

Public Document Pack

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - WEDNESDAY, 13TH JANUARY, 2016

Please find enclosed, for consideration at the next meeting of the Development Control Committee taking place on Wednesday, 13th January, 2016, the following report(s) that were unavailable when the agenda was printed.

Agenda No	Item
4	Supplementary Report (Pages 1 - 8)

Yours faithfully

Tim Row
Principal Committee Officer

Encs

Distribution

1. Agenda and reports to all Members of the Development Control Committee for attendance

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Southend-on-Sea Borough Council

Development Control Committee 13th January 2016

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SUPPLEMENTARY INFORMATION

Agenda Item 5a – Pre-Meeting Site Visits

Page 3

SOS/15/01340/FULH 11 Leigh Park Road, Leigh-on-Sea, Essex

Comments have been provided on behalf of the applicant's agent which can be summarised as follows:

- The proposed development would not cause significant additional harm to the amenities of the neighbouring residential properties.
- The proposal would enhance the Conservation Area.
- In line with the National Planning Policy Framework, the application should be considered, overall, to be acceptable as the impact of the development would not be significant.

[Officer Note – No objection has been raised on the grounds of the impact on the neighbouring residents.]

7.4 A neighbouring resident has re-submitted a number of historic and current photos of the dwelling at the site. It has been specifically requested that a photo of the roof of the original dwelling is provided to Councillors:



Agenda Item 5b – Report on Planning Applications

Page 22
15/01785/FULM

845 - 849 London Road, Westcliff-On-Sea, Essex,

Please note the changes to the following conditions:

2. No development shall take place until samples of the facing material to be used, including elevations, brickwork, render glazing, doors, shopfront, window, balustrades, cladding, canopy, roof, boundary treatments and paving have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.

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 (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

4. All planting in the approved landscaping as shown on drawing PR024-01B landscape plan, submitted as part of the Reserved Matters (15/00305/RESM), scheme shall be carried out within the first planting season of first occupation of the development. 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 character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

5. The details of renewable energy shall be implemented in accordance with the Sustainability and Energy Report by David Plant Architecture submitted under application 15/00305/RESM including and drawing 356.201.02, shall be implemented prior to occupation of the flats to provide at least 10% onsite renewable energy, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

14. Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved Reserved Matters.

Application for approval of the reserved matters shall be made to the local planning authority not later than 19th March 2016.

The development hereby permitted shall begin not later than 19th March 2018 or within 2 years of the date of approval of the last of the reserved matters to be approved whichever is sooner.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and because the application is for outline planning permission only and the particulars submitted are insufficient for consideration of the details mentioned.

Informative

3. It should be noted the materials previously agreed under application 15/01804/AD remain acceptable.

4. It should be noted the landscaping previously agreed under application 15/00305/RESM remain acceptable.

**Page 36
15/01884/AMDT**

**Cory Environmental Cleansing Depot, Eastern Avenue,
Southend-on-Sea, Essex, SS2 4BU**

9.0 Recommendation

A number of the conditions stated do not accurately reflect the conditions that were imposed to the permission that was granted under the terms of application 15/01129/AMDT. Notwithstanding the content of the Officers Report, it is advised that the conditions should read as follow:

09. No lighting shall be installed at the site other than in accordance with a lighting scheme that shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the Waste Transfer Station building hereby approved. All lighting shall be installed and maintained in accordance with the approved lighting scheme in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbouring properties and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4 and DPD2 (Development Management) Policy DM1.

15. The Waste Transfer Station building hereby approved shall not be put to use until the surface water drainage strategy (Southend Central Depot: Drainage Strategy prepared by Amex Foster Wheeler and dated July 2015) has been fully implemented.

Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2

24. Prior to their installation, details of the appearance and materials of the acoustic screens shall be submitted to and approved in writing by the Local Planning Authority. The acoustic screens shall be coloured dark green unless otherwise approved by the Local Planning Authority. The approved screens shall be installed prior to the first use of the Waste Transfer Station and shall be permanently retained.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1

26. No noise shall be generated by the use of the vehicle Wash Area that is shown on the approved plans that exceeds a sound rating level of LWA 90dB.

Reason: To protect the amenities of neighbouring residents in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4 and DPD2 (Development Management) policy DM1.

27. Prior to the commencement of the development hereby approved, details of the colour and acoustic performance of the materials to be used in the construction of the Waste Transfer Station building shall be submitted to and approved in writing by the Local Planning Authority. The cladding used on the walls of the Waste Transfer Station building shall be coloured dark green unless otherwise approved by the Local Planning Authority. The Waste Transfer Station shall only be erected using the approved materials.

Reason: To safeguard the visual amenities of the area and the amenities of neighbouring residential properties in accordance with Policy DM1 of the Development Management Document.

Informative

As this application has been made pursuant to Section 73 of the Town and Country Planning Act 1990, Community Infrastructure Levy (CIL) Regulation 128A applies. You are advised that in this instance there will be no CIL charge on this permission as there is no net increase in floorspace between the original permission and the S73 permission.

Page 82
15/01741/FUL

Legra Grange, 1525 London Road, Leigh-on-Sea, Essex

Please note paragraph 1.4 and 1.8 should read as follows:

The new parking layout will result in the reduction of amenity space to 1018sqm to 36sqm per unit (28 units).

Paragraph 4.21 should read as 28 units rather than 34 units and 36sqm amenity space.

Public Consultation

7.4 One additional letter of representation has been received from a member of the public stating:

- The proposed flats will result in increased parking and taking away the garden area for existing occupiers;
- The overall change is upsetting and the overall build will affect surrounding residents

One letter has been received from Sir David Amess MP in relation to neighbour concerns and objecting to this application.

Page 114
15/01859/FUL

Woodside Parade, Woodside, Leigh-on-Sea,

Public Consultation

7.3 One additional letter of representation has been received stating:

- I do not object to the houses being built as applied for, I do however object to the fact that a public alleyway / right of way, as shown in my deeds & copy previously sent to yourselves, within the deadlines required, has been "merged" into the proposed back garden of the end house backing directly onto the properties 212, 214 & 216. I wish to maintain my right of way to the rear of my property as per my deeds for maintenance purposes. The alleyway was for many years a separately fenced off alleyway, until recently when the fence was removed and a locked gate put in place without consultation or comment.

Page 137
15/01713/FUL

84 Flemming Avenue, Leigh-on-Sea

Public Consultation

7.9 A total of 8 letters of objection (two of which are from the same person) and one letter in support of the application have been received. The additional following objections are noted:

- Loss of a bungalow.
- Loss of light to the neighbouring property.
- Loss of views of the sky.
- Overly dominant in the streetscene.

Page 151
15/01927/FULH

127 Blenheim Chase, Leigh-on-Sea

The applicant has submitted an email identifying 12 other fences and walls that have been erected within the general vicinity of the site, allegedly without planning permission and also wishes Officers to highlight to Councillors that the garden that would be enclosed is the main private amenity area to serve the dwelling and therefore the circumstances of the site are unique. **[Officer Note – Case law dictates that all applications should be considered on their own merits. During the previous appeal, the Planning Inspector was also made aware of various other fences within the surrounding area, but disregarded these when determining the appeal, except to say that other fences demonstrate the unacceptable visual impact that can be caused by boundary enclosures]**

Page 159

10. Recommendation

It should be noted that the S106 agreement associated with the application has now been completed and therefore the recommendation should be altered as follows:

GRANT PLANNING PERMISSION subject to the following conditions: (conditions as set out a para 10b) of the main report

Delete the following paragraph:

“In the event that the planning obligation referred to in part (a) above has not been completed by 26th February 2016 the Director for Place, Head of Planning and Transport or Group Manager Planning & Building Control be authorised to consider whether permission should be refused on the grounds that it has not proved possible to complete a S106 agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the obligation that would have been secured; if so, the Head of Planning & Transport or Group Manager of Development Control & Building Control are authorised to determine the application and agree appropriate reasons for refusal under delegated authority.”

Land at Former 74 Undercliff Gardens

- 5.14 The ninth word of the first line of this paragraph should be 'ground' and not 'first.'

Representations

- 8.2 **Leigh-on-Sea Town Council**

Since the preparation of the Officer Report, Leigh Town Council have submitted an objection to the application on the grounds that the development that has occurred does not accord with the permission that was granted.

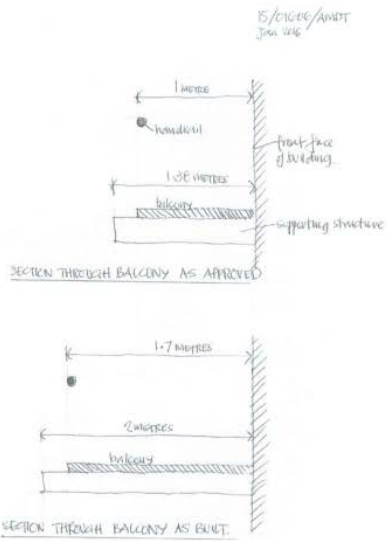
- 8.3 **Public Consultation**

One objection has been received which states that enforcement action should be taken against unauthorised development.

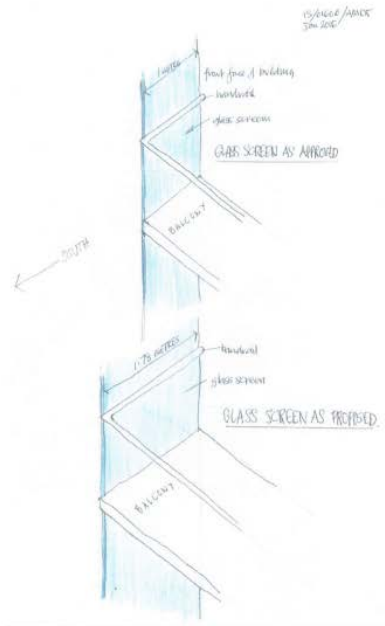
An additional letter has been received from the Society for the Protection of Undercliff Gardens which includes the following pages of pictures and drawings.

LEFT HAND SKETCH - COMPARISON BETWEEN BALCONY AS APPROVED AND AS BUILT

RIGHT HAND SKETCH - SIDE SCREENS



THEREFORE 1.7 METRES IS AT LEAST 60% GREATER THAN 1.06 METRE



LEFT HAND PHOTOGRAPHS - EFFECT OF PROJECTING ROOF ON STREET SCAPE.

RIGHT HAND PICTURE - NO 74 AS BUILT



