditions. Therefore, it would be reasonable in this instance to limit, through a planning condition, all the rooms to single occupancy, to a maximum of 10 occupants overall.

- 6.15 All rooms would benefit from acceptable outlook and natural light. The communal amenity space would be sufficient for the proposed development. The proposed bin store would be located close to the only external opening for bedroom 3 which is not considered to be a suitable standard of living due to the potential noise and disturbance and odour issues from waste storage/use of bins. It is considered that a condition can be used to secure better placement of the refuse and recycling storage considering the large size of the amenity space.
- 6.16 On this basis and subject to conditions, the development is considered acceptable and in line with policy in the above regards.

Impact on Residential Amenity

- 6.17 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities and also: *“having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.”*
- 6.18 HMOs are generally compatible within a residential setting. It is not considered that the increase in capacity over the current occupancy of the site (6 persons) would give rise to any significantly harmful noise and disturbance or other significantly harmful amenity impacts for neighbouring occupiers.
- 6.19 The proposed side extension which replaces existing similar built form (a garage) and would abut the wall of the neighbouring No 76 Westcliff Park Drive would by reason of its size, scale and position not significantly harm the amenity of the neighbouring occupiers in any relevant regards. The proposed dormer would be positioned within the rear roofscape and due to its size, scale and siting would not significantly harm the amenities of the neighbouring occupiers in any relevant regards, including though loss of privacy or overlooking.
- 6.20 Due to their nature and position it is not considered that the alterations to the existing building, including alterations to fenestration, would significantly harm the amenity of neighbouring properties in any relevant regards.
- 6.21 All other dwellings are sufficiently removed from the proposal to prevent any significant harm in any relevant amenity regards. The proposal is therefore considered to be acceptable and policy compliant in terms of its amenity impacts.

Traffic and Transportation Issues

- 6.22 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.
- 6.23 The NPPF states 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. The Council's parking standards do not provide any standard requirements for HMOs. The proposal would provide two off-street parking spaces

following the formation of an additional parking space in front of the set-back single storey side extension, to be accessed via an existing vehicular access.

- 6.24 2 no. off street parking spaces are provided for the 10 rooms. In consideration of this, the site is considered to be in a sustainable location with regard to public transport options. The building is in use as a 6 person HMO served by one parking space. Enlargement to the 10 bed HMO proposed would be accompanied by an additional space. The Highways team have confirmed that occupiers of the development would not be eligible for parking permits. The proposal is, on balance, not considered detrimental to highway safety or the local highway network. On balance, it is not considered that the impact of the additional 4 bedrooms, effectively accompanied by one additional parking space, would have a significantly harmful impact on local parking conditions and would not be in the realms of a severe parking impact referred to in the NPPF. The parking impacts are therefore considered to be acceptable. The Highways team has raised no objections.
- 6.25 The additional car parking space must be provided with an active electric vehicle charging point to comply with the relevant SPD. This can be secured by condition.
- 6.26 Proposed plans also detail the provision of ten cycle parking spaces (one per bedroom) within a timber store. The provision of this can be secured by condition. Subject to this condition, the proposal is considered to be acceptable and policy compliant in relation to traffic and transportation issues.

Energy and Water Sustainability

- 6.27 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”. The same policy requires all new development to provide “water efficient design measures that limit internal water consumption to 105 litres per person per day (lppd) (110 lppd 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”.
- 6.28 No details have been submitted with the application to demonstrate whether the proposed development would meet the target of renewable energy sources covering at least 10% of the anticipated energy consumption in line with policy requirement or how the water consumption would be limited. 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 the described conditions this aspect of the proposal would, therefore, be acceptable and policy compliant in the above regards.

Ecology and Essex Coast RAMS

- 6.29 Paragraph 174 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...’
- 6.30 A qualified ecologist undertook a Badger Assessment and a site survey. One badger sett was recorded on the application site located some 12m away from the proposed development footprint. The report states that a monitoring exercise confirmed the sett is in active use, and it is recommended that a minimum of a 10m buffer zone be maintained between the sett and the

construction footprint through use of hazard taping and ring fencing and no building work is to be undertaken within the 10m buffer zone to prevent the development affecting badgers.

- 6.31 The ecology reports recommends that all construction works, including any digging of trenches for foundations or waste drainage to the rear of the property, take place outside of the 10m exclusion zone. The works to the patio that extends into the exclusion zone will consist of replacing the existing patio with new paving slabs and reusing the existing sub base so as not to cause any disturbance or risk to badgers by any digging.
- 6.32 The ecology reports recommends that the construction area be managed appropriately for the presence of nocturnal animals foraging at night and recommends safeguards to ensure that construction practices do not lead to injury or trapping of animals.
- 6.33 The Parks Team has not objected to the methodology or content of the badger report or to the proposed development and have recommended conditions including mitigation measures to protect badgers during construction as per the report's recommendations. It is considered that the information submitted by the applicant demonstrates that, subject to conditions, the proposal would not harm protected species and ecology more widely.
- 6.34 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast 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.
- 6.35 The development does not need to offer mitigation as it would enlarge an existing (HMO) dwelling with no increase in dwellings and would not have a significant effect on habitats and species. The development is acceptable and in line with policies in this regard.

Equality and Diversity Issues

- 6.36 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)

- 6.37 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.

Conclusion

- 6.38 For the reasons outlined above the proposal is found to be acceptable and compliant with the relevant planning policies and guidance. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is granted subject to conditions.

7 Recommendation

7.1 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 permission.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby approved shall be carried out in accordance with the approved plans: Location Plan, 1009-01, 1009-02, 1009-03, 1009-04, 1009-05, 1009-006.**

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

- 03 Before the development hereby approved is occupied the materials used on the external surfaces of the development must match those used on the external surfaces of the existing building. This applies unless differences are shown on the drawings hereby approved or are required by other conditions on this permission.**

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with Policy DM1 of the Development Management Document (2015).

- 04 Notwithstanding the provisions of the Town and Country Planning Act 1990 (as amended) the development and use of the building as a House in Multiple Occupation subject of this permission shall not at any time be adapted to enable formation of more than ten (10) bedrooms and the property shall not be occupied by more than ten (10) residents at any one time.**

Reason: To ensure the use hereby approved would offer acceptable living conditions for its occupiers 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.

- 05 Prior to the first use of the building for the purposes hereby approved, secure and covered cycle storage facilities for no fewer than 10 bicycles, shall be installed and made available to its occupiers in accordance with approved plan 1009-04 or in accordance with any other details which have been previously submitted to and approved in writing by the Local Planning Authority under the scope of this planning condition. The approved facilities shall be provided and made available for use prior to first occupation of the development hereby approved and shall be thereafter 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 (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

- 06 Notwithstanding the details shown on the approved plans, prior to the first use of the building for the purposes hereby approved a scheme for the means of appropriately sized and covered refuse and recyclable storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be**

implemented and made available for use prior to the first occupation of the development and retained for such purposes at all times thereafter.

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 (2021), the Southend-on-Sea Design and Townscape Guide (2009) and the Southend-on Sea Waste Storage, Collection and Management Guide for New Developments (2019).

- 07** Prior to the first use of the building for the purposes 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. The energy efficiency and other sustainability measures shall be maintained 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).

- 08** Prior to the first use of the building for the purposes hereby approved, 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 (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. 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).

- 09** Hours of works associated with this permission shall only be 8am - 6pm Monday to Friday, 8am - 1pm Saturday. No works shall be carried out on Sundays or Bank or Public Holidays.

Reason: In the interests of residential amenity 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 advice in the Southend-on-Sea Design and Townscape Guide (2009).

- 10** Notwithstanding the details shown on the approved plans, prior to the first occupation of the HMO development hereby approved, full details of both hard and soft landscaping works to be carried out at the site must be submitted to and approved in writing by the Local Planning Authority. The hard landscaping works shall be carried out in accordance with the approved details 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. means of enclosure of the site including any gates or boundary means of enclosure;**
- ii. hard surfacing materials;**
- iii. details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification;**

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 and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

- 11 Prior to the first occupation of the development hereby approved, no less than two (2) car parking spaces shall be provided and made available for use on site as shown on drawing no. 1009-04. One of the parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the development. The car parking spaces shall be retained solely for use by occupiers of the HMO and their visitors in perpetuity thereafter.**

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy CP3 of the Core Strategy (2007), Policy DM15 of the Development Management Document (2015) and the Electric Vehicle Charging Infrastructure (EVCI) for New Development Supplementary Planning Document (SPD) (2021).

- 12 The development hereby approved shall be carried out in strict accordance with the recommendations and mitigation measures and recommendations outlined at Section 14 of the approved MKA Ecology Badger Survey Ref 144323 dated August 2023.**

Reason: To ensure the development provides biodiversity and ecology benefits in accordance with the National Planning Policy Framework (2021) and Core Strategy (2007) Policies KP1, KP2 and CP4.

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.

INFORMATIVE

- 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 reminded that the refuse and recycling storage as proposed is unacceptable as it is located too close to the opening for bedroom 3 and a revised siting must be approved under the terms of condition 6 of this planning permission.
- 4** The applicant is reminded that the landscaping at the front of the site (complete hardstanding) as proposed is unacceptable and a landscaped buffer and front wall is required, details of which must be submitted and agreed in accordance with condition 10 of this planning permission.
- 5** The applicant is reminded of the discussions with Essex Police Designing Out Crime Team regarding security measures and review any proposed changes to the built environment and physical design of the building. Contact: designingoutcrime@essex.pnn.police.uk
- 6** You are advised that future occupiers of the development will not be eligible for parking permits.