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Southend-on-Sea Borough Council

Department of the Chief Executive

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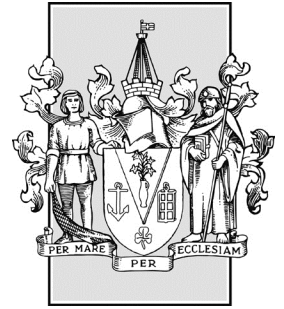
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Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - WEDNESDAY, 8TH FEBRUARY, 2017

Please find enclosed a copy of the following report(s) considered at the next meeting of the Development Control Committee held on Wednesday, 8th February, 2017.

Agenda No Item

3. **Supplementary Report (Pages 1 - 8)**

Yours faithfully

Tim Row
Principal Committee Officer

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Southend-on-Sea Borough Council

Development Control Committee 8th February 2017

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SUPPLEMENTARY INFORMATION

Reports on Pre-Meeting Site Visits

Page 5

16/02207/BC4M

Car Park, Centurion Close, Shoeburyness

8.0 Public Consultation

One further letter received from a previous objector raising the following issues:

- Overdevelopment.
- The balance of benefits gained are outweighed by the number of residential properties proposed in this plan. The number of properties built should be reduced from 9 to 6.
- Overlooking of Centurion Close and the rear back gardens of the residents in situ, seek obscure glazing.

7.0 Representation Summary

7.4 Environmental Health

Demolition - A full asbestos survey shall be carried out by a suitably qualified person on the building(s) to be demolished. Any asbestos containing material(s) (ACM) must be removed and disposed off-site to a facility licenced by the Environment Agency. A waste transfer certificate must be submitted to the local planning authority prior to development commencing.

Contaminated Land - The site is classed as being potentially contaminated land. Therefore this issue will need to be addressed. No contaminated land report appears to have been submitted with the application.

Construction - During the construction phase noise and vibration issues may arise which could lead to the hours of work being restricted. Due to the demolition/construction to occur on the site a construction management plan shall be submitted detailing the various measures and actions to be carried out to keep disruption to a minimum. These shall be implemented during the development phases. The developer should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition".

Noise - A noise impact assessment has been provided by Hepworth Acoustics dated December 2016 in relation to the

development. External noise and its impact on the proposed development has been assessed.

Limited measurements have been taken – less than 24hour measurements and the data is split over 2 measurement locations as it appears only one noise meter was used. No evening noise data has been obtained as the measurements were taken between 04:00 and 18:18

Nursery/Community Hall - The report states that no specific acoustic mitigation is considered necessary as adequate control of intrusive noise in accordance with BB93 guidelines for internal noise will be achieved. BB93 relates to the Acoustic Design of Schools. The measures indicated in the report shall be implemented.

However no assessment of the community hall use and its potential impacts on existing residential properties has been provided. Therefore in order to protect existing residents the operating hours as per the application have been conditioned as has music arising from the use of the facility.

Playground - The report details that noise levels from the playground will be noticeable at the nearest residential property however no mitigation measures have been detailed. Taking this into account, it is recommended that any detailed design advice should include mitigation along the boundary of the site adjacent to the playground, such as screening, to keep noise to a minimum.

Housing/Amenity Noise Levels - The report states that adequate sound insulation measures can be incorporated into the scheme to achieve internal noise criteria as set out in BS8223. The measures indicated in the report shall be implemented.

The report states no mitigation measures are required for the amenity areas as noise levels are below the WHO guidance of 55dBLAeq.

Plant - Plant/Plant room is detailed however limited information is provided. Any mechanical extraction, ventilation or air conditioning plant would need to be carefully located and designed in order to prevent statutory noise nuisance. With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

Lighting - No details on external lighting for the development have been submitted. External lighting shall be directed, sited and screened so as not to cause detrimental intrusion of light into residential property

Recommend Conditions relating to:

Asbestos survey, decontamination, demolition and construction hours, construction management plan, Final glazing, insulation and ventilation details for the scheme to be approved by, the Local Planning Authority prior to installation, opening hours, maximum noise levels (including music), boundary details to be submitted, plant details and noise limits, external lighting details, delivery and collection hours.

10.0 Recommendation

The following additional conditions and amendments to conditions set out in the main report are sought following discussions with both the applicant and Environmental Health Officers.

Additional Conditions

33. A full asbestos survey of the building(s) to be demolished shall be carried out by a suitably qualified person prior to demolition. Any asbestos containing material(s) (ACM) must be removed and disposed off-site to a facility licenced by the Environment Agency. A waste transfer certificate must be submitted to the local planning authority prior to development commencing.

Reason: In order to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

34. Contaminated Land

1. Site Characterisation

With the exception of demolition, grubbing up of foundations and site clearance no development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,**
- property (existing or proposed) including buildings, crops,**
- livestock, pets, woodland and service lines and pipes,**
- adjoining land,**
- groundwaters and surface waters,**
- ecological systems,**
- archaeological sites and ancient monuments;**

2. Submission of Remediation Scheme

With the exception of demolition, grubbing up of foundations and site clearance no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance

No development shall take place until a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must both be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the

effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority.

Reason: In order to protect the amenities of surrounding and future occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

35. Prior to installation final specifications and acoustic properties of any landscaping/ fencing to be provided to the playground area shall be submitted to and approved by, the Local Planning Authority, the landscaping/fencing shall be installed in accordance with the approved details and subsequently retained thereafter.

Reason: In order to protect the amenities of surrounding and future occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

36. Deliveries and collections to the Nursery/Community Hall shall take place between: 08:00-19:00hrs Monday to Friday; and 08:00-13:00hrs Saturday only with no deliveries on Sundays or Bank Holidays.

Reason: In order to protect the amenities of surrounding and future occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

Conditions amended as follows:

17. No mechanical plant or extraction/ventilation equipment to serve the Nursery shall be installed unless details of the proposed plant or extraction/ventilation equipment have previously been submitted to and agreed by the Local Planning Authority. The equipment shall be installed and retained thereafter in accordance with the approved plans and details. With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character. Appropriate mitigation should then be recommended as necessary.

Reason: In the interests of visual amenity and the amenities of surrounding occupiers to Policies Policy DM1 and DM3 of the Development Management DPD 2015.

18. No meter boxes shall be installed on the front of the dwellings or side elevations of the dwellings that face a highway. No meter boxes shall be installed on the eastern or northern elevation of the nursery building unless their design and location has previously been submitted to and

agreed by the Local Planning Authority prior to installation and the meter boxes installed thereafter in accordance with the approved details.

Reason: As main report

27. The rating level of noise for all activities associated with the Nursery/Community Hall (including amplified and unamplified music) should be at least 10dB(A) below the background noise (with no tonal elements) to ensure inaudibility in noise sensitive premises. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.

Reason: As main report

28. The Nursery/Community Hall building shall not be open for use outside the hours of 7:00 – 23:00 hours Monday to Friday, 9.00 to 23:00 Saturdays and 9.00 to 17:00 Sundays and Bank Holidays.

Reason: As main report.

Additional Informatives

03 The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development. Contact 01702 215005 for more information.

04. The developer should also consider control measures detailed in Best Practice Guidance “The control of dust and emissions from construction and demolition”. http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

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16/02213/FUL

7-9 Lansdowne Avenue, Leigh-on-Sea

- 4.33 Notwithstanding the comments within the officer's report, please note that it is the intention of the applicant for the two parking spaces to be provided to serve the southernmost dwelling with no parking for the north dwelling.

Reports on Main Plans List

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16/02066/FULM

Southend High School for Girls, Southchurch Boulevard

6. Representation Summary

Archaeology and Curator

It is noted that there has been previous archaeological monitoring on this site which recorded five medieval post features and therefore it is recommended that an archaeological condition be imposed on this application. The standard watching brief condition is recommended as a minimum or DBA with the possibility of trial trenching. Either way it is recommended that the applicant consult with an archaeological field unit.

8. Recommendation

11. No development or preliminary groundwork of any kind shall take place until the applicant has secured the implementation of a programme of Archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall allow them to observe the excavations and record items of interest and finds.

Reason: To allow for the excavation and recording of any information of archaeological importance, pursuant to DPD2 (Development Management Document) 2015 policy DM5.

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16/01901/FUL

1 Mayfair Place, Southend on Sea

DEFERRED

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16/02252/FULH

215 Carlingford Drive, Westcliff

7. Representation

The application was called in to Committee by Cllr D Garston.

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