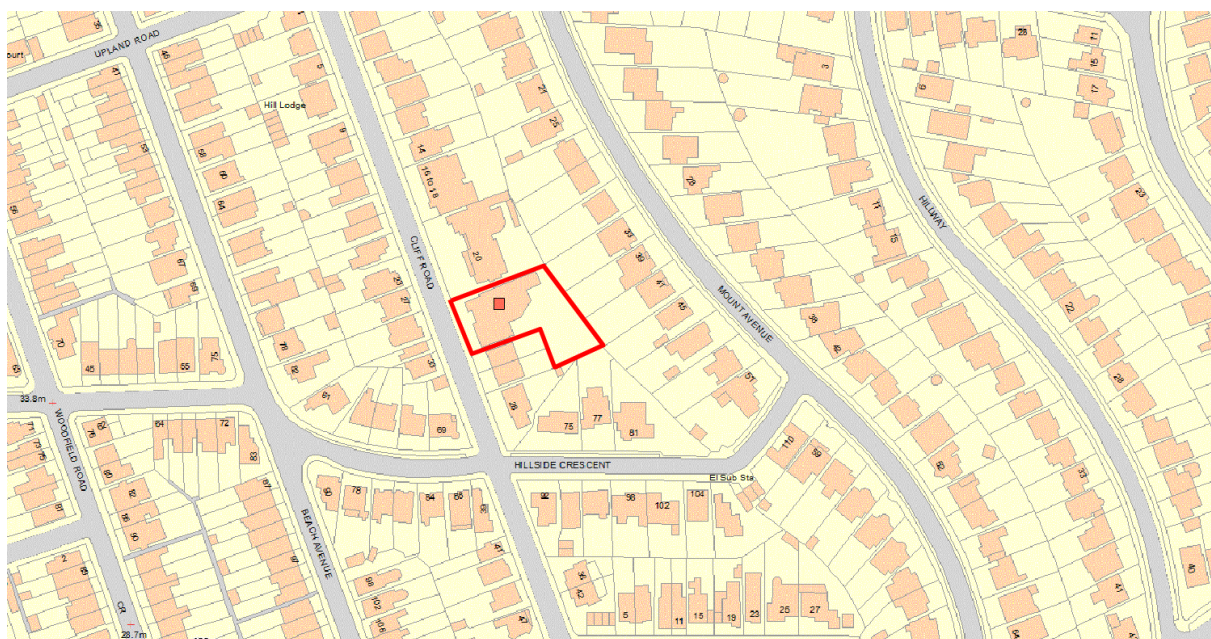


Reference:	22/00841/FUL	
Application Type:	Full Application	
Ward:	Chalkwell	
Proposal:	Convert existing residential home (Class C2) into 9no. self-contained residential units (Class C3) with associated parking	
Address:	Brambles Care Home, 22 Cliff Road, Leigh-on-Sea, Essex, SS9 1HJ	
Applicant:	Mr Ken Kandola	
Agent:	Mr Gary Cumberland of Form Architecture Ltd.	
Consultation Expiry:	24.05.2022	
Expiry Date:	29.07.2022	
Case Officer:	Oliver Hart	
Plan Nos:	1838/01A; 1838/02A; 1838/03A; 1838/04A	
Supporting Documents:	Design and Access Statement; Transport Note (WIE18925.101.R.1.2.3); Justification Statement	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



1 Site and Surroundings

- 1.1 The application site is occupied by a four-storey detached property on the eastern side of Cliff Road. The building is used as a care home with 26 rooms, the majority of which benefit from an en-suite WC. The ground floor contains communal facilities. There is an internal lift that serves the ground, first and second floors. The buildings frontage is a hard surfaced and used for parking for five vehicles. .To the rear is a large communal amenity space. Existing refuse storage is located to the northern flank of the application site. Land levels slope downwards from north to south across the site.
- 1.2 The wider surrounding area is residential in character. The site itself has no specific allocation within the Development Management Document's Proposals Map and is not subject to any planning policy designations.

2 The Proposal

- 2.1 The application proposes the conversion of the care home into nine self-contained residential units; one flat at lower ground floor, four units at ground floor including two maisonettes, two at first floor and two at second floor. The dimensions of the proposed flats are:
- Unit 1 1b/2p 59sqm; Bedroom 1; 12sqm
 - Unit 2 2b/3p 61sqm; Bedroom 1; 13sqm Bedroom 2; 10sqm
 - Unit 3 1b/2p (Maisonette) 59sqm; Bedroom 1; 14sqm
 - Unit 4 2b/4p 85sqm; Bedroom 1; 17sqm Bedroom 2; 14sqm
 - Unit 5 3b/6p (Maisonette) 186sqm; Bedroom 1; 14.8sqm Bedroom 2; 11.9sqm Bedroom 3; 10.3sqm
 - Unit 6 2b/3p 74sqm; Bedroom 1; 15sqm Bedroom 2; 8sqm
 - Unit 7 3b/6p 118sqm; Bedroom 1; 15sqm Bedroom 2; 14sqm Bedroom 3; 15sqm
 - Unit 8 2b/3p 76sqm; Bedroom 1; 16sqm; Bedroom 2; 10sqm
 - Unit 9 3b/5p 112sqm; Bedroom 1; 16sqm Bedroom 2; 12sqm Bedroom 3; 10sqm
- 2.2 Units 2 and 4 at ground floor would be served by their own individual private amenity areas some 18sqm and 22sqm respectively. Unit 6 at first floor would be served by a reinstated balcony feature some 7.5sqm in area. A communal amenity space would also be provided to the rear of the building some 562sqm in area.

- 2.3 Refuse storage is proposed along the northern 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 retained for parking, with an additional space (six in total) proposed to the southern flank boundary, utilising existing crossovers.
- 2.4 The change of use concerns significant internal revisions to the layout. Limited external changes are proposed comprising a new rooflight to the front elevation, removal of an existing wheelchair access ramp and the existing ground floor conservatory to the rear, erection of new terrace areas serving units 2 and 4 and a new sliding door serving the living/dining/kitchen area serving unit 1. A balcony would be re-instated at first floor serving unit 6.

3 Relevant Planning History

- 3.1 22/01093/TPO- Reduce 2 Oak Trees (T1 and T2) to rear by 3m and general maintenance (Works to a tree covered by a Tree Preservation Order)- Granted
- 3.2 16/00732/TPO- Prune one Oak tree to rear (Works to a tree covered by a tree preservation order)- Granted
- 3.3 15/00444/FUL- Demolish existing conservatories and external staircase, erect replacement conservatory and external staircase to rear, dormers to front, side and rear elevations and alter roof to form additional accommodation, layout hardstanding at lower ground level rear- Granted

4 Consultation Responses

Public Consultation

- 4.1 Twenty-three neighbours were notified, and a site notice was displayed. Thirteen letters of objection from twelve addresses have been received. These are summarised below:

- Concerns about impact on residential amenity
- Noise, disturbance and privacy concerns from use of the terraces/balcony.
- Noise and disturbance concerns from general increase in number of occupants of the building and use of communal rear garden.
- Lack of parking would exacerbate existing parking stress.
- Concerns with the data contained within the Transport Note submitted
- Concern about future of existing residents.
- Concerns about devaluation of neighbouring properties.
- Impact on facilities such as sewerage, Wi-Fi etc.

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

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

Highways

- 4.3 There are no highway objections to this proposal.

Adult Social Care

- 4.4 No objection.

Call-in

- 4.5 The application has been referred the Council's Development Control Committee by Councillor Folkard.

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 and Townscape Guide (2009).
- 5.6 Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) SPD (2020)
- 5.7 Community Infrastructure Levy (CIL) 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)
- 5.10 Technical Housing Standards – Nationally Described Space Standards (2015)
- 5.11 Technical Housing Standards Policy Transition Statement (2015)

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 City, 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.
- 7.4 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 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 City'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 conversion and external alteration 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 a new rooflight to the front elevation, removal of an existing wheelchair access ramp and the existing ground floor conservatory to the rear, erection of terrace areas serving units 2 and 4 and a new sliding door serving the living/dining/kitchen area of unit 1. A balcony appears to be re-instated at first floor serving unit 6.
- 7.11 These alterations are limited in their scope and are considered to 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.
- 7.12 Refuse and cycle storage facilities for the whole development are shown to the northern flank 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.
- 7.13 The development is therefore acceptable and policy compliant in these respects.

Impact on Residential Amenity

- 7.14 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."*

- 7.15 The proposed conversion of the care home to residential dwellings relies predominantly on internal alterations. The exterior changes which include the removal of an existing wheelchair access ramp and conservatory addition, as well as the provision of a new opening serving unit 1 and rooflight to the front elevation are not considered to result in materially different impacts on the neighbouring occupiers than those that already exist. None of the changes would be significantly harmful to amenity in their own right or collectively.
- 7.16 The proposed addition of ground floor terrace areas and re-instatement of a first-floor balcony area do however have the potential to result in materially different impacts on the neighbouring occupiers to the south along Cliff Road on account of their elevated position and orientation facing toward the rear gardens of those neighbouring properties south.
- 7.17 With regards to the first-floor balcony, due regard is had to historical imagery which demonstrates a balcony feature in this location has been an established feature for some time.

Image 1- site photo from a 2015 planning application clearly shows a first-floor balcony in the same position and of almost identical dimension.



- 7.18 Moreover, a separation of some 11m would be retained from the shared boundary with No.24 Cliff Road and some 16m from the rear of No.24 itself. Having regard to its established nature and the separations involved, such a feature is not considered to result in a significant degree of overlooking or unacceptable loss of privacy.
- 7.19 With regards to the proposed terraces, regard is had to the presence of existing ground, first and second floor rear and side windows at the application and surrounding properties such that it is reasoned that a degree of overlooking is characteristic of the rear garden scene. In addition, having regard to the separations involved and orientation of the terraces relative to neighbouring habitable accommodation (particularly the unit 4 terrace which would be precluded from direct views of the rear elevation of No.24 Cliff Road to the south following the existing pattern of development), it is not considered the proposal would give rise to a significantly harmful degree of overlooking over and above the existing situation.

- 7.20 In terms of noise and disturbance, the former care home had 26 bedrooms with commensurate staffing. The design capacity of the proposed 9 flats would be for up to 34 people with an additional off-street parking space. The patterns and levels of activity would vary but given that the site is separated from neighbouring dwellings and noting the significant levels of capacity at present, 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.
- 7.21 The proposal is therefore acceptable and policy compliant in the above regards.

Standard of Accommodation:

- 7.22 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:

Table 1: Minimum Technical Housing Standards

Property type	Minimum property size
1 bedroom, 2-person flat over 1 storey	50sqm
1 bedroom, 2-person flat over 2 storeys	58sqm
2-bedroom, 3-person flat over 1 storey	61 sqm
2-bedroom, 4-person flat over 1 storey	70sqm
3-bedroom, 5-person flat over 1 storey	86 sqm
3-bedroom, 6-person flat over 1 storey	95 sqm
3-bedroom, 6-person flat over 2 storeys	102 sqm
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	

- 7.23 The proposed flats would have dimensions as set out above in paragraphs 2.2 of this report that would comply with the abovementioned standards.

- 7.24 Bedroom 1 of Unit 3 and the living and bedroom (3) areas of Unit 5 would have an outlook over proposed car parking areas. This is not a positive aspect of the proposal however, 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 an overall assessment of the amenities provided by these units. The other units would provide adequate living conditions for future occupants in terms of outlook, daylight and sunlight and ventilation.
- 7.25 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.
- 7.26 The three-bedroom flats (Units 5, 7 & 9) constitute family-sized accommodation. The remaining flats would be capable of occupation by up to 3 persons. Private amenity space is proposed for the ground floor units 2 & 4 and for the first-floor unit 6. The absence of private amenity space for the family sized accommodation is a negative aspect of the scheme although a rear communal amenity space some 562sqm in area would be available for use by all units and would be accessed predominantly via a side accessway to the northern boundary. It is noted Unit 5 would have direct access from its kitchen/dining area.
- 7.27 Whilst the arrangement for access to external amenity space is a less positive aspect of the scheme, on balance, the significant 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.
- 7.28 The configuration proposed does not suitably preclude overlooking of lower ground floor habitable room windows serving Units 1 and 5. A condition can however be imposed requiring a landscaping scheme to mitigate the impacts to prevent any harmful overlooking.
- 7.29 Facilities for refuse storage are shown on the submitted plans to the north of the site, away from the public highway. Two 1100L Eurobins are shown. The Waste Storage, Collection and Management Guide for New Developments recommends Four 1100L Eurobins for the number of units proposed (two for general waste and two for recycling). Whilst the arrangement shown falls short of this requirement, it is considered there remains sufficient space within the wider application site to accommodate this additional provision. Subject to a condition requiring refuse and recycling details, this element of the proposal is acceptable.
- 7.30 Internal noise matters would fall under the separate remit of the Building Regulations.

- 7.31 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.
- 7.32 For the reason outlined above, it has not been demonstrated that the proposal could offer acceptable living conditions for all future occupants. The proposal is therefore unacceptable and contrary to the above noted policy guidance.

Highways and Transport Issues:

- 7.33 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 five 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. This would generate a notional minimum parking requirement of 8.6 car parking spaces (26 bed capacity divided by 3). The existing arrangement falls short of this requirement.
- 7.34 It is proposed to utilise an existing vehicular access to increase the number of on-site parking spaces to six to serve this development. Whilst the proposed development fails to meet the policy requirement, the site benefits from being in a sustainable location with regard to public transport with good links in close proximity. The applicant has provided a robust transport assessment which has included a detailed parking survey this has demonstrated that there is parking capacity within the surrounding area. On this basis and noting the existing deficiency against the parking standards and that the development results in a net additional one parking space, it is not considered that the proposal will have a significantly detrimental impact on the local highway network.
- 7.35 No objection is raised on parking or highway safety grounds. Highways have not objected
- 7.36 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.
- 7.37 In line with the council's EV charging policy for new dwellings, a condition has also been recommended requiring all on-site parking spaces be fitted with EV charging points.
- 7.38 Subject to such conditions, the proposal would be acceptable and policy compliant in the above regards.

Sustainability

- 7.39 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)”.
- 7.40 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.
- 7.41 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.

Equality and Diversity

- 7.42 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)

- 7.43 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 £137.71 (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 this payment and therefore the ecological implications of the site can be considered acceptable and policy compliant.

Community Infrastructure Levy

- 7.44 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 953sqm, which may equate to a CIL charge of approximately £ 73,014.46 (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.
- 8.2 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

9.1 GRANT PLANNING PERMISSION subject to conditions :

General Conditions

- 01 **The development hereby permitted shall begin no later than three years from the date of this decision.**

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

- 02 **The development hereby permitted shall be carried out in accordance with the following approved plans: 1838/01A; 1838/02A; 1838/03A; 1838/04A**

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

Design and character related conditions

- 03** All new work to the outside of the building 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).

- 04** 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 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).

Energy and water sustainability

- 05** 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.

- 06** 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 (lpd) (110 lpd 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).

Highways and bin storage

- 07** 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. 1838/03A. 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 in perpetuity.

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)

- 08** Notwithstanding the details submitted and otherwise hereby approved full details (including elevations) shall be submitted to and approved in writing by the Local Planning Authority under the provisions of this condition identifying the provision of refuse and recycling storage in line with the Waste Storage, Collection and Management Guide for New Developments (2019) and at least one covered and secure cycle parking per residential unit for the approved development at the site before the development is occupied.

The approved refuse and recycling store and covered and secure cycle store facilities shall be provided in full and made available for use by the residential occupants of the dwelling prior to the first occupation of the residential units hereby approved and shall be retained as such in perpetuity.

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

Protection of neighbouring occupiers' residential amenity

- 09 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).

Informatives

1. 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.

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.

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.