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Southend-on-Sea Borough Council

Department of the Chief Executive

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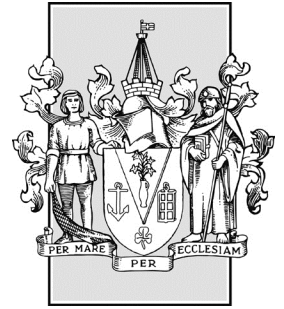
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Contact Name: Tim Row

DX 2812 Southend



Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - WEDNESDAY, 8TH NOVEMBER, 2017

Please find enclosed, a copy of the Supplementary Report considered by the Development Control Committee held on Wednesday, 8th November, 2017.

Yours faithfully

Tim Row

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Southend-on-Sea Borough Council

Development Control Committee 8th November 2017

6

SUPPLEMENTARY INFORMATION

Reports on Pre-Meeting Site Visits

17/01379/FULH 68 Pall Mall, Leigh-on-Sea

Page 75 Please note this site lies in Leigh Ward

6. Representation Summary

6.4 It is noted that two additional letters of objection have been received raising the following concerns;

- Concerned that a bike would not fit down the alleyway and the alleyway would be blocked as a result of the proposed development;
- Concerns in relation to potential anti-social behaviour taking place behind the garage within the alleyway;
- Vehicles are sometimes driven into alleyway to unload/load goods from the rear of properties;
- Potential issues in relation to clearing fly-tipping;
- Emergency vehicles would not be able to access the alleyway;
- Would block property and garden maintenance.

[Officer Comment: The garage would extend 0.8 metres into an existing alleyway at the rear of the properties. This alleyway is 2 metres wide, is not a vehicular access and provides pedestrian access to the rear of dwellings within Pall Mall and Canonsleigh Crescent. A gap of 1.2 metres would remain at the entrance of the alleyway which is considered to provide suitable and safe access for all users.

It should be noted that comments made in relation to potential anti-social behaviour and fly-tipping do not constitute material planning considerations sufficiently material to justify refusal of planning permission on such grounds, especially as they are controllable through other legislation.

Reduction of the alleyway width is a civil matter and paragraph 2.3 of the report deals with the applicant's statement that they have undertaken investigation of ownership.]

Reports on Main Plans List

17/00664/FULM Toomey Nissan, 831-837 London Road, Westcliff on Sea

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Please note paragraph 4.47 on page 147 of the reports states the depth of the development remains unchanged from that dismissed at appeal, however, it should be noted that the overall depth of the development has actually been reduced and that the siting of the development as proposed is as set out in paragraph 4.42 of the report.

6. Representation Summary

An additional letter has been received from Sir David Amess MP objecting to the proposal and commenting that on the previous committee report the neighbour representations were not clearly listed.

A letter of complaint has been received from a neighbour regarding the application process and in particular the issue of the mislaid petition/letter of objection.

17/01306/FULM St Thomas More High School, Kenilworth Gardens

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6. Representation Summary

Education

SBC is currently running an expansion programme of the non-selective secondary schools to match the recent primary school expansions that was needed due to higher births and pupil population increases. St Thomas More High School is the second school on this programme and the project is being fully funded via the Council's Education Capital Programme and Central Government Grant. The build project is being managed by the Academy and it will add a further 30 places per year from September 2018 as well as enhancing sport and dining facilities.

6.10 Public Consultation

Three additional letters of representation have been received stating the following:

- Any further extension to the school will cause hardship to the neighbours in surrounding streets due to the increase in commuter parking and littering
- Increase in road safety risk due to the increase in the number of parents dropping and collecting their children
- 10 additional parking spaces is a gesture as the application is for 13 classrooms which will meant extra teaching and administration staff who will be car users

- The classes are intended for sixth form users and this will mean an increase of some 120 students [**Officer comment - the classrooms do NOT provide accommodation for sixth form students**]
- Noise and Waste Pollution
- Local feeling that the community is being overlooked
- No consideration regarding restrictive parking
- Informed that both Westcliff High Schools for Boys and Girls recruiting children from London Boroughs
- Affect quality of life
- Insufficient parking and increased in parking in the adjacent streets
- A resident permit parking system should be introduced to the area
- Arundel Gardens Neighbourhood Watch Group with 26 members of the 42 houses in the Gardens. A ballot on email for 22 of the properties has a view on their preferences for the wording relating to a parking permit.

A letter from an objector has been circulated to residents raising concerns in relation to (inter alia):

- 13 additional classrooms; 10 parking spaces are not sufficient, parking provision not acceptable. Exacerbate existing parking/traffic problems.
- Emergency services will not be able to gain access to the site and would be obstructed along Kenilworth Gardens

17/01464/FULM The Grand Hotel, Broadway, Leigh-on-Sea
Page 243

1. The Proposal

Para 4.1 of the main report states that:

'The applicant, in the Design and Access Statement (para 3.12), confirms that the application ref no. 12/01439/FUL has commenced and therefore, suggests that this is extant.'

Records show that the applicant has made a material commencement of this application and that this has been verified and accepted by the Council. This permission is therefore extant.

7. Representation Summary

Public Notification

A petition signed by 523 residents and a letter of **support** from their representative has been received a copy of which has also been sent to local councillors.

The letter from support group representative is summarised below:

I am writing to express my full support in respect of the Application, and to enclose a petition, signed by 523 local residents, all of whom have confirmed that they would like to see this Application approved,

after what we consider to be needless opposition by both the Council and various local residents towards a previous planning application by the same applicant. This petition is very much reflective of the huge amount of support within the local community generally for this project.

I would also like to make the following additional representations and ask that they be considered by the planning committee as part of its approval process:

Representations

Firstly:

Having reviewed the various detailed plans and proposals submitted to Southend Borough Council (the "Council") as part of the Application, I would like, above all, to draw your attention to two things: 1) the viability of the project; and 2) its desire to preserve the historical integrity of the building.

I do not think that enough recognition has been given by the Council historically, not just to the importance of combining these factors (particularly in an unlisted building) but also to the difficulty of doing so successfully in a project of this size and scale, especially one outside central London, where access to experienced developers with good track record and sound financial backing is often lacking.

Looking to the first point (viability) in more detail, I am firmly of the view that the significance of genuine viability for a restoration project for a building such as the Grand Hotel must not be overlooked. Firstly, I would remind the Council that the person who has submitted the Application has an established and very successful career in property development and is therefore well aware of what is feasible and what is not. Furthermore, as a successful businessman, he will understand the importance of delivering a project on time, and to profit. Too often the ability and experience of an individual applicant is overlooked in situations of this nature, yet is surely absolutely fundamental as to whether or not this project will be completed successfully. Members of the Council will no doubt be aware of other developments in our local area (the Bell Hotel being one obvious example) where an original plan had been put forward, approved and commenced, only for the developer to fail to deliver what was promised, effectively forcing the Council to amend previously agreed planning conditions to ensure that the development was completed, rather than abandoned (and in a potentially dangerous state). Having spoken to the applicant on numerous occasions about his plans, I truly believe the Application that he has put forward is 100% deliverable and that this small fact should not be ignored as part of your decision making process.

As to the second point (preservation of historical integrity) I think recognition should also be given to the fact that the applicant wishes to preserve the historical fabric of this building and restore it to its former grandeur. I do not believe that we put enough emphasis on

the fact that, for a building such as the Grand Hotel, it does not necessarily matter what it is used for, but that it's exceptional historical value and worth to the local community is retained. Whilst I understand that some residents are disappointed not to see the building restored as a hotel, in my opinion, the use of this building is secondary to the fact that we actually have a unique opportunity to see this building restored with the dignity it deserves. Quite frankly, I am tired of seeing the historical fabric of our local Victorian architecture destroyed or left to rot, simply because no one is able (whether from a financial perspective or otherwise) to restore it (the old cinema off Southend High Street being a prime example).

Whilst I therefore sympathise with the desire to see the Grand used for the purpose for which it was originally built, as a local community we should be honest with ourselves and acknowledge that, due to the high cost and complex nature of this type of renovation work, coupled with the fact that this building is not listed and therefore does not obligate whoever buys it to restore it faithfully, no one else has the financial backing (or indeed the desire) to do a project of this nature to the level of detail and build quality currently proposed. Put simply, we do not have a viable alternative in the event that this Application is rejected which even comes close to bringing this building back to what it once was. In addition, I would argue that, given the amount of money that has already been expended on the project by the applicant (and, perhaps more importantly, the financing requirements of the bank funding it) the original plans to develop the building into a hotel are, sadly, no longer commercially viable for anyone. Therefore, rejecting the Application in the hope that either the applicant will have a change of heart or that someone else will re-develop it as a hotel, are completely misguided, and I fear that if we go down this route, we will lose our one and only opportunity to see a beautiful historic building restored.

Finally, having witnessed the decline of the Grand Hotel over the course of the last 10 years, I do not think it is an exaggerated assertion to say that, in the event that the Application is rejected, the building is likely to eventually fall down of its own accord, or at least reach a state where it will be beyond all economic repair. If further deterioration were to take place, it will clearly become more feasible to demolish the Grand Hotel in its entirety and replace it with a new build. This would not only mean the sad loss of a famous historical local landmark, but also potential for a revised planning application that falls far short of the one that you are presently considering for approval.

Secondly:

I am encouraged to see inclusion of facilities that will directly benefit the local community, including a health club, restaurant and bar. Whilst some might argue that such facilities are in plentiful supply already, all local residents can see that the existing restaurants and bars in Leigh are at capacity and will not be detrimental to existing local operators. If anything, the restoration of a landmark such as the Grand Hotel is likely to be of great economic benefit to the local area

as a whole. In addition, I think a health club would be a welcome feature for the town, which lacks such facilities on any real scale.

Most importantly, I see no concern with the inclusion of flats as part of the scheme for the following reasons:

- 1. Increasing the number of residential units in a prime location can only be a benefit to those seeking to live in the local area. The housing market in Leigh has a clear supply issue, as well as very high demand, and this has brought about a substantial increase in house prices over the last few years. Such price increases will only be rectified if supply can be increased proportionately.*
- 2. Whilst I acknowledge concerns of objectors relating to the potential pressures on local infrastructure associated with building additional residential units, I would argue that such pressure is actually limited, given the nature of the residents it would likely attract. For example, I would have thought that residents of the apartments of the sort envisaged are unlikely to be children, thus limiting the impact on school places (one of the concerns raised previously). The flats would also be near to the station, enabling residents to commute to work easily. I also note that, in any event, a sensible amount parking is provided as part of the scheme. This would appear to be no less adequate than other developments approved by the Council in respect of other developments in the local area.*
- 3. Whilst there have been concerns that the additional proposed extensions are out of keeping with the fabric of the building, I see no obvious indication of this. If anything, I believe that we should be applauding the amount of work that has been put into ensuring that the building will be sympathetically restored. I also note that the Application would appear to my mind to be no different in this respect to other residential developments passed by the Council in recent years.*
- 4. Whilst some objectors have made note of the fact that there is no social housing element incorporated within the scheme, I think we have to be realistic that in such a prime location, where the cost of both the land and the development work is high, that inclusion of social housing simply isn't feasible in the circumstances. Realistically, to incorporate social housing within the scheme would result in an inability to restore the building properly, simply because in order to generate profit in such circumstances, quality would ultimately be sacrificed.*

Conclusion

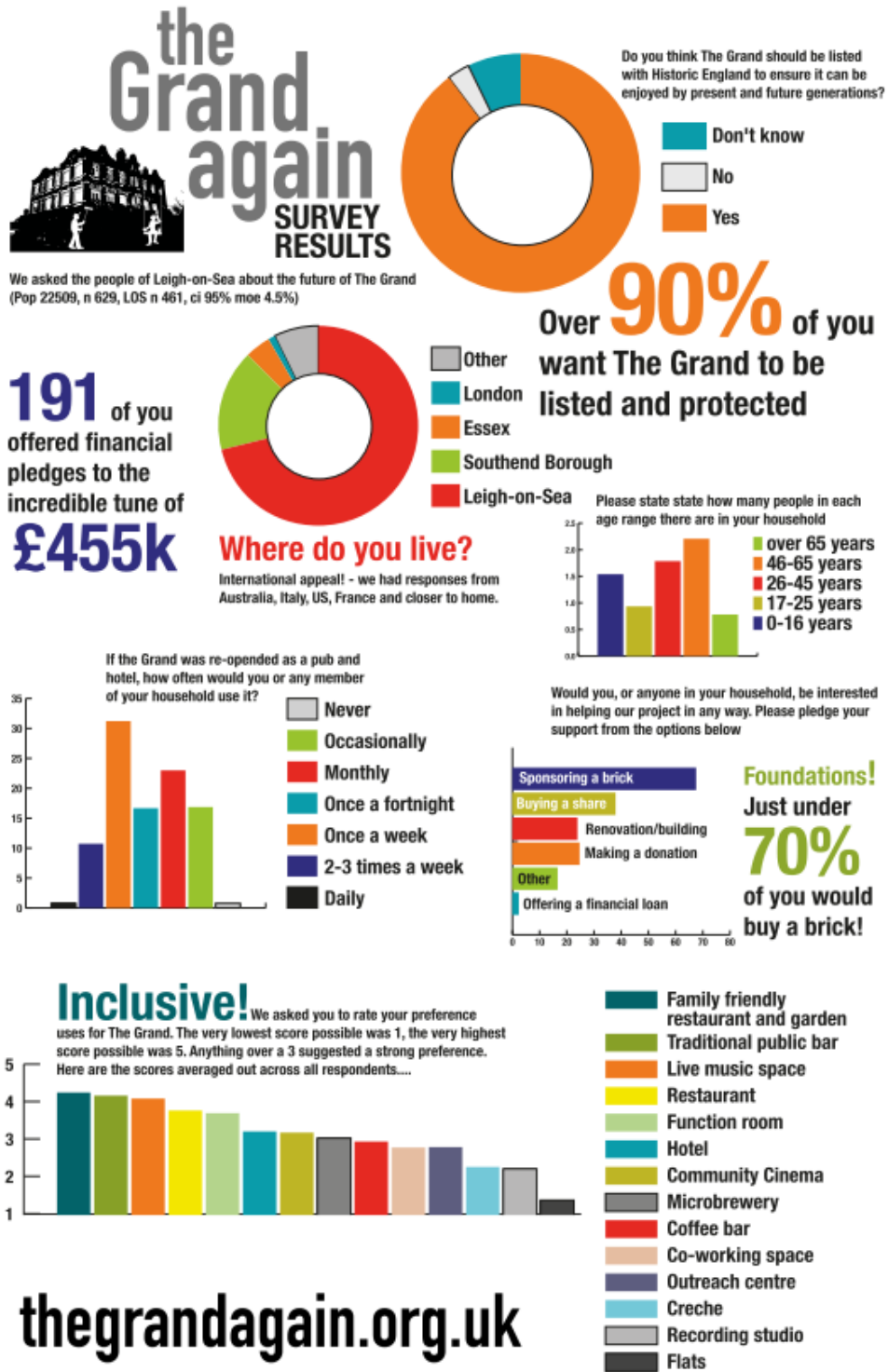
Whilst I believe that my letter of support and the representations contained within it are clear, I am keen to express my desire to represent those in support of the Application at any public hearing associated with this Application. I have to express my frustration and disappointment at not being allowed to speak on the last occasion,

on the basis that someone else objecting to the proposals had requested to speak before me. I fail to understand how it can be considered in any way fair to only have one point of view expressed. I believe that the Council should review its policies in this regard, particular because other Councils (Basildon being a notable example) provide a forum to enable both those supporting and objecting to have equal (and separate) representation. I have heard numerous supporters present at the previous hearing (at which a similar application to the Application was rejected) state that the way in which the Council conducted itself at the hearing was completely inappropriate and ultimately biased towards those in opposition. I therefore urge you to ensure that both sides are fairly represented in the event of a hearing on this Application, to avoid any such accusation this time around.

13 additional letters of representation have been received **objecting** to the proposal, a number of which have also been sent to local councillors. The Council has also been informed that a listing request for The Grand has been submitted to Historic England. The objections from these representations are similar to those submitted previously and can be summarised as follows:

- Overdevelopment
- Over dominant
- Parking and congestion
- Impact on school places and local services
- Lack of amenity
- Noise
- Overlooking
- Loss of community use
- Density too high
- Detrimental impact on local character
- Loss of green space
- Loss of pub
- Leigh is overcrowded
- The extension should be modern so as not to compete with the existing historic building
- Increase in anti-social behaviour

In addition the survey results from The Grand Again website of over 600 participants have also been submitted and are detailed below:



17/01460/FULH 29 Hadleigh Road, Leigh-on-Sea
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7. Representation Summary

7.3 The Leigh Society

The Leigh Society requests that a stove using smokeless fuel be used as an alternative to a wood burning stove. Wood burning stoves are now seen to be a major cause of air pollution, and any further extension of their use is undesirable.

[Officer Comment: The issue of the wood burning stove is addressed in paragraph 7.5 of the main report where it concludes that this feature will be for occasional use only as it is within and ancillary building not the main dwelling and that it is located over 6m from the boundary and 21m metres from the nearest property. It is considered that a condition restricting its use to smokeless fuel would be unreasonable and unenforceable.]

7.5 Public Consultation

The applicant has submitted copies of two letters sent to local councillors in relation to this application. These are outlined below.

29 Hadleigh Road
Leigh-on-Sea
Essex
SS9 2DY

3rd November 2017

Councillor Floyd Waterworth
Chair – Development Control Committee
Southend-on-Sea Borough Council
Civic Centre
Victoria Avenue
Southend-on-Sea
Essex
SS2 6ER

Dear Councillor Waterworth

Planning Application 17/1460/FULH

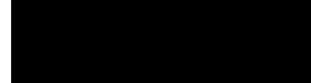
As you are no doubt aware, this application is essentially for a modest domestic extension and outbuilding. These proposals have been carefully designed by a qualified and experienced architect and, as your Officer's report acknowledges, are entirely appropriate within the context of the Conservation Area, have an absence of detrimental impacts, and are therefore consistent with policy.

Unfortunately two trees must be removed. These have been assessed by both qualified independent arboriculturalists and your own professional advisors. They are regarded by both as poor specimens of limited value and contribution to the area. Their replacement with new (heavy standard) trees of far greater future benefit is acknowledged as more than adequate compensation for their loss. As a result we consider that your Authority can proceed to grant permission in the knowledge that a more than satisfactory combination of landscaping and planting accompanies the built proposals.

We sincerely hope that your Committee appreciates the effort which has gone into these proposals. We are however committed to seeing these matters through to implementation and will, if necessary, take any refusal of permission to appeal. We are advised that we would have a very strong case in such circumstances and that a decision to refuse permission could be regarded as unreasonable, thus exposing your Authority to a potential award of costs. Obviously we wish to avoid such an appeal process and would seek your Committee's endorsement of the favourable recommendation.

Thank you for reading this letter.

Yours sincerely



Jeremy and Amanda Holmes

The same letter was also sent to Cllr David Garston (Vice Chair)

9 Recommendation and conditions

9.0 Recommendation

Officers recommend an additional planning condition:

Condition 09 : The outbuilding hereby permitted shall solely be used for purposes incidental to the use of the main dwelling No 29 Hadleigh Road and for no other purpose including as habitable accommodation.

Reason : To safeguard the visual and residential amenities of the surrounding area in accordance with Core Strategy (2007) Policies KP2 and CP4 and Development Management DPD (2015) Policy DM1.