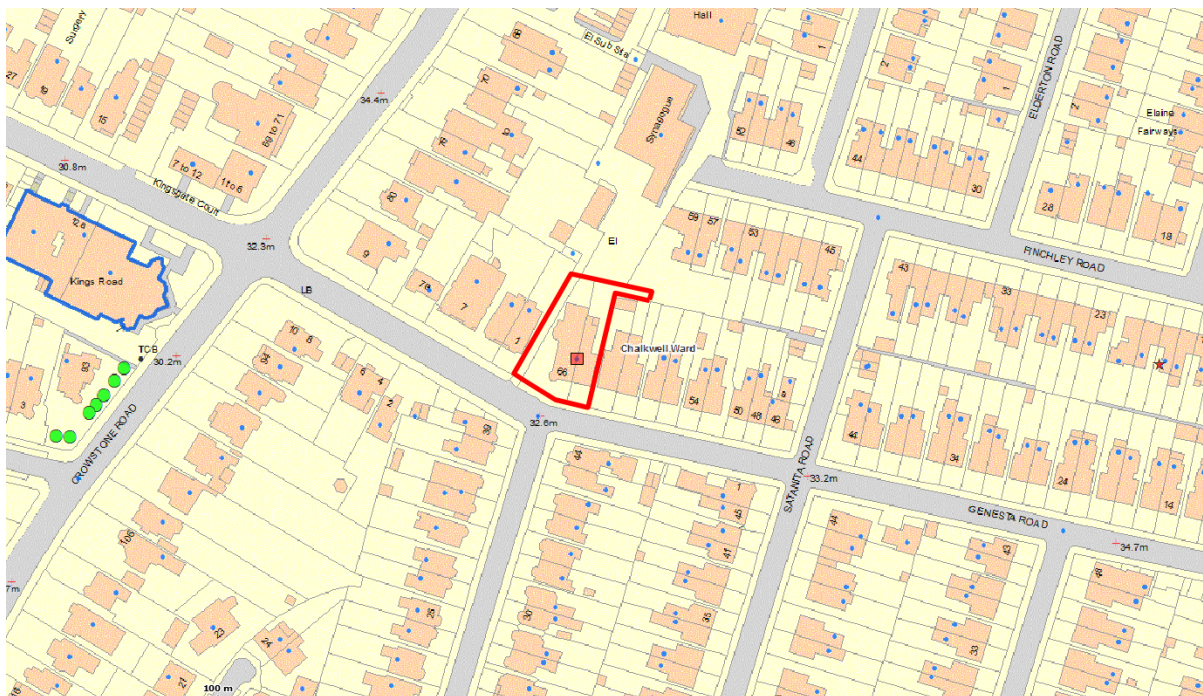


Reference:	22/01034/FUL	
Application Type:	Full Application	
Ward:	Chalkwell	
Proposal:	Convert residential care home (Class C2) to create six self-contained flats (Class C3), install dormers to rear/sides, layout parking and bin storage to front and alter elevations	
Address:	Ailsa House, 64 - 66 Genesta Road, Westcliff-on-Sea, Essex, SS0 8DB	
Applicant:	Rajesh and Pooja Nair	
Agent:	Knight Gratrix Architects	
Consultation Expiry:	28.07.2022	
Expiry Date:	29.07.2022	
Case Officer:	Oliver Hart	
Plan Nos:	010B; 11E; 015D	
Supporting Documents:	Justification Statement	
Recommendation:	DELEGATE to the Director for Planning or the Development Control Service Manager to grant planning permission subject to the conditions set out in the main report provided any additional representations received up to the end of 28 July 2022 do not raise any new considerations which have not been addressed within the report. Should further representations be received up to that date which raise new considerations not already addressed within this report the application is to be brought back to Development Control Committee for determination.	



1 Site and Surroundings

- 1.1 The application relates to a vacant pair of semi-detached two storey buildings on the north side of Genesta Road at its transition to Kings Road continuing westward. They were most recently used as a single 15-bedroom care home. The site is within a residential area characterised by large semi-detached dwellings, many of which have been sub-divided into flats.
- 1.2 It is situated within its own curtilage with a vehicular access from Genesta Road providing off street parking for 4no. vehicles. The site frontage is finished entirely in hard standing and this is an established feature at the site. An unmade and non-adopted vehicular accessway which has been included within the site edged red has its access point from Genesta Road. Some planting to the west of the site's front curtilage comprises small trees approx.2-3m in height.
- 1.3 The site itself has no specific allocation within the Development Management Document's Proposals Map

2 The Proposal

- 2.1 The application proposes the conversion of the care home into 6 self-contained residential flats; three at ground floor, two at first floor and following the erection of a roof extension to rear, the provision of a sixth flat within the enlarged roof space. The dimensions of the proposed flats are:
 - Flat 01 2b/3p 63sqm
Bedroom 1; 13.2sqm Bedroom 2; 7.6sqm
 - Flat 02 2b/3p 65sqm
Bedroom 1; 11.5sqm Bedroom 2; 7.5sqm

- Flat 03 3b/5p 101sqm
Bedroom 1; 17.6sqm Bedroom 2; 16.7sqm Bedroom 3; 8.5sqm
- Flat 04 3b/5p 97sqm
Bedroom 1; 14sqm Bedroom 2; 11.5sqm Bedroom 3; 7.3sqm
- Flat 05 3b/5p 101sqm
Bedroom 1; 14.8sqm Bedroom 2; 11.9sqm Bedroom 3; 10.3sqm
- Flat 06 2b/3p 70sqm
Bedroom 1; 15.9sqm Bedroom 2; 9sqm

- 2.2 The three ground floor flats would have individual private amenity areas enclosed by 1.8m high boundary fencing. A communal amenity space would also be provided to the rear of the building.
- 2.3 Refuse storage is proposed along the western flank boundary of the application site. Cycle storage is proposed within the communal area to the rear of the site. The area to the front of the site would be partially soft landscaped and 6 parking spaces (one per flat) would be laid out to the front of the building in two separate areas utilising existing crossovers. Details of soft landscaping have not been provided.
- 2.4 Limited external changes are proposed comprising: removal of the ground floor conservatory to the west flank boundary, installation of four roof lights to rear, installation of a new window to the front gable to match an existing opening, installation of four new windows to the ground floor west flank elevation and the installation of a new window to the rear elevation at ground floor.

3 Relevant Planning History

- 3.1 11/00470/FUL- Hipped to gable roof extension with dormer to rear to form habitable accommodation in the loftspace, erect part single/part two storey side and rear extension and new porch to front - Refused
- 3.2 08/00823/FUL- Erect part single/part two storey rear extension and single storey side extension - Refused
- 3.3 05/01281/FUL- Erect single storey extension and first floor extension at rear (amended proposal) - Granted
- 3.4 04/00295/FUL- Erect first floor rear extension with external staircase to be used ancillary to care home - Refused
- 3.5 03/01373/FUL- Erect single storey side extension - Granted
- 3.6 00/00974/FUL- Demolish garage, erect single storey extension to rear of residential care home (class C2) (amended proposal) - Granted

4 Consultation Responses

Public Consultation

4.1 Councillor Folkard has called the application in for consideration by the Development Control Committee.

4.2 Twenty-two neighbours were notified and a site notice was displayed. At the time of report preparation three letters of objection had been received. These are summarised below. Re-consultation has been undertaken through a second round of notification letters and a fresh site notice display following changes to the proposal including incorporation of the unmade side access into the site edged red plus a redesign of the proposed roof extension. That consultation period has not yet expired and in particular the site notice expiry date is not until one day after the date of this Committee meeting. These circumstances are reflected in the wording of the recommendation at Section 9 of this report.

- Insufficient parking
- Lack of parking would exacerbate existing parking stress

Officer Comments: The concerns in the above representations are noted and where they refer to material planning considerations they have been taken into account in the assessment of the application, but they have not been found to represent reasons justifying refusal of planning permission on those grounds in the circumstances of this case.

Environmental Health

4.3 No objections subject to the imposition of a construction hours and refuse and recycling condition.

Highways

4.4 No objections.

Adult Social Care

4.5 No objection.

5 Planning Policy Summary

5.1 National Planning Policy Framework (NPPF) (2021)

5.2 Planning Practice Guidance and National Design Guide (2021)

5.3 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision) and CP6 (Community Infrastructure).

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), DM8 (Residential Standards) DM9 (Specialist Residential Accommodation) and Policy DM15 (Sustainable Transport Management).

- 5.5 Southend-on-Sea Design & Townscape Guide (2009).
- 5.6 RAMS (Essex Coast Recreational disturbance Avoidance Mitigation Strategy) SPD (2020)
- 5.7 Community Infrastructure Levy Charging Schedule (2015).
- 5.8 Waste Storage, Collection and Management Guide for New Developments (2019)
- 5.9 Electric Vehicle Charging Infrastructure for new development (2021)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development including the loss of the care home and change to Class C3 residential use, design and impact on the character of the area, living conditions for future occupiers, impact on residential amenity, any traffic and transport issues, sustainability and CIL (Community Infrastructure Levy) and RAMS considerations.

7 Appraisal

Principle of Development:

- 7.1 Government guidance contained within the National Planning Policy Framework encourages effective use of land in particular previously developed land (para.119).
- 7.2 Policies KP1 and KP2 of the Core Strategy seek to promote sustainable development, and Policy KP2 seeks to direct the siting of development through a sequential approach, minimising the use of 'greenfield' land. The proposal would re-use previously developed land, consistent with the surrounding residential character.
- 7.3 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 the Southend Borough, providing approximately 40% of the additional housing that is required to meet the needs of the Borough. Policy CP8 also expects 80% of residential development to be provided on previously developed land.
- 7.4 The results of the Housing Delivery Test (HDT) published by the Government show that there is underperformance of housing delivery in the Borough. Similarly, the Council's Five-Year Housing Land Supply (5YHLS) figure shows that there is a deficit in housing land supply in the Borough. The South Essex Strategic Housing Market Assessment (SESHMA) identifies that Southend has a higher proportion of flats/maisonettes and a housing stock comprised of a greater proportion of one-bed units and smaller properties a consequence of which is that there is a lower percentage of accommodation of a suitable size for families.

- 7.5 Policy CP6 states that new development should demonstrate that it will not jeopardise the Borough's ability to improve the education attainment, health and well-being of local residents and visitors to Southend. Policy DM9 states that the Council supports independent living and avoid an over-provision of residential care, together with improvement of existing provision.
- 7.6 The Council's Adult Social Care service raised no objection to the proposed loss of the care home following a sustained period of low occupancy and demand at the site and rising operating costs. The development would occupy previously developed land within the built-up area, in flood zone 1. This is therefore a sequentially preferable type of location for residential development. Moreover, the proposal would provide three units of family sized accommodation for which there is an identified need in the City.
- 7.7 On this basis, it is considered that the proposal is acceptable as a matter of broad principle, subject to detailed considerations assessed below.

Design and Impact on the Character of the Area:

- 7.8 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.
- 7.9 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.
- 7.10 The proposed development relates to the extension and conversion of the building and would not result in a greater coverage of the site. A limited number of external changes are proposed which are located mainly to the rear of the building. These include the erection of a pitch roofed extension to the rear roofslope, the installation of four roof lights to the rear, installation of a new window to the front gable to match an existing opening, installation of four new windows to the ground floor west flank elevation and the installation of a new window to the rear elevation at ground floor.
- 7.11 The rear roof extension proposed is considered to be of a suitable size, scale and design such that they are considered to appear suitably subservient and integrated with respect to the main rear roof slope. Moreover, only glimpsed views would be possible from Kings Road such that its Impact in the streetscene would be limited.
- 7.12 The other alterations would integrate satisfactorily with the existing building and would not result in any material harm to the character and appearance of the site, the streetscene, or wider surrounding area.

- 7.13 The proposal would result in the loss of 3no. trees to the western part of the site to facilitate the additional two parking spaces. The application site is not in a conservation area nor are the trees protected by a Tree Preservation Order (TPO). The amenity value of the trees is also considered to be limited. A degree of soft landscaping is proposed to the front garden area which is considered to offset some of the resultant visual impact following their loss. Subject to details of landscaping, no significant harm would be caused so no objection is raised on this basis.
- 7.14 Refuse and cycle storage facilities for the whole development are shown to the western boundary (refuse) and communal rear amenity space (cycle store). It is considered these are set sufficiently away from the public highway and, subject to details including elevations to be submitted and approved, no objection is raised to their proposed siting.
- 7.15 The development is therefore acceptable and policy compliant in these respects.

Impact on Residential Amenity

- 7.16 Paragraph 343 of The Design and Townscape Guide (2009), under the heading of “Alterations and Additions to Existing Residential Buildings” states, amongst other criteria, that extensions and alterations must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management Document also states 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.”*
- 7.17 The proposed conversion of the care home to residential dwellings and the other relatively minor external alterations in the front and rear elevations would not have a detrimental impact on the amenity of neighbouring residential properties in any relevant regard. The proposed changes in the west facing elevation, notably the provision of four additional windows at ground floor would not result in materially different impacts on the neighbouring occupiers on the western side of Kings Road than those that already exist, seeing as these would be in the broad location of the conservatory to be removed. The changes to the rear elevation include the removal of a conservatory and the installation of four rooflights and the erection of a rear roof extension which would not project beyond the existing confines of the roof slope. It is not considered that these elements would result in materially different impacts on the neighbouring occupiers in Kings Road to the west, or Genesta Road to the east, to those that already exist or which would be significantly harmful to amenity in their own right. Whilst rooflights are proposed to either flank roof slope of the rear roof extension, their elevated position is such that it would preclude harmful views to neighbouring properties.
- 7.18 In terms of noise and disturbance, the former care home had 18 bedrooms with commensurate staffing. The design capacity of the proposed six flats would be for up to 24 people with an additional two off street parking spaces.

The patterns and levels of activity would vary but given that the site is separated from neighbouring dwellings, on balance it is considered that the proposal would not result in additional noise and disturbance to a degree that would be significantly harmful to amenity or would warrant refusal of the application on these grounds.

7.19 The proposal is therefore acceptable and policy compliant in the above regards.

Standard of Accommodation:

7.20 Paragraph 17 of the NPPF states that *“planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:

- Minimum property size for a 2 bedroom, 3 person flat over 1 storey is 61 sqm (1 storey dwelling).
- Minimum property size for a 3 bedroom, 5 person flat over 1 storey is 86 sqm (1 storey dwelling).
- Bedroom Sizes: The minimum floor area for bedrooms to be no less than 7.5sqm for a single bedroom with a minimum width of 2.15m; and 11.5sqm for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
- Floorspace with a head height of less than 1.5m should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

Weight should also be given to the content of policy DM8 which sets out standards in addition to the national standards including the provision of a storage cupboards, private outdoor amenity space, safe cycle storage and the provision of refuse facilities

7.21 The proposed flats would have dimensions as set out above in paragraphs 2.2 of this report that, bar bedroom 3 of flat 04 (which would fall some 0.2sqm below the required 7.5sqm for consideration as a single bedroom), would comply with the abovementioned standards and would provide adequate living conditions for future occupants in terms of outlook, daylight and sunlight and ventilation. Whilst a less positive aspect of the scheme, the slight deficiency of bedroom 03 (some 0.2sqm) is considered minor in the overall context of the application, and as part of a balanced assessment overall is not considered to result in a significantly harmful impact on the living conditions for future occupiers of this unit.

- 7.22 The main living areas of Flats 01 and 03 to the front of the building would have an outlook over landscaped areas and proposed car parking areas. This is not a positive aspect of the proposal. On balance, it is considered that these factors in themselves would not be significantly harmful, nor would they warrant refusal of the application on these grounds as part of a balanced assessment overall.
- 7.23 The Design and Townscape Guide (paragraph 78) states: *“New development and public space should be easy to understand to enable the users to find their way around. In particular both pedestrian and vehicular entrances must be easily identified and visible from the public highway. Buildings and landscaping should be used to make the routes attractive, recognisable and distinctive to assist orientation”*. The Design and Townscape guidance also advises that the primary entrance should be provided in street facing elevations. The entrances to the building would be via existing entrances in the front elevation which would be acceptable.
- 7.24 The new six flats would be either two or three bedroomed. All of the three-bedroom flats would be capable of occupation by up to 5 persons. The remaining flats would be capable of occupation by up to 3 persons. Private amenity space is proposed for the ground floor flats 1, 2 & 3 although the configuration proposed does not suitably preclude overlooking of ground floor habitable room windows. A condition can be imposed requiring a landscaping to mitigate the impacts to prevent any harmful overlooking.
- 7.25 A 75sqm rear communal amenity space would be accessed via a side accessway to the western boundary some 29m deep. Whilst the access arrangement is a less positive aspect of the scheme, the extent of communal amenity space is considered acceptable for the whole development. On this basis, the issue of access in itself would not warrant refusal of the application on these grounds. An existing modest balcony area will be retained to serve first floor flat 05 which is further weighed into the balanced assessment of future occupiers' living conditions.
- 7.26 Facilities for refuse storage are shown on the submitted plans to the west of the site, some 8m away from the public highway which is positive aspect of the proposal. Subject to a condition requiring elevation details, this element of the proposal is acceptable.
- 7.27 Internal noise matters would fall under the separate remit of the Building Regulations.
- 7.28 By reason of being a conversion it is considered that it is not reasonable for the applicant to be required to demonstrate that the development would accord with Part M4(2) of the Building Regulations.
- 7.29 It is considered, on balance, that the living conditions created for future occupiers would be acceptable and policy compliant subject to the described conditions.

Highways and Transport Issues:

- 7.30 Policy DM15 states that each flat at the site should be served by one parking space. Policy DM15 also states that “Residential vehicle parking standards may be applied flexibly where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport and/ or where the rigid application of these standards would have a clear detrimental impact on local character and context.” The existing site has four off street parking spaces to the front of the building. The space standards for C2 uses including care homes are 1 space per resident staff + 1 space per 3 bed spaces/dwelling units. As the premises is presently vacant, the previous levels of staffing are not known. Whilst expressed as a maximum parking requirement, it is considered on the information available (that the previous use operated as a 15 bedroom care) it would generate a notional “minimum” parking requirement of 5 spaces.
- 7.31 It is proposed to utilise an existing vehicular access to the west of the site to increase the number of on-site parking spaces to six to serve this development. Whilst not in ownership by the applicant, title deeds have been provided to demonstrate the application site has a legal Right of Way over this land. Such provision meets the relevant parking standard (1 space per flat) so is acceptable and policy compliant in its own right. Furthermore, the site is within walking distance to public transport facilities including Westcliff Station and amenities available in Hamlet Court Road. No objection is raised on parking or highway safety grounds. Highways have not objected
- 7.32 Facilities for cycle storage are shown on the submitted plans to the rear of the building and this could be provided in an acceptable manner which would be accessible to all occupants.
- 7.33 In line with the council's EV charging policy for new dwellings, a condition will also be attached requiring all on-site parking spaces be fitted with EV charging points.
- 7.34 Subject to such conditions, the proposal would be acceptable and policy compliant in the above regards.

Sustainability

- 7.35 Policy KP2 of the Core Strategy states: “All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources” and that “at least 10% of the energy needs of a new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources)”.
- 7.36 No details have been submitted to demonstrate how this proposal would provide 10% of the energy needs however there is space to provide this, e.g. PV cells on the roof slopes. This can be secured by condition.

- 7.37 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst limited details have been submitted for consideration at this time, this can be dealt with by a condition.

Other Matters

Equality and Diversity

- 7.38 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.

Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS)

- 7.39 The site falls within the Zone of Influence for one or more European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS). It is the Council's duty as a competent authority to undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation. Any new residential development has the potential to cause disturbance to European designated sites and therefore the development must provide appropriate mitigation. This is necessary to meet the requirements of the Conservation of Habitats and Species Regulations 2017. The RAMS Supplementary Planning Document (SPD), which was adopted by Full Council on 29th October 2020, requires that a tariff of £127.71 (index linked) is paid per dwelling unit. This will be transferred to the RAMS accountable body in accordance with the RAMS Partnership Agreement. The applicant has made this payment and therefore the ecological implications of the site can be considered acceptable and policy compliant.

Community Infrastructure Levy

- 7.40 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 576 sqm, which may equate to a CIL charge of approximately £ 14,710 (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 development plan policies and guidance. In principle, the loss of the care home and the conversion of the building to form new dwellings in this location is appropriate. It is considered that the alterations would satisfactorily maintain the character and appearance of the host building and the surrounding area. It is considered that the development does not cause material harm to the amenities of neighbouring residents or the safety of the highway and provides adequate amenities for future occupiers. This proposal creates new housing. Therefore, if any harm were identified 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 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 *National Planning Policy Framework* is whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when considered against the policies of the *Framework* taken as a whole. No such impacts have been found and this application is recommended for approval subject to conditions. It is recommended that planning permission is granted.

9 Recommendation

DELEGATE to the Director for Planning or the Development Control Service Manager to grant planning permission subject to the conditions set out in the main report provided any additional representations received up to the end of 28 July 2022 do not raise any new considerations which have not been addressed within the report. Should further representations be received up to that date which raise new considerations not already addressed within this report the application is to be brought back to Development Control Committee for determination.

- 01 The development hereby permitted shall begin not later than three years from the date of this decision.

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

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: 010B; 11E; 015D

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

- 03 Water efficient design measures as 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 shall be installed and made available for use prior to the first occupation of the development hereby approved and retained in perpetuity.

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

- 04** Prior to the first occupation of the development hereby approved full details of refuse, recycling and cycle facilities (including elevations) at the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development hereby approved, refuse, recycling and cycling facilities shall be provided and made available for use at the site in accordance with the approved details and retained in perpetuity thereafter for that use.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate 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).

- 05** All new work to the outside of the building subject of this approval must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

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) Policy DM1, and the advice in the National Design Guide (Rev 2021) and the Southend-on-Sea Design and Townscape Guide (2009).

- 06** Prior to the first occupation of the dwellings hereby approved, full details of both hard and soft landscape 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, unless otherwise agreed in writing by the Local Planning Authority. The details submitted shall include, but not limited to:-

i. means of enclosure of the site including any gates or boundary fencing including the separation of the ground floor private amenity areas serving

- flats 01, 02 and 03; to suitably prevent overlooking;
- ii. car parking layouts;
 - iii. details of soft landscaping to prevent overlooking into ground floor areas from use of the parking spaces;
 - iv. other vehicle and pedestrian access and circulation areas;
 - v. hard surfacing materials;
 - vi. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
 - vii. details of measures to enhance biodiversity within 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 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).

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

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

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

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

- 09 Prior to the first occupation of the residential units hereby approved, no less than six car parking spaces shall be provided and made available for use on site by occupiers of the new flats as shown on drawing no. 011E. All of the resident parking spaces shall be fitted with an active electric vehicle charging point prior to first occupation of the flats. The car parking spaces shall be retained solely for use by occupiers and visitors to the approved development.

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) and Policy DM15 of the Development Management Document (2015).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

01. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

02. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.