

## **SOUTHEND-ON-SEA BOROUGH COUNCIL**

### **Meeting of Development Control Committee**

**Date: Wednesday, 8th February, 2017**

**Place: Committee Room 1 - Civic Suite**

**Present:** Councillor D Garston (Vice-Chair in the Chair)  
Councillors D McGlone\*, D Garston (Vice-Chair), B Arscott,  
M Assenheim, M Borton, F Evans, N Folkard, J Garston, R Hadley,  
A Jones, C Mulroney, D Norman MBE, P Van Looy, C Walker,  
H Boyd, D McGlone and N Ward\*  
\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** J K Williams, P Geraghty, D Hermitage, C Galforg, J Rowley,  
M Warren and T Row

**Start/End Time:** 2.00 - 3.30 pm

#### **744 Apologies for Absence**

Apologies for absence were received from Councillors Waterworth (Substitute: Councillor McGlone), Ayling (Substitute: Councillor Ward), Butler (Substitute: Councillor Boyd) and Callaghan (no substitute).

#### **745 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor Evans – Agenda Item No. 6 - 16/02213/FUL - 7-9 Landsdowne Avenue, Leigh on Sea – Non-pecuniary interest: Customer at the premises;

(b) Councillor Hadley – Agenda Item No. 4 - 16/02207/BC4M - Centurion Close, Shoeburyness – Non-pecuniary interest: Member of the Management Committee of the Community Centre;

(c) Councillor Hadley – Agenda Item No. 8 - 16/01497/FUL - 149 Leigh Road, Leigh-on-Sea – Disqualifying non-pecuniary interest: Chairman of the Licensing Committee (withdrew);

(d) Councillor Jones – Agenda Item No. 10 - 16/02061/FUL - Rear Of 2-10 Camper Road, Southend-on-Sea – Non-pecuniary interest: Objector/public speaker is known to her via Labour Party (RSE);

(e) Councillor McGlone – Agenda Item No.7 - 16/02066/FULM - Southend High School For Girls, Southchurch Boulevard – Non-pecuniary interest: Ex-employee of the School;

(f) Councillor McGlone – Agenda Item No. 8 - 16/01497/FUL - 149 Leigh Road, Leigh-on-Sea – Disqualifying non-pecuniary interest: Vice-Chairman of the Licensing Committee (withdrew);

(g) Councillor Mulroney – Agenda Item No. 8 -16/01497/FUL - 149 Leigh Road, Leigh-on-Sea – Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);

(h) Councillor Van Looy – Agenda Item No. 8 -16/01497/FUL - 149 Leigh Road, Leigh-on-Sea – Non-pecuniary interest: Applicant is known to him;

(i) Councillor Van Looy – Agenda Item No. 10 - 16/02061/FUL - Rear Of 2-10 Camper Road, Southend-on-Sea – Non-pecuniary interest: Applicant is known to him;

(j) Councillor Walker – Agenda Item No. 6 - 16/02213/FUL - 7-9 Lansdowne Avenue. Leigh-on-Sea – Non-pecuniary interest: Applicant is known to him;

(k) Mr P Geraghty –Agenda Item No. 4 - 16/02207/BC4M - Centurion Close, Shoeburyness – Disqualifying non-pecuniary interest: Sits on the project board (withdrew).

#### **746 Supplementary Report**

The Committee received a supplementary report by the Deputy Chief Executive (Place) that provided additional information on items referred to elsewhere on the Agenda.

#### **747 16/02207/BC4M - Centurion Close, Shoeburyness (Shoeburyness Ward)**

**Proposal: Demolish existing buildings and erect nursery and playground with ancillary community hall use (Class D1), erect nine dwellinghouses, layout parking, install vehicular access on to Centurion Close and associated landscaping**

**Applicant: Public Sector Partnership (Southend) LLP**

**Agent: Bidwells**

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:

729\_P\_700; 729\_P\_702; 729\_P\_703; 729\_P\_704; 729\_P\_705; 734\_P\_706; 734\_P\_707; 729\_P\_708; 729\_P\_710; 729\_P\_712; 729\_P\_713; 729\_P\_714; 729\_P\_718; 729\_P\_720; 729\_P\_721; 729\_P\_722; 729\_P\_723; 729\_P\_724; 729\_P\_725; 734\_P\_730; 734\_P\_731 ; 734\_P\_732; 734\_P\_73 P2; 734\_P\_734; 734\_P\_735; 734\_P\_737; 734\_P\_740; 734\_P\_741; 734\_P\_742; 734\_P\_743

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

03 No construction works for the nursery building above the floor slab level shall take place until samples and product details of the materials to be used in the construction of the external elevations of the nursery building hereby permitted, including cladding, fenestration, canopy and screening have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy and Policy DM1 of the Development Management DPD 2015 and the Design and Townscape Guide 2009

04 No construction works for the dwellings shall take place until samples and product details of the materials to be used in the construction of the external elevations of the buildings hereby permitted, including cladding, screening, balustrades, glazed brickwork and fenestration have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy and Policy DM1 of the Development Management DPD 2015 and the Design and Townscape Guide 2009

05 No construction works for the housing above the floor slab level shall take place until details of fenestration including reveals, brick patterning panels, and glazed brickwork within window frames, at a scale of at least 1:20 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy and Policy DM1 of the Development Management DPD 2015 and the Design and Townscape Guide 2009

06 Prior to the display of any signage relating to the Nursery details shall be submitted to an approved by the Local Planning Authority and the signage shall be displayed only in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy and Policy DM1 of the Development Management DPD 2015 and the Design and Townscape Guide 2009

07 No construction works for the nursery building above the floor slab level 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 these works shall be carried out as approved. These details shall include: proposed finished levels or contours; means of enclosure, boundary treatment, forecourt, pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, benches, bollards, refuse or other storage units, lighting etc.)

Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, and landscape management plan, site preparation and planting details, long term design objectives, management responsibilities and maintenance schedules for all landscape areas

The hard landscaping shall be installed prior to first occupation of the development and the soft landscaping works shall be implemented prior to the end of the first planting season following first occupation of the development. Management of the landscaping shall be implemented in accordance with the agreed management plan.

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 DPD1, Policy DM1 of the Development Management DPD 2015 and the Design and Townscape Guide 2009.

08 No construction works for the dwellings 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 these works shall be carried out as approved. These details shall include: proposed finished levels or contours; means of enclosure, boundary treatment, forecourt, shared space and pedestrian access and circulation areas; details of the method of preventing vehicular access between the site and The Renown; hard surfacing materials; minor artefacts and structures (eg. planters, furniture, benches, bollards, refuse or other storage units, lighting etc.)

Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, and landscape management plan, site preparation and planting details, long term design objectives, management responsibilities and maintenance schedules for all landscape areas

The hard landscaping shall be installed prior to first occupation of the development and the soft landscaping works shall be implemented prior to the end of the first planting season following first occupation of the development and planting to all public areas permanently retained thereafter. Management of the landscaping shall be implemented in accordance with the agreed management plan.

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 DPD1, Policy DM1 of the Development Management DPD 2015 and the Design and Townscape Guide.

09 The nursery shall not be occupied until 8 car parking spaces have been laid out within the site in accordance with drawing P\_702 and shown as Nursery Staff Parking and Parent Drop - off. The parking spaces shall be permanently retained thereafter for the parking of staff and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the nursery development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

10 No dwelling shall be occupied until 2 parking spaces per dwelling and the "New Mews" shared surface has been laid out within the site in accordance with drawing P\_702 to serve the dwellings and to allow vehicles to access the site and for vehicles to turn so that they may enter and leave the site in forward gear. The parking spaces/shared space shall be permanently retained thereafter, the parking shall be retained for occupiers and visitors to the development.

Reason: To ensure that adequate car parking and access is provided and retained to serve the houses development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

11 Access to the Renown from the development shall be restricted to pedestrian and cycle access only.

Reason: In the interest of highway safety in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

12 The nursery development shall not be occupied until a parking management plan for the nursery development has been submitted to and agreed in writing by the Local Planning Authority. On first occupation of the Nursery development the agreed management plan shall be implemented as approved.

Reason: To ensure that the car parking is satisfactorily managed in the interests of traffic management and highway safety in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

13 No construction works for the nursery building above the floor slab level shall take place until details of refuse store have been submitted to and approved by the Local Planning Authority. The refuse store shall be installed as in accordance with the approved details prior to first occupation of the development and permanently retained thereafter. Waste storage and collection from the development shall be carried out in accordance with details set out in the submitted Design and Access Statement dated December 2016

Reason: In the interest of visual amenity and to ensure that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

14 No construction works for the housing development above the floor slab level shall take place until details of the refuse stores shown on plan No P\_702 have been submitted to and approved by the Local Planning Authority. The refuse stores shall be installed in accordance with the approved details prior to

first occupation of the housing development and permanently retained thereafter.

Reason: In the interest of visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

15 The Nursery development shall not be occupied until details of secure, covered cycle parking spaces to serve the development have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented on first occupation and shall be permanently retained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

16 No development shall take place for any phase of the development (as defined in the Design and Access Statement dated December 2016) including any works of demolition, until a Construction Method Statement for that phase of the development has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period for the related phase of development. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interests of visual amenity and the amenities of surrounding occupiers to Policies Policy DM1 and MD3 of the Development Management DPD 2015.

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

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

18. No meter boxes shall be installed on the front of the dwellings or side elevations of the dwellings that face a highway. No meter boxes shall be installed on the eastern or northern elevation of the nursery building unless their design and location has previously been submitted to and agreed by the Local Planning Authority prior to installation and the meter boxes installed thereafter in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policies DM1 and MD3 of the Development Management DPD 2015 and the Design and Townscape Guide 2009.

19 Prior to installation of any external lighting to the development, details of the lighting shall be submitted to and approved by the Local Planning Authority and the lighting shall only be installed and retained in accordance with the approved details.

Reason: In the interest of the visual amenities and character of the area, and to protect the amenities of surrounding occupiers in accordance with Policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015 and the Core Strategy 2009.

20 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;
- ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;
- iii) a timetable for its implementation; and
- vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy 2007 and area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM2 of the Development Management DPD 2015.

21 Demolition or construction works shall not take place outside 07:30hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays nor at any time on Sundays or Bank Holidays.

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

22 No construction works above the level of the floor slab of the Nursery shall take place until details of the proposed Photovoltaic cells set out in the submitted Energy and Sustainability Statement by Norman Bromley Partnership have been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and brought into use on first occupation of the Nursery development.

Reason: To ensure the development maximises the use of renewable and recycled energy, water and other resources, in accordance with Policy KP2 of the Core Strategy DPD1 and Policy DM2 of the Development Management DPD 2015.

23 No construction works above the level of the floor slab of the dwellings shall take place until details of the proposed Photovoltaic cells set out in the submitted Energy and Sustainability Statement by Norman Bromley Partnership have been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and brought into use on first occupation of the dwellings.

Reason: To ensure the development maximises the use of renewable and recycled energy, water and other resources, in accordance with Policy KP2 of the Core Strategy DPD1 and Policy DM2 of the Development Management DPD 2015.

24 Notwithstanding the provisions of Schedule 2 Part 1 Classes A, B, C, D or F and Schedule 2 part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no development extensions or alterations to the dwellings or walls or fences or other means of enclosure shall be erected unless previously agreed in writing by the Local Planning Authority.

Reason: In order to protect the character and visual amenities of the development and the surrounding area and the amenities of occupiers in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policy DM1 and DM3 of the Development Management DPD 2015 and the Design and Townscape Guide 2009.

25 No construction works above the level of the floor slab shall take place until details of the new accesses, removal of the existing redundant crossovers and street furniture, carriageway widening, on street car parking spaces and public realm improvements (e.g new paving to the front of the site) as shown on plan ref 729 P\_708 have been submitted to Southend Borough Council (as local planning authority and highway authority) and the Council has approved in writing a full scheme of works and the relevant highways approvals are in place.



The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of sustainability, accessibility, highways management, efficiency and safety in accordance DPD1 (Core Strategy) 2007 policy KP2, KP3 and CP3, Policy DM1 and DM15 of the Development Management DPD 2015.

26 The Nursery building shall only be used for purposes within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force).

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers to protect the character the area in accordance and to ensure that parking provision to serve the development is sufficient, in accordance with KP2, CP3 and CP4 of the Core Strategy DPD1 and Policies DM1, DM3 and DM15 of the Development Management DPD 2015.

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

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

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

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

29 Prior to first occupation of the Nursery a Travel Plan must be submitted to and approved in writing by the local planning authority. The Travel Plan must include details of:

- (a) A comprehensive survey of all users of the nursery school;
- (b) Targets set in the Plan to reduce car journeys to the nursery school;
- (c) A timetable from implementation
- (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the new Nursery school building is occupied.

At the end of the first and third years of the life of the Travel Plan, reports monitoring the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with Policies CP3 of the Core Strategy DPD1 and Policy DM15 of the Development Management DPD 2015.

30 The external intrusive noise mitigation measures for the residences set out in the acoustic report submitted by Hepworth Acoustics dated December 2016 (including double glazing, external fabric specification and boundary treatment) shall be implemented to ensure that internal and external noise levels will meet the recommended acoustic criteria based on the guidelines set out in BS 8233: 2014.

Reason: In order to protect the amenities of future occupiers of the dwellings in accordance with policies DM1 and DM3 of the Development Management DPD 2015.

31 The external intrusive noise mitigation measures for the Nursery set out in the acoustic report submitted by Hepworth Acoustics dated December 2016 shall be implanted to ensure that indoor noise levels meet the recommended acoustic criteria based on the guidelines set out in BB93.

Reason: In order to protect the amenities of future users of the Nursery in accordance with policies DM1 and DM3 of the Development Management DPD 2015.

32 During any Construction and Demolition there shall be no burning of waste material on the site.

Reason: In order to protect the amenities of surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy DPD1.

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

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

#### 34. Contaminated Land

##### 1. Site Characterisation

With the exception of demolition, grubbing up of foundations and site clearance no development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local

Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

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

(ii) an assessment of the potential risks to:

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

## 2. Submission of Remediation Scheme

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

## 3. Implementation of Approved Remediation Scheme

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

## 4. Reporting of Unexpected Contamination

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

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

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

## 5. Long Term Monitoring and Maintenance

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

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

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

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

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

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

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

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](http://www.southend.gov.uk/cil).

02 In relation to Condition 25; you are advised to contact Highways Engineer – Martin Warren; (Tel: 01702 215003) to discuss the requisite Highways Licence/Agreements under the Highways Act 1980. You are advised that a Highways Licence/Agreement needs to be in place before any works are carried out to the public highway and any works will need to be carried out by a Council approved contractor.

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

04. The developer should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". [http://www.london.gov.uk/thelondonplan/guides/bpg/bpg\\_04.jsp](http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp)

05. The applicant is advised that the application site is within the general vicinity of former MOD ranges and that site operatives should be mindful of the potential for unexploded ordnance when carrying out any excavations.

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.

**748 16/02271/FULH - 31 Lynton Road, Thorpe Bay (Thorpe Ward)**

**Proposal: Demolish existing single storey rear extension and garage to side, raise ridge height with dormer to rear, erect two storey rear extension with juliette balcony at first floor, first floor front extension incorporating porch at ground floor, part single/part two storey side extension, outbuilding to rear, alter elevations, form outdoor swimming pool at rear, layout hardstanding to front and install vehicular access on to Lynton road (Amended Proposal)**

**Applicant: Mr and Mrs McCoy**

**Agent: Medusa Design**

Mrs Holland, a local resident, spoke as an objector to the application. Mr McCoy, the Applicant, responded.

Planning permission REFUSED for the following reason:

01 The proposed development, by reason of its bulk, scale and proximity to the neighbouring dwelling, would result in limited spacing between properties and a cramped form of development which could be detrimental to character and appearance of the streetscene and contrary to the provisions of the NPPF, policies CP4 of the Southend Core Strategy 2007, DM1 and DM3 of the Development Management DPD and guidance contained within the Design and Townscape Guide.

**749 16/02213/FUL - 7-9 Lansdowne Avenue. Leigh-on-Sea (Chalkwell Ward)**

**Proposal: Demolish existing buildings and erect two semi-detached dwellinghouses with roof extension's and pergola's to rear, layout parking, hard and soft landscaping (Amended Proposal)**

**Applicant: Mr G. Hutchinson**

**Agent: Mr S. Milne, The Livemore House**

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: 15015-01(B) (Dated 12/12/16), 15015-04 (B) (Dated 12/12/16) and 15015-05 (B) (Dated 15/12/16)

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, and details of the window design and detailing to the pillars to the front bay 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 before it is brought into use.

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) and means of enclosing the site. 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 or before it is brought into use of occupied. 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 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, the Design and Townscape Guide (SPD1) and Development Management Document Policy DM2.

07. Prior to the first occupation of the dwellinghouse, the existing dropped kerbs to the front of the site shall be reinstated as footway and the parking spaces shown on the plans hereby approved shall be provided and made available for use by the occupants of the dwellings hereby approved. The parking spaces provided shall not be used for any purpose other than in relation to the occupation of the dwellings hereby approved.

Reason: To provide adequate parking and in the interest of visual amenity, in accordance with Policies DM1 and DM15 of the Development Management Document.

08. 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, D, E 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).

09. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, in the interest of the amenities of future occupiers in accordance with Core Strategy Policies KP2 and CP4, Development Management Document Policies DM1 and DM3.

10. 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 shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details and retained in perpetuity.

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).

11. Hours of construction related to the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbouring residents in accordance with the National Planning Policy Framework, Policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009.

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](http://www.southend.gov.uk/cil)

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

03. The developer should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". <http://www.london.gov.uk/priorities/planning/supplementary-planning-guidance>



**750 16/02066/FULM - Southend High School For Girls, Southchurch  
Boulevard (Southchurch Ward)**

**Proposal: Erect two storey teaching block, repositioning of tennis courts and store and layout parking.**

**Applicant: Southend High School For Girls**

**Agent: PCH 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 hereby permitted shall be carried out in accordance with the approved plans 188-3\_PL\_007.R1; 188-3\_PL\_006.R0; 188-3\_PL\_002.R1; 188-3\_PL\_004.R1; 188-3-PL\_005.R01.

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

03 No development shall take place until samples of the materials to be used on all the external elevations and parking area 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 surrounding locality. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) 2015 policy DM1 and SPD1 (Design and Townscape Guide)

04 No development of the replacement tennis courts shall commence until details of the design and layout of the replacement tennis courts, including details of surfacing, line marking, fencing and enhancements have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The replacement tennis courts shall not be constructed other than in accordance with the approved details.

Reason: To ensure the satisfactory, quality of compensatory provision and to ensure that the development is fit for purpose and sustainable and to accord with Development Plan Policy CP7 of the Core Strategy DPD1.

05 The replacement tennis courts shall be completed and made available for use within 3 months of the practical completion of the teaching block hereby permitted.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use [phasing provision] and to accord with Development Plan Policy CP7 of the Core Strategy DPD1.

06 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: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) emerging policy DM1 and SPD1 (Design and Townscape Guide).

07 The 129 car parking spaces shall be provided in accordance with drawing 188-3\_PL\_006.RO hereby approved and shall thereafter be permanently retained, unless otherwise agreed in writing by the local planning authority. Permeable paving shall be used for the hardstanding area.

Reason: In the interests of highway management and safety, residential amenity and general environmental quality in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy KP2, CP3 and CP4, DPD2 (Development Management) policy DM15, and SPD1 (Design and Townscape Guide).

08 Prior to installation of any external lighting, the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, NPPF, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

09 A scheme detailing how at least 10% of the total energy needs of the new building 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 building. 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).

10 The development hereby approved shall be carried out in accordance with the Drainage Strategy carried out by Barter Hill October 2016. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with Policies KP2 and CP4 of the Core Strategy DPD1, DPD2 (Development Management) policy DM2.

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

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

#### Informatives

01 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use.

02 You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building Control Service can be contacted on 01702 215004 or alternatively visit our website [http://www.southend.gov.uk/info/200011/building\\_control](http://www.southend.gov.uk/info/200011/building_control) for further information.

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.

**Proposal: Change of use of first floor from offices (Class A2) to restaurant (Class A3) and ground floor restaurant (Class A3) to Bar/Restaurant (Mixed use Class A3/A4), erect single storey extension and external staircase at rear, install replacement shopfront at ground floor, alter existing extraction duct and alter elevations**

**Applicant: Mr A. Artemi, The Vine**

**Agent: Mr A. Merry, Design Associates**

Planning permission REFUSED for the following reasons:

01 The Council has received a number of noise complaints in relation to the current use of the premises and the applicant has failed to provide satisfactory evidence to demonstrate that the proposed development (including the existing ground floor bar/restaurant) would not give rise to further undue noise and disturbance to neighbouring occupiers, to the detriment of the amenities thereof. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; DPD1 (Core Strategy) Policies KP2 and CP4; Development Management Document Policy DM1, and the Design and Townscape Guide SPD1.

02 The existing extract and ventilation system, by reason of the enlarged kitchen and increased number of covers would be inadequately to prevent the spread of noise and odours. This would be detrimental to the amenities of local residents and the environmental quality of the local area, contrary to the National Planning Policy Framework; DPD1 (Core Strategy) Policies KP2 and CP4; Development Management Document Policy DM1, and the Design and Townscape Guide SPD1.

03 The proposed development by virtue of the increased parking demand would exacerbate existing on-street parking stress, to the detriment of highway safety and efficiency, contrary to the National Planning Policy Framework; DPD1 (Core Strategy) Policies KP2, CP4, CP3; Policy DM15 of the Development Management Document, the Design and 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.

Informatives

01. 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 would also be CIL liable.

2. The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2013 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG.

3. For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from [www.DEFRA.gov.uk](http://www.DEFRA.gov.uk)

**752 16/01901/FUL - 1 Mayfair Place, Southend-on-Sea (Thorpe Ward)**

**Proposal: Erect two storey side extension to form terraced house and layout parking**

**Applicant: Stockvale Properties Limited**

**Agent: SKArchitects**

DEFERRED

**753 16/02061/FUL - Rear Of 2-10 Camper Road, Southend-on-Sea (Thorpe Ward)**

**Proposal: Replace plan 151-02-13 2, 151-02-13 P01 with 151-02-13 2A, 151-02-13 P01B to amend parking layout (Variation of conditions 2 and 4 of planning application 13/01753/FUL dated 17/02/14) (retrospective)**

**Applicant: Stockvale Properties LTD**

**Agent: SKArchitects**

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

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the following approved plans: P01 Revision C; P02(4) Revision A P02 Revision B and P03 Revision B.

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

02 Notwithstanding the submitted plan P02(4), within three months of the date of this permission five marked car parking spaces shall be provided and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of the dwelling(s) of which it forms part and their visitors and for no other purpose unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15, and SPD1 (Design and Townscape Guide).

03 Within three months of the date of this permission, photovoltaic panels shall be installed carried out in accordance with details of renewable energy statement carried out by pemxq September 2013 and drawings P02 Revision B and P03 Revision B relating to the photovoltaic panels and permanently retained thereafter.

Reason: In the interest of sustainable development and in accordance with Policy KP2 of the Southend on Sea Borough Core Strategy.

04 The development hereby permitted shall operate at all times in accordance with the 'Flood Evacuation and Warning Plan' project 151-02-13 submitted with this application.

Reason: To ensure that the habitable development remains dry in the event of flooding for the adequate protection of the occupants in accordance with the NPPF.

05 The development hereby permitted Trentside Geotechnical Testing and Site Investigations Limited report dated 22.04.2016 reference JB/TGT/010 is agreed, unless otherwise agreed in writing by the local planning authority.

Informative

01 You are advised that as the proposed external alterations does not result in the creation of new floorspace given that it 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](http://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.

**754 16/02206/FULH - 3 Parkside, Westcliff-on-Sea (Chalkwell Ward)**

**Proposal: Erect two storey side extension, single storey rear extension, alterations to elevations and erect porch canopy to front**

**Applicant: Mr And Mrs Whyte**

**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. (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 following approved plans: 1085 010 C & 1085 011 C (C01D)

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

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. (C23D)

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 approved plans (condition 02), the proposed flat roof section shall be set lower from the ridge of the hipped roof and ridge tiles shall be installed at the edges of this flat roof section, in accordance with the details which shall be previously been submitted to and approved 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, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

05 The roof of the building/extension 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 or to escape in an emergency. (C17A)

Reason: To protect the privacy and environment of people in neighbouring residential properties, 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).

06 The first floor bathroom window in the east elevation shall only be glazed in obscure glass (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. (C17B)

Reason: To protect the privacy and environment of people in neighbouring residential properties, 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.

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](http://www.southend.gov.uk/cil) for further details about CIL.

**755 16/02252/FULH - 215 Carlingford Drive, Westcliff-on-Sea (Prittlewell Ward)**

**Proposal: Single storey side and rear extension (Retrospective)**  
**Applicant: Mr Biju Matthew**  
**Agent: Mr Graham Miles**

Planning permission GRANTED subject to the following conditions:

01 The development hereby permitted shall be retained in accordance with the following approved plans: 1497/10-A, 1497/00, 1497/11

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

02 The roof of the building/extension 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 or to escape in an emergency.

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



**756 16/00044/UNAU\_B - 313 Rayleigh Road, Eastwood, Leigh-on-Sea (Eastwood Park Ward)**

**Breach of Planning Control: Without planning permission, the construction of a single storey part side/part rear extension.**

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the single storey part side/part rear extension on the grounds that the unauthorised development is detrimental to the amenities and character of the area in that its design and materials do not respect the existing character and appearance of the building and that its appearance results in demonstrable harm to the visual amenities of the area contrary to the NPPF, Policies CP4 and KP2 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document and the advice contained within the Design & Townscape Guide.

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case the necessary remedial works would probably require quotations to be sought and contracts agreed so a compliance period of 3 months is considered reasonable.

**757 17/00067/TCA - 29 Hadleigh Road, Leigh on Sea, Essex SS9 2DY (Leigh Ward)**

**Proposal: Fell one Bay tree (T4). two Yew Trees (T5 &T6), one Pear Tree (T7) and fell Leylandii between two Sycamore Trees (T27 and T28) at 29.-33 Hadleigh Road (Application for works to trees within a conservation area)**

**Applicant: Mr Jeremy Holmes**

The Chairman agreed that this item be considered at this meeting as an urgent additional item on the grounds that a decision on this matter was required before the following meeting of the Committee.

DELGATED to the Deputy Chief Executive (Place), Head of Planning & Transport or the Group Manager Planning Control and Building Control to REFUSE PRIOR APPROVAL in respect to T5 and T6 and serve a provisional Tree Preservation Order and undertake any necessary steps to protect the loss of the two yew trees (T5 and T6) shown on the submitted plans.

**Chairman:** \_\_\_\_\_