

[REDACTED]

From: [REDACTED]
Posted At: 27 April 2011 11:16
Conversation: Development Management DPD. An important task. [Virus Control Checked]
Posted To: reps proposed sub

Subject: Development Management DPD. An important task. [Virus Control Checked]

The Society for the Protection of Undercliff Gardens

Founded 1946

Secretary
J F Abraham

Chairman
B E Powell

Treasurer
B. Barnett

[REDACTED]

Southend-on-Sea Borough Council,
Enterprise Tourism & the Environment,
PO Box 5557,
Civic Centre,
SS2 6ZF

26 April 2011

Dear Sirs,

Development Management DPD

This is our response to your letter dated 18 March 2011 regarding the proposed submission version of the above. We have already provided our observations on the previous draft - which have largely been ignored.

The Council's present proposals appear to be the greatest threat experienced since this Society was formed more than 60 years ago to protect the character of Undercliff Gardens. For this reason, our representations are considered to be of the highest importance.

To quote the introduction - *this DPD will be used for positively managing development and will be used to assess and determine planning applications. It is a framework in which to manage the built environment and ensure successful place making.* Its importance cannot therefore be overestimated.

SUMMARY OF REPRESENTATION BY SPUG

The proposed DPD reduces planning policy to principles rather than specifics, a broad brush approach providing maximum flexibility rather than specific detailed requirements. To implement this policy document will require a high level of assessment and consultation, but it is our experience that these essential qualities are rarely available. We have no confidence that this document will improve matters, and it may well prove to be a developers charter. We therefore suggest that more work is required to “tighten” up a well meaning document.

SAVED POLICIES.

Saved policies emphasise the unique character of certain areas in the Borough, but they are to be superseded by this document. However, current reports to the Development Control Committees make full and frequent reference to saved policies – in other words they are not redundant or superfluous but are fully used on a day to day basis to support assessments of planning applications. They are also widely used by the Council when submitting evidence to Appeals Inspectors. By deleting these essential statements of policy we would expect them to be replaced by a stronger, direct, incontrovertible, policy document – which the proposed DPD is not. We suggest that more work is required to protect the areas previously covered by saved policies.

SECTION 3 SEAFRONT CHARACTER ZONE.

This section acknowledges and *“identifies several distinctive character zones and each has a different form and function”* to quote the proposed DPD. So far so good.

On page 39, Policy Table 1 para 3 refers to one such zone. But the new principles which are to replace saved policy C12 for this zone are reduced to *“development will only be acceptable where it will improve the design quality of Undercliff Gardens...and where it retains the characteristics and form of the area. Development that materially changes the existing character, appearance, and form of the area will be resisted”*.

Based on past experience, at best such intentions will either be unenforceable or are subjective. Who is to judge? Who is qualified to judge? Who will have the time, qualifications, or motivation to carefully consider the details of any application? This well intentioned broad brush approach is a dangerous concept in our view. We envisage endless arguments about whether an application is retaining the characteristics and form of an area, and whether the existing character, appearance, and form of the area will be changed. Who will argue on behalf of the public, the residents, and future generations? Developers are well able to argue for themselves that an application should be approved of course.

This DPD seems like a developers charter because it is possible to show that a single development does not **materially** change the character of an area [not a difficult argument to make] but if such a building is approved it will then become a precedent for other similar

developments, often won on appeal, and the character of an area will then have been changed for ever. QED.

SUSTRANS.

Item 3iii still refers to this organisation which is no longer active. Obviously the name should be removed, and the sentence might be changed to “improve the public realm linked to improvement of the cinder path”.

DETAILED CONSIDERATIONS.

Letters received by SPUG from our residents regarding this DPD may be summarised by quoting just 3 typical examples:

1. In reality, it will be its application and stewarding that we need to be concerned about. Who will safeguard it, and will there be a body that ensures that proper monitoring and reporting is provided? Hopefully there will be a local and national provision for this.
2. "Development that materially changes the existing character, appearance and form of the area or materially affects the benefits and amenity of neighbouring properties will be resisted."
3. "I fail to understand how planning permission was granted [for 82] allowing the property to be built further forward than the previous property. This restricts neighbours' views. The point is so blindingly obvious that I have no confidence in the planning officials responsible to put it at its mildest. Are they mad or what? It's a very large, single dwelling, isn't it?"

Many questions spring to mind regarding what is not included in a document that will be used to consider the detail of any planning application. Some may be answered by reference to the Design and Townscape Guide, but this document can, we presume, be comfortably ignored.

The same questions continually arise whenever SPUG is asked to comment on an application.

For example:

- Why is a proposed building allowed to project in front of the line of building?
- Why are balconies allowed to project in front of adjoining buildings?
- Why is development on Grand Parade frontage being allowed?

- Why is overlooking not dealt with?
- Why are the benefits and amenities of neighbouring properties not protected?
- Why are there no levels on the drawings?
- Why are the materials proposed not in accordance with the Design and Townscape Guide?
- Why is landscaping not shown?

Until such questions are answered, we remain highly concerned that this DPD is not fit for purpose

Yours faithfully,

Brian Powell

Southend-on-Sea Borough Local Plan

BLP Chapter 2 Conservation & Townscape Policies (prefix C)

Policy C1 - Ancient Monuments and Archaeological Sites - **SAVED**

Where important archaeological sites and monuments, whether scheduled or not, and their settings are affected by a proposed development, there will be a presumption in favour of their preservation in situ. In situations where there are grounds for believing that the proposed development would affect important archaeological sites and monuments, developers will be required to arrange for an archaeological field evaluation to be carried out before the planning application is determined, thus enabling an informed and reasonable planning decision to be made. In circumstances where preservation is not possible nor merited, development will not be permitted until satisfactory provision has been made for a programme of archaeological investigation and recording prior to the commencement of the development.

Policy C2 - Historic Buildings - **SAVED**

Listed Buildings and buildings on the Local List will be protected from demolition and unsympathetic development. Development proposals will be required to pay special regard to the preservation and restoration of internal and external features which contribute to their character, to the maintenance of their scale and proportions, to the preservation of their setting and to the use of appropriate materials.

Policy C3 - Conversion of Historic Buildings - **SAVED**

Permission may be given in exceptional circumstances for the conversion of Listed Buildings and buildings on the Local List to sympathetic alternative uses only where:

- this is necessary to ensure the building's preservation or restoration;
- it has clearly been demonstrated that the original or existing use of the building cannot be retained; and
- the proposed use and any associated building alterations are sympathetic to its historic or architectural character.

Policy C4 - Conservation Areas - **SAVED**

All buildings, open spaces, gardens, trees, views from public places and other aspects of the environment which contribute to the character of Conservation Areas will be protected and enhanced. Proposals for demolition and development will normally be permitted only where they would not be detrimental to the local scene and the character of the area. All development affecting Conservation Areas should meet the following requirements:

- the position and design of new buildings should respect the general pattern of the area, and should preserve or enhance as appropriate its townscape character;
- the mass of extensions and new buildings should be in scale and harmony with the existing and neighbouring buildings and with the area as a whole;
- the proportions, detailing and materials of extensions, alterations and new buildings should be appropriate to the area and sympathetic to the existing and neighbouring buildings.

All development in Conservation Areas will be expected to comply with the Council's design guidelines in Appendix 2 and in addition, where residential proposals are involved, Appendix 4.

The Council will prepare enhancement schemes for Conservation Areas as resources permit.

Policy Cross References : Appendix 2 Design Guidelines for Conservation Areas and Appendix 4 Design and Layout Guidelines for Housing

Policy C5 - Leigh Old Town- SAVED

Within the Leigh Old Town Conservation Area, in addition to Policy C4 the Council will require the retention of commercial, leisure and residential uses appropriate to its character as a working marine village, and will seek to reduce vehicular access for non-essential traffic. Permission will normally be refused for the loss of marine industrial uses and associated facilities. Development of existing cockle sheds to provide improved processing facilities will be encouraged subject to the design guidelines set out in Appendix 2 being met. The use of existing cockle sheds will be restricted to the processing, storage and sale of fish, shellfish and other marine products traditionally associated with Leigh Old Town. Additional parking facilities will be sought outside the Conservation Area. Policy Cross References : C4 Conservation Areas and Appendix 2 Design Guidelines for Conservation Areas.

Policy C6 - Frontages of Townscape Merit - SAVED

Within those frontages identified on the Proposals Map and listed in Appendix 1 as being of townscape merit, development proposals will be required to pay special regard to the preservation and restoration of features which contribute to their character and to the use of sympathetic materials and designs. Policy Cross Reference : Appendix 1 Buildings of Architectural or Historic Interest

Policy C7 - Shop and Commercial Frontages And Fascias - SAVED

Proposals for shop and commercial frontages and fascias will be required to respect the scale and design of the buildings in which they are situated and of neighbouring buildings, and enhance the appearance of the area.

Policy C8 - Advertisements - SAVED

Proposals for advertisements will normally be permitted in predominantly commercial areas if they meet the following requirements:

- they should be well designed and sited;
- they should respect the character and architectural features of the buildings on which they are displayed;
- they should not result in a proliferation of advertisements at any one location;
- they should not be obtrusive in the street scene or harm residential amenity;
- they should not endanger traffic.

The Council will apply more exacting standards to advertisements affecting Listed Buildings and those within Conservation Areas and non-commercial areas. These will be expected to preserve or enhance as appropriate the character and appearance of the building or area.

Proposals for advertisement hoardings will normally be refused except where they would screen sites in predominantly commercial areas during or prior to their development, when temporary permission may be granted. Where appropriate, they should incorporate landscape and public amenity features.

Proposals for advertisements will be expected to comply with the Council's design guidelines in Appendix 3 and the additional guidelines in respect of Conservation Areas in Appendix 2. The Council will seek to remove existing advertisements which harm public amenity. Policy Cross References : Appendix 2 Design Guidelines for Conservation Areas and Appendix 3 Townscape Policy Guidance.

Policy C9 - Satellite Antennae - SAVED

Proposals for satellite antennae will normally be permitted if they meet the following requirements:

- they should be designed and sited to be unobtrusive in the street scene;
- where it is proposed to position an antenna on a building, it should respect the character and architectural features of that building;
- they should not result in a cluttered appearance on an elevation;

- where it is proposed to locate an antenna in a Conservation Area it should respect the character and appearance of that area.

Antennae will be expected to comply with the Council's design guidelines in Appendix 3 and, in respect of those in Conservation Areas, the additional guidelines of Appendix 2. Policy Cross References : Appendix 2 Design Guidelines for Conservation Areas and Appendix 3 Townscape Policy Guidance

Policy C10 - Overhead Cables - *NOT SAVED*

The Borough Council will seek the co-operation of relevant services in placing visually intrusive overhead supply lines and cables underground, with priority being given to such improvement in Conservation Areas, and to the electricity supply line crossing properties in Eastwood and North Leigh.

Policy C11 - New Buildings, Extensions and Alterations - *SAVED*

New buildings and extensions or alterations to existing buildings should be designed to create a satisfactory relationship with their surroundings in respect of form, scale, massing, height, elevational design and materials. Where appropriate they should contribute to and enhance public pedestrian areas and open spaces. External materials should be sympathetic in colour and texture with neighbouring development. The Borough Council will also encourage developers to have regard to access and safety aspects when preparing proposals for development (see Policy U5).

In considering the height appropriate for new buildings and their impact on the environment the Council will have regard to:

- airport safeguarding requirements
- the prominence of the site and the need for the building to enhance the townscape;
- the scale of neighbouring development;
- the evolving skyline of the local street scene;
- the need to protect residential amenity, important vistas and the character of Conservation Areas, Historic Buildings and Frontages of Townscape Merit;
- the potential of the development to enhance public pedestrian areas and open spaces.

In appropriate cases the Council will encourage the provision of new works of art as part of development proposals and in considering planning applications will have regard to the contribution made by any such works to the appearance of the scheme and to the amenities of the area.

In considering development proposals for properties in Chalkwell Avenue and the Burges Estate (part), the Borough Council will also have regard to the detailed design guidance set out in Appendix 3. Policy Cross References : U5 Access and Safety in the Built Environment and Appendix 3 Townscape Policy Guidance

Policy C12 - Undercliff Gardens - *SAVED*

In order to conserve the quality of this area and the generally open undeveloped frontage to Grand Parade with associated estuary views, the Borough Council will require all development proposals to meet the following objectives, as appropriate:

- the preservation of existing views of the estuary including the foreshore from Grand Parade and adjoining streets, from Cliff Parade and from Cliff Gardens;
- the preservation of the generally open and undeveloped frontage to Grand Parade;
- the preservation of Undercliff Gardens south of the building line as an area free of vehicular traffic and parking;
- the preservation of existing garden areas as planted and landscaped areas providing views across the estuary;
- the harmonisation of new buildings, extensions and other works with their surroundings.

In addition, all proposals will be required to comply with Policies C11, H5 and the specific design criteria relating to Undercliff Gardens set out in Appendix 2. Policy Cross Reference : C11 New Buildings, Extensions and Alterations, H5 Residential Design and Layout Considerations and Appendix 3 Townscape Policy Guidance

Policy C13 - Street Furniture - *SAVED*

The Borough Council will ensure that the location, design and level of provision of street furniture is appropriate in its setting and avoids a cluttered and unattractive townscape. A high standard of design

for street furniture, surface materials and planting will be sought. Improvement schemes will be undertaken where appropriate.

Policy C14 - Trees, Planted Areas and Landscaping - SAVED

The Borough Council will seek to preserve those trees and planting areas which contribute to the townscape of an area and will require additional planting in appropriate locations. Applications for new buildings, open site uses, car parking areas, including hardstandings in front of buildings, and other development will normally be required to respect existing tree and planted areas and, where appropriate, to provide replacement planting. Most development proposals will be required to include planting as an integral part of the scheme in accordance with the guidelines set out in Appendix 3. Proposals for planting should exploit fully the potential of the development to enhance the townscape and be designed to enable adequate future maintenance of the planted areas. Policy Cross Reference : Appendix 3 Townscape Policy Guidance.

Policy C15 - Retention of Open Spaces - SAVED

In order to safeguard the important townscape and amenity value provided by established open spaces within the built-up area of the town, the Council will normally refuse planning permission for proposals involving the complete or partial loss of those key open spaces included within the following categories and identified on the Proposals Map:

- public and private playing fields including school playing fields;
- open sports arenas and golf courses;
- public parks and gardens including informal amenity open space and children's playgrounds;
- graveyards, cemeteries and crematoria.

In addition, the Council will seek to retain all other incidental open spaces including open areas without general public access within the built-up area of the town where their townscape and amenity value is important to the surrounding area and will also normally refuse permission for development on sites proposed in the Plan for open space use. (See also Policies contained in Chapter 7).

Policy C16 - Foreshore Views - SAVED

The open character of the seafront and adjoining public and private open spaces, including the cliffs, will be protected and where possible enhanced. Development south of the seafront road (outside the Central Seafront Area) and south of the towpath between Chalkwell and Leigh Old Town will be strictly limited to:

- the replacement of older seafront kiosks with modern architecturally designed kiosks in character with the surroundings. Where appropriate the Council will support the replacement of two existing kiosks with one new one;
- the improvement or replacement of existing beach huts, (subject to the design criteria in Appendix 3), buildings and other structures which cater for recreational needs, without increasing their existing floor area of reducing the area of beach available to the public;
- the provision of additional water recreation facilities in accordance with Policy L4.

Policy Cross References : L4 Water Recreation and Appendix 3 Townscape Policy Guidance.

Policy C17 - A127 Frontage - SAVED

In addition to Policy C14, the Borough Council will normally require a high standard of landscaping, tree planting and building design for development adjacent to the A127, commensurate with the importance of this road as the main access to Southend. Boundary enclosures fronting the highway will normally be restricted to no more than 1 metre in height. A building line of 27 metres from the back edge of highway will be maintained for new buildings and extensions between the Borough boundary and Oak Wood on the south side, and the Borough boundary and Oak Wood Park on the north side. Elsewhere, the building line for new buildings and extensions should normally enable high standards of landscaping and tree planting along the A127 frontage. Policy Cross Reference : C14 Trees, Planted Areas and Landscaping

Policy C18 - Open Sites Used for Commercial Purposes - SAVED

Proposals to use open sites for commercial purposes (including vehicle sales - see also Policy S7) should normally meet the following requirements:

- the proposed uses and the proposed design for ancillary buildings and structures should be compatible with neighbouring properties;
- all proposals should satisfactorily integrate with and enhance the street scene and should incorporate adequate landscaping and suitable boundary treatments.

Ancillary buildings and structures proposed at existing open sites in commercial use will normally be required to integrate satisfactorily with and enhance the street scene and be compatible with neighbouring properties. Policy Cross Reference : S7 Car Sales and Showrooms.

Policy C19 - Disused Vacant Sites - *NOT SAVED*

In the interests of local amenity, the Borough Council will seek the improvement and proper maintenance of all neglected, derelict and other vacant land in the town which is unlikely to be developed in the short term, through the provision of suitable landscaping or other appropriate action.

Policy C20 - Planning Briefs - *NOT SAVED*

In appropriate cases the Council will prepare planning briefs to guide the preparation of development proposals in accordance with the policies and proposals in the Plan.

Further pages in Southend-on-Sea Borough Local Plan

- [Southend-on-Sea Borough Local Plan](#)
- [BLP Chapter 1 Green Belt & Natural Resources Policies \(prefix G\)](#)
- [You are here BLP Chapter 2 Conservation & Townscape Policies \(prefix C\)](#)
- [BLP Chapter 3 Housing Provision & Residential Environment Policies \(prefix H\)](#)
- [BLP Chapter 4 Employment & Business \(prefix E\)](#)
- [BLP Chapter 5 Shopping & Retail Services \(prefix S\)](#)
- [BLP Chapter 6 Leisure & Tourism Policies \(prefix L\)](#)
- [BLP Chapter 7 Recreation & Open Space \(prefix R\)](#)
- [BLP Chapter 8 Community Services & Utilities \(prefix U\)](#)
- [BLP Chapter 9 Transport & Parking \(prefix T\)](#)
- [Borough Local Plan Proposals Map](#)
- [Southend-on-Sea Borough Local Plan 1994 - Policies Only](#)
- [Southend-on-Sea Borough Local Plan First Alteration](#)
- [Southend-on-Sea Borough Local Plan Second Alteration](#)

Related items

- [Related Downloads](#)
- [Related FAQs](#)
- [Related Services](#)

Planning, Development & Building Control

Tel: 01702 215004

council@southend.gov.uk

Southend-on-Sea Borough Local Plan

BLP Chapter 3 Housing Provision & Residential Environment Policies (prefix H)

Policy H1 - Housing Provision - *NOT SAVED*

Provision is made for 9,500 gross (7,500 net) dwellings in the Borough over the period 1986 to 2001. All current and future housing needs throughout the Plan period will be met only by the development of committed land, small sites and recycled urban land within the existing built-up area of Southend.

Policy H2 - Future Housing Needs - *NOT SAVED*

In order to meet identified long-term housing needs, the Borough Council will positively encourage proposals which provide low-cost accommodation suitable for small households and those in housing need, subject to the protection of the character and amenities of residential areas.

To achieve these objectives the Borough Council will, wherever appropriate, seek by negotiations, planning condition or legal agreement the involvement of a Housing Association or other social body in order to achieve and retain for the foreseeable future an element of affordable housing provision within new residential proposals (see in particular Proposal Sites P3b, P3c, P3e and P6f).

In seeking to provide small, low-cost housing units whilst making optimum use of existing land resources, the Borough Council will promote the adaptation of areas of vacant or under-used floorspace above shops and commercial premises for residential use, having regard to the suitability of the building for such a use. (See also Policy E3).

Policy Cross References : E3 Secondary Offices, Proposals P3b (Land at Burnaby Road), P3c (Southend East Goods Yard), P3e (Windermere Road) and Proposal P6f (Land at London Road and to the Rear of Imperial Avenue).

Policy H3 - Retention of Small Family Houses - *SAVED*

In order to retain an adequate stock of small single family dwellinghouses, the Borough Council will normally refuse permission for the redevelopment or conversion of such properties having a gross floor area, as originally constructed, of 125 square metres (1345 square feet) or less. (A minimum of 160 square metres is required for certain types of residential conversion - see Policies H8, H9, L6 and U6).

Only where the premises meet the criteria detailed in Policy H4 (iv) or it can clearly be demonstrated that, due to the property's location, age or condition, it is unlikely to have a viable future as a single family dwellinghouse, will the Council consider granting permission for redevelopment or conversion as an exception. In such cases the Council may require new development to include small family houses. Where demolition occurs before the determination of a planning application, the Council may also require the development scheme to include the replacement of the small family houses lost.

Policy Cross References : H8 Residential Institutions, H9 Non Self Contained Residential Accommodation, L6 Hotels and Guest Houses and U6 Non-Residential Health Care Facilities.

Policy H4 - Preservation of Residential Uses -SAVED

The Borough Council will not, except in special circumstances, grant permission for the change from residential use (either by redevelopment or conversion) of a building which can, with or without adaptation, be used for residential purposes of any kind. Consideration will only be given to a relaxation of this policy where the proposal is not speculative and:

1. no separate access to the residential part of the premises exists or can readily be provided, and the living accommodation can, therefore, only be occupied by the business tenant; or
2. the access to the living accommodation is clearly unsatisfactory, for example through rear yards and alleyways; or
3. the premises have been neglected for many years and the likelihood of their return to residential use is remote without excessive expenditure; or
4. the premises are required for:
 1. office purposes and are located within a Secondary Office Frontage (see Policy E3), or
 2. visitor accommodation and are located within the Central Seafront Area or a Visitor Accommodation Area (see Policies L6 and L8); or
5. no suitable premises in non-residential use exist in reasonably close proximity, and
 1. the premises are required for a community use which meets an identified local need and the provisions of Policies U6, U8, U9 or U10; or
 2. the premises are required for visitor accommodation outside the Central Seafront Area and Visitor Accommodation Areas and the provisions of Policies L6 and L8 are achieved; or
 3. the premises are required for an employment generating use. This relaxation will normally only apply to proposals affecting premises located above a Primary Shopping Frontage as defined on the Proposals Map.

Any such relaxation will be subject to each case being considered on its individual merits, having regard to other material factors including the quality of the existing accommodation, access arrangements, the level of activity proposed, the desirability of maintaining a residential character to the area and the requirements of Policy H3.

Policy Cross References : H3 Retention of Small Family Houses, E3 Secondary Offices, L6 Hotels and Guest Houses, L8 Self-Catering Accommodation, U6 Non-Residential Health Care Facilities, U8 Provision of New Education Facilities, U9 Childminding Facilities and U10 Provision of Other Community Facilities.

Policy H5 - Residential Design and Layout Considerations -SAVED

The Borough Council will require all development within residential streets and housing development elsewhere to be appropriate in its setting by respecting neighbouring development, existing residential amenities and the overall character of the locality, whilst also achieving a high standard of layout and design. In addition, where housing developments involve sites in excess of 0.5 hectares (net) the Borough Council will normally require developers to set aside an area representing at least 10% of the net site area for use as public amenity open space, to be provided in easily maintainable areas appropriate for adoption by the local authority and suitably landscaped. The Borough Council will also encourage developers to have regard to access and safety aspects when preparing proposals for housing development (see Policy U5).

Accordingly, in assessing design and layout aspects of development proposals within residential streets and other housing schemes, the Borough Council will have regard to its adopted design and layout guidelines contained in Appendix 4 to this Plan.

Policy Cross Reference : U5 Access and Safety in the Built Environment and Appendix 4 Design and Layout Guidelines for Housing.

Policy H6 - Protecting Residential Character -SAVED

In order to protect the character and amenities of residential streets and to ensure that they remain attractive for single family housing use, the Borough Council will limit proposals for residential redevelopment, infill or conversion to form flats, to a level which would not have an adverse effect on the environment, having regard to the following considerations:

- **Redevelopment and Infill:** Redevelopment and infill proposals for purpose built self-contained flats, sheltered housing and residential institutions will normally be limited so that the proportion of such schemes, both existing and committed* (including non-self-contained accommodation), does not exceed 10% of the total residential frontage in the street block. In

addition in those streets where the proportion of such schemes already exceeds 10%, the Council will also normally refuse permission for further intensification by redevelopment.

- **Conversions:** Conversion proposals for self-contained flats, sheltered housing and residential institutions will normally be refused where the number of properties originally constructed as single family dwellinghouses which have already been converted into such uses (in addition to non-self-contained accommodation), both existing and committed, represents more than 10% of the total residential frontage in the street block.
- **Exceptions:** The Borough Council will consider granting permission as an exception to (i) and (ii) above only where it can clearly be demonstrated that the application site is unlikely to be viable or appropriate for single family dwellinghouse use, due to its location or the character of the street block or the size, age and condition of the property proposed to be converted. In addition, the Council will, in considering exceptions, normally refuse applications for sheltered housing or residential institutions which would result in the undue clustering of such accommodation (both existing and committed*) in a residential street, in order to prevent residents from becoming isolated from the wider community.
- **Permissions:** In order to discourage the stockpiling of permissions for residential redevelopment, infill or conversion, any permission granted in accordance with the percentage limitations detailed above will lapse unless commenced within three years of the date of approval.
- **Other Considerations:** Where the above character and location criteria can be satisfactorily achieved, the Borough Council will also require each scheme to be in accordance with Policies H3, H7 and H8 as appropriate.

Policy Cross References : H3 Retention of Small Family Houses, H7 The Formation of Self-Contained Flats, and H8 Residential Institutions.

Policy H7 - The Formation of Self-Contained Flats -SAVED

Applications for the development, redevelopment or conversion of residential premises to self-contained flats will be assessed in accordance with Policies H3 and H6. Where the requirements of these Policies can be satisfactorily achieved, and in all other conversion proposals, the Borough Council will wish to ensure that the design and layout requirements of Policy H5 are met to ensure compatibility with existing development and the enhancement of residential amenity.

In particular, purpose-built schemes should avoid over intensive development, whilst conversions should achieve an internal layout which limits noise transmission and provides adequate accommodation standards. Where the property was originally constructed as a single family dwellinghouse, its external appearance as a house should be retained. In addition, all proposals should achieve adequate areas of amenity open space and landscaping together with satisfactory means of access and off-street parking facilities.

These considerations will also apply to extensions and alterations to previously approved/implemented purpose-built and conversion schemes, including the sub-division of existing flats into additional self-contained flats within a single property.

Policy Cross References : H3 Retention of Small Family Houses, H5 Residential Design and Layout Considerations and H6 Protecting Residential Character.

Policy H8 - Sheltered Housing and Residential Institutions - SAVED

Applications for sheltered housing and residential institutions will be assessed in accordance with Policies H3 and H6 and the following criteria:

1. **Design and Layout:** All proposals will be required to meet the provisions of Policy H5 to ensure compatibility with existing development and the enhancement of residential amenity. In particular, purpose built schemes should avoid over intensive development whilst conversions should achieve a lay out which limits noise transmission and, in the sub-division of property originally constructed as a single family dwellinghouse, retains the external appearance of the property as a house. In addition proposals should achieve adequate areas of amenity open space and landscaping together with satisfactory means of access and off-street parking facilities. These considerations will also apply to extensions and alterations to previously approved/implemented purpose-built and conversion schemes, including the sub-division of existing flats into additional self-contained flats within a single property.
2. **Suitability of Premises for Conversion:** Conversions to sheltered housing and residential institutions will normally be refused where the premises have a gross floor area, as originally constructed, of less than 160 square metres (1720 square feet). In addition permission will only

normally be given for detached premises, or semi-detached houses where the adjoining unit is or will be in a similar use.

3. **Residential Institutions:** In order to safeguard the character and amenities of residential streets, the Borough Council will consider the need to limit permissions for residential institutions to those uses which are purely long-stay residential in character, including children's homes and homes for the elderly and handicapped and to prohibit future changes to a particular use or uses which would otherwise be permitted by virtue of the Use Classes Order. Other institutions in Class C2 which require regular attendance by persons other than immediate internal staff will only normally be regarded as acceptable where:
 - a. the application site or property is unlikely to be viable or appropriate for single family dwellinghouse use, due to its location and the character of the street block, or the size, age and condition of the property proposed to be converted, and
 - b. the character of the area and the residential amenities of adjoining occupiers would not be adversely affected having regard to the nature of the use and the levels of activity which can be generated.
4. **Legal Agreements:** In addition, before granting permission for sheltered housing schemes which involve car parking provision to a reduced standard, the Council will require the applicant to enter into a legal agreement restricting the type of occupancy. Where the occupancy is not restricted, the Council's full parking standards for general purpose housing, as set out in Appendix 8, will be applied.

Policy Cross References : H3 Retention of Small Family Houses, H5 Residential Design and Layout Considerations, H6 Protecting Residential Character and Appendix 8 Car Parking Standards.

Policy H9 - Non-Self-Contained Residential Accommodation - SAVED

Whilst considering that self-contained flats and bedsits are the most satisfactory way of providing low-cost housing accommodation, the Borough Council recognises the contribution made by non-self-contained rented accommodation in meeting local housing needs. Accordingly, proposals for such accommodation will normally be permitted, provided that the following considerations are met:

- i. the proposal is compatible with the existing character of the area, and the residential amenities of adjoining occupiers would not be adversely affected, particularly by way of noise, overlooking, lack of privacy or general disturbance, having regard to the nature of the use and the levels of activity which can be generated.
- ii. in conversion schemes the property:
 - a. has a gross floor area, as originally constructed, of 160 square metres (1720 square feet) or more,
 - b. is not a two-storey mid-terrace property in single family dwellinghouse use;
- iii. the proposal would not result in the clustering of non-self-contained accommodation (both existing and committed*) in any residential street;
- iv. the provisions of Policy H5 can be achieved, to ensure compatibility with existing development, the protection of residential amenity and the satisfactory provision of off-street parking facilities. conversions involving property originally constructed as a single family dwellinghouse should retain the external appearance of the property as a house.

These considerations will also apply to extensions and alterations to previously approved/unauthorised multiple occupation premises.

Unauthorised Uses

Where any unauthorised use is identified as being materially detrimental to the character of the street and/or the residential amenities of adjoining occupiers, appropriate action will be taken by the Borough Council to gain the cessation of the use as a matter of priority. In all other cases, such unauthorised uses will be subject to normal planning control in accordance with adopted planning policies, except where such development has been established for at least five years (and has remained in that use) and the local environment is not adversely affected, when no action will normally be taken.

Policy Cross Reference : H5 Residential Design and Layout Considerations.

Policy H10 - Backland Development -*SAVED*

Applications for residential development on backland sites will only be permitted where proposals respect the character of the area, residential amenities of adjoining dwellings and are in accordance with Policies H3 and H5. In particular all proposals should provide for adequate distances between buildings and areas of private amenity open space, together with satisfactory means of access and off-street car parking facilities.

Backland development which would produce a 'tandem' relationship between buildings or result in overlooking and privacy problems, or would produce development out of scale with and obtrusive to the streetscene and/or the outlook of surrounding development, will normally be refused.

Policy Cross References : H3 Retention of Small Family Houses and H5 Residential Design and Layout Considerations.

Policy H11 - North Shoebury - *NOT SAVED*

Within the area delineated on the Proposals Map, the design and layout of all new residential development shall be in accordance with Policies C1, C11, C15, H2, H5, U1 and T11 (and Appendix 5). The layout of housing areas shall also have regard to Proposals P8b and P8c (Chapter 8) and to proposals to provide a comprehensive footpath system and associated amenity open spaces based upon established rights of way and a gas main easement in the area. In addition, development proposals within the curtilage of existing properties need to allow for satisfactory integration with future phases of development.

Policy Cross References : C1 Ancient Monuments and Archaeological Sites, C11 New Buildings, Extensions and Alterations, C15 Retention of Open Spaces, H2 Future Housing Needs, H5 Residential Design and Layout Considerations, U1 Infrastructure Provision, T11 Parking Standards, Appendix 5 Non-Residential Policy Guidance and Proposal P8b (Proposed Community Hall, South of Frobisher Way) and P8c (Land North of Parsons Barn, Frobisher Way).

Policy H12 - Environmental Improvement of Residential Areas -*SAVED*

The Borough Council will explore opportunities for improving those residential areas identified as experiencing environmental problems, to be achieved by the redevelopment of incompatible non-residential uses, the re-use of vacant or derelict land, improvements to car parking facilities, traffic calming, landscaping and other appropriate measures. The Council will formulate a programme to implement such improvements as resources permit.

In furtherance of these objectives, the Borough Council will safeguard the environment of housing areas adjoining Southend Town Centre by encouraging major town centre commercial development proposals to locate within the Central Business District as defined more precisely on the Proposals Map (see also Policies H13 and T10 and Proposals P9g and P9h).

Policy Cross References : H13 Queens Road Area, T10 Town Centre Parking (On Street) and Proposals P9g (Alexandra Street and Clifftown Road) and P9h (York Road and Tylers Avenue).

Policy H13 - Queens Road Area, Southend-on-Sea - *NOT SAVED*

The further consolidation, redevelopment or extension of existing retail or other non-residential uses, including the loss of residential accommodation, will not be permitted in that part of the Queens Road area identified on the Proposals Map. Proposals to provide residential accommodation either by redevelopment or conversion of existing commercial premises will normally be supported by the Borough Council, together with traffic calming measures to provide for an improved residential development.

Further pages in Southend-on-Sea Borough Local Plan

- [Southend-on-Sea Borough Local Plan](#)
- [BLP Chapter 1 Green Belt & Natural Resources Policies \(prefix G\)](#)
- [BLP Chapter 2 Conservation & Townscape Policies \(prefix C\)](#)
- You are here BLP Chapter 3 Housing Provision & Residential Environment Policies (prefix H)
- [BLP Chapter 4 Employment & Business \(prefix E\)](#)
- [BLP Chapter 5 Shopping & Retail Services \(prefix S\)](#)
- [BLP Chapter 6 Leisure & Tourism Policies \(prefix L\)](#)
- [BLP Chapter 7 Recreation & Open Space \(prefix R\)](#)

- [BLP Chapter 8 Community Services & Utilities \(prefix U\)](#)
- [BLP Chapter 9 Transport & Parking \(prefix T\)](#)
- [Borough Local Plan Proposals Map](#)
- [Southend-on-Sea Borough Local Plan 1994 - Policies Only](#)
- [Southend-on-Sea Borough Local Plan First Alteration](#)
- [Southend-on-Sea Borough Local Plan Second Alteration](#)

Related items

- [Related Downloads](#)
- [Related FAQs](#)
- [Related Services](#)

Planning, Development & Building Control

Tel: 01702 215004

council@southend.gov.uk