

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 5th October, 2016

Place: Committee Room 4a - Civic Suite

Present: Councillor F Waterworth (Chairman)
Councillors D Garston (Vice-Chairman), M Assenheim, B Arscott,
B Ayling, M Borton, M Butler, T Callaghan, F Evans, N Folkard,
R Hadley, A Jones, C Mulroney, L Salter* and C Walker
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors S Buckley and D Jarvis
P Geraghty, P Tremayne, D Hermitage, C Galforg, I Harrison, K
Walters and T Row

Start/End Time: 2.00 pm - 4.45 pm

305 Apologies for Absence

Apologies for absence were received from Councillors J Garston (Substitute: Councillor Salter), Norman MBE (no substitute) and Van Looy (no substitute).

306 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item No. 5 (16/00662/FUL- Sandy Lodge, 1a Southchurch Avenue) – Disqualifying non-pecuniary interest: Friends own neighbouring land and properties (withdrew);

(b) Councillor Arscott – Agenda Item No. 6 (16/01160/FULH - 11 Leigh Park Road, Leigh on Sea) – Non-pecuniary interest: Lobbied and met by applicant and objectors;

(c) Councillor Arscott – Agenda Item No. 9 (16/00075/UNAU_B - 115 Tattersall Gardens, Leigh on Sea) – Non-pecuniary interest: Lobbied and met by applicant and objectors;

(d) Councillor Assenheim – Agenda Item No. 4 (16/00504/FUL - 143 Green Lane, Eastwood, Essex, SS9 5QL) – Disqualifying non-pecuniary interest: Applicant is Applicant is his GP and has had conversations with him (withdrew);

(e) Councillor Ayling – Agenda Item No. 17 (16/01243/FULM – Shoeburyness High School, Caulfield Road, Shoeburyness, Southend-on-Sea, Essex SS3 9LL) – Non-pecuniary interest: Son undertakes work at the school;

(f) Councillor Evans – Agenda Item No. 7 (16/01343/FULH - 6 Vardon Drive, Leigh on Sea) – Non-pecuniary interest: Lives in the general area of the application site;

- (g) Councillor Evans – Agenda Item No. 8 (16/01418/FULH - 71 Marine Parade, Leigh on Sea) – Disqualifying non-pecuniary interest (withdrew);
- (h) Councillor D Garston – Agenda Item No. 6 (16/01160/FULH - 11 Leigh Park Road, Leigh on Sea) – Disqualifying non-pecuniary interest: Architect is very well known to him;
- (i) Councillor D Garston – Agenda Item No. 9 (16/00075/UNAU_B - 115 Tattersall Gardens, Leigh on Sea) – Non-pecuniary interest: Applicant has approached him;
- (j) Councillor D Garston – Agenda Item No. 14 (16/01182/FUL - 181 West Road, Westcliff on Sea) – Non-pecuniary interest: Applicant has approached him;
- (k) Councillor Mulroney – Agenda Item No. 6 (16/01160/FULH - 11 Leigh Park Road, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);
- (l) Councillor Mulroney – Agenda Item No. 7 (16/01343/FULH - 6 Vardon Drive, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning) and objectors are known to her;
- (m) Councillor Mulroney – Agenda Item No. 8 (16/01418/FULH - 71 Marine Parade, Leigh on Sea) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning) and objectors are known to her;
- (n) Councillor Mulroney – Agenda Item No. 13 (16/01139/FUL - 1026 London Road, Leigh on Sea)) – Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning) and has been contacted by the objector;
- (o) Councillor Walker – (Agenda Item No. 4 Application 16/00504/FUL: 143 Green Lane, Eastwood, Leigh on Sea) – Non-pecuniary interest: Knows a neighbour to the site

307 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.

308 16/00504/FUL - 143 Green Lane, Eastwood, Essex, SS9 5QL (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

Mrs Wright, a local resident, spoke as an objector to the application. Mr Kearney, the applicant's agent, responded.

Planning Permission REFUSED for the following reason:

The proposed development by reason of its excessive bulk, design, height, massing and forward projection in relation to the existing dwellings, would result in an incongruous and discordant feature at this location within the streetscene to the detriment of the character and appearance of area. This would be contrary to the provisions of the National Planning Policy Framework, policy KP2 and CP4 of the Core Strategy (DPD1) policy DM1 of the Development Management DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1).

309 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

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: 010 Revision B; 011 Revision A.

Reason: To ensure that the development is carried out in accordance with the 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: 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, Development Management DPD Policy DM1, and SPD1 (Design and Townscape Guide).

04 Notwithstanding the details shown on the approved plans the use hereby approved shall not commence until details of the cycle storage have been submitted to and approved by the local planning authority and the cycle storage provided in accordance with the approved details. The cycle storage should thereafter be retained in perpetuity

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4,

Development Management DPD policy DM1 and DM15, and SPD1 (Design and Townscape Guide).

05 Notwithstanding the details shown on the approved plans the use hereby approved shall not commence until details of the covered refuse storage have been submitted to and approved by the local planning authority and the refuse storage provided in accordance with the approved details. The refuse storage should thereafter be retained in perpetuity.

Reason: To safeguard the amenities of the future occupants of the proposed flats and adjoining properties and the amenities of the area in general in accordance with the National Planning Policy Framework (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 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 alterations to your property do not result in new floorspace and 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.

02 It is the HMO Manager's responsibility to ensure any necessary HMO licence is applied for to Private Sector Housing and the applicant is pointed to the current regulations for licensing which are due to be extended.

03 The applicant should be aware that a Manager for the HMO must be appointed and notified to the Council's Private Sector Housing Team. All Management Regulations must be complied with, including the Manager's duties 3 – 9 of the Regulations which can be viewed here: <http://www.legislation.gov.uk/uksi/2006/372/contents/made>

In particular, the Manager should note their responsibilities to provide information (Duty 3), take safety measures (Duty 4), maintain water supply and drainage (Duty 5), supply and maintain gas and electricity (Duty 6), maintain the common parts (including outdoor curtilage), fixtures, fittings and appliances (Duty 7), maintain living accommodation (Duty 8) and to provide sufficient waste disposal facilities (Duty 9).

04 A fire and heat detection and alarm system appropriate for a two storey bedsit type HMO in accordance with the latest Building Regulations must be installed and operative prior to becoming occupied.

05 The applicant is directed to Private Sector Housing's Landlords' Forum and is invited to join at no charge at landlordsforum@southend.gov.uk

06 The waste storage should be located to the rear of the site.

- 310 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

Mrs Long, a local resident, spoke as an objector to the application. Mr Littler, the applicant's agent responded.

Planning Permission REFUSED for the following reason:

01 The proposed development, by virtue of the scale, form and architectural features of the resultant dwelling, would cause harm to the appearance of the dwelling at the application site and be a discordant and incongruous addition to the street-scene, thereby not maintaining or enhancing the character or appearance of the Leigh Conservation Area. The proposal is therefore contrary to the National Planning Policy Framework, policies KP2 and CP4 of DPD1 (Core Strategy), policies DM1 and DM5 of DPD2 (Development Management) and the advice contained within 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

Informative

You are advised that as the proposed alterations 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.

- 311 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

Mrs Major, a local resident, spoke as an objector to the application.

Planning Permission REFUSED for the following reason:

01 The proposed development would, by reason of the increase in the height and bulk of the roof and its detailed design, relate poorly to the host property and result in a dwellinghouse that is out of proportion, overbearing and which dominates its surroundings, to the detriment of the amenities of the occupiers of the adjoining properties on Highlands Boulevard and the character and appearance of the existing dwelling, streetscene and area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

- 312 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

Planning Permission REFUSED for the following reason:

01 The proposed alterations to the scale and form of the roofscape would be prominent and unsympathetic features to the detriment of the appearance of the existing property and the character of the area contrary to the NPPF, Policy DM1 of the Core Strategy and advice contained within the Design and Townscape Guide.

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

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.

313 16/00075/UNAU_B - 115 Tattersall Gardens, Leigh on Sea (West Leigh Ward)

Breach of Control: Erected decking without planning permission

Resolved: That ENFORCEMENT ACTION be AUTHORISED for the removal of the unauthorised decking at the rear of the site. This is due to the potential for overlooking to the detriment of residential amenity, contrary to Policy DM1 of the DM DPD, Policies KP2 and CP4 of the Core Strategy, and advice contained within the Design and 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 one month compliance period is reasonable in these circumstances.

**314 15/01828/FUL - 161 Westbury Road, Southend on Sea (St Lukes Ward)
Proposal: Use Dwellinghouse (Class C3) as a Day Care Centre (Class D1) (Retrospective)
Applicant: Mr M. Imtiaz**

Planning Permission GRANTED subject to the following conditions:

01 The use of the building shall only occur between the hours of 0900 and 1700 on Monday to Friday and no carers, staff or other people shall be at the site outside the hours of 0800 and 1800 on Monday to Friday. The site shall not be used on Saturdays or Sundays.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of the Development Management DPD.

02 The building shall not be used by more than 12 people in need of care and shall not be served by more than 4 carers at any one time.

Reason: To protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of the Development Management DPD.

03 Notwithstanding the terms of the Town and Country Planning (Use Classes) Order 1987 (as amended) the building shall only be used as a Day Care Centre and for no other purposes falling within Use Class D1.

Reason: To control the use of the premises and protect the amenities of neighbouring residents in accordance with the National Planning Policy Framework and policy DM1 of the Development Management DPD.

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.

- 315 16/00857/FUL - Land Adjacent to 10-11 New Garrison Road, Shoeburyness (Shoeburyness Ward)**
Proposal: Erect four two storey dwellinghouses with associated parking and amenity space
Applicant: The Garrison LLP
Agent: APS Design Associates Ltd.

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 shall be carried out in accordance with the approved plans: 01; 04; 05; 06; 07.

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

03 The development hereby approved shall be carried out in accordance with the Flood Risk Assessment prepared by Evolve dated August 2015.

Reason: To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment NPPF and policy KP2 of Core Strategy.

04 The development hereby permitted shall operate at all time in accordance with the 'Flood Evacuation and Warning Plan' received 22.09.2016 reference CC/1687.

Reason: To ensure that the Flood Warning and Evacuation Plan meets with the requirements of the Environment Agency's Flood Warning Service.

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. These details shall include, for example:-

- i. proposed finished levels or contours;
- ii. means of enclosure, including any gates to the car parks;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.)

This shall include details of details of the number, size and location of the trees, shrubs and plants 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 tree protection measures to be employed during demolition and construction.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1

06 A scheme detailing how at least 10% of the total energy needs of the dwellinghouses will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwellinghouse. 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 and policy DM2 of the Development Management Document (DPD1).

07 Prior to 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).

08 The development hereby approved shall be carried out in accordance with drawing to ensure the dwellinghouses comply with building regulation M4 (2)- 'accessible and adaptable dwellings'.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

09 Details of an acoustic fence, to be erected along the northern boundary of the site, shall be submitted to and agreed in writing by the Local Planning Authority and the development shall be carried only in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupiers in accordance with policy DM1 of the Development Management Document DPD2.

10 (a) No development shall take place until a written scheme of investigation for a programme of archaeological work has been submitted to and approved in writing by the local planning authority. This must include details of the suitably qualified person or organisation that will carry out the archaeological work.

(b) The archaeological work and development must then be carried out in accordance with the approved scheme. A written report of the investigation and findings must be produced, showing that the archaeological work and development has been carried out in accordance with the approved scheme. Copies of the written report of the investigation and findings must be sent to Southend Borough Council,

(c) No part of the new building can be used until the local planning authority has provided written confirmation that the archaeological fieldwork and development has been carried out in accordance with the approved scheme.

Reason: To avoid damage to archaeological remains on site as set out in DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) Policy DM5 and SPD1 (Design and Townscape Guide).

Informative

01 Please note that the development the 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 Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

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.

316 16/01109/OUT - Between 143 And 147 Victoria Road, Southend on Sea (Victoria Ward)
Proposal: Land Between 143 And 147, Victoria Avenue, Southend-on-Sea, Essex, SS2 6EL
Applicant: Mr Steven Newman
Agent: Mrs Michelle Fishlock

Outline Planning Permission GRANTED subject to the following conditions:

01 Details of the appearance, layout, scale, detailed design, landscaping, access (hereinafter called the "Reserved Matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matter to be approved.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: VIC/P/100 B & VIC/P/101 B (C01D)

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan. (R01D)

03 Prior to the commencement of the development samples or details of materials to be used on the external elevations including details of any boundary walls, fences, gates and windows have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

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 Prittlewell Conservation Area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD policy DM1 and DM5, and SPD1 (Design and Townscape Guide).

04 Details of waste and cycle storage shall be submitted to the Local Planning Authority concurrently with the reserved matters application. The development shall implement in accordance with the approved details and retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided to promote sustainable transport and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policies KP2, CP3 and CP4, Development Management DPD policies DM1 and DM15, and SPD1 (Design and Townscape Guide).

05 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the Prittlewell Conservation Area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

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 concurrently with the Reserve Matters application and implemented in full in accordance with the approved details prior to the first 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 Details of surface water attenuation for the site, based on SUDS principles shall be submitted concurrently with the Reserve Matters application. The works agreed shall be carried out in accordance with the approved details prior to the first occupation of the dwellinghouses unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site in accordance with policy KP2 of the Core Strategy DPD1 and DPD2 (Development Management) policy DM2.

08 Prior to first occupation of the new dwellinghouse hereby approved, one car parking space shall be provided in accordance with plan No. VIC/P/100 B and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of and visitors to the new dwellings and for no other purpose unless otherwise agreed in writing by the local planning authority. Permeable paving shall be used for the hardstanding area unless otherwise agreed by the local planning authority.

Reason: To ensure satisfactory parking is provided and retained to meet needs of occupants that the development is completed and used as agreed, and to ensure that it meets DPD1 (Core Strategy) 2007 policies CP3 and CP4, Development Management DPD policy DM15 and SPD1.

09 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, shall be submitted prior to first occupation of the new dwellinghouse to and agreed in writing by the Local Planning Authority and implemented in full prior to the first

occupation of the development. This provision shall be made for the lifetime of the development.

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).

10 Demolition or construction works shall not take place outside 8:00 hours to 18:00 hours Mondays to Fridays and 8:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD policies DM1.

11 No burning of waste material shall take place during construction of the proposed dwellings.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD policies DM1.

12 The development shall not be occupied until the public footway running along the northern boundary of the application site shall be reinstated with a suitable surface and lighting installed in accordance with the plan no. VIC/P/100B or as otherwise agreed in writing with the local planning authority and be permanently retained thereafter.

Reason: To ensure satisfactory and safe use of the public footway in accordance with the National Planning Policy Framework (NPPF) and DPD1 (Core Strategy) 2007 policy CP4.

13 Details of building regulation M4(2) regarding accessible and adaptable homes shall be submitted concurrently with the Reserve Matters application. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the proposed dwelling would be constructed to be an accessible and adaptable home for elder people and wheelchair users in accordance with the National Planning Policy Framework (NPPF) and Development Management DPD policy DM3.

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). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at www.southend.gov.uk/cil

02 A telegraph pole is located on the southeast corner of the application site. Should this telegraph pole require relocation, it is advised that this would be on the applicant's expense.

03 With regards to condition 12 you are advised to contact the Council's Highways Team on 01702 534 328.

- 317 16/01139/FUL - 1026 London Road, Leigh on Sea (Leigh Ward)**
Proposal: Demolish existing car showroom and erect three storey building comprising 8 self-contained flats with two commercial units to ground floor, layout associated landscaping, car parking, cycle store and refuse store to rear
Applicant: Mr J O'Leary
Agent: Knight Gratrix Architects

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 shall be carried out in accordance with the approved plans: 040A; 041E; 042C.

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

03 No development shall take place until samples of the materials to be used on all the external elevations, including balconies, fenestration, undercroft area, and on any screen/boundary walls and fences, and on any external access way, driveway, forecourt or parking area and steps have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

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

04 The development shall not be occupied until 8 car parking and 8 cycle parking spaces have been provided on hardstandings within the curtilage of the site, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be

permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies DM15 of the Council's Development Management DPD and CP3 of the Core Strategy DPD1.

05 No development shall take place until full details of both hard and soft landscape works, including those of all roof terraces and the public realm proposals, 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. These details shall include, for example:-

- i proposed finished levels or contours;
- ii. means of enclosure, including any gates to the car parks;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.)

This shall include details of details of the number, size and location of the trees, shrubs and plants 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 tree protection measures to be employed during demolition and construction.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1

06 A Landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development. The landscape management plan shall be implemented out as approved.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Council's Development Management DPD and Policy CP4 of the Core Strategy DPD1

07 A scheme detailing how at least 10% of the total energy needs of the dwellinghouses will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwellinghouse. 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 (DPD1).

08 Prior to the commencement of the development hereby approved, details of the siting and appearance of the cycle and refuse store shall be submitted to and agreed in writing by the Local Planning Authority. The proposed development shall then be carried out in accordance with the approved details and the refuse and cycle store shall be provided prior to the occupation of any flats at the site and the commercial premises.

Reason: In order to protect the character and visual amenities of the area and the environment for residents in accordance with policy DM1 of the Council's Development Management DPD and Policies KP2 and CP4 of the Core Strategy DPD1.

09 Prior to 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).

10 The development hereby approved shall be carried out in accordance with drawing 042c, 041e, 040a to ensure the flats complies with building regulation M4 (2)-'accessible and adaptable dwellings'.

Reason: To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the changing needs of residents in accordance with National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

11 No development hereby permitted shall commence until details of surface water attenuation for the site, based on SUDS principles, have been submitted to and approved by the Local Planning Authority. The works agreed shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site in accordance with policy KP2 of the Core Strategy DPD1 and DPD2 (Development Management) policy DM2

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

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.

- 318 16/01182/FUL - 181 West Road, Westcliff on Sea (Prittlewell Ward)**
Proposal: Change of use of ground floor from office (Class B1) to non-residential education facility use (Class D1), erect a single storey rear extension, install dormer to the rear and alter front elevation
Applicant: Mr Warner
Agent: Mr Kirubaharan

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 Location Plan 106; Proposed Elevations 206; Proposed ground floor 306; First floor 406; Roof Plan 506; Sections 606.

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

03 The premises shall not be open for use as an education facility other than during term time between the hours of 0900-2000 Monday to Friday and 0900-1700 Saturday, Sundays and Bank Holidays.

Reason: To safeguard the amenities of adjoining residents, in accordance with policy DM1 of the Development Management Document DPD2.

04 The premises shall be used only as an educational facility within in (Class D1) and for no other purpose including any other purpose within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: To define the scope of this permission in light of protecting the character and appearance of the area and the absence of parking facilities at the site, in accordance with policy DM1 and DM15 of the Development Management Document DPD2.

05 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: 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 set out in National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

06 The development shall not be occupied until details of any air conditioning, ventilation, heating or fume extraction, plant or machinery shall be installed until details of design, siting, discharge points and predicted acoustic performance have been submitted to and approved by the local planning authority. The development shall not be occupied or brought into use until the development has been implemented in full accordance with the details approved under this condition and shall be maintained as such in perpetuity.

Reason: To minimise the impact of the proposals on the character and appearance of the street scene and amenities of adjacent occupiers in accordance with This is set out in National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

07 Prior to commencement of the proposed use, details of cycle storage shall be submitted to and approved by the local authority. The development shall not be brought into use until the cycle storage have been provided in accordance with the details approved under this condition and shall be retained as such in perpetuity

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

08 No music or amplified speech shall be provided to the external area without first obtaining written approval from the Local Planning Authority.

Reason: To protect the environment of people in neighbouring properties and general environmental quality, and in the interests of visual amenity, in accordance with the NPPF, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) policy DM1.

Informative

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.

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.

- 319 16/01520/FULH - 23 Repton Grove, Eastwood (St Laurence Ward)**
Proposal: Erect two storey rear extension and alter elevations
Applicant: Mr S. Regan
Agent: Mr D. Blacker

DEFERRED (PMSV)

- 320 16/01529/FUL - 96 The Ridgeway, Leigh on Sea (Chalkwell Ward)**
Proposal: Install two retractable canopies to the front elevation.
Applicant: Mr M Hassan
Agent: Mr C. Stone (Stone Me Ltd)

Mr Perry, a local resident, spoke as an objector to the application.

Planning Permission REFUSED for the following reasons:

01 The installation of the canopies as proposed would lead to an intensification in the use of the external area at the front of the restaurant and create additional noise and disturbance, which is detrimental to the amenities of the occupiers of nearby residential properties. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); and Policy DM1 of the Southend-on-Sea Development Management Document (2015).

02 The proposed canopies would, by reason of their size, design and siting, fail to integrate with the existing building and be out of keeping with and detrimental to the character and appearance of the existing building and the area more widely. The proposal is therefore contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

(Councillor Hadley took no part in the discussion or voting in this matter.)

**321 16/01243/FULM - Shoeburyness High School, Caulfield Road, Shoeburyness, Southend-on-Sea, Essex, SS3 9LL (West Shoebury)
Proposal: Install 15 lamp posts and four security cameras (Amended Proposal) (Retrospective)
Applicant: Shoeburyness High School
Agent: Nick Kenney (The Draughtsman)**

The Chairman agreed that this item be considered at this meeting as an additional urgent item on the grounds that the lighting is of particular importance in winter months and it is therefore important that, if approved, the lighting is able to be lawfully utilised in the interest of health and safety at the school.

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the following approved plans: SHS/NAK001, SHS/NAK002, SHS/NAK/001 and Location Plan

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

02 The lighting and CCTV columns shall not exceed the heights shown on plan SHS/NAK/001.

Reason: In the interests of protecting visual and residential amenity and preventing light pollution as required by the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guide).

03 All lighting installations shall be directed to face away from the adjacent neighbouring properties to the west. The lighting shall be designed and orientation to not cause an increase of luminance within any neighbouring residential property that exceeds 15 lux

Reason: In the interests of protecting visual and residential amenity and preventing light pollution as required by the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guide).

04 The lighting hereby approved shall only be used during the hours of 0700 and 2200.

Reason: In the interests of protecting visual and residential amenity and preventing light pollution as required by the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guide).

You are advised that as the proposed extensions 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 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.

Chairman: _____