

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 14th September, 2016

Place: Committee Room 4a - Civic Suite

Present: Councillor F Waterworth (Chairman)
Councillors D Garston (Vice-Chairman), B Arscott, M Assenheim,
B Ayling, M Borton, M Butler, F Evans, N Folkard, J Garston,
R Hadley, A Jones, D Norman MBE, P Van Looy, C Walker and
P Wexham*
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: J K Williams, P Geraghty, C Galforg, J Rowley, M Warren,
I Harrison and T Row

Start/End Time: 2.00 - 4.40 pm

222 Apologies for Absence

Apologies for absence were received from Councillors Mulroney (Substitute: Councillor Wexham) and Callaghan.

223 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item No. 11 – Application 16/00662/FUL: Sandy Lodge, 1a Southchurch Avenue – Non-pecuniary interest: A friend lives in the neighbouring property;

(b) Councillor Assenheim – Agenda Item No. 5 – Application 16/01249/FUL: Southend Bowling Club, 7 Tunbridge Road – Non-pecuniary interest: Acquainted with the Applicant;

(c) Councillor Assenheim – Agenda Item No. 10 – Application 16/00504/FUL: 143 Green Lane, Eastwood, Leigh on Sea – Non-pecuniary interest: Applicant is his GP;

(d) Councillor Evans – Agenda Item No. 22 – Application 16/01343/FULH: 6 Vardon Drive, Leigh on Sea – Non-pecuniary interest: Lives in the general area of the application site;

(e) Councillor D Garston – Agenda Item No. 16 – Application 16/01160/FULH: 11 Leigh Park Road, Leigh on Sea – Disqualifying non-pecuniary interest: Consultant is well known to him (withdrew);

(f) Councillor Jones – Agenda Item No. 7 – Applications 16/01387/BC3 & 16/01287/LBC: Palace Theatre, 430 London Road – Non-pecuniary interests: Two friends live to the rear of the application of the property;

(g) Councillor Jones – Agenda Item No. 24 – Application 16/00075/UNAU_B: 115 Tattersall Gardens, Leigh on Sea – Non-pecuniary interest: Father’s property is in vicinity of the application site;

(h) Councillor Norman – Agenda Item No. 13 – Application 16/01126/FUL: 50 Vernon Road, Leigh on Sea – Pecuniary interest: Lives opposite this application site (withdrew);

(i) Councillor Van Looy – Agenda Item No. 16 – Application 16/01160/FULH: 11 Leigh Park Road, Leigh on Sea – Non-pecuniary interest: Owner of the property is known to him (This interest was declared during the course of the meeting after the matter had been dealt with);

(j) Councillor Walker – Agenda Item No. 10 – Application 16/00504/FUL: 143 Green Lane, Eastwood, Leigh on Sea – Non-pecuniary interest: Attends Police Community meetings with the resident of 137 Green Lane;

(k) Councillor Wexham – Agenda Item No. 13 – Application 16/01126/FUL: 50 Vernon Road, Leigh on Sea – Disqualifying non-pecuniary interest: Friend objected to the application (withdrew);

(l) Ms C Galforg – Agenda Item No. 9 – Application 16/00954/FUL: 97 Salisbury Road, Leigh on Sea – Disqualifying non-pecuniary interest: Neighbour to the application site is known to her (withdrew).

224 Supplementary Report

The Committee received a supplementary report by the Corporate Director for Place that provided additional information on items referred to elsewhere on the Agenda.

225 16/00820/FULH - 85 Thorpedene Gardens, Shoeburyness (West Shoebury Ward)

Proposal: Demolish existing garage, erect two storey side extension and first floor rear extension

Applicant: Mrs K Morgan

Agent: Mr David Grew

Ms S Ferrari, a local resident, spoke as an objector to the application. Mr Morgan, the Applicant, responded.

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: DMG/16/48 1, DMG/16/48 2, Site/Block Plan

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

Reason: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy CP4, Policy DM1 of the Development Management DPD and SPD1 Design and Townscape Guide.

04 No ground works shall commence unless a suitably qualified Arboriculturalist is retained on site to oversee construction of the foundations and to make periodical checks thereafter to ensure that the tree mitigation measures and construction methodologies are being adhered as set out in Appendix 3 of the submitted Arboricultural Report and in accordance with BS5837:2012 Section 7.

Reason: To mitigate the impact of the development on the adjacent walnut tree in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy CP4, Policy DM1 of the Development Management DPD and SPD1 Design and Townscape Guide.

Informative

You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

226 16/01249/FUL - Southend Bowling Club, 7 Tunbridge Road (Victoria Ward)

Proposal: Erect Boundary Fence (Retrospective)

Applicant: Mr Peter Lovett (Southend Bowls Club)

Planning permission REFUSED for the following reason:

01 The boundary fence is detrimental to the character and visual amenities of the area by reason of its excessive height and length which render its appearance incongruous and out of keeping in the streetscene contrary to the National Planning Policy Framework (NPPF), Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance),

Policy DM1 of the Development Management DPD and the Design & Townscape Guide (SPD1).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

Informative:

You are advised that in this instance the development is CIL liable however, due to the nature of the development, the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero.

The Committee also resolved to AUTHORISE ENFORCEMENT ACTION to secure the removal of the fence constructed to the eastern boundary of the property adjacent to Tunbridge Road or reduce its height to a maximum of 1.0m on the grounds that the unauthorised development is detrimental to the character and visual amenities of the area by reason of its excessive height and length which render its appearance incongruous and out of keeping in the streetscene contrary to the National Planning Policy Framework (NPPF), Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of the Development Management DPD and the Design & Townscape Guide (SPD1).

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a three month compliance period is reasonable in these circumstances.

227 16/01397/LBC - The Pier, Western Esplanade (Milton Ward)
Proposal: Emergency works to repair or replace pile caps to pier structure (Listed Building Consent)
Applicant: Southend-on Sea Borough Council
Agent: Mr Neil Chaston, Hemsley Orrell Partnership

Listed Building Consent GRANTED subject to the following conditions

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

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

02 The development hereby permitted shall be carried out in accordance with the approved plans LBC01, LBC02, LBC03, LBC04, LBC05, LBC06, LBC07

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Detailed analysis is set out in a report prepared by officers.

228 16/01387/BC3 & 16/01287/LBC - Palace Theatre, 430 London Road (Chalkwell Ward)

Proposal: Brick replacement and re-point main facade and front part of eastern and western elevations, repairs and repainting to stucco and stonework and rebuild dwarf retaining wall on eastern boundary and replacement of 1 window on the front elevation and 6 windows on the west elevation (Listed Building Consent)

Applicant: Southend-on Sea Borough Council

Agent: Alan Gadsen, Southend-on-Sea Borough Council

(i) Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

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

02 The development hereby permitted shall be carried out in accordance with the approved plans Works Location Plan, PAL-04, XXXX-C-101, TP-01, TP-02, 1466-A-101, 1466-A-102, 1466-A-103, 1466-A-103, 1466-A-104, 1466-A-105

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

03 The proposed brick replacement, stonework and stucco repair and repointing to the front section of the building shall be that identified in the Brickwork Condition Report and shall be carried out in accordance with the method outlined within the report.

Reason: To protect the special architectural or historic interest of the listed building as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

04 The replacement bricks shall match the existing bricks in terms of size, colour, texture and porosity and the replacement mortar shall be lime based and the mortar mix shall not be stronger than the bricks it is supporting.

Reason: To protect the special architectural or historic interest of the listed building as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

05 Works to the brickwork including repointing should not be carried out when temperatures are below 5 degrees and in extreme heat above 20 degrees and should be protected from inclement weather, cold and extreme sunlight. All repairs shall be undertaken using small hand tools not mechanical tools.

Reason: To ensure that the future integrity of the repair works are not compromised by the conditions and that that no additional damage is caused to the existing façade in accordance with Core Strategy Policies KP2 and CP4 and DM DPD Policy DM5 and the NPPF.

(ii) Listed Building Consent GRANTED subject to the following conditions:

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

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

02 The development hereby permitted shall be carried out in accordance with the approved plans Works Location Plan, PAL-04, XXXX-C-101, TP-01, TP-02, 1466-A-101, 1466-A-102, 1466-A-103, 1466-A-103, 1466-A-104, 1466-A-105

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

03 The proposed brick replacement, stonework and stucco repair and repointing to the front section of the building shall be that identified in the Brickwork Condition Report and shall be carried out in accordance with the method outlined within the report.

Reason: To protect the special architectural or historic interest of the listed building as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

04 The replacement bricks shall match the existing bricks in terms of size, colour, texture and porosity and the replacement mortar shall be lime based and the mortar mix shall not be stronger than the bricks it is supporting.

Reason: To protect the special architectural or historic interest of the listed building as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

05 Works to the brickwork including repointing should not be carried out when temperatures are below 5 degrees and in extreme heat above 20 degrees and

should be protected from inclement weather, cold and extreme sunlight. All repairs shall be undertaken using small hand tools not mechanical tools.

Reason: To ensure that the future integrity of the repair works are not compromised by the conditions and that that no additional damage is caused to the existing façade in accordance with Core Strategy Policies KP2 and CP4 and DM DPD Policy DM5 and the NPPF.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Detailed analysis is set out in a report prepared by officers.

229 16/01210/RESM - 845-849 London Road, Westcliff on Sea (Blenheim Park Ward)

Proposal: Approval of reserved matters including details of access, appearance, landscaping, layout and scale pursuant to outline planning permission 13/00061/EXTM dated 18.07.2013 (as amended under applications 15/01785/AMDT dated 18.01.2016 and 16/01030/AMDT dated 14.07.2016) to demolish existing building, erect four storey building of 22 self-contained flats and 2 commercial units at ground floor level, cycle and refuse store and layout parking.

Applicant: Venture Capital Associates Ltd

Agent: DAP Architecture

Reserved Matters APPROVED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with plans 356.205.00; 356.204.01; 356.206.03; 356.208.01; 356.304.03; 356.311.02; PR024-01 Revision B; 356.306.03; 356.209.00; 356.207.01.

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

02 The materials shall be carried out in accordance with the following details: Facing Brickwork: Ibstock Atlas Smooth Blue (ref 2249); Cladding: Marley Eternit Equitone Natura Nimbus (ref N281); Render: White silicone based textured finish thin coat render system by K-Rend or similar; Flat Roof: Icopal or similar, liquid waterproofing system colour grey. Composite decking to amenity areas. See landscape plan for roof terrace. Low Pitched Roofs: Icopal Sureplan FPO or similar, single ply membrane waterproofing system colour Light Grey. Windows/Doors: Kawneer or similar Aluminium frames powder coated grey RAL 7000. Shop front glazing: Kwanzaa or similar Aluminium frames powder coated great RAL 7000. Paved Pathways: Marshalls 450x450 textured flag paving laid in straight line bond - Buff Driveway: Marshalls 200 x 100 Keyblok 80mm block paving laid in herringbone pattern - Natural. Car Parking Bays: Marshalls 200 x 100 Keyblok 80mm block paving laid in herringbone pattern - Charcoal. Boundary: Jackoustic Acoustic Fence; Balustrades: Bespoke Brushed Aluminium Balustrades on first and second floor. Frameless clear glass balustrades on top floor with aluminium circular top rail; Guttering-powder coated grey; Brise Soliel-

Metal as shown on drawing 356.311.02 received 03.11.2015. 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).

03 The details of renewable energy shall be implemented in accordance with the Sustainability and Energy Report by David Plant Architecture agreed under application as shown on 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).

04 The privacy screens shall be implemented in accordance with drawings 356.306.03 and 356.304.03, and shall be installed prior to the first occupation of the residential flats hereby approved, unless otherwise agreed in writing by the local planning authority. The screens shall be permanently retained, thereafter.

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

05 Prior to first occupation of the development the gate to the undercroft shall be installed in accordance with drawing 356.204.01 and shall be permanently retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure the protection of residential amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM1.. 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).

06 The waste management details as shown on drawing dapa_356_207.01 shall be implemented prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and waste management in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide) and the Waste Management Guide.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

- 230 16/00954/FUL - 97 Salisbury Road, Leigh on Sea (West Leigh Ward)**
Proposal: Demolish existing bungalow, erect two semi-detached dwellings and install hardstanding with vehicular access onto Salisbury Road (Amended Proposal).
Applicant: Mr M. Bailey (N Bailey Properties)
Agent: BGA Architects

Planning Permission REFUSED for the following reason:

01 The proposed development, by virtue of its scale and layout would have an overbearing impact and cause a loss of outlook of the neighbouring dwelling to the North of the site. The proposal is therefore contrary to the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guidance)

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

Informative

Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application might also be CIL liable.

- 231 16/00504/FUL - 143 Green Lane, Eastwood, Leigh on Sea (Eastwood Park Ward)**
Proposal: Demolish existing dwelling and garage and erect two storey dwellinghouse with rooms in roof, balcony at rear, two storey side extension to form habitable accommodation with attached link to main building, layout landscaping, parking to front and install new vehicular access on to Green Lane.
Applicant: Mr And Mrs Siddique
Agent: SKArchitects

Ms R Wright, a local resident, spoke as an objector to the application. Mr Kearney, the Applicant's Agent, responded.

DEFERRED (PMSV)

- 232 16/00662/FUL - Sandy Lodge, 1a Southchurch Avenue (Shoeburyness Ward)**
Proposal: Change of use from Residential Institution (Class C2) to House of Multiple Occupation (HMO) (Class Sui-Generis)
Applicant: Higgins Property Investments Ltd
Agent: Knight Gratrix Architects

DEFERRED (PMSV)

- 233 16/01136/FUL - Thames Drive Dental Practice, Rear of 18b Thames Drive, Leigh on Sea (West Leigh Ward)**
Proposal: Change of use of dental surgery (Class D1) to dwelling (Class C3), demolish existing garage, layout amenity space, extend existing vehicular access on to Darenth Road and alter elevations (Amended Proposal)
Applicant: Mr G. Singh
Agent: Mr S. Fairley (BDA)

01 The development hereby permitted shall be begun not later than 3 years beginning with the date of this permission.

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

02 The development shall be carried out in accordance with the approved plans: 15.151/15 C, 15.151/13 C, 15.151/11 C, 15.151/14 C, 15.151/12 C and 15.151/16 D

Reason: To ensure the development is carried out in accordance with the development plan.

03 Notwithstanding the provisions of Classes A and B of Part 2 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no fences, walls or other forms of enclosure shall be erected at the site unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area in accordance with policies DM1 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy

04 Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 2015 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extensions or outbuildings shall be erected at the site unless otherwise agreed in writing by the local planning authority

Reason: To safeguard character and appearance of surrounding area in accordance with policies DM1 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy

05 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and the approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard character and appearance of surrounding area and the amenities of the occupants of the proposed development in accordance with policies DM1, DM3, DM5 and DM8 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy.

06 Prior to the occupation of any of the dwellinghouses hereby approved, details of refuse collection storage facilities (including collection day arrangements) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided at the site prior to the first occupation of the dwelling.

Reason: To ensure that satisfactory refuse storage facilities are provided at the site in the interests of sustainability, amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, policies DM1 and DM8 of DPD2 (Development Management), and SPD1 (Design and Townscape Guide).

07 Prior to the first occupation of the dwellinghouse hereby approved the parking space shall be provided and retained for the use of the occupants of the dwelling hereby approved.

Reason: To ensure the adequate provision of parking at the site in accordance with policy DM15 of the Development Management DPD

08 The dwelling hereby approved shall be built in accordance with Part M4(2) of the Building Regulations, as shown on the plans hereby approved, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the provision of dwellings that enable lifetime living, in accordance with policy DM8 of DPD2 (Development Management).

Informative:

You are advised that in this instance the development is CIL liable however, due to the nature of the development, the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero.

- 234 16/01126/FUL - 50 Vernon Road, Leigh on Sea (West Leigh Ward)**
Proposal: Demolish existing garage and erect dwellinghouse adjacent to No. 50 Vernon Road, layout amenity space and parking, extend existing vehicle crossover onto Vernon Road (amended proposal)
Applicant: Mr & Mrs Smith
Agent: Trudy's Architectural Consultants

Planning Permission GRANTED subject to the following conditions:

01. The development hereby permitted shall begin no later than 3 (three) years from the date of this decision.

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

02. The development hereby permitted shall be carried out in accordance with the approved plans: 30/16/A/REV 1, 30/16/C/REV 1, 30/016/B.

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

03. No development shall take place until samples of the materials to be used on the external elevations of the dwellings, on any screen/boundary walls, fences and gates, and on any driveway, access road, forecourt or parking area have been submitted to and approved by the Local Planning Authority. Details of the proposed boundary treatments shall be provided. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide, 2009 (SPD1).

04. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping. This shall include details of all the existing trees and hedgerows on the site and details of any to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established; details of measures to enhance biodiversity within the site and details of the treatment of all hard and soft surfaces (including any earthworks to be carried out). The landscaping shall be implemented in accordance with the agreed details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core

Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009.

05. All planting in the approved landscaping scheme shall be carried out within the first available planting season following the completion 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 to ensure a satisfactory standard of landscaping, pursuant to Policy CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management Document.

06. A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the occupation of the dwellinghouses. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy, the Design and Townscape Guide (SPD1) and Development Management Document Policy DM2.

07. Prior to the first occupation of the dwellinghouse, two car parking spaces for the dwellinghouse hereby approved and for no. 50 Vernon Road shall be provided and permanently retained in accordance with the approved plans. The car parking spaces shall be permanently retained for occupants and visitors of the application site and be used for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide satisfactory off-street parking for the dwellinghouses, in accordance with Policy DM15 of the Development Management Document.

08. Notwithstanding conditions 02 and 07 above, prior to the first occupation of the dwellinghouse, an amended site plan shall be submitted to and agreed in writing by the Local Planning Authority which reduces the size of the extended crossover to measure no wider than 4.8m. The development shall only be carried out in accordance with the agreed site plan.

Reason: In the interest of highway and pedestrian safety in order to overcome the concerns of the Highway Authority in accordance with Policy DM15 of the Development Management Document and the Department for Place Vehicle Crossing Policy & Application Guidance.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or any Order revoking or re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Classes A, B, C, D or F of those Orders.

Reason: To safeguard the design and appearance of the dwellinghouses, in the interest of the standard of accommodation and to ensure that satisfactory

amenity space remains for the amenities of future occupiers, in accordance with Development Management Document Policies DM1, DM3 and DM8 and the Design and Townscape Guide, 2009 (SPD1).

10. The flat roof to the dwellinghouses hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the Local Planning Authority. The roof can however be used for the purposes of maintenance.

Reason: To protect the privacy and environment of people in neighbouring residential properties in accordance with Policy CP4 of the Core Strategy and Policy DM1 of the Development Management Document.

11. Demolition or construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and general environmental quality in accordance with Core Strategy Policies KP2 and CP4 and Policy DM2 of the Development Management Document.

12. No burning of construction or demolition waste is to take place on the site.

Reason: To protect the amenities of neighbouring properties and general environmental quality in accordance with Core Strategy Policies KP2 and CP4 and Policy DM1 of the Development Management Document.

13. Prior to first occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.

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

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives

01. Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the

applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil

02. Notwithstanding condition 08 above, the applicant is advised that separate consent of the Local Highways Authority would be required for works to extend the existing vehicular crossover.

- 235 16/01215/FUL - Mayas Restaurant, First Floor, 42 London Road, Southend on Sea (Milton Ward)**
Proposal: Erect additional floor to form four self-contained flats with associated terraces, erect part two part three storey rear extension, install solar panels to South elevation, lay out parking and refuse storage to rear (Amended Proposal)
Applicant: Mr Carl Cantor
Agent: BGA Architects

Planning Permission REFUSED for the following reason:

01 The proposed residential units would be served by inadequate living conditions by virtue of the undue sense of enclosure that would be caused by the relationship to the existing roof and the proposed screen to the east edge of the building. The proposal is therefore contrary to the National Planning Policy Framework 2012, the Technical Housing Standards 2015, Development Management DPD Policies DM1, DM3 and DM8 and SPD1.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service

Informative.

Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application might also be CIL liable.

- 236 16/01237/FUL - 274 Elmsleigh Drive, Leigh on Sea (Blenheim Park Ward)**
Proposal: Demolish existing bungalow and erect two semi-detached dwelling houses (Amended Proposal)
Applicant: Mr Neville Hyams (Narrate Properties)
Agent: BGA Architects

Planning Permission REFUSED for the following reason:

01 The proposed development would have insufficient parking to meet the needs of occupiers and would therefore be likely to result in vehicles parking within the highway to the detriment of highway safety and the free flow of traffic. Moreover it is considered that the extended access would be unacceptably close to the existing bus stop and that this would restrict future opportunities to improve sustainable transport infrastructure. The proposal is therefore contrary to the National Planning Policy Framework, policy CP3 of DPD1 (Core Strategy) and policies DM3 and DM15 of DPD2 (Development Management).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

Informative

Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application might also be CIL liable.

- 237 16/01160/FULH - 11 Leigh Park Road, Leigh on Sea (Leigh Ward)**
Proposal: Demolish part of dwellinghouse and erect part single/part two storey front extension to western side of dwelling, erect three storey front extension to eastern side of dwelling, erect a three storey rear extension, replace roof and erect dormer to rear and form new vehicular access to Leigh park road (Amended Proposal)(Part Retrospective).
Applicant: Mr S. Ezra
Agent: Smart Planning

DEFERRED (PMSV)

238 16/01239/FULH - 1 Chadwick Road, Westcliff on Sea (Chalkwell Ward)
Proposal: Erect part single/part two storey side extension with basement and external staircase, two storey and first floor front extension, dormers to front and rear to form habitable accommodation in roof, balconies to front and rear elevations, erect porch and pitched roof canopy to front, alter rear roof projection and alter elevations (Amended Proposal)
Applicant: Mr & Mrs Gocher
Agent: Knight Gratrix Architects

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 928 010 E, 928 011 G, 928 012 B and 928 013 A

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

03 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall be constructed entirely of the materials details of which shown on the plans hereby approved.

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) Policy DM1 and SPD1 (Design and Townscape Guide).

04 The obscured glazed vision screen shall be installed at the South edge of the proposed second floor terrace and the glazed balcony shall be installed at the West and North edges of the second floor terrace prior to the first use of the terrace hereby approved. The obscured glazed vision screen shall be fitted with glazing that shall be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority.

No part of the flat roof of the two storey rear extension to the West of the proposed glazed balcony shall be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management) Policy DM1 and SPD1 (Design and Townscape Guide).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative

Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil .

- 239 16/01222/FULH - 68 Chadwick Road, Westcliff Road (Chalkwell Road)**
Proposal: Erect single storey rear extension, erect roof extensions to side and rear with Juliette balcony to rear and roof light to front, install balcony to front at first floor and alter elevations (Amended Proposal)
Applicant: Mr And Mrs Sanders
Agent: Knight Gratrix Architects

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 997 010 C and 997 011 C.

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

03 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall be constructed entirely of the materials details shown on the plans hereby approved.

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) Policy DM1 and SPD1 (Design and Townscape Guide).

04 The dormer window on the South facing roof slope shall be fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local

planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD Policy DM1 and SPD1 (Design and Townscape Guide).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informative:

Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil.

240 16/01250/FULH - 3 Chadwick Road, Westcliff on Sea (Chalkwell Ward)
Proposal: Demolish existing rear dormer in roof and form new gable roof extension with enclosed balcony, erect part single storey and part two storey side and rear extension and porch canopy to front elevation
Applicant: Mr & Mrs Kenny
Agent: Mr J. Beuvink, Architecture BDA

Planning Permission GRANTED subject to the following conditions:

01. The development hereby permitted shall begin no later than 3 (three) years from the date of this decision. (C01A)

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990. (R01A)

02. The development hereby permitted shall be carried out in accordance with the approved plans: PL01 Rev A, PL02 Rev A, PL03 Rev A

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

03. Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall be constructed entirely of the materials

details of which are shown on approved plans: PL01 Rev A, PL02 Rev A, PL03 Rev A.

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) Policy DM1 and SPD1 (Design and Townscape Guide).

04. The proposed south facing first floor window serving Bedroom 2 shall only be glazed with obscure glass (the glass to be obscure glazed to at least Level 4 on the Pilkington Levels of privacy, or such equivalents as may be agreed in writing with the Local Planning Authority). This window shall be fixed shut and unopenable apart from any top hung lights which shall be a minimum of 1.7m above the internal floor area. In the case of multiple glazed units, at least one layer of glass in the relevant units shall be glazed in obscure glass.

Reason: To prevent direct overlooking of and loss of privacy to neighbouring occupiers to the south of the site at no. 5 Chadwick Road.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives

01. You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

241 16/01282/FULH - 103 Kensington Road, Southend on Sea (Thorpe Ward)
Proposal: Erect dormer to rear and install roof lights to front to form habitable accommodation in roof and install window to side elevation (Retrospective)
Applicant: Ms Paul
Agent: Trudy's Architectural Consultants

Planning Permission REFUSED for the following reason:

The dormer as constructed, by reason of its excessive size, bulk, design, massing and external materials would result in an over dominant, incongruous and discordant feature at this location to the detriment of the character and appearance of the area. This would be contrary to the provisions of the National Planning Policy Framework, policy KP2 and CP2 of the Core Strategy (DPD1) policy DM1 of the Development Management DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1).

The Committee also resolved to AUTHORISE ENFORCEMENT ACTION to secure the removal of the dormer as constructed or to secure compliance with conditions imposed on permitted development and in accordance with the certificate of lawfulness granted on 2nd July 2015 under reference no. 15/00723/CLP specifically:

Condition B.2 (a) which requires that “the external materials used in any exterior work must be of similar appearance to those used in the construction of the exterior of the original dwellinghouse”. [The dormer has been finished in cladding rather than render].

Condition B.2 (b) (i) (aa) which requires that “the eaves of the original roof are maintained or reinstated.” [The eaves of the original roof have not been retained.]

Condition B.2 (b) (i) (bb) which requires that “the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2m from the eaves, measured along the roof slope to the outside edge of the eaves.” [The dormer has been built off the outside wall and therefore fails to meet this requirement.]

Condition B.2 (b) (ii) which requires that “...no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.” [The fascia of the dormer extends beyond the outside face of the rear external original wall.]

The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a six month compliance period is reasonable in these circumstances.

242 16/01379/FULH - 40 The Broadway, Thorpe Bay, Southend on Sea (Thorpe Ward)

Proposal: Demolish existing conservatory to rear, erect hip to gable roof extension at rear to form habitable accommodation in roof with dormers to side and Juliette balcony at rear, erect part single/part two storey rear extension, erect pitched roof to front and alter elevations

Applicant: Mr & Mrs Hannington

Agent: Knight Gratrix Architects

Planning Permission REFUSED for the following reason:

01 The proposed roof extensions to the north and south elevation by reason of size, design and siting would be dominant and out of keeping with the existing dwelling and surrounding streetscene contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide 2009 (SPD1).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development, should the applicant wish to exercise this option in accordance with the Council's pre-application advice service.

Informative

You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

- 243 16/01343/FULH - 6 Vardon Drive, Leigh on Sea (West Leigh Ward)**
Proposal: Alter roof from hip to gable and erect dormer to rear to form habitable accommodation in roof and install rooflights to front elevation
Applicant: Mr And Mrs Larthe
Agent: DK Building Designs

Ms Major, a local resident, spoke as an objector to the Application.

DEFERRED (PMSV)

- 244 16/01418/FULH - 71 Marine Parade, Leigh on Sea (West Leigh Ward)**
Proposal: Raise ridge height and erect hip to gable roof extension to front and rear with dormers to side and balcony to front
Applicant: M. Gibbons
Agent: A. Green

DEFERRED (PMSV)

- 245 16/00075/UNAU_B - 115 Tattersall Gardens, Leigh on Sea (West Leigh Ward)**
Breach of Control Erected decking without planning permission

DEFERRED (PMSV)

- 246 16/00048/UNAU_B - 42 Kensington Road, Southend on Sea (Thorpe Ward)**
Breach of Control Without planning permission, the erection of an outbuilding which exceeds 2.5m in height and is located within 2.0m of a boundary of the curtilage of the dwellinghouse.

Resolved: That NO FURTHER ACTION be taken in respect of this matter.

Chairman: _____

