

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Development Control Committee

Date: Wednesday, 5th April, 2017

Time: 2.00 pm

Place: Committee Room 1 - Civic Suite

Contact: Tim Row - Principal Committee Officer

Email: committeesection@southend.gov.uk

A G E N D A

1 Apologies for Absence

2 Declarations of Interest

3 Supplementary Report

**** Introduction

**** Reports on Pre-Meeting Site Visits

4 TPO 1/2017 - 29 Hadleigh Road, Leigh-on-Sea (Leigh Ward) (Pages 5 - 24)

**** Reports on Main Plans List

5 16/02194/FULM - Shoeburyness High School, Caulfield Road, Shoeburyness (West Shoebury Ward) (Pages 25 - 48)

6 16/01901/FUL - 1 Mayfair Place, Southend-on-Sea, Essex (Thorpe Ward) (Pages 49 - 68)

7 17/00362/FUL - The Shore, 22 - 23 The Leas, Westcliff-on-Sea (Chalkwell Ward) (Pages 69 - 86)

8 17/00208/OUT - 69 The Fairway, Leigh-on-Sea (Belfairs Ward) (Pages 87 - 100)

9 17/00406/BC3 - Pier Amusement Arcade, The Pier, Western Esplanade, Southend-on-Sea (Milton Ward) (Pages 101 - 116)

TO: The Chairman & Members of the Development Control Committee:

Councillor F Waterworth (Chair)

Councillors D Garston (Vice-Chair), B Arscott, M Assenheim, B Ayling, M Borton, M Butler, T Callaghan, F Evans, N Folkard, J Garston, R Hadley, A Jones, C Mulroney, D Norman MBE, P Van Looy and C Walker

PLEASE NOTE: The minibus for the site visits will depart from the bus stop at the front of the Civic Centre at 11.30 a.m.

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DEVELOPMENT CONTROL COMMITTEE

INTRODUCTION

- (i) **Recommendations in capitals at the end of each report are those of the Corporate Director of Place, are not the decision of the Committee and are subject to Member consideration.**
- (ii) All plans have been considered in the context of the Borough Council's Environmental Charter. An assessment of the environmental implications of development proposals is inherent in the development control process and implicit in the reports.
- (iii) Reports will not necessarily be dealt with in the order in which they are printed.
- (iv) The following abbreviations are used in the reports:-

BLP	- Borough Local Plan
DAS	- Design & Access Statement
DEFRA	- Department of Environment, Food and Rural Affairs
DPD	- Development Plan Document
EA	- Environmental Agency
EPOA	- Essex Planning Officer's Association
DCLG	- Department of Communities and Local Government
NPPF	- National Planning Policy Framework
NPPG	- National Planning Practice Guidance
SPD	- Supplementary Planning Document
SSSI	- Sites of Special Scientific Interest. A national designation. SSSIs are the country's very best wildlife and geological sites.
SPA	- Special Protection Area. An area designated for special protection under the terms of the European Community Directive on the Conservation of Wild Birds.
Ramsar Site	- Describes sites that meet the criteria for inclusion in the list of Wetlands of International Importance under the Ramsar Convention. (Named after a town in Iran, the Ramsar Convention is concerned with the protection of wetlands, especially those important for migratory birds)

Background Papers

- (i) Planning applications and supporting documents and plans
- (ii) Application worksheets and supporting papers
- (iii) Non-exempt contents of property files
- (iv) Consultation and publicity responses
- (v) NPPF and NPPG
- (vi) Core Strategy
- (vii) Borough Local Plan

NB Other letters and papers not taken into account in preparing this report but received subsequently will be reported to the Committee either orally or in a supplementary report.

DEVELOPMENT CONTROL COMMITTEE

Use Classes

- Class A1 - Shops
- Class A2 - Financial & Professional Services
- Class A3 - Restaurants & Cafes
- Class A4 - Drinking Establishments
- Class A5 - Hot Food Take-away

- Class B1 - Business
- Class B2 - General Industrial
- Class B8 - Storage or Distribution

- Class C1 - Hotels
- Class C2 - Residential Institutions
- Class C3 - Dwellinghouses
- Class C4 - Small House in Multiple Occupation

- Class D1 - Non-Residential Institutions
- Class D2 - Assembly and Leisure
- Sui Generis - A use on its own, for which any change of use will require planning permission

DEVELOPMENT CONTROL COMMITTEE

SITE VISIT PROTOCOL

1. Necessity

A site visit is only likely to be necessary if either:

- (i) The proposed development is difficult to visualise from the plans, photographs and supporting material; or
- (ii) There is good reason why the comments of the applicant and / or objector(s) cannot be expressed adequately in writing; or
- (iii) The proposal is particularly contentious; or
- (iv) A particular Member requests it and the request is agreed by the Chairman of DCC.

2. Selecting Site Visits

- (i) Members can request a site visit by contacting the Head of Planning and Transport or the Group Manager for Planning; providing the reason for the request. The officers will consult with the Chairman.
- (ii) If the agenda has not yet been printed, notification of the site visit will be included on the agenda. If the agenda has already been printed, officers will notify Members separately of the additional site visit.
- (iii) Arrangements for visits will not normally be publicised or made known to applicants or agents unless access is required to be able to go on land.

3. Procedures on Site Visits

- (i) Visits will normally take place during the morning of DCC.
- (ii) A planning officer will always attend and conduct the site visit, and will bring relevant issues to the attention of Members. The officer will keep a record of the attendance, and a brief note of the visit.
- (iii) The site will normally be viewed from a public place, such as a road or footpath.
- (iv) Representations will not be heard, and material will not be accepted. No debate with any party will take place. Where applicant(s) and/or other interested person(s) are present, the Chairman may invite them to point out matters or features which are relevant to the matter being considered having first explained to them that it is not the function of the visit to accept representations or to debate.

Version: April 2016

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Reference:	TPO 1/2017	<h1>4</h1>
Ward:	Leigh	
Proposal:	Tree Preservation Order 01/2017	
Address:	29 Hadleigh Road, Leigh-On-Sea, Essex, SS9 2DY	
Applicant:	Mr Jeremy Holmes	
Agent:	N/A	
Consultation Expiry:	14 th March 2017	
Expiry Date:	N/A	
Case Officer:	Abbie Greenwood	
Plan Nos:	N/A	
Recommendation:	MEMBERS ARE RECOMMENDED NOT TO CONFIRM TREE PRESERVATION ORDER 01/17	



1 Purpose of the Report

- 1.1 The purpose of this report is to consider whether to confirm the provisional Tree Preservation Order (TPO 01/17) at 29 Hadleigh Road, Leigh on Sea. The provisional TPO provides temporary protection for the trees period of 6 months. If it is confirmed it will become permanent if it not confirmed then it will lapse.

2 Site and Surroundings

- 2.1 The provisional Tree Preservation Order, 01/17, relates to two yews trees on a strip of land belonging to 29 Hadleigh Road which runs behind the neighbouring houses. The trees are located in line with the rear of 23 Hadleigh Road. The trees are located within the boundary of Leigh Conservation Area.
- 2.2 Because of their position behind the houses the trees cannot be seen from the main street frontage in Hadleigh Road, however, they can be seen from Laurel Close to the south. The trees are relatively small trees, having a height of around 4m but are located on a raised land level so are more visible than they would otherwise be and can be seen above the retaining wall in this location. Laurel Close is a residential cul de sac so is only used by local residents. It is also noted that Laurel Close is a modern development and therefore does not in itself make a significant contribution to the historic character of Leigh Conservation Area.
- 2.3 The trees are located adjacent to the site of 33 Hadleigh Road which includes a number of trees some of which are protected by another older Tree Preservation Order. In addition to having frontages to Hadleigh Road and Laurel Close, this site can be viewed from a couple of distant viewpoints to the south and west where the larger trees can be seen and contribute to the greening of the hillside, however, the yew trees subject of this order are not identifiable in the longer views as they are too small.

3 Planning Considerations

The National Planning Policy Framework (NPPF) 2012, Core Strategy Policies KP2 and CP4, DM DPD Policy DM1 and the Design and Townscape Guide 2009 (SPD1).

- 3.1 Local Planning Authorities have delegated powers to serve Tree Preservation Orders where it appears to be 'expedient in the interests of amenity to make provision for the preservation of trees'. The main planning consideration therefore the trees have sufficient quality and amenity to warrant protection with a Tree Preservation Order so that their future can be assured.

4 Background to the Order and Appraisal

The National Planning Policy Framework (NPPF) 2012, Core Strategy Policies KP2 and CP4, DM DPD Policy DM1 and the Design and Townscape Guide 2009 (SPD1).

- 4.1 Trees within Conservation Areas are protected in so far as owners are required to give the Council 6 weeks' notice of any pruning or felling works so that the impact

on the conservation area can be assessed. If it is considered that the works would harm the character of the conservation area, the Council can decide to protect the tree with a Preservation Order. In January the Council received an application from the owner of number 29 Hadleigh Road to fell the two yew trees along with 3 other small trees nearby. This application was heard at Development Control Committee in February. The officer report recommended that no objection was raised in respect of the felling of the yew trees because it was considered that the trees were of poor form and not prominent in the streetscene and therefore made relatively little contribution to the character of the conservation area and afforded weight to the rarity of such species. The Committee, however, was concerned with the loss of trees in this area and took the decision to serve a provisional TPO on the yew trees. This order was served on 14th February 2017 ref TPO 1/2017.

- 4.2 Since the serving of the provisional order a second assessment of the yew trees has been made by the planning case officer and another Arboricultural Officer to provide a second opinion on the condition and amenity of the trees. This assessment (which can be seen in full in Section 6 below) comments that these are small trees of poor form which have been harshly pruned in the past, particularly on the east side, which has left them looking rather unnatural and unbalanced. It is also acknowledged that these trees do not currently make a significant contribution to the character of the conservation area and, although yews are generally long lived, because of the pruning works that have been carried out in the past, it is unlikely that these trees would grow into large yew trees with much greater amenity value such that can be found in parks and churchyards across Britain. As with the initial assessment the conclusion of this assessment is that the trees do not warrant a TPO.
- 4.3 It is also noted that 3 representations have been received in relation to the provisional TPO. Two objecting to the order and 1 in support. The objection letters raise issues regarding poor form, impact on boundary fence and their limited visual amenity. The letter of support welcomes the retention of the trees stating that they are relatively rare species and contribute positively to the conservation area.

Conclusion

- 4.4 As noted above, the Council has delegated powers to serve TPOs only where it is expedient to do so and where the trees make a valuable contribution to the amenity of an area. Following the serving of a provisional TPO on the yews trees, an additional assessment was made by the Councils Arboricultural Officer to assess the form and amenity of the trees and this showed them to have poor form as a result of previous pruning works and limited visibility, being only seen from the secondary street frontage in Laurel Close which does not contribute significantly to the character of Leigh Conservation Area, and where they are dominated in the streetscene by other larger and more mature trees on the adjacent site. It is therefore recommended that members do not confirm TPO 1/2017.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework 2012.
- 5.2 Development Plan Document 1: Core Strategy Policies KP2 (Development

Principles) and CP4 (Environment & Urban Renaissance)

5.3 Development Management Policy DM1 (Design Quality)

5.4 Supplementary Planning Document 1: Design & Townscape Guide, 2009.

6 Representation Summary

Council's Arboricultural Officer

- 6.1 It should be borne in mind that the purpose of a Tree Preservation Order (TPO) is to protect trees which provide a significant amenity benefit to the local area. My first impression of the two yew trees was that they were small trees with poor form. They had obviously been harshly pruned in the past to reduce their height significantly. This pruning has left the trees with unnatural looking flat tops, see photographs below. The trees are currently about 4.0m in height. So are small garden trees. The shape of the tree canopies is also asymmetrical with more growth extending towards the west side giving the trees an unbalanced appearance.
- 6.2 A closer look at the trunks of the two trees reveals that some large branches have been removed in the past to clear the stems up to about six foot above ground level. The photographs below show old pruning wounds where these branches have been cut off. The trunk nearest to the house (north side) has ivy growth into the crown of the tree. The trunk of the tree to the south has a slight lean towards the south. A closer look at the crowns of the trees also shows where branches have been reduced by pruning in the past to restrict the height of the trees.
- 6.3 These two small yew trees are visible from the south aspect but I would not say that they are prominent trees in the local area. Yew trees are extremely long lived trees but due to the pruning work carried out on these trees it is unlikely that they will grow into a large amenity trees such as those found in parks and churchyards across Britain.
- 6.4 In conclusion it is my opinion that the two yew trees do not warrant protection by a TPO as they do not provide a significant amenity benefit to the local area.

Councils Structural Engineer (Building Control)

- 6.5 If the yew trees are not pruned regularly, the retaining wall is at risk.

Public Representations

- 6.6 Under Regulation 3 of the Town & Country Planning (Tree Preservation) (England) Regulations 2012, on 14th February 2017 the TPO was served on the occupiers of 29 Hadleigh Road, its neighbours (21-39 Hadleigh Road) Each received a copy of the TPO, a regulation 3 notice stating the Council's reasons for making the TPO, and were notified that objections or other representations may be made to the Council by 14th March 2017. 2 letters of objection and 1 letter of support were received.

Comments made in objection to the TPO were:

- The trees have been hacked on the eastern side and top which has resulted in poor form
- The trees are preventing the installation of a boundary fence
- The trees are growing into each other supressing growth
- The trees have limited visual amenity
- The trees are low quality
- New trees would offer a greater enhancement to the conservation area

Comments made in support of the TPO were:

- Yews are unusual trees
- Yews are suitable for hedging
- The trees make a positive contribution to the conservation area

It should also be noted that the owner of the trees has commented that his intention would be to plant replacement trees if the TPO is not confirmed although it should be noted that the Council would not be able to enforce this.

7 Relevant Planning History

- 7.1 17/00067/TCA - 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) – objections raised in respect of the yew trees and TPO Served ref TPO 1/2017
- 7.2 15/01107/FUL - Demolish existing garages and erect one 2/3 storey dwellinghouse and 2 no. two storey dwellinghouses with associated garages and amenity space, at 33 Hadleigh Road - granted 2015
- 7.3 14/00430/TPO - Prune large sycamore at 33 Hadleigh Road (Works To Trees Covered By A Tree Preservation Order) at 33 Hadleigh Road - granted 2014
- 7.4 14/00394/TCA - Fell one lime tree, one sycamore tree and prune one yew tree and one bay tree at 29 Hadleigh Road and fell two Leyland Cypress trees at 33 Hadleigh Road (works to trees in a conservation area) at 29 Hadleigh Road - no objection raised 2014
- 7.5 13/00360/TCA - Fell 10 trees and prune 27 various trees (Application For Works To Trees In a Conservation Area) at 33 Hadleigh Road - no objection raised 2013
- 7.6 13/00220/TPO - Fell 1 tree and prune 4 various trees (Works To Trees Covered By A Tree Preservation Order) at 33 Hadleigh Road - granted 2013
- 7.7 09/01338/TCA - Fell one apple tree, prune two bay trees and one pear tree (application for works to trees in a conservation area) at 29 Hadleigh Road - no objection raised 2009
- 7.8 09/01260/TPO - Fell one Cypress tree (Works to a tree covered by a Tree

Preservation Order) at 33 Hadleigh Road – refused 2009

- 7.9 08/01372/TCA - Remove all trees with a trunk diameter less than 150mm DBH (works to trees in a conservation area) at 33 Hadleigh Road - no objection raised 2008
- 7.10 08/01072/TPO - Prune one beech tree and three sycamore trees (works to trees covered by a tree preservation order) at 33 Hadleigh Road - granted 2008
- 7.11 05/01138/TPO - Prune one Sycamore tree and group of Elders to rear (Works to trees covered by Tree Preservation Order) at 33 Hadleigh Road - granted 2005
- 7.12 04/00055/TCA - Prune 1 apple and 1 bay tree and fell 1 cherry tree to the rear (works to trees in a Conservation Area) at 29 Hadleigh Road - no objection raised 2004

8 Recommendation

- 8.1 **Based on the information contained in this report and given the limited amenity value of these trees Members are recommended not to confirm TPO 1/2017 and instead to let it lapse.**

Appendix 1 - Photographs

View from Laurel Close , - the yews are on the right hand side





View from north showing unbalanced and poor form (land belonging to 29 Hadleigh Road)



View from east showing evidence of previous pruning works (garden of 25 Hadleigh Road)



Evidence of poor pruning works (east side)



Evidence of poor pruning works (east side)



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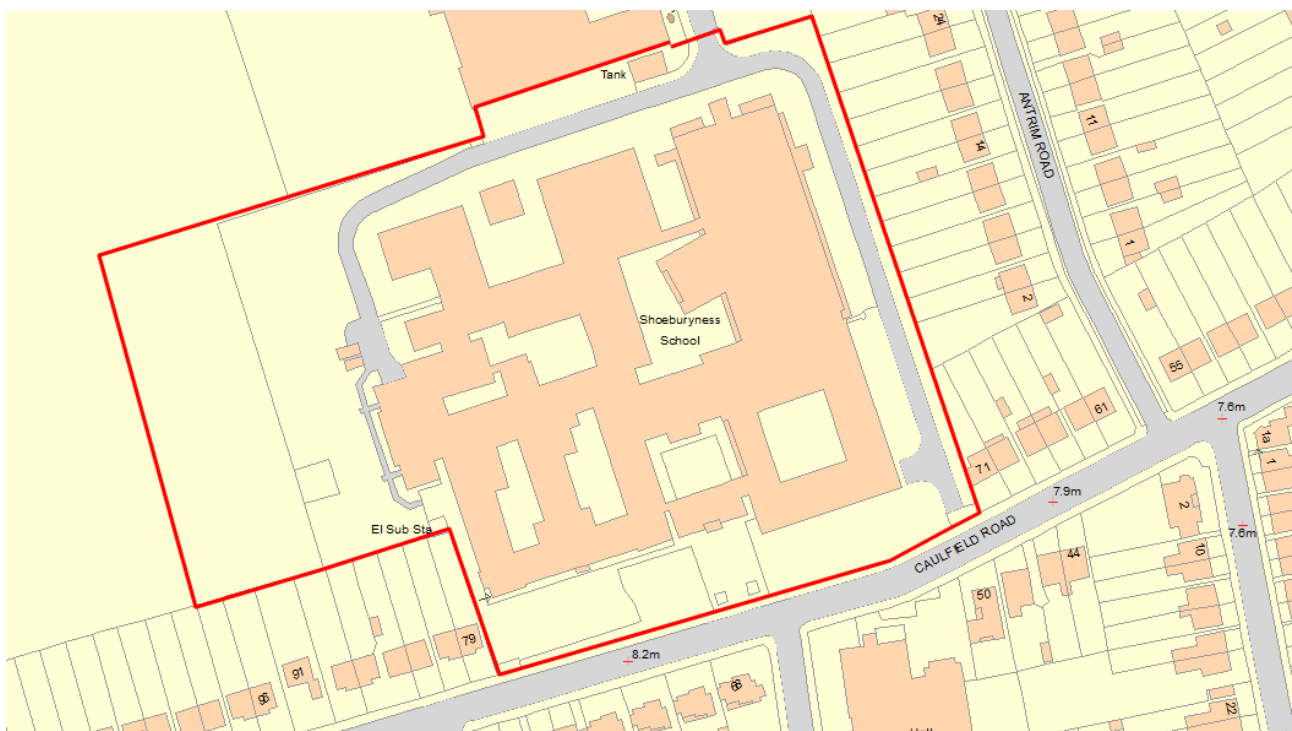


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Reference:	16/02194/FULM	<h1>5</h1>
Ward:	West Shoebury	
Proposal:	Demolish existing outbuildings and classroom, erect two storey block to form classrooms and dining hall with balcony to west elevation at first floor and form 26 additional parking spaces	
Address:	Shoeburyness High School, Caulfield Road, Shoeburyness Southend-On-Sea, Essex, SS3 9LL	
Agent	The Draughtsman	
Applicant:	Shoeburyness High School	
Consultation Expiry:	09.01.2017	
Expiry Date:	05.04.2017	
Case Officer:	Janine Rowley	
Plan Nos:	Location plan; SHS/NAK/05 Revision 5; SHS/NAK/06 Revision C; SHS/NAK/01 Revision C; SHS/NAK/02 Revision C; SHS/NAK/03 Revision C; SHS/NAK/04 Revision C; SHS/NAK/05 Revision B; SHS/NAK/06 Revision B; SHS/NAK/07 Revision C	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 Planning permission is sought to demolish existing outbuildings and a classroom and erect a two storey block to form classrooms and dining hall with balcony to west elevation at first floor and form 26 additional parking spaces fronting Caulfield Road.
- 1.2 The proposed two storey building is 43m wide x 20.4m-28.8m deep x 9.8m high. The overall design is of a contemporary style with glazing and cladding referencing existing school buildings including the adjacent sports hall.
- 1.3 The building will provide 10 new classrooms, a new kitchen with dining area and assembly hall to accommodate additional pupils by 2018. The new building will cover a footprint of 1100sqm with an overall total floor area of 2280sqm including a cantilevered footprint.
- 1.4 The Design and Access Statement accompanying this application states that currently there are 1697 students that attend the school currently. The local authority have requested the school accommodate an additional 150 pupils in the school by 2022, beginning in 2018. The anticipated total number of students at Shoeburyness High School within a 5 year period (2018-2022) will amount to 1847.
- 1.5 The Councils Education Officers state the proposal is funded by the Local Authority as part of the Department for Education's Basic Need Grant Funding that is allocated to all Local Authorities where a short fall of school places is identified and state:

"As the only secondary school in Shoeburyness they are facing increasing demand and are full in all year groups. This project will enable the school to increase their pupil numbers to meet local demand by adding new classrooms and expanding the dining facilities. The current dining facilities are undersized for the current pupil numbers. This means that the school has to allow the older years to go off site during the lunch break, which is not recommended by the Department for Education (DfE), so that all pupils can access a meal in the time allowed. The new dining facilities will be large enough to serve all pupils including the additional number generated by the expansion".

2 Site and Surroundings

- 2.1 Shoeburyness High School is accessed off Caulfield Road. The site is laid out with the school campus buildings located towards the southern side of the site with its associated sports facilities and playing fields to the north of the site. To the immediate north is Shoebury Sports Centre and the surrounding area is residential in character.
- 2.2 The site does not fall within any environmental sensitive area, such as site of Special Scientific Interest, Special Protection Areas or international conservation sites.
- 2.3 The proposed building will be located on a hardstanding area currently occupied by outbuildings currently used for classrooms.

3 Planning Considerations

- 3.1 The main considerations in relation to this application are the principle of the

development, design and impact on the character of the area, traffic and transportation, impact on residential amenity and flood risk.

4 Appraisal

Principle of Development

National Planning Policy Framework, (Core Strategy) policies KP2, CP4, CP6; DPD2 (Development Management Document DPD2) policy DM1, DPD2 (Development Management) policy DM1, DPD1 and the Design and Townscape Guide SPD1 (2009)

- 4.1 Policy CP6 of the Core Strategy advocates the need to improve educational facilities to ensure that support is made to meet the needs of the local community. The proposed development will provide improvement of the facilities available at Shoeburyness High School, thus the principle is in accordance with Policy CP6 of the Core Strategy.

Design and Impact on the Character of the Area

National Planning Policy Framework; DPD2 (Development Management) policy DM1, DPD1 (Core Strategy) policies KP2, CP4; (Development Management Document DPD2) policy DM1 and Design and Townscape Guide SPD1.

- 4.2 The proposal seeks to erect a 2 storey building to the west side of the existing school to accommodate 10 new classrooms and kitchen and dining facilities. The building will be located on existing hardstanding and will result in the removal of one outbuilding. The existing single storey outbuildings to the north, west and south of the site are to be retained. The overall design of the building is contemporary with a box like form including a curved roof form referencing the adjacent sports hall. The building is well detailed particularly to the west side overlooking the sports fields where the significant glazing and feature balcony with brise soleil adds interest and breaks up the overall mass. This aspect will be visible in longer public views across the playing fields. The other public view is of the north elevation which includes the main entrance. To the east side facing the school the proposal again includes significant glazing and this is welcomed. To the south there is limited detail but this is hidden from public view so less of a concern in terms of impact on the character and appearance of the surrounding area. The applicant has sought to provide amended drawings and a full materials and landscaping schedule received on the 22.02.2017, which will have a positive impact on the character and appearance of the area including a mixture of grey and white Trespa cladding panels in keeping with the adjacent buildings, buff brickwork, render and white window and door systems. The steel work is to be coloured grey to relate to the cladding panels, which is welcomed. Additional detailing has been provided to the south to add interest to the elevations, with additional glazing and a contrast between the glazing and panels. A suitable condition can be imposed to ensure the details comply with the submitted drawings and specific product details in the '*materials and landscape schedule*' dated 22.07.2017.
- 4.3 The proposal will include a new parking area to the south of the main building, whilst this will result in the loss of some soft landscaping and trees which are not worthy of preservation. The applicant has sought to amend the layout and provide a 0.5m wide landscaping strip which will be a lawned area and an additional Silver birch tree to be planted to the east corner, which is welcomed and will enhance the character and

appearance of the streetscene. Whilst the parking will be prominent in the streetscene, it is not too dissimilar to the existing car park arrangement to the west of the site, therefore no objections are raised.

- 4.4 In light of the above, subject to conditions the proposed development is considered to relate satisfactorily to the character and appearance of the existing school buildings and will provide a positive addition. The proposal is therefore considered in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy, policy DM1 of the Development Management, and the Design and Townscape Guide.

Traffic and transportation

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; (Development Management Document DPD2) policy DM15 and the Design and Townscape Guide SPD1.

- 4.5 The existing vehicle access to the school is from Caulfield Road to the south. The transport statement accompanying this application states at present there are 130 parking spaces currently provided at the school, with 24 in the front car parking area, 80 on the school service road and 20 permitted parking spaces in the rear car park and 6 additional grass parking spaces. The existing cycle storage facilities at the site accommodate 100 cycles.
- 4.6 As stated above, this application seeks to provide additional spaces for students increasing the number from 1697 to 1847.
- 4.7 Vehicle parking standards as required by policy DM15 of the Development Management DPD state as maximum standards 1 space per 15 students is required for years 7-11. For schools with further education as in this instance, 1 space per 15 students for full time equivalent staff plus 1 space per 15 students for student parking are required. Based upon current planning policy 10 spaces are required for additional students proposed in years 7-11 over the next five year period and 2 additional spaces are required for the 15 additional sixth formers and members of staff anticipated years 2023-2024. Given this proposal seeks to increase the parking available for Caulfield Road with an additional 26 parking spaces and taking into account the 130 spaces already available to the school the proposal exceeds the current maximum standards as set out by policy DM15 of the Development Management Document DPD2. The transport statement accompanying this application states that additional students will generate an additional 38 movements before and after school. The majority of new trips generated to and from the school will be by sustainable means. The school have confirmed the increased number of students will not warrant additional members of staff.
- 4.8 Evidence has been submitted to demonstrate that the existing travel plan operated at the school successfully encourages travel by sustainable means; approximately 55% of students walk, 8% by bus, 6% by cycle, 2% by train and 28% by car. It is therefore considered the majority of students use sustainable means of transport. A condition will be imposed to ensure the travel plan is updated and reviewed annually and sustainable transport modes are continued to be encouraged.
- 4.9 Policy DM15 of the Development Management Document requires 50 cycle spaces for the additional students to serve the development. No spaces are required for the

additional members of staff as they are to remain the same. Whilst no details have been provided there is sufficient space on site and this can be dealt with by condition to ensure the proposal is policy compliant.

Impact on residential amenity

National Planning Policy Framework; DPD1 (Core Strategy) policies CP4; DPD2 (Development Management Document DPD2) policy DM1 and the Design and Townscape Guide SPD1 (2009).

- 4.10 Policy DM1 of the Development Management Document supports the need for any new development to protect the amenity of the site, immediate neighbours and the surrounding area with regard to privacy, overlooking, outlook, noise and disturbance and the sense of being overbearing.
- 4.11 The new building will be set within the school grounds and set 52m away from the rear elevations of properties to the south of the building in Caulfield Road, which is considered sufficient to mitigate against any potential harm in terms of being overbearing or resulting in the loss of privacy and overlooking. There are no residential properties to the north, west and east that will be affected by the proposed development.
- 4.12 In light of the above, the proposal is considered to satisfy Policy CP4 of the Core Strategy and Policy DM1 of the Development Management Document DPD2.

Renewable Energy

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2; DPD2 (Development Management Document DPD2) policy DM2 and the Design and Townscape Guide SPD1 (2009).

- 4.13 Policy KP2 of the Core Strategy states:

“All development proposals should demonstrate how they will maximise the use of renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in SPD 1 Design and Townscape Guide”.

- 4.14 This application is accompanied by an energy statement carried out by MH Energy Consultants. The consultants state there are a number of renewable technologies that can be employed including photovoltaic panels to the western aspect whereby 50 panels covering approximately 87.5 m² would provide the full 10% renewable offset. Furthermore, heat pumps on site could accommodate 10% renewable energy. Whilst the full supporting information confirms renewable energy can be successfully accommodated further details can be sought by condition in relation to the siting of such technologies.
- 4.15 Policy KP2 of the Core Strategy states all development proposals should demonstrate how they incorporate sustainable drainage systems (SUDS) to mitigate the increase in surface water runoff, and, where relevant, how they will avoid or mitigate tidal or fluvial

flood risk. Further details will be dealt with by condition to ensure the proposal is policy compliant with policy KP2 of the Core Strategy of the Development Management Document DPD2.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.16 Although this application is CIL liable, given the development is a new teaching block, in this instance the chargeable amount has been calculated as a zero rate as applicable due to the school is registered with Local Education Authority and makes no profit.

Conclusion

- 4.17 In light of the above, the proposed development is considered to be acceptable and will provide an improved education facility. The design and scale of the proposed development relates satisfactorily to the existing school buildings. The increased number of students and members of staff will have limited impact on the highway network as demonstrated by the transport statement and the number of parking spaces provides a policy compliant scheme.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework
- 5.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP3 (Traffic and Highways).
- 5.3 Development Management Document policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM15 (Sustainable Transport Management)
- 5.4 SPD1 Design & Townscape Guide 2009.
- 5.5 Community Infrastructure Charging Levy

6 Representation Summary

Design and Regeneration

- 6.1 The proposal seeks to erect a 2 storey building to the west side of the existing school to accommodate 10 new classrooms and kitchen and dining facilities. The building has a sizable footprint and mass but is not out of place in this context or position given the scale of surrounding buildings. The barrel roof form takes reference from the adjacent sports hall and will therefore not appear out of context in this location. The building appears to be well detailed particularly to the west side overlooking the sports fields where the significant glazing and feature balcony with brise soleil will help to offset its mass. This aspect will be visible in longer public views across the playing fields and will need to be well detailed. The other public view is of the north elevation which includes the main entrance. It is considered that this would be better balanced and the entrances highlighted if the glazing above the main entrance doors matched the width

of the double entrance doors and this amendment should be sought. Otherwise this elevation is reasonably well detailed.

To the east side facing the school the proposal again includes significant glazing and this is welcomed. To the south there is limited detail but this is hidden from public view so less of a concern.

Given the scale of this proposal generally it will be important to ensure that the materials for the facades and glazing and the detailing to the balcony and roof etc are high quality.

[Officer Comment: The applicant has provided amended drawings as detailed in paragraph 4.2 adding additional detailing and confirmation of the proposed materials, which will enhance the overall character and appearance of the building]

Parking

It is noted that a new parking area is proposed to the south of the main building. There is no objection to this in principle but this is a prominent and publically visible location and it will therefore need to be well landscaped including new tree planting.

Sustainability

The policy requirement is for 10% of energy requirements to be provided by renewables. Pvs on the roof are mentioned in the statement but not shown on the plans this needs to be clarified or conditioned. **[Officer Comment: This will be dealt with by condition, whilst additional plans have been provided the specific calculations are required]**

Children and Learning

- 6.2 Following an expansion programme due to increased demand in the primary school sector across the whole borough, these higher numbers will enter the secondary school sector from September 2017. The Local Authority has a statutory duty to ensure sufficient places are available to meet this demand and an expansion programme is being progressed with all secondary schools in the borough. This application is part of that programme.

As the only secondary school in Shoeburyness they are facing increasing demand and are full in all year groups. This project will enable the school to increase their pupil numbers to meet local demand by adding new classrooms and expanding the dining facilities. The current dining facilities are undersized for the current pupil numbers. This means that the school has to allow the older years to go off site during the lunch break, which is not recommended by the Department for Education (DfE), so that all pupils can access a meal in the time allowed. The new dining facilities will be large enough to serve all pupils including the additional number generated by the expansion.

The project will be fully funded by the Local Authority as part of the Department for Education's Basic Need Grant Funding that is allocated to all Local Authorities where a short fall of school places is identified.

Traffic and Transportation

- 6.3 There are no highway objections to this proposal no additional staff are to be employed and the travel plan demonstrates students attending the school use public transport. The increase of 26 parking bays will help to reduce on street parking within the area of the school.

Environmental Health

- 6.4 No objections subject to a number of conditions as detailed within the recommendation section below.

Public Consultation

- 6.5 A site notice displayed on the 19th December 2016 and neighbours notified of the proposal. One letter of representation has been received stating there has been too much construction lately and the noise level is too much [**Officer Comment: A condition will be imposed to ensure the construction and demolition hours are restricted**].

7 Relevant Planning History

- 7.1 Install 15 lamp posts and four security cameras (Amended Proposal) (Retrospective) - Granted (16/01243/FULM)
- 7.2 Form first floor extension above existing dining hall - Granted (16/00934/FUL)
- 7.3 Erect two storey block to form classrooms, physical education and performing arts storage- Granted (13/00528/FULM)
- 7.4 Retain relocatable classrooms - Granted (99/0465)

8 Recommendation

- 8.1 **Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:**

- 1 **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.

- 2 **The development hereby permitted shall be carried out in accordance with the approved plans Location plan; SHS/NAK/05 Revision 5; SHS/NAK/06 Revision C; SHS/NAK/01 Revision C; SHS/NAK/02 Revision C; SHS/NAK/03 Revision C; SHS/NAK/04 Revision C; SHS/NAK/05 Revision B; SHS/NAK/06 Revision B; SHS/NAK/07 Revision C.**

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

- 3 **The development shall be carried out in accordance with the details set out in the materials and landscaping schedule received on the 22.02.2017 including north elevation- main wall panels Trespa Meteon colour silver grey, windows**

Comar 5Pi window system colour white, face brickwork to lower wall lbstock 65mm Bristol Buff, Face brickwork to lower wall 65mm Staffs Slate Blue engineering brick; east elevation-, brick fashion wall panels to be Trespa Meteon in silver grey, winter grey, pure white; face brickwork to lower wall lbstock 65mm 0657 Bristol buff multi, face brickwork to lower wall lbstock 65mm Staffs Slate Blue engineering brick, entrance portal white painted sand and cement render; south elevation-main wall panels to be Trespa Meteon colour silver grey; west elevation- windows to be Comar 5Pi window and door system, colour white, exposed steelwork carried out in accordance with BS 5493; brise soleil aluminium aerofoil profile powder coated white; curved roof Kingspan panels product KS1000CR colour grey, soffit and fascia to be white powder coated plastol sheet profile to suit curved roof radius, glass balustrading to be toughed clear glass and tubular stainless steel frame unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of 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)

- 4 All planting in the approved landscaping as shown on drawings 'SHS/NAK/006 and the materials and landscaping schedule received on the 22.02.2017 shall be carried out within the first planting season of first occupation of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the local planning authority.**

Reason: 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).

- 5 The car parking spaces shall be provided in accordance with drawing SHS/NAK/06 Revision C 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).

- 6** Prior to occupation of the development hereby approved details and siting of 50 bicycle parking spaces be submitted to and agreed in writing by the Local Planning Authority and the bicycle parking spaces shall be permanently maintained thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority. The cycle parking shall remain in perpetuity.

Reason: To ensure that satisfactory secure bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) 2015 and SPD1 (Design and Townscape Guide).

- 7** Prior to installation of any external lighting, details of 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.

- 8** 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 in accordance with the approved details 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).

- 9** A full asbestos survey shall be carried out by a suitably qualified person on the building(s) to be demolished. Any asbestos containing material (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.

- 10** Demolition and construction hours shall be restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday. No demolition or construction shall be carried out on Sundays or Bank Holidays.

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.

- 11 Full details of mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the works must be submitted in writing for approval by the local planning authority prior to demolition or construction commencing, taking into consideration control measures detailed in *Best Practice Guidance "The control of dust and emissions from construction and demolition"*.

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.

- 12 No development shall commence until details of a sustainable drainage system have been submitted to and agreed by the local planning authority. 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 .

Informatives

- 1 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.
- 2 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 for further information.
- 3 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.

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.

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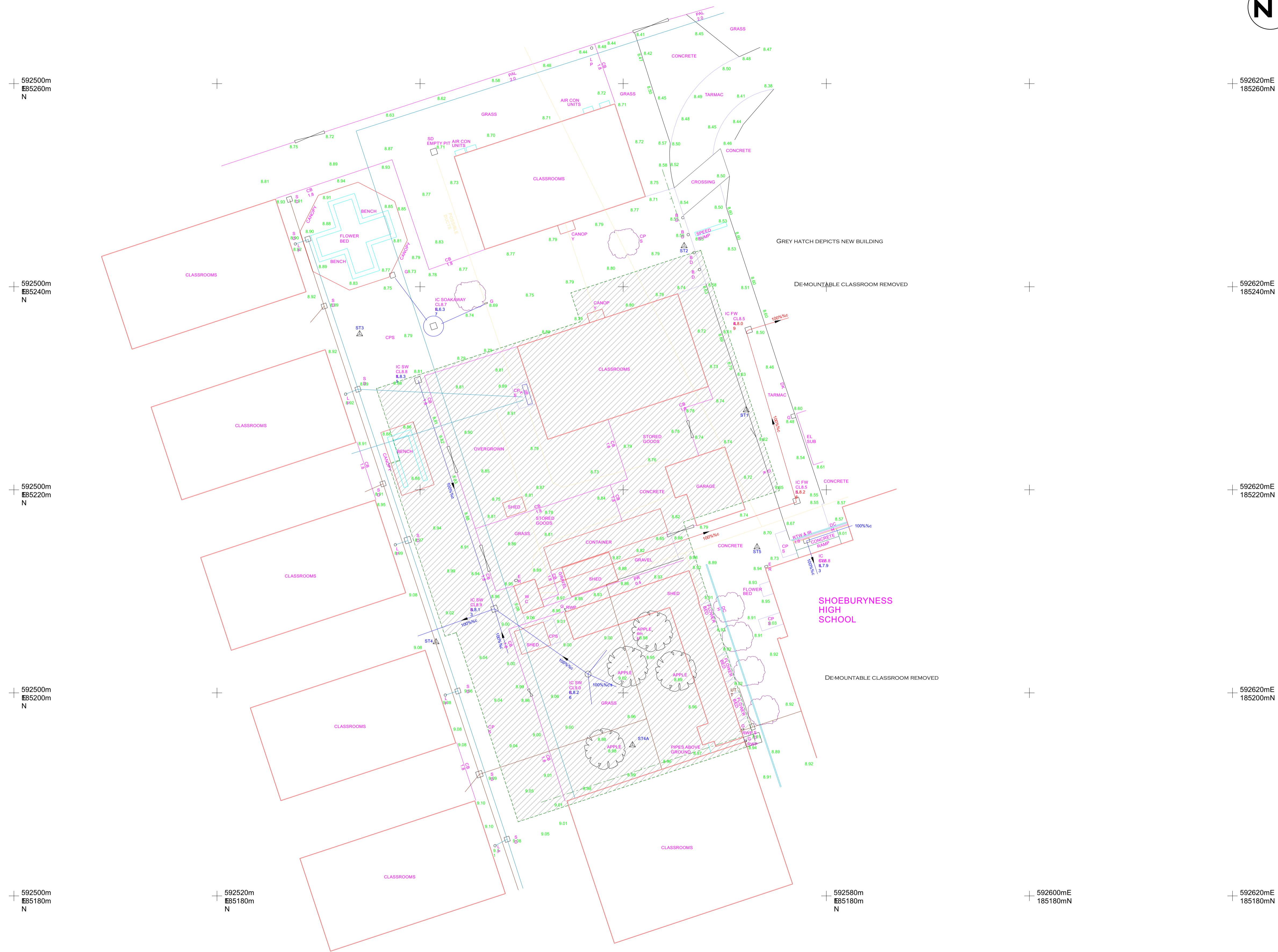
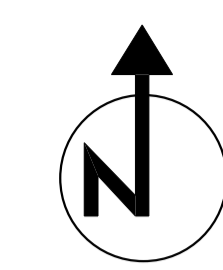
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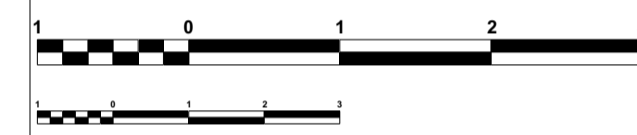
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DEVELOPMENT
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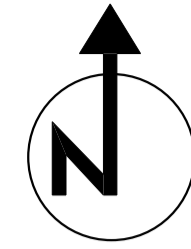
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EXISTING GROUND FLOOR LAYOUT 1:200

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SITE PLAN 1:500

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PROPOSED PLANS



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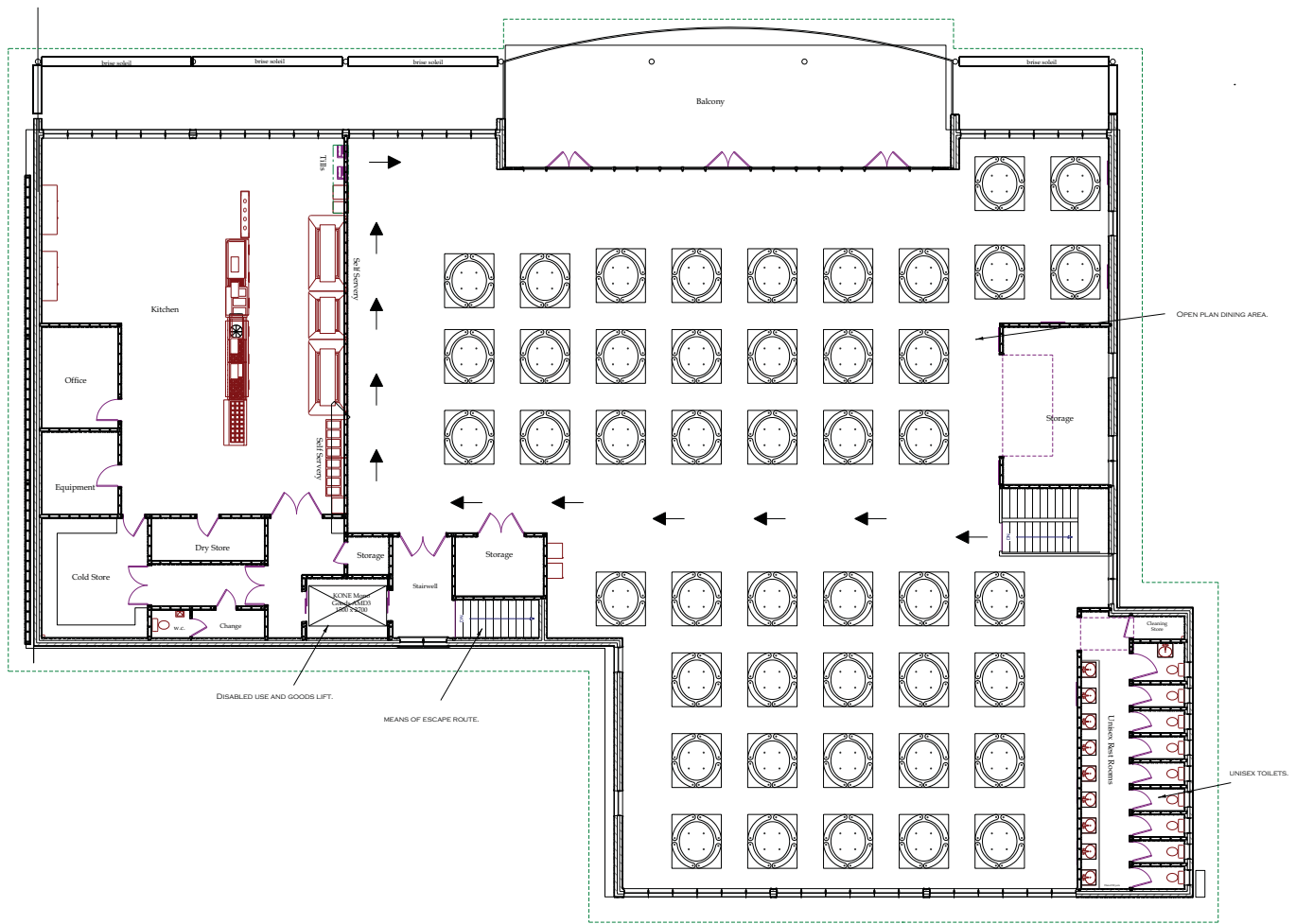
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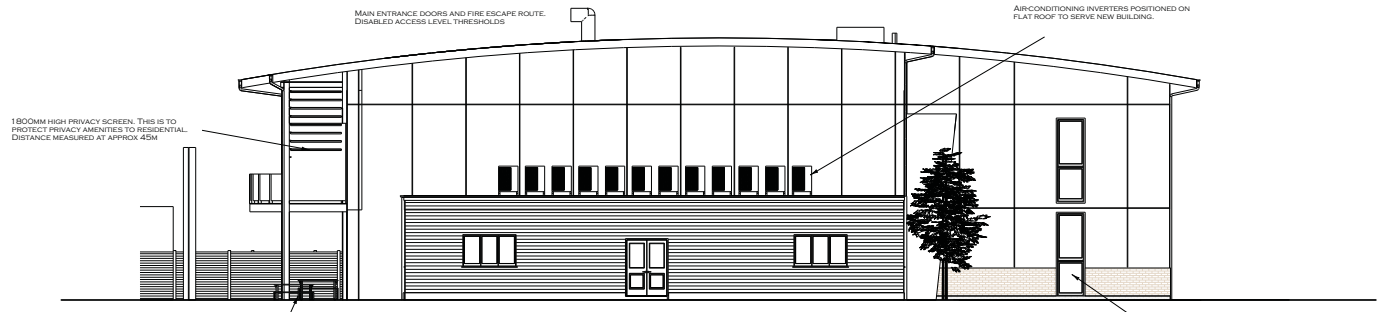
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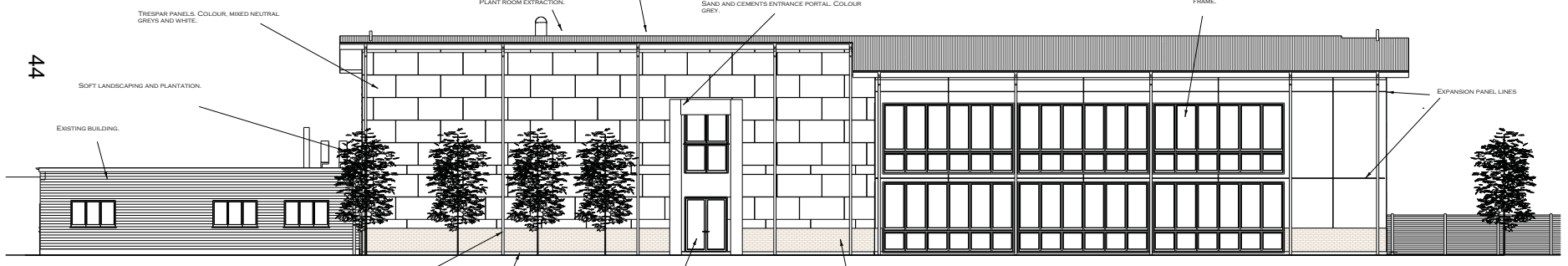
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PROPOSED NORTH ELEVATION 1:100



PROPOSED SOUTH ELEVATION 1:100



PROPOSED EAST ELEVATION 1:100



PROPOSED WEST ELEVATION 1:100

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EXISTING & PROPOSED PLANS



EXISTING GROUND FLOOR LAYOUT 1:200

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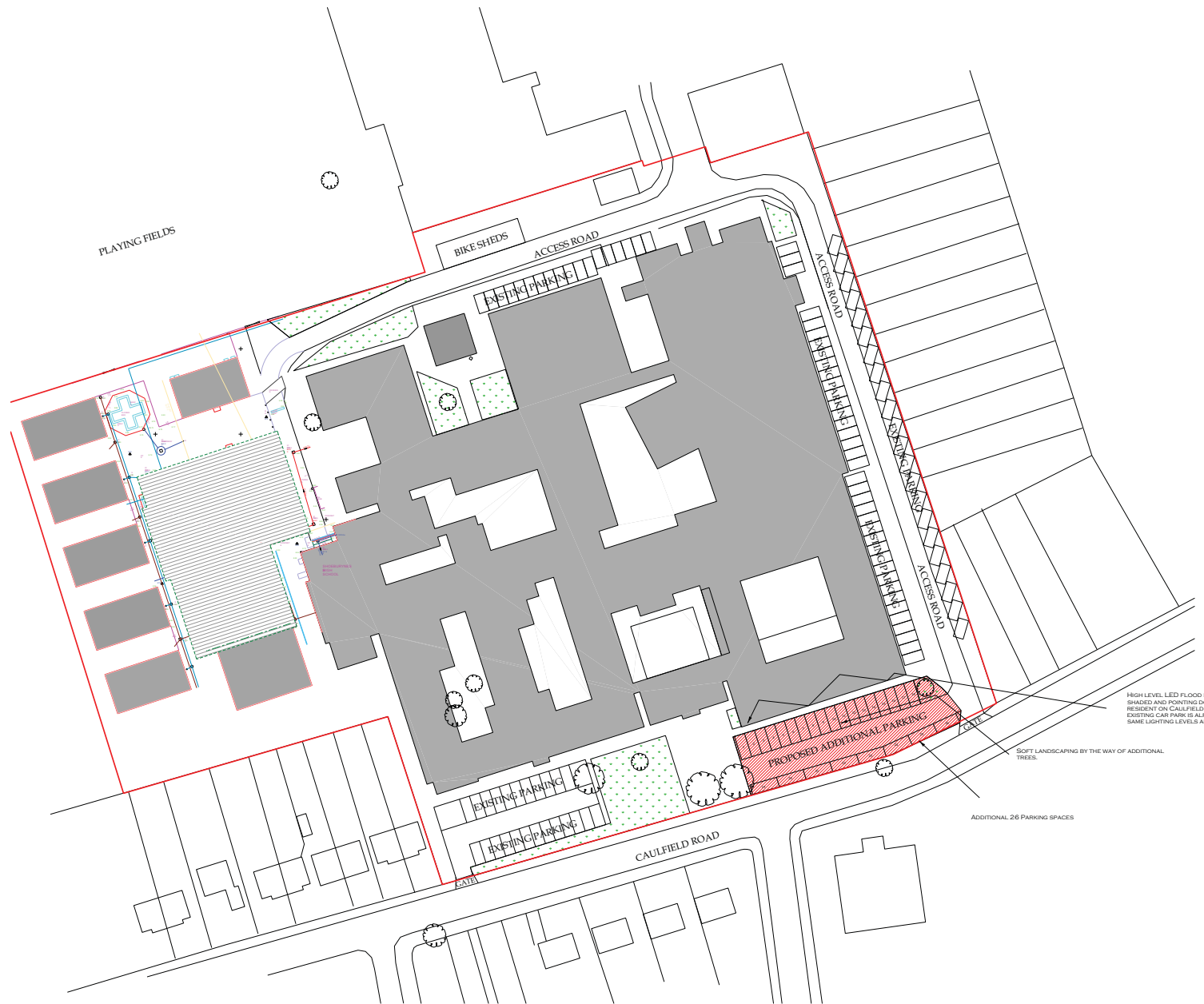
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45

PROPOSED PLANS



HIGH LEVEL LED FLOOD LIGHTING. LIGHTS TO BE SHADED AND POINTING DOWN AS TO NOT AFFECT RESIDENTS ON CAULFIELD ROAD. LIGHTING ON THE EXISTING CAR PARK IS ALREADY IN SITU AND THE SAME LIGHTING LEVELS ARE TO BE ADOPTED.

SOFT LANDSCAPING BY THE WAY OF ADDITIONAL TREES.

ADDITIONAL 26 PARKING SPACES

SITE PLAN 1:500

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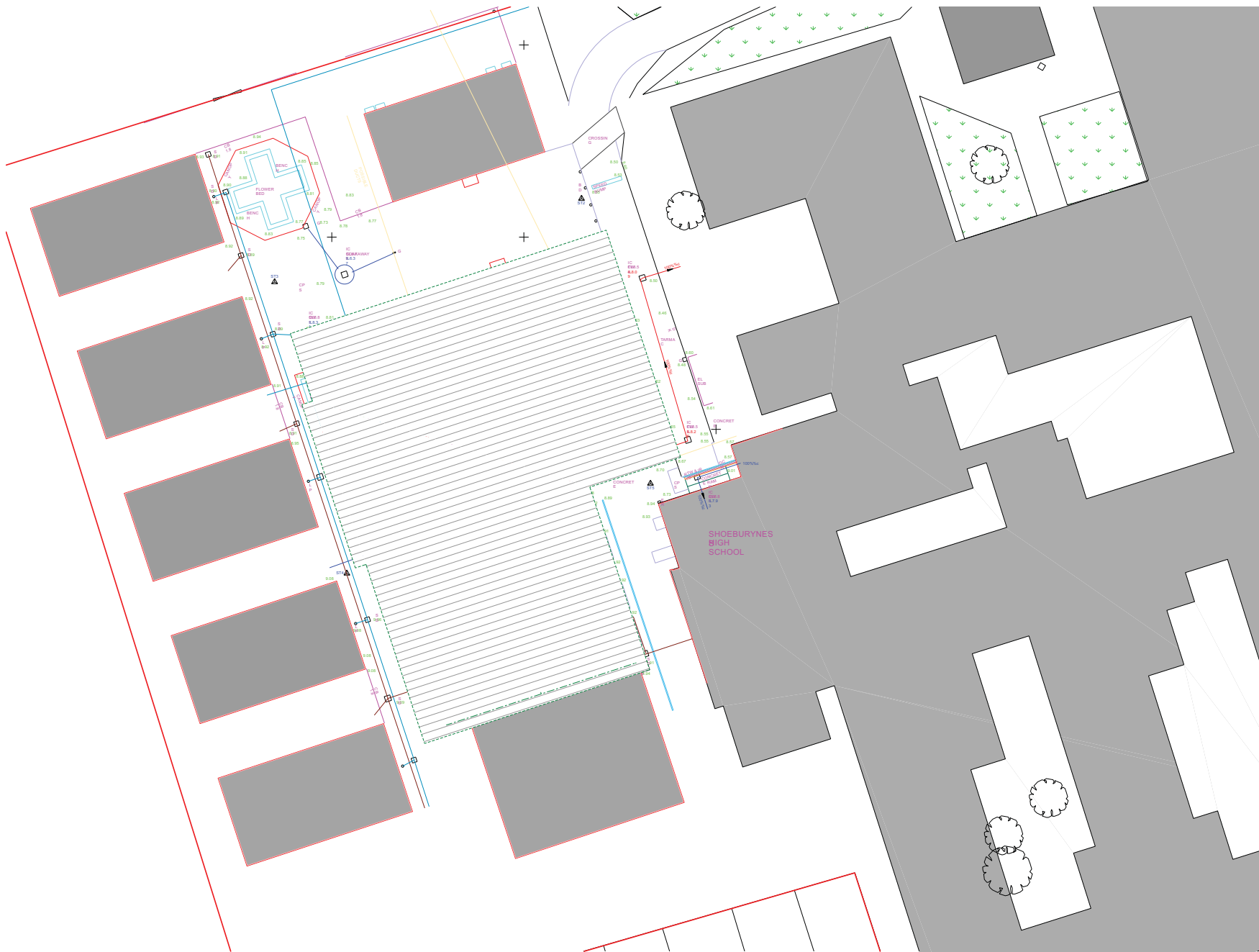
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SITE & ROOF PLAN 1:200

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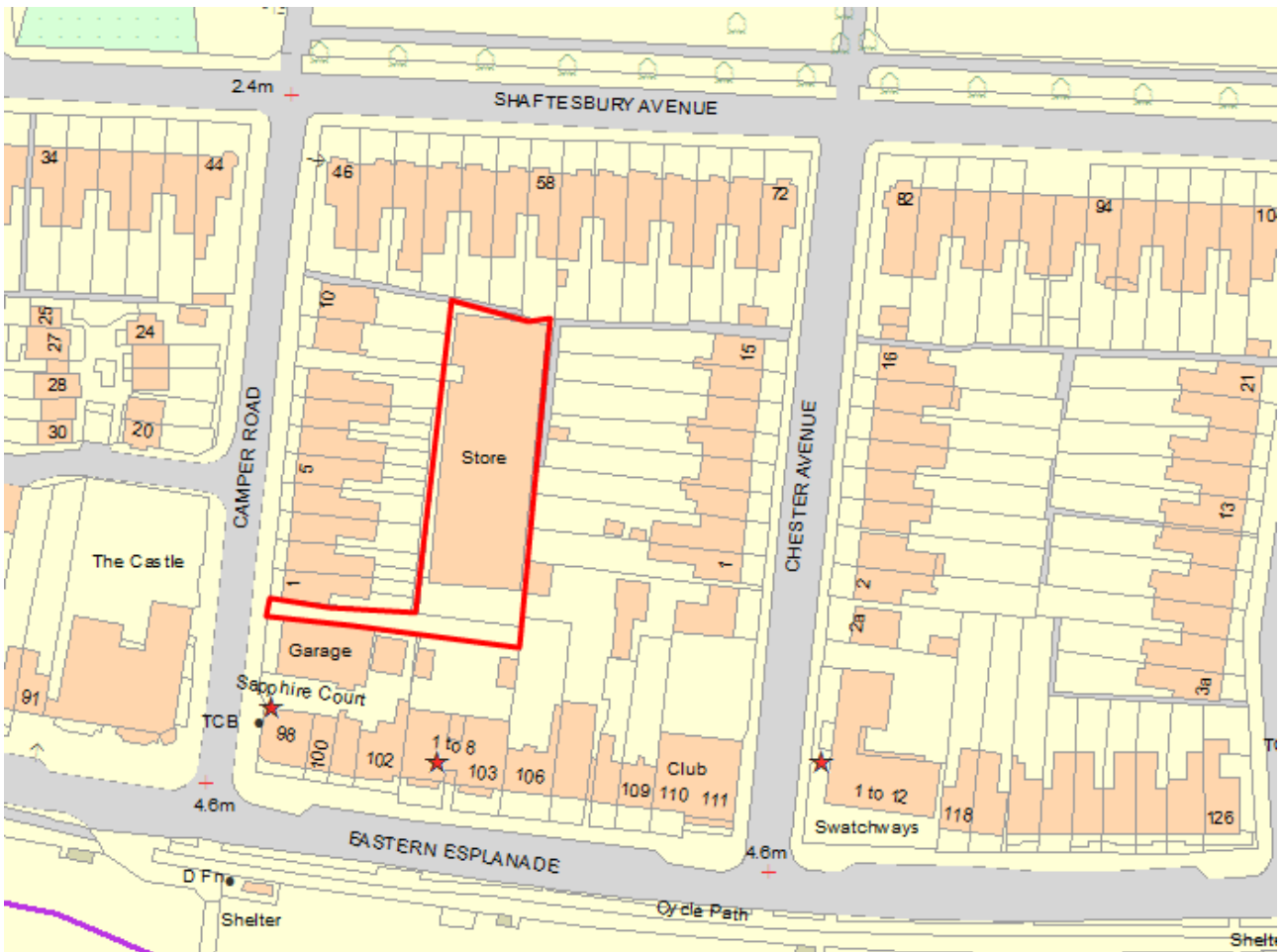
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Job No	623	



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Reference:	16/01901/FUL	<h1>6</h1>
Ward:	Thorpe	
Proposal:	Erect two storey side extension to form terraced house and layout parking	
Address:	1 Mayfair Place, Southend-On-Sea, Essex, SS1 2FR	
Applicant:	Stockvale Properties Limited	
Agent:	SKArchitects	
Consultation Expiry:	22.12.2017	
Expiry Date:	02.02.2017	
Case Officer:	Janine Rowley	
Plan Nos:	P01 Revision D; P04 Revision B; P05	
Recommendation:	GRANT PLANNING PERMISSION	



This application was deferred from the 8th February Development Control Committee as the applicant submitted amendments. The main change is that the width of the access adjacent to the boundary has been increased from 1.6m to 3.3m. This has been achieved by utilising the existing boundary wall. In addition, the Fire Service has removed its objection in relation to the access subject to the applicant installing sprinklers.

1 The Proposal

- 1.1 Planning permission is sought to erect a two storey side extension to an existing terrace to form a one bedroom terraced house and layout parking and amenity area.
- 1.2 The proposed dwelling is 3.7m wide x 8.8m deep x 8.2m high.
- 1.3 The internal floorspace equates to 58sqm and the internal layout will include a living room, kitchen and wc to the ground floor and a bedroom, study and bathroom to the first floor.
- 1.4 One parking space is proposed to the south together with a private amenity area of 36sqm.
- 1.5 The existing development allowed at appeal (11/00507/FUL, appeal reference app/2164587) was for the redevelopment of the site for 5 two storey dwellinghouses with associated amenity and parking. All the approved dwellinghouses have been completed.

2 Site and Surroundings

- 2.1 The site is occupied by five, two storey dwellinghouses with associated amenity space. The surrounding character is for a two storey properties to the north, east and west with larger flatted developments to the south.
- 2.2 To the north of the site are residential properties fronting Shaftesbury Avenue which have rear gardens backing onto the application site.
- 2.3 To the east and west of the site are residential properties fronting Chester Avenue and Camper Road whose rear gardens also back onto the application site.
- 2.4 To the south of the site is a shared right of way and access and beyond this is Thorpe Lodge which contains flats.
- 2.5 The area is generally residential in character, with some commercial uses fronting Eastern Esplanade.
- 2.6 The site is located within flood zone 3a (high probability of flooding).

3 Planning Considerations

- 3.1 The main considerations in relation to this application are the principle of the development, design, traffic and transportation and impact on residential amenity, flood risk sustainable construction and CIL issues.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) Policies KP1, KP2 and CP4; Development Management DPD2 policies DM1, DM6, DM3, DM7, and the Design and Townscape Guide SPD1 (2009).

Flood Risk

National Planning Policy Framework, Core Strategy Policy KP2

- 4.1 The site is located within Flood Zone 3a (high probability of flooding) and the applicant has submitted an FRA which considers risk of flooding, access and resilience measures.

- 4.2 Paragraph 103 of the NPPF states:

“When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment²⁰ following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.”*

- 4.3 The proposed site falls within the Central Seafront Area under Policy KP1 of the adopted Core Strategy. This area is promoted as an area for regeneration and growth. The preamble to KP1 notes there are limited options to achieve regeneration and growth within the borough and that development on flood plains would be considered. Policy KP1 directs development into the area in which the site falls. This policy was adopted following The Thames Gateway South Essex Partnership Strategic Flood Risk Assessment. A total of 550 new dwellings have been earmarked for the seafront area between 2001-2021. The proposal is therefore considered to pass the requirements of the sequential test. It is considered further development in the central seafront area is therefore acceptable in principle subject to a site specific investigation.

- 4.4 For the exceptions test to be passed it must be demonstrated that
- a) The development provides wider sustainability benefits to the community that outweigh flood risk
 - b) The development should be on developable, previously developed land

- c) A flood risk assessment must demonstrate that the development will be safe, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall.

- 4.5 The proposal would provide sustainability benefits by resulting in a more efficient use of land. The site is also previously developed land. Parts A and B of the exceptions test of the NPPF are therefore, considered to be satisfied in this instance.
- 4.6 Part C of the exception test set out in in the NPPF, requires development to be safe. The Environment Agency advises that the safety of residents is reliant upon either evacuation prior to floodwater reaching the site or safe refuge, above the flood level.
- 4.7 In this instance the FRA submitted with the application has demonstrated that the site is defended to a level in excess of the 1 in 200 year tide level, however, including allowances for future climate change, over the lifetime of the development (100 years), the defences may overtop. The Modelling Report submitted has therefore analysed various scenarios which could occur in various flooding events.
- 4.8 The results show that where the defences remain intact; the site will not be affected by floodwater during the 1 in 200 year flood event. During the 1 in 1000 year 'extreme' event, the site would be inundated with floodwater to a depth of 1.7m, within 20 minutes. In this scenario, there would be no safe access/egress to the site and residents will require 'flood warning'. It is proposed to set floor levels for residential accommodation at 3.3m AOD at ground floor level. This is 300mm above the water surface elevation during the 1 in 200 year flood event where the defences remain intact. However, if the defences were to be breached in a 1 in 200 year flood event, the water surface elevation on site would be 4.9mAOD, with 2.2m of flood water surrounding the buildings. The Environment Agency has recommended first floor levels to be set to 6.2m AOD to address this issue. A flood evacuation plan is required by condition and the applicant will be advised to sign up to the Environment Agency's early flood warning service.

Residential development

- 4.9 Government guidance contained within the National Planning Policy Framework (NPPF) encourages effective use of land by re-using land that has been previously developed.
- 4.10 The site is situated on land currently to be used partly as communal amenity space and car parking serving the recent housing development (11/00507/FUL), which has been completed and is now occupied. The applicant constructed the parking layout differently to the approved scheme and has recently been granted planning permission to retain the parking bays to the southern pair of semi-detached dwellings under application 16/02061/FUL, by Development Control Committee on the 8th February 2017.
- 4.11 Policy DM3 of the Development Management Document DPD2 states that *"the Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner responding positively to the local context and not leading to over-intensification. Any infill development will be resisted if it creates a detrimental impact on the living conditions and amenity of*

existing and future residents or neighbouring residents, conflict with the character or grain of the local area, result in a contrived and unusable garden space for existing and proposed dwellings or result in the loss of local ecological assets”.

- 4.12 Section 5.3 of the Design and Townscape Guide (SPD1) deals with infill development and it is stated:

“The size of the site together with an analysis of local character and grain will determine whether these sites are suitable for development. In some cases the site may be too small or narrow to accommodate a completely new dwelling (including useable amenity space and parking) and trying to squeeze a house onto the site would significantly compromise its design quality and be detrimental to neighbouring properties and local character. Unless an exceptional design solution can be found, infill development will be considered acceptable”.

- 4.13 Where such development is acceptable in principle, SPD1 states that it is important to draw strong references from surrounding buildings in terms of scale, frontage, materials and rhythm.
- 4.14 Each of the relevant points detailed in Policy DM3 of the Development Management Document DPD2 and the other relevant planning policies are discussed below. No objection is raised in principle to residential development in this location subject to the other detailed material planning considerations discussed in detail below.

Design and Impact on the Character of the Area

National Planning Policy Framework- Delivering a wide choice of high quality homes, Requiring good design; DPD1 (Core Strategy) policies KP2, CP4; DPD2 (Development Management Document) policy DM10 and Design and Townscape Guide SPD1 (2009)

- 4.15 Paragraph 56 of the NPPF states *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.*
- 4.16 Policy KP2 of the Core Strategy requires all new developments respect the character and scale of the existing neighbourhood where appropriate. Policy CP4 of the Core Strategy states that development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend.
- 4.17 Policy DM1 of the Development Management states that the Council will support good quality, innovative design that contributes positively to the creation of successful places. All developments should add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density layout, proportions, materials, townscape

- 4.18 The overall design and scale of the dwellinghouse has sought to replicate the pair of semi-detached properties to which it would be attached to in terms of its roof form, eaves alignment, fenestration and materials, which is welcomed.
- 4.19 The main entrance to the existing dwellings is via a footpath and landscaped area, where the proposed dwelling is sited. The width of the access to the dwelling has been increased from 1.6m to 3.3m and will now utilise the existing boundary wall and remove the boundary fence creating additional space. The front door serving the new dwelling will be located on the flank elevation facing the access providing an active frontage. The increased access width maintains sufficient separation distance between the dwelling and boundary maintaining a reasonable environment for existing and potential future occupiers. It is not considered the amended proposal would result in a poor quality residential environment as previously considered.

Living Standards for future occupiers

National Planning Policy Framework, Development Management Document policy DM8, The National Technical Housing Standards DCLG 2015 and Design and Townscape Guide (SPD1)

- 4.20 The internal floorspace of the proposed dwelling is 58sqm (1 bedroom 2 people). The current standards require 58sqm for a two storey 1 bedroom (2 people) dwellinghouse together with 1.5sqm of cupboard storage. Whilst it is noted there is a study to the first floor the size of the room has a width of 1.6m x 1.3m deep with an internal floor area of 2.6sqm. In accordance with the National Technical Housing Standards, in order to provide one bedspace, a single bedroom has a floor area of at least 7.5sqm and is at least 2.15m wide, which the study room fall short off it is unlikely to be used as a bedroom. All habitable rooms would benefit from sufficient daylight and outlook.
- 4.21 One of the core planning principles of the NPPF is that the planning system should *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.
- 4.22 Policy DM8 of the Development Management Document DPD2 states that all new dwellings must make provision for useable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this can take the form of a balcony or semi-private communal amenity space.
- 4.23 Whilst the Council’s Design and Townscape Guide states:
- “Outdoor space significantly enhances the quality of life for residents and an attractive useable garden area is an essential element of any new residential development”*.
- 4.24 The proposed dwellinghouse will have access to an amenity area to the south equating to 36sqm, which is small but considered sufficient useable space for potential future occupiers as the dwelling will not be used for family accommodation and therefore no objection is raised on this basis.

- 4.25 The increased access width between the boundary wall and new dwellinghouse is considered acceptable resulting environment for future occupiers and existing occupiers of the dwellinghouses to the rear of the site.

Traffic and transportation

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP3; policy DM15 of the DPD2 (Development Management Document) and the Design and Townscape Guide SPD1.

- 4.26 The existing site is accessed from a road serving a number of properties to the rear of Camper Road. The principle of residential use in this location has been previously accepted, given the 5 dwellings constructed following the appeal allowed under application 11/00507/FUL. The current development was allowed prior to the adoption of the Development Management Document DPD2 and each dwelling has 1 parking space in accordance with policy at that time. Policy DM15 of the Development Management Document DPD2 has since been adopted and requires at least two parking spaces to be provided per dwellinghouse in this location. However, on balance, taking into account that this will be a one bedroom dwellinghouse no objection is raised to the parking provision of only one space in this instance.

Impact on residential amenity

National Planning Policy Framework, Development Management DPD2 policy DM1, Core Strategy Policies KP2 and CP4, Development Management Document DPD2 policy DM1 and the Design and Townscape Guide (SPD1)

- 4.27 Policy DM1 of the Development Management Document states that any new development should protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight. Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties.
- 4.28 The proposed dwelling will be sited 9.3m in front of the existing terraced block to the north of the site. This is the same relationship as the existing dwellings in the terrace have and has been previously found acceptable. The nearest residential property to the west of the site (properties in Camper Road) is 12m. It is not considered the proposed dwellinghouse will be overbearing nor result in loss of daylight to the amenities of adjacent residential occupiers.

Sustainable Construction

National Planning Policy Framework; DPD2 (Development Management) policy DM2, DPD1 (Core Strategy) policy: KP2 and the Design and Townscape Guide SPD1.

- 4.29 Policy KP2 of the Core Strategy states:

“All development proposals should demonstrate how they will maximise the use of

renewable and recycled energy, water and other resources. This applies during both construction and the subsequent operation of the development. At least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources), such as those set out in SPD 1 Design and Townscape Guide”.

- 4.30 The provision of renewable energy resources should be considered at the earliest opportunity to ensure an intrinsic design. In this instance the applicant has indicated that photovoltaic panels will be used to meet the requirement of policy KP2 of the Core Strategy and further details can be sought if this application is deemed acceptable.
- 4.31 Policy KP2 of the Core Strategy DPD1 requires the need for all new development to incorporate SUDs to enable surface water attenuation for the site. No details have been submitted at this time however, if the application is deemed acceptable a suitable condition can be imposed.
- 4.32 Policy DM2 of the Development Management Document part (iv) requires water efficient design measures that limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption). Such measures will include the use of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting. Whilst details have not been submitted for consideration at this time, this can be dealt with by condition if the application is deemed acceptable.

Contamination

National Planning Policy Framework, Policy DM14 of the Development Management Document DPD2

- 4.33 Concerns have been raised in relation to contamination matters however, if this scheme is deemed acceptable conditions can be imposed to ensure full investigative details and relevant certificates are submitted.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.34 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. CIL is payable on net additional gross internal floorspace. The proposed development will result in 58sqm of residential floorspace (£22 per sqm zone 3). The proposed development will therefore, result in a CIL liability of approximately £1276.00.

Other Matters

- 4.35 It is noted that given the limited size of the plot and buildings, any alterations/extension of the dwellings allowed by the General Permitted Development Order or any order revoking and re-enacting that Order with or without modification, may result in unacceptable living conditions of the future occupiers (i.e. should the rear amenity space would be significantly reduced by a rear extension) or impact on the neighbouring properties (i.e. increased overlooking

from dormer windows). For this reason it is considered reasonable that permitted development rights for the proposed dwellinghouse be removed from this proposal if the application is deemed acceptable.

- 4.36 The Essex Fire Service has removed their previous objection as the applicant has now confirmed the development will include installation of a sprinkler protection system and the access has been considerably widened which would allow equipment access for firefighting purposes.

Conclusion

- 4.37 The dwelling meets the sequential and exceptions test and there is no objection in principle to a house in this location. The elevational design and scale relates to the existing dwellinghouses and is compatible with the character and appearance of the area. Subject to the use of high quality materials and detailing, it is considered that this proposal should be compatible with the character of the surrounding area. The proposal in terms of its layout and amenity space will provide an acceptable living standard for future occupiers and adequate parking is provided. The amenities of adjacent occupiers are adequately protected, also access for fire fighting.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework 2012
- 5.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP8 (Dwelling Provision)
- 5.3 Development Plan Document 2: Development Management Document Policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM3 (The Efficient and effective use of land), DM8 (Residential Standards), DM14 (Environmental Management), DM15 (Sustainable Transport Management)
- 5.4 SPD1 Design & Townscape Guide 2009

6 Representation Summary

Design and Regeneration

- 6.1 No comments.

Traffic and Transportation

- 6.2 One parking space is proposed, which is considered acceptable taking into account the location of the site with access to public transport and cycle routes.

Environmental Health

- 6.3 A number of site investigation reports have been provided in relation to the above site. The Desktop Summary recommends that multiple samples were taken across the site, a regime of landborne gas monitoring was to be undertaken and it highly

recommended that a geotechnical investigation was carried out due to high levels of infilled and made up ground.

It is unclear from the Factual Report and the Trentside Report submitted if these recommendations were undertaken. Further verification that the recommendations within the desktop study have been implemented shall be dealt with by condition including the list of recommendations contained within the report during the redevelopment of this site **[Officer Comment: The above matters relate to the wider site and it is considered the adequate decontamination of the application site can be achieved by condition if this application is deemed acceptable].**

Environment Agency

- 6.4 Our maps show the site lies in tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for the construction of a residential dwelling, classified as 'more vulnerable' in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. To comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific FRA.

If you are satisfied that the application passes these tests and will be safe for its lifetime, we request the following conditions are included if permission is granted:

Conditions

1. Ground floor levels shall be provided at minimum level of 3.3mAOD
2. First floor levels shall be provided at a minimum level of 6.2mAOD

Reasons

To minimise the impact of flooding upon the building and to provide refuge above the flood level during the extreme flood event.

To assist you in making an informed decision about the flood risk affecting this site, the key points from the FRA are provided in an appendix.

Essex Fire Service

- 6.5 No objections.

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of building regulations to ensure the proposal complies with section 13 of Building (Approved Inspectors) Regulations 2010 (as amended)

The architect or applicant is reminded that additional water supplies for fire fighting maybe necessary for this development.

Automatic Water Suppression Systems should be installed.

Public Consultation

6.6 A site notice was displayed on the 19th December 2016 and neighbours notified of proposal. 5 letters of representation have been received stating:

- Parking will be restricted and is already insufficient for households;
- Both developments wrongly assume visitors will not go to the dwellings;
- The only pedestrian access to Mayfair Place is via the access road, which is used for both vehicles and pedestrians, which is already very dangerous;
- Lack of sunlight;
- Overlooking and loss of privacy;
- Noise levels will increase;
- Traffic and parking would need to be managed;
- It is not clear how long the development will take;
- At present each dwelling has two spaces and 1 parking space is not sufficient **[Officer Comment: The appeal allowed relating to application 11/00507/FUL was considered acceptable with one space per dwelling. This proposal is for a one bedroom property and therefore on balance taking into account the location of the site with access to public transport no objection is raised by the Councils Highway Officer];**
- Emergency vehicles will not be able to access the properties to the rear of the site;
- The foundations are already in for this new building when the other properties were constructed;
- Some 30 vehicles already use the access from Camper Road to the area of this development. The likelihoods of accidents would also increase.
- This proposal looks like an interesting way to get two bedrooms in

7 Relevant Planning History

- 7.1 2011 – A planning application (11/00507/FUL) to demolish an existing storage building and erect 5, two storey dwellings was refused planning permission. A subsequent appeal was allowed.
- 7.2 2013- Application to vary condition 2 (the development hereby permitted shall be carried out in accordance with the approved plans) allowed on appeal dated 14th March 2012 to request amendment to building footprint. Granted (13/01753/FUL).
- 7.3 2017- 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) (16/02061/FUL)

8 Recommendation

8.1 **Members are recommended to GRANT PLANNING PERMISSION 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: P01 Revision D; P04 Revision B; P05.**

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

- 03 The ground floor levels shall be provided at minimum level of 3.3m AOD.**

Reason: To minimise the impact of flooding upon the building and to provide refuge above the flood level during the extreme flood event in accordance with the National Planning Policy Framework and policy KP2 of the Core Strategy.

- 04 The first floor levels shall be provided at a minimum level of 6.2m AOD**

Reason: To minimise the impact of flooding upon the building and to provide refuge above the flood level during the extreme flood event in accordance with the National Planning Policy Framework and policy KP2 of the Core Strategy.

- 05 No development shall take place until a site investigation of the nature and extent of land 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, and to ensure that the development does not cause pollution to DPD2 (Development Management document) policy DM14.

- 06 Prior to the commencement of the development hereby approved, details of the external materials to be used in the construction of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall subsequently be used in the construction of the dwelling hereby approved unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

- 07** The dwelling shall not be occupied until the parking has been laid out, in accordance with the approved plans, such provision shall be permanently reserved for the parking of vehicles of occupiers and callers to the property and not used for any other purpose whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order).

Reason: To ensure that satisfactory off-street car parking is provided for occupants of the new dwelling and in the interests of residential amenity and highway efficiency and safety, in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, CP3, policy DM15 of the Development Management Document and SPD1 (Design and Townscape Guide).

- 08** The first floor level windows to the west elevation of the dwelling hereby approved shall be fitted with obscured glazing (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4. The obscured glazing shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

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

- 09** Prior to occupation of the dwellinghouse hereby approved details of the refuse storage and cycle storage, shall be submitted to and agreed in writing by the local planning authority, shall be installed in accordance with the approved details and be permanently retained thereafter.

Reason: To protect the environment and to ensure adequate waste and cycle storage in the interests of highway safety, visual and residential amenity and general environmental quality in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) policies DM8 and DM15.

- 10 No development shall take place until full details of both hard and soft landscape works, including the trees to be retained on the western boundary 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

- 11 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 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.

- 12 The existing boundary fence shall be removed and full details of the boundary wall shall be submitted and agreed in writing by the local planning authority. The boundary treatment shall be implemented as approved and retained in perpetuity.**

Reason: In the interests of the character and amenity of the area in accordance with NPPF; DPD1 (Core Strategy) 2007 policy KP2 and CP4; DPD2 (Development Management Document) policy DM1.

- 13** 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).

- 14** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, 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 and E.

Reason: To protect the privacy and environment of people in neighbouring residential properties and ensure sufficient amenity space is retained for future occupiers pursuant to DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

- 15** The development hereby approved shall be carried out in a manner to ensure the houses 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).

- 16** Construction and demolition shall only take place between 0730 and 1800 Monday to Friday 0800 and 1300 Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the character and amenity of the area in accordance with NPPF; DPD1 (Core Strategy) 2007 policy KP2 and CP4; DPD2 (Development Management Document) policy DM1.

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

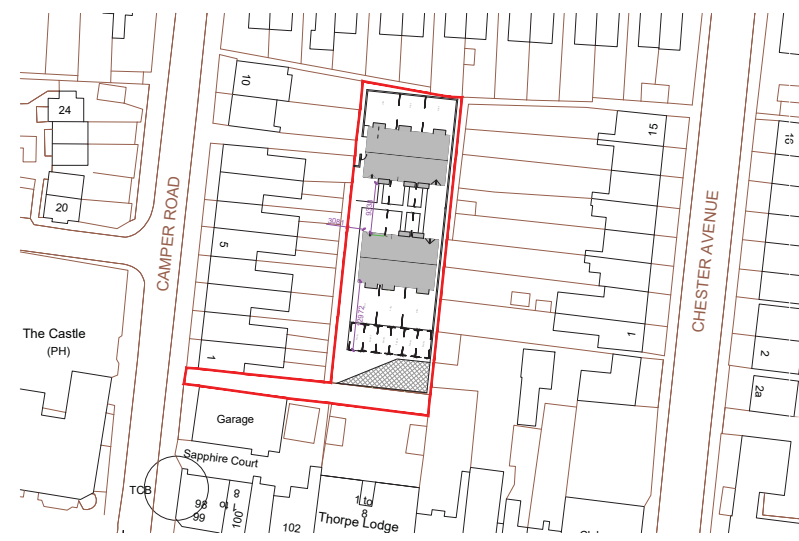
Informative

- 1 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.**

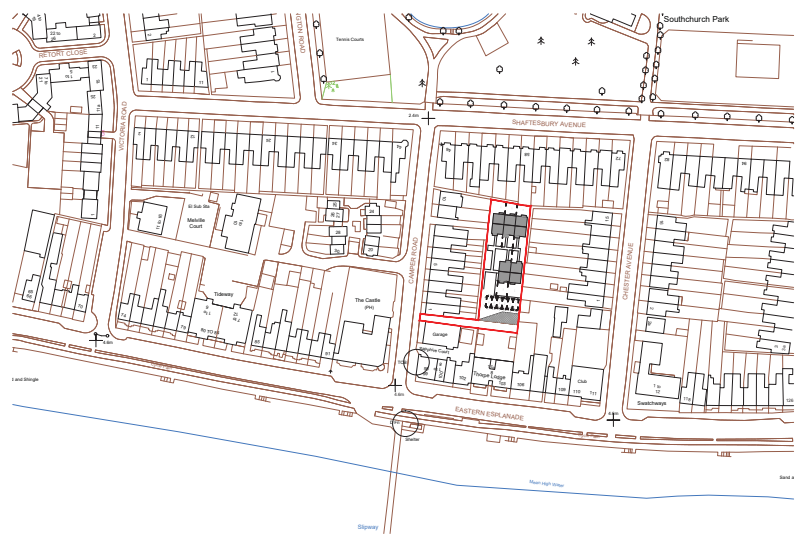
Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.



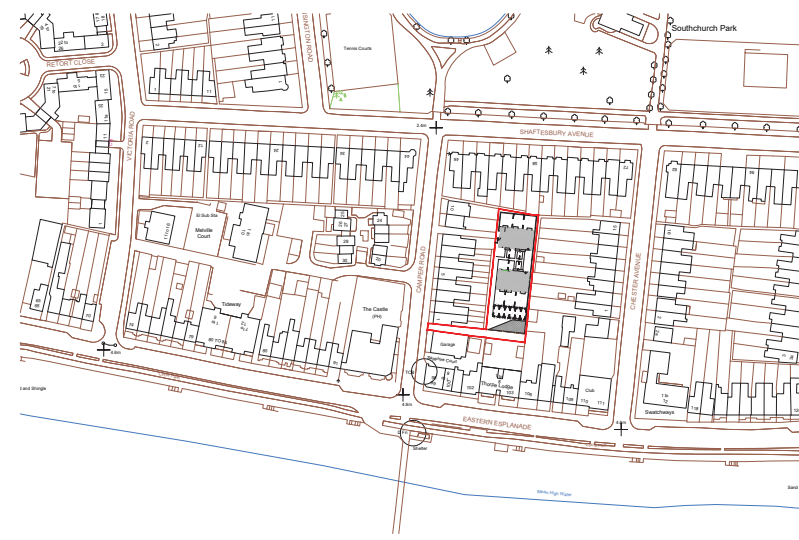
Existing Block Plan - 1:500 North



Proposed Block Plan - 1:500 North



Existing Location Plan - 1:1250 North



Proposed Location Plan - 1:1250 North

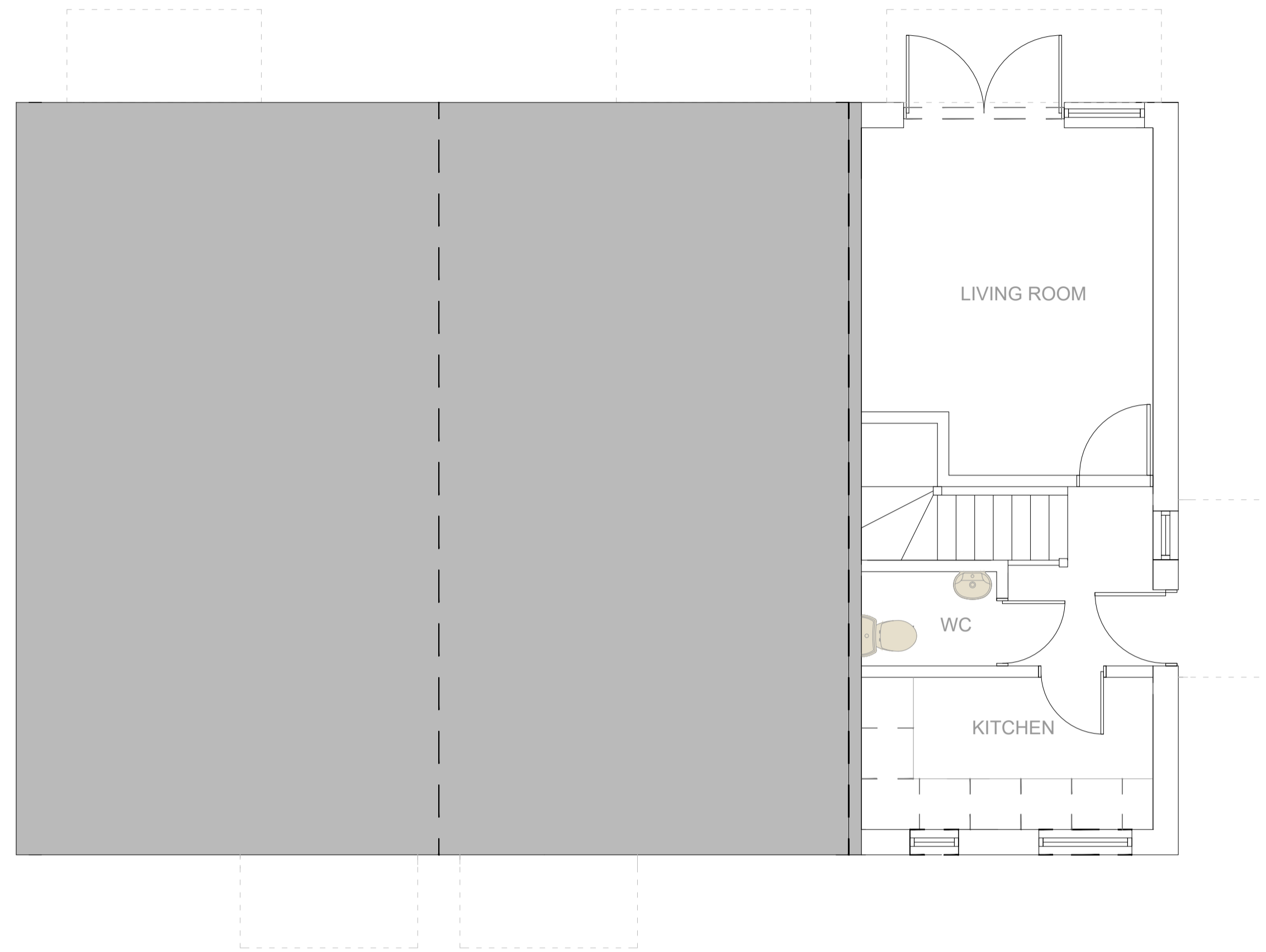
STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary
 CLIENT: Mr Miller
 PROJECT: Land Adjacent to 1 Mayfair Place
 PROJECT NO: 329-09-15
 DRAWING: Proposed Site and Block Plans

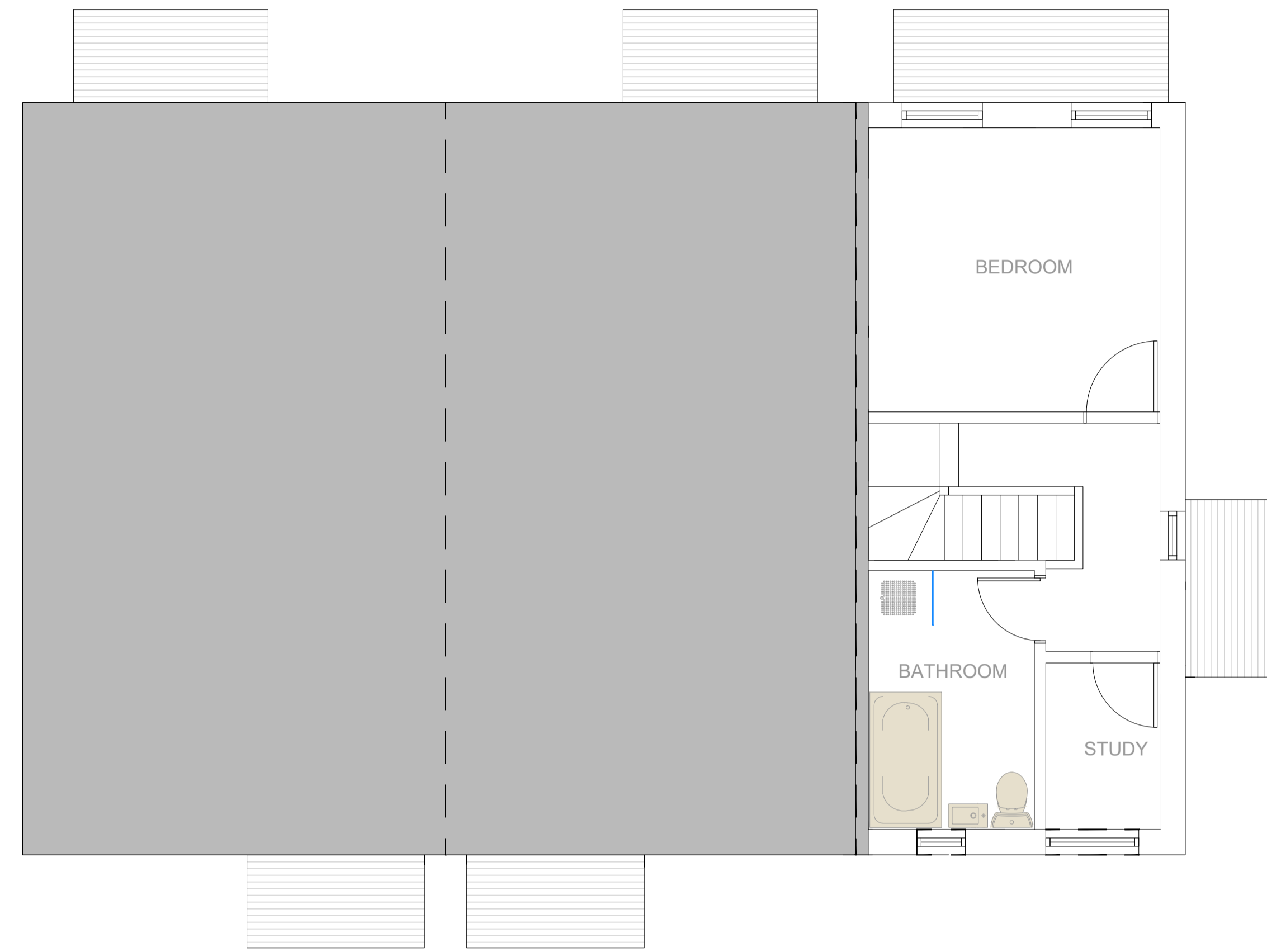
SCALE: 1:500 and 1:1250 on A1

DRAWING INFORMATION:
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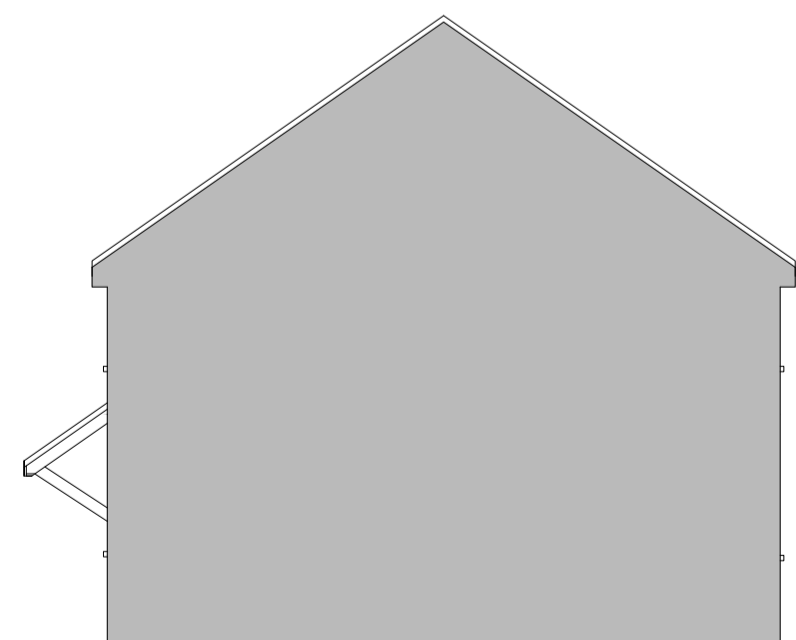
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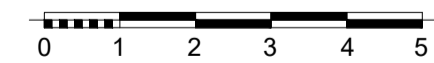
Proposed Ground Floor Plan 1:50



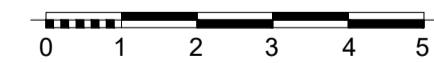
Proposed First Floor Plan 1:50 (Plot 6)



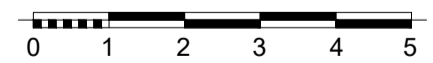
Proposed Side Elevation 1:100



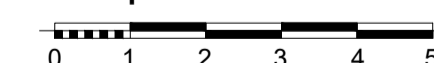
Proposed Front Elevation 1:100



Proposed Side Elevation 1:100



Proposed Rear Elevation 1:100



STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary DRAWN BY: WRS CHKD BY:

CLIENT: Mr Miller

PROJECT: Land Adjacent to 1 Mayfair Place

PROJECT NO: 329-09-15 PAGE NO: P04 REVISION: B

DRAWING: Proposed Plans and Elevations (P6)

SCALE: 1:100 and 1:50 on A1

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SKARCHITECTSLTD

853-855 London Road Westcliff on Sea SS0 9SZ
Tel: 01702 509250
E-mail: info@skarchitects.co.uk

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Reference:	17/00362/FUL	<h1>7</h1>
Ward:	Chalkwell	
Proposal:	Layout 16 car parking spaces to rear and install replacement entrance gate and acoustic fencing (Amended Proposal).	
Address:	The Shore, 22 - 23 The Leas, Westcliff-On-Sea, Essex	
Applicant:	The Shore Limited	
Agent:	Daniel Watney LLP	
Consultation Expiry:	03/04/17	
Expiry Date:	26/04/17	
Case Officer:	Ian Harrison	
Plan Nos:	TWI-1250-AF-D135-A, TWI-1250-AF-D131D, TWI-1250-AF-D131-B, TWI-1250-AF-D300-G and TWI-1250-AF-D350-A.	
Recommendation:	GRANT PLANNING PERMISSION	



1 The Proposal

- 1.1 The application seeks permission for the modification of the grounds of The Shore, formerly known as Nirvana, to enable the formation of an additional parking area for 16 cars that would be accessed from Grosvenor Mews.
- 1.2 The wider site is the subject of a lengthy planning history that is set out in full detail below. In summary, two buildings were approved at the site under the terms of application 07/00820/FULM and 07/00850/FUL and subsequently erected to a condition that resembles completion. The ownership of the building is understood to have changed and amendments to the building being sought and approved in 2014, 2015 and 2016. This application represents further alterations to the site.
- 1.3 The proposed alteration to the grounds at the rear of the site would see the provision of an area of hardstanding that would provide parking for 16 cars. This area of land was formerly proposed to be an amenity area for the occupants of the proposed flats, laid mostly to hardstanding, but with raised planters and planting at the boundary of the site. It was previously shown that there would be a change in ground levels and the development was built in that manner. This entrance to the site was only intended to provide access to the electricity sub-station and it is noted that the changing ground levels as per the approved scheme would have prevented vehicular access to the east part of the site.
- 1.4 The applicant proposes to amend the levels of the site to create a ramp from the west part of the site to the east, thereby enabling the area to be accessed from the track that leads between the on-site electricity substation and the property of 3 Grosvenor Mews. The gates at the Grosvenor Mews frontage of the site are to be replaced with automatic metal gates that would be fitted with 'rubber snubbers' to minimise the noise created by the gates. The applicant also shows the erection of acoustic fencing at the boundary of the site that is shared with the rear of 3 Grosvenor Mews and also incorporates a kerb that would be 1.5 metres from the west boundary of the site to prevent access close to the boundary that is shared with Admirals Place. Additional landscaping would be proposed at the west of the car park area and 12 low height lighting bollards are proposed within the car park area.
- 1.5 A very similar proposal was originally included within recent application 16/00328/FUL, but was removed from that application in order that the applicant could consider the potential noise impact on the adjacent properties that would occur as a result of the use of the proposed car park and the access from Grosvenor Mews.
- 1.6 Subsequent application 16/01246/FUL proposed a similar development independently of all other works at the site and submitted a "Noise Impact Assessment and Vehicular Access Study" and subsequently an additional "Technical Note" during the course of the application to address the concerns of officers. Despite a recommendation of approval, the application was refused for the following reasons:

1. The proposed development, by reason of the resultant traffic generation, will cause an unacceptable level of noise and disturbance to neighbouring residents

contrary to National Planning Policy Framework, Policy CP4 of the Core Strategy, Development Management DPD Policy DM1 and Design and Townscape Guide.”

2. The proposed development, by reason of the narrow width of the vehicular access and resultant traffic generation, will cause noise and disturbance to neighbouring residents to the detriment of highway safety and the efficiency of the local highway network, contrary to the NPPF, Policy CP3 of The Southend Core Strategy, Policy DM15 of the Southend Development Management DPD.

3. The proposed development would result in an unacceptable loss of amenity space resulting in a poor environment for occupants thereof contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, policies DM1 and DM8 of the Development Management Document and advice contained within the Design and Townscape Guide SPD1.

2 Site and Surroundings

- 2.1 The application site is located to the North of The Leas. The site measures a maximum of 83 metres deep and 68 metres wide and contains a residential development with 9 floors of residential accommodation that appears to have been largely completed but unoccupied. The contents of the site have been developed under the terms of planning permissions 07/00850/FUL and 07/00820/FULM, which have been the subject of various recent minor alterations.
- 2.2 The application site is located outside The Leas Conservation Area but within close proximity of it.

3 Planning Considerations

- 3.1 The main considerations in the determination of this application are the principle of the development, design and impact on the streetscene, impact on residential amenity of neighbouring residents and traffic and highways issues.

4 Appraisal

Principle of Development

National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4, CP8; Development Management DPD Policies DM1, DM3 and DM15 and the Design and Townscape Guide SPD1 (2009)

- 4.1 This proposal is considered in the context of the Borough Council policies relating to design. Also of relevance are National Planning Policy Framework Sections 56 and 64, Core Strategy DPD Policies KP2, CP4 and CP8. Amongst the core planning principles of the NPPF includes to *“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.”* Paragraph 56 of the NPPF states; *“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Paragraph 64 of the NPPF states; *“that permission should be refused for development of poor design that fails to take the opportunities available for*

improving the character and quality of an area and the way it functions.”

- 4.2 Policy KP2 of the Core Strategy requires that new development contributes to economic, social, physical and environmental regeneration in a sustainable way through securing improvements to the urban environment through quality design, and respecting the character and scale of the existing neighbourhood. Policy CP4 requires that new development be of appropriate design and have a satisfactory relationship with surrounding development.
- 4.3 As the development is ancillary to the intended residential use of the building and does not represent a change of use of land, it is considered that the proposals should not be found unacceptable in principle, although the following matters require more detailed consideration.

Design and Impact on the Character of the Area

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) policies DM1 and DM6 and the Design and Townscape Guide.

- 4.4 In the Council's Development Management DPD, policy DM1 states that development should “add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features.”
- 4.5 The alterations to the grounds at the rear of the site would see the replacement of an amenity area with a parking area. However, the approved amenity area would have been largely dominated by hardstanding, with just a few raised planters and boundary planting. Boundary planting could be provided within the development that is now proposed and therefore the difference in the appearance of the site would mostly be derived from the presence of cars at the rear of the site and the use of different hardstanding. Given the presence of a large parking court to the West of the application site, to the rear of a block of flats, it is considered that this arrangement of providing parking at the rear of a building is not out-of-keeping with the character of the area. The parking court to the side of Grosvenor Court also demonstrates that this is the case, and as this is at a higher ground level and is directly visible from the east, it is considered that the visual impact of the proposed car parking area would not be harmful to the character of the area.
- 4.6 The proposed changes to the gates at the north of the site would not materially change the character or appearance of the site or the building and is not considered to cause visual harm. The gates shown on the submitted plans are less decorative than would be expected in a residential setting, but it is considered that their enclosed and recessed position means that the gates would not have a harmful visual impact on the character of the site or the surrounding area. Further details of the proposed gates should be submitted and agreed through the imposition of a condition.
- 4.7 It is noted that no objection was raised to the proposal on visual grounds previously and therefore it would be unreasonable to raise an objection to the application on those grounds.

Impact on Residential Amenity.

National Planning Policy Framework, Policy CP4 of the Core Strategy, Development Management DPD Policy DM1 and Design and Townscape Guide.

- 4.8 Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.”
- 4.9 Although Grosvenor Mews is a quiet, narrow road and is reasonably well sheltered from surrounding highways and the activity of the seafront and as such it is considered that background noise levels are generally quite low. The road currently serves 14 properties, with another property approved at Elm Cottage and it is therefore the case that the number of vehicle movements along the highway is limited. This is demonstrated by the applicant’s submissions.
- 4.10 The movements of additional vehicles, which would pass immediately adjacent to several properties that are adjacent to Grosvenor Mews has the potential to generate some additional noise. The applicant’s submissions indicate that the peak usage of Grosvenor Mews is currently 7 cars per hour (between 1700 and 1800) and the peak usage of the proposed car parking area would be 8 vehicle movements per hours (between 1900 and 2000). The noise assessment that has been submitted by the applicant, which is based on this number of additional vehicle movements, suggests that the average noise levels across the 16 hour daytime period would increase by 2 decibels in the worst case scenario, which is identified as being the impact on the east elevation of Elm Cottage which is adjacent to the proposed access.
- 4.11 The applicant’s submissions are based on an assessment of average noise levels over 16 hours. The submissions argue that the average changes very little and that whilst a difference of more than 1db would be noticeable in the short term, a 3db difference would not be noticed in the longer term. This is based on industry standards for road noise.
- 4.12 During the consideration of the previous application, the Council’s Environmental Health and Planning Officers initially raised concerns about the methodology and the detail of the applicant’s submissions. This led to the submission of an additional document which addressed the concerns of the Environmental Health Officers who withdrew their objection to the application. It is however noted that the application was refused for the reason set out above.
- 4.13 To address this, the applicant has proposed the erection of acoustic fencing at the east boundary of the site. At the time of writing, no comments have been received from the Council’s Environmental Health Department but it is considered to be reasonable to assume that if they raised no objection to the proposal previously, no

objection will be raised to the same proposal with the addition of acoustic fencing which would further mitigate any potential noise impacts.

- 4.14 For the reasons set out above and due to the addition of acoustic fencing to the site, it is considered that the proposal would not cause harm to the amenities of neighbouring residents to an extent that would justify the refusal of this application.

Highway Safety

National Planning Policy Framework, Policies KP2, CP3 and CP4 of the Core Strategy, Development Management DPD Policies DM1, DM3 and DM15 and the Design and Townscape Guide.

- 4.15 The previous application was accompanied with a Vehicular Access Study which identified that the Highway Authority had raised no objection to the proposal and was therefore satisfied that the access was safe.
- 4.16 To accompany this application the applicant has submitted a Road Safety Audit. This identifies that *“Having observed the proposed site access, adjacent highway links, roadside environment and road user behaviour, the auditors consider that no material risk to the safety of road users will arise as a result of the proposals as shown.”* It is noted that this states that the proposed access will not be used by pedestrians or service vehicles. No objection has been raised by the Highway Authority on the grounds that vehicles use Grosvenor Mews at very low speeds and therefore the reduced visibility to the west will not result in the access being unsafe.

Other Matters

- 4.17 The previous application was refused on the grounds that the proposal would have caused the loss of amenity space to serve the 46 flats at the application site. To address this matter the applicant has submitted a statement which identifies that the originally approved amenity space at the site equates to 833 square metres, the roof terraces that were approved under the terms of application 16/00328/FUL equate to 707 square metres and this proposal would result in the loss of 210 square metres of amenity space. If this development is approved, the average amenity space per flat would be 29 square metres rather than 33 square metres which is an improvement in comparison to the 18 square metres per flat that was originally approved. It is considered that an appropriate case has been put forward to demonstrate that adequate amenity space would be provided and therefore, notwithstanding reason for the refusal of the previous application, no objection is raised on that ground. In support of this, 12 pro forma letters have been completed by the occupants of The Shore which states that they support the loss of amenity space and the provision of additional parking.

Planning Obligations and Community Infrastructure Levy

- 4.18 The development at this site was approved subject to the completion of Section 106 agreements to secure the provision of affordable housing and financial contributions towards education and bus services and the landscaping of a planter at the frontage of the site. It is considered that this proposal will not amend the need to comply with the requirements of the Section 106 agreement that has previously been completed and it is therefore not necessary to amend or vary the

Section 106 agreement that has been completed.

5 Conclusion

- 5.1 It is considered that the proposal would not cause harm to the character or appearance of the site and the surrounding area. It is considered that the previous reasons for refusal have been addressed.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework

Core Strategy DPD (adopted December 2007) Policies KP2 (Spatial Strategy) and CP4 (Development Principles).

Development Management DPD (adopted July 2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM6 (The Seafront), DM8 (Residential Standards) and DM15 (Sustainable Transport Management).

Design and Townscape Guide SPD (adopted December 2009)

7 Representation Summary

Highway Authority

- 7.1 The applicant has supplied additional information relating to the entrance/exit of the site and has identified that vehicle speed will be low in Grosvenor Mews it is recommend. Given the additional information supplied there are no highway objections to the proposal

Design and Regeneration Team

- 7.2 No comments have been received.

Environmental Health Officer

- 7.3 No comments have been received.

Public Consultation

- 7.4 A site notice was posted and letters were sent to 53 neighbouring residents. 2 objections have been received which object on the following grounds:

- The proposal would be dangerous for pedestrians within Grosvenor Mews
- Grosvenor Mews is in poor condition.
- Other properties already use Grosvenor Mews
- The entrance is narrow.

- 7.5 The applicant has submitted 12 pro forma letters of support from residents of The Shore which states that they would expect more parking to be provided and that the need for parking outweighs the loss of amenity space.

The application has been called-in to the Council's Development Control Committee by Cllr Burzotta.

8 Relevant Planning History

- 8.1 Under the terms of application 07/00850/FUL planning permission was granted for the erection of a 9 storey block of 9 flats linked to and utilising parking facilities beneath the development at no. 22 The Leas. The development of 22 The Leas was granted under the terms of application 07/00820/FULM.
- 8.2 Since 2014, numerous applications have been submitted for minor amendments to the buildings at the site, the creation of a new flat, the creation of balconies and other such works. Most of these are considered to be of little relevance to this application except for application 16/00328/FUL which is discussed above and allowed the creation of roof terraces at the site.
- 8.3 Application 16/01246/FUL proposed the creation of an additional parking area at the site which was largely the same as the development proposed by this application. That application was refused for the reasons set out above.

9 Recommendation

- 9.1 **It is recommended that planning permission be 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: TWI-1250-AF-D135-A, TWI-1250-AF-D131D, TWI-1250-AF-D131-B, TWI-1250-AF-D300-E and TWI-1250-AF-D350-A.**

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

- 03 Prior to the commencement of the development hereby approved, full details of the gates to be installed at the application site shall be submitted to and approved in writing by the Local Planning Authority. The approved gates shall be installed prior to the first use of the parking area hereby approved and shall be retained in perpetuity.**

Reason: In the interests of visual amenity and highway safety in accordance with the National Planning Policy Framework, Southend-on-Sea Core Strategy policies KP2, CP3 and CP4 and Southend-on-Sea Development Management Document Policies DM1, DM3 and DM15.

- 04 The rear car park shall not be used by any vehicles connected with the servicing or maintenance of the site or the collection of waste from the site unless tracked movement plans for the necessary vehicle movements have been submitted to and approved in writing by the Local Planning Authority**

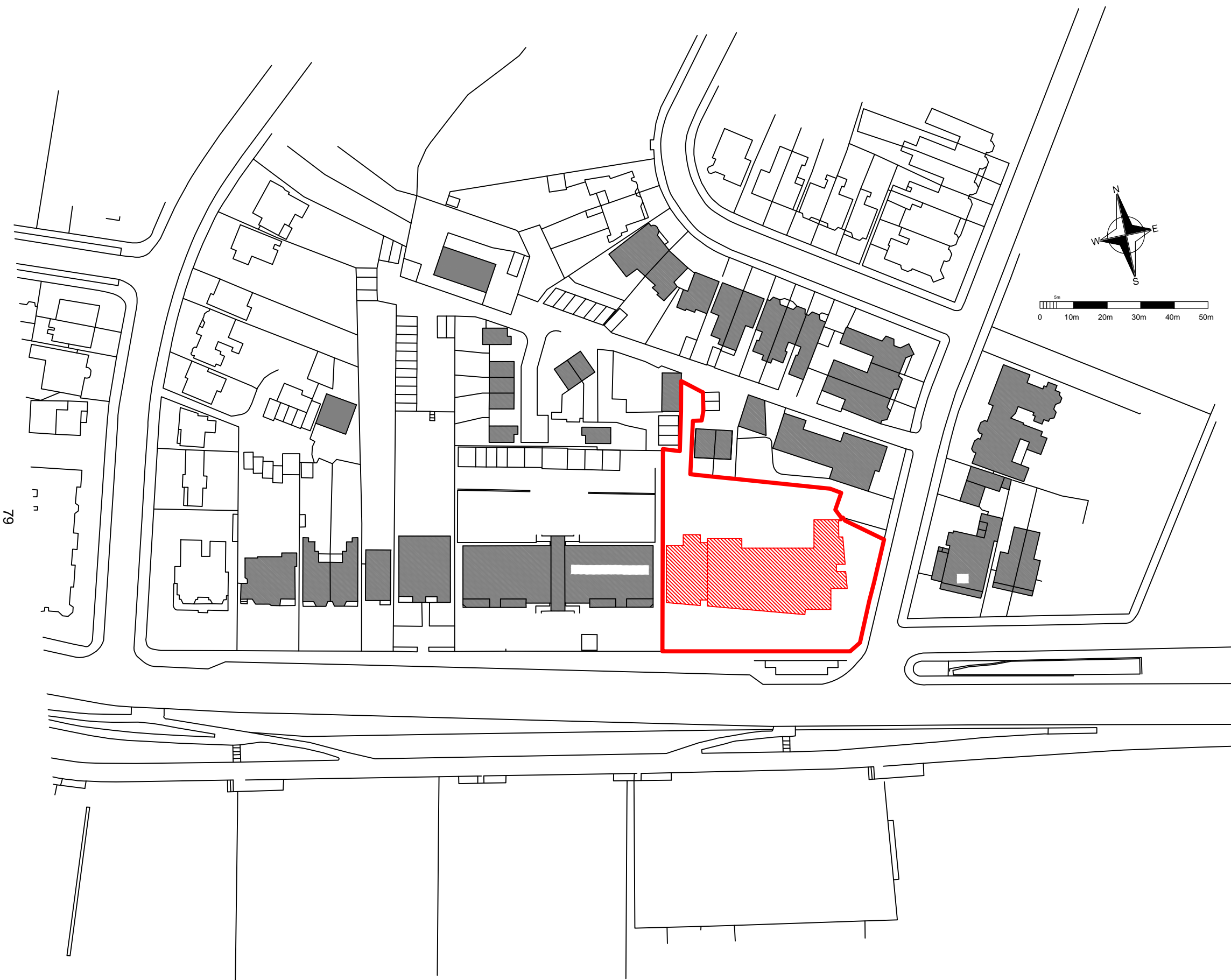
Reason: In the interests of highway safety in accordance with the National Planning Policy Framework, Southend-on-Sea Core Strategy policies KP2, and CP3 and Southend-on-Sea Development Management Document Policies DM1, DM3 and DM15.

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 development creates no 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.**

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Client Signature	
Printed Name	
ThirdWay Signature	
Date	
Specification Ref	

Status

- Preliminary/Info.
- Contract
- Planning
- Construction
- As-Built
- Building Control

Revision Detail

Rev	Detail	By	Date
A	PLANNING	RG	26.02.16

PLANNING DRAWING

Client
THE SHORE

Project Title
22-23 THE LEAS
WESTCLIFF-ON-SEA
ESSEX
SS0 8FF

Drawing Title
SITE LOCATION PLAN
PLANNING DRAWING

Date: 17.02.16 Drawn By: RG

Scale: 1:1250@A3 Rev: A

Drawing No: TWI-1250-AF-D135

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Client Signature	ThirdWay	Signature	
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Revision Detail	Rev	Detail	By
			Date

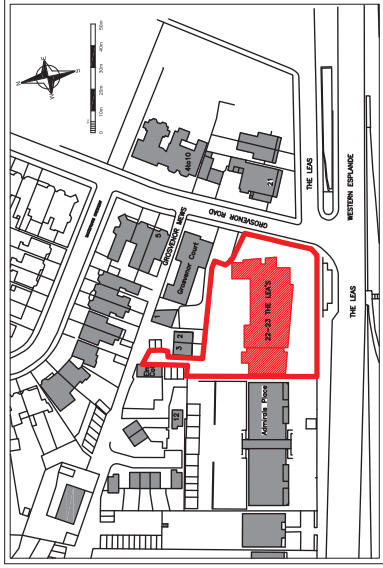
PLANNING DRAWING

Client	THE SHORE
Project Title	22-23 THE LEAS WESTCLIFF-ON-SEA ESSEX SS0 8FF

Drawing Title	LANDSCAPING PROPOSED ARRANGEMENT PLANNING DRAWING
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Date: 27.02.17	Drawn By: RG
Scale: 1:300@A3	Rev: G
Drawing No: TWM-1250-A-FD300	

ThirdWay
ThirdWay Interiors Ltd
100 Wooding Street
London EC2A 4BZ



SITE PLAN
1:2500 @A3



Existing rear landscape



ERECTOR OF ACOUSTIC SCREENS

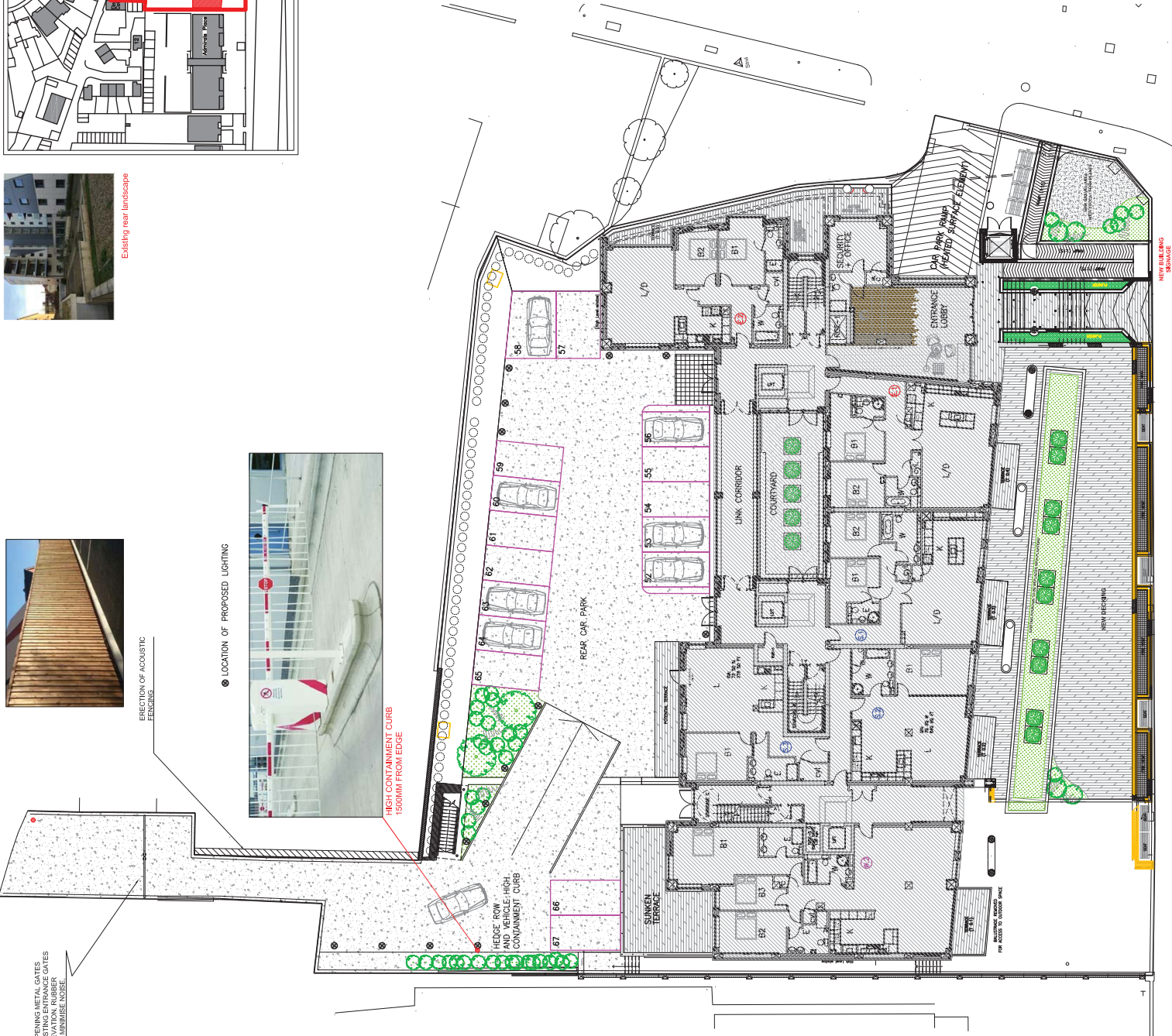


LOCATION OF PROPOSED LIGHTING

HIGH CONTAINMENT CURB
1500MM FROM EDGE

HEDGE ROW AND VEHICLE-HIGH CONTAINMENT CURB

AUTOMATIC OPENING METAL GATES TO MATCH EXISTING ENTRANCE GATES TO MAINTAIN VISUAL SCREENING TO MINIMISE NOISE



REAR CAR PARK

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Date		
Specification Ref		
Status		
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Rev	By	Date
A.		17/02/16
B.		22/02/16
PLANNING UPDATE		
RD		

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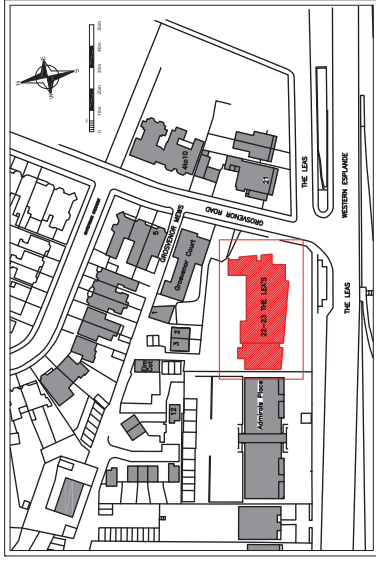
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THE SHORE

Project Title
22-23 THE LEAS
WESTCLIFF-ON-SEA
ESSEX
SS0 8FF

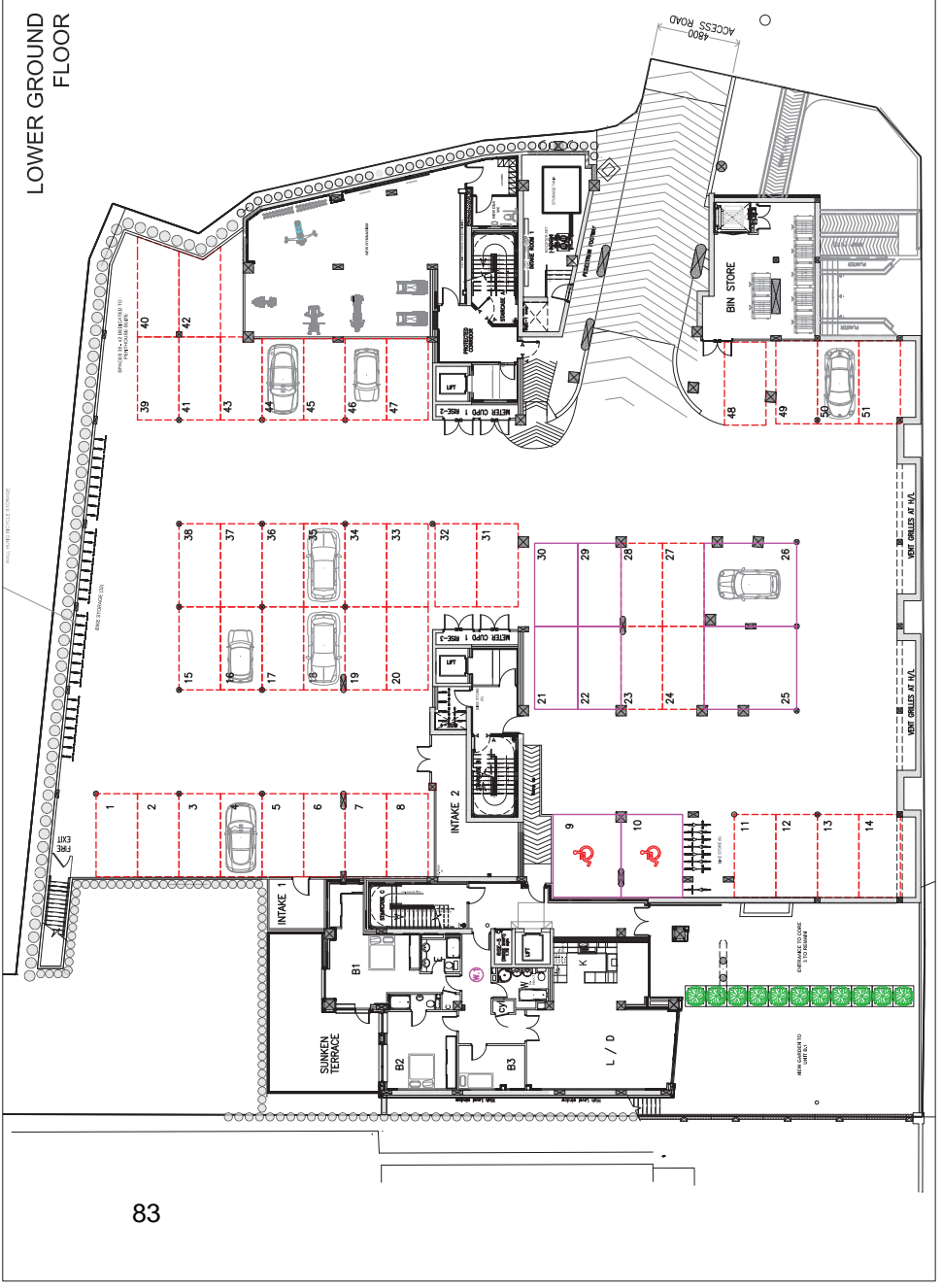
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CAR PARKING
PROPOSED ARRANGEMENT
PLANNING DRAWING

Date: 17.02.16
Drawn By: DJ
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Rev: B
Drawing No: TMF-1250-AF-D131

ThirdWay
ThirdWay Interiors Ltd
2nd Floor 3-5 Bessing Street
London SE16 8JZ



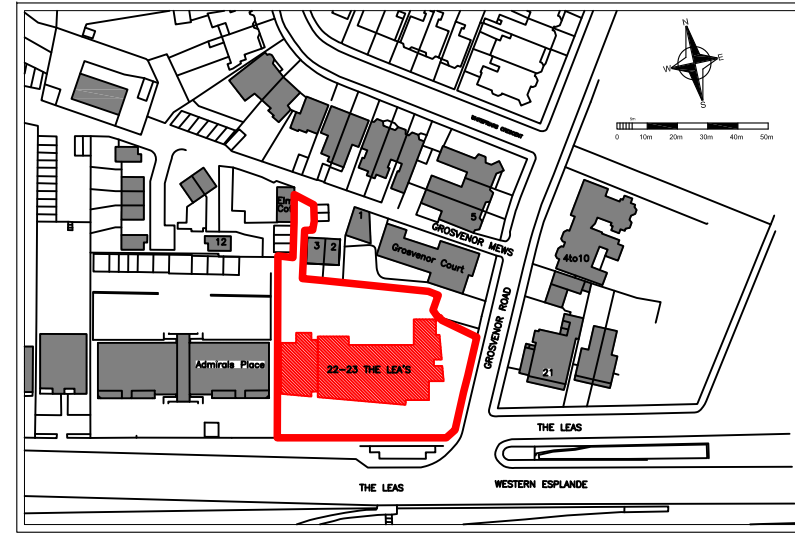
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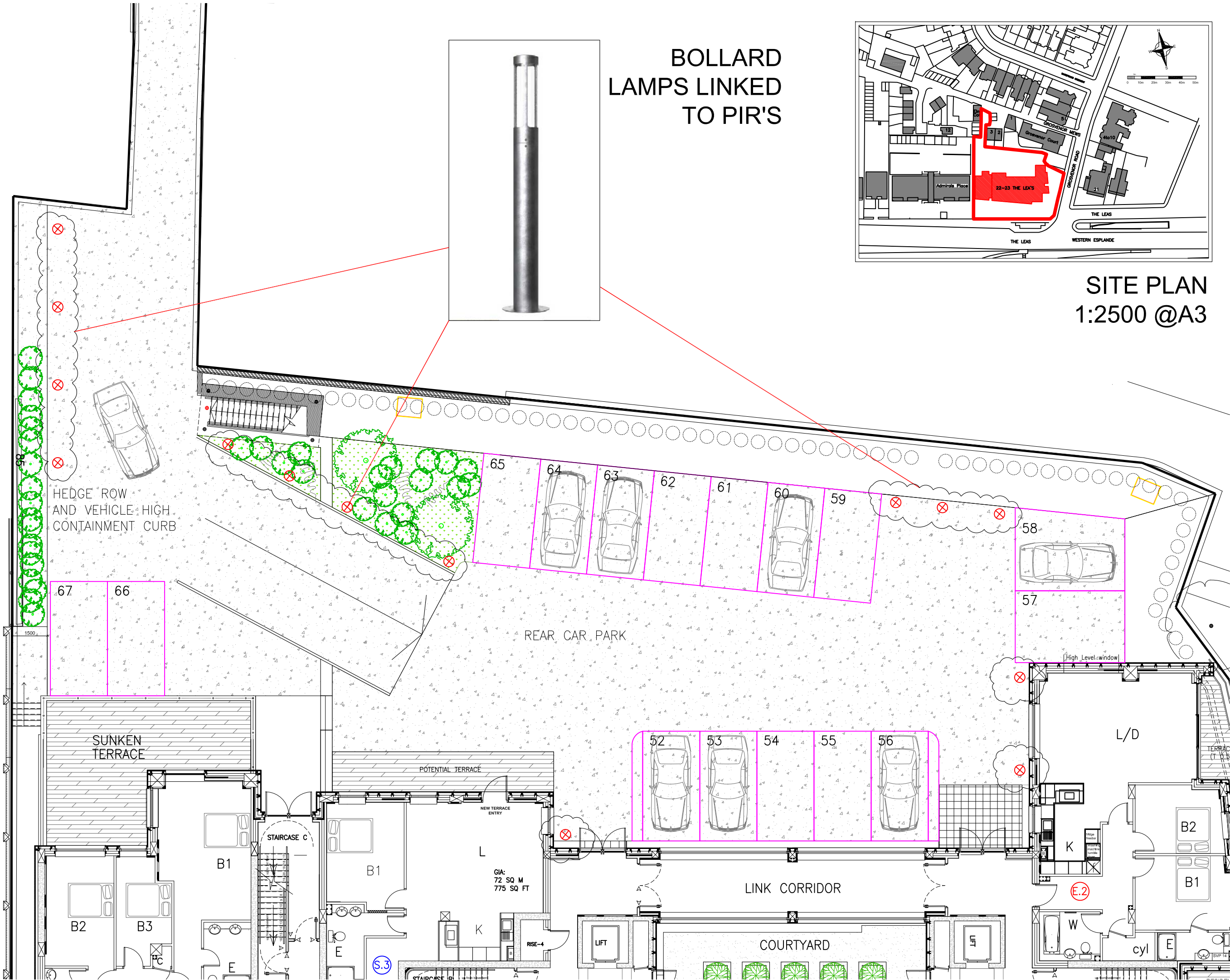
**TOTAL PROPOSED
CAR SPACES = 67**

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BOLLARD LAMPS LINKED TO PIR'S



SITE PLAN
1:2500 @A3



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Revision Detail

Rev	Detail	By	Date

PLANNING DRAWING

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22-23 THE LEAS
WESTCLIFF-ON-SEA
ESSEX
SS0 8FF

Drawing Title
LANDSCAPING
LIGHTING PLAN
PLANNING DRAWING

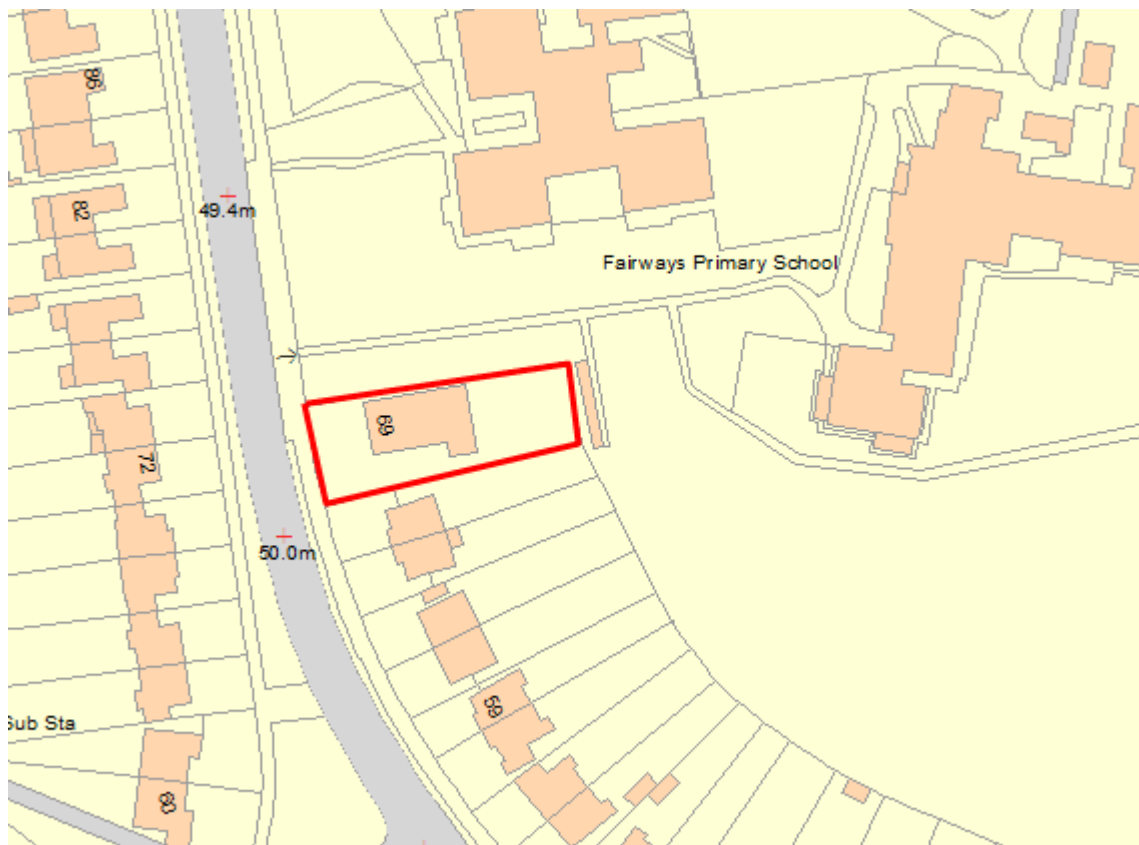
Date: 17.02.16 Drawn By: DJ

Scale: 1:150@A3 Rev: A

Drawing No: TWI-1250-AF-D350

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Reference:	17/00208/OUT	<h1>8</h1>
Ward:	Belfairs	
Proposal:	Erect first floor extension to form two storey building, install dormer to side, alter elevations and convert building into four self contained flats (Outline)	
Address:	69 The Fairway, Leigh-On-Sea, Essex, SS9 4QW	
Applicant:	Regan Services Limited	
Agent:	Domino Sky Building Design Limited	
Consultation Expiry:	16/03/17	
Expiry Date:	13/04/17	
Case Officer:	Ian Harrison	
Plan Nos:	C-159-01	
Recommendation:	GRANT OUTLINE PLANNING PERMISSION	



1 The Proposal

- 1.1 The application seeks outline planning permission, with all matters reserved, for the extension and conversion of the existing building to form four self-contained flats. Notwithstanding the more detailed description that has been utilised by the Local Planning Authority, it is noted that as all matters are reserved, all that is able to be considered is the principle of the proposed development and the plans that have been submitted should be considered to be indicative.
- 1.2 The site currently contains a chalet-style two storey building that is used as a dwelling. The main part of the building measures 16.5 metres deep and 8.5 metres wide with a pitched roof built to a height of 6.5 metres. The building features single storey projections to the front, side and rear.
- 1.3 The application seeks permission to extend the building to create a total of three storeys of accommodation. The indicative plans show that the dwelling would be adapted to appear as a conventional two storey dwelling with rooms in the roof to create the third floor.
- 1.4 One of the proposed flats would have three bedrooms and the other three flats would have two bedrooms. The indicative plans show that the total floorspace of the building would be 336 square metres.
- 1.5 The land at the rear of the site would be used to provide an amenity area. A parking area for six cars is shown at the frontage of the site, with an access provided that would measure the full width of the site.

2 Site and Surroundings

- 2.1 The application site is located to the east of The Fairway to the south of the Fairways Primary School. The site measures 43 metres deep and 16 metres wide and contains a two storey building that is described above.
- 2.2 Other than the abovementioned school, the surrounding buildings are used for residential purposes and include dwellings of varied scale and architectural detailing, including two and three storey dwellings and bungalows. There does not appear to be any flats within the immediate vicinity of the site.

3 Planning Considerations

- 3.1 The key considerations are the principle of the development, design and impact on the character of the area, the amenities of existing and proposed residents and highway implications.

4 Appraisal

Principle of the Development

The National Planning Policy Framework, DPD1 (Core Strategy) policies KP2, CP1, CP2, CP4 and CP8; DPD2 (Development Management) policies DM1 and DM3.

- 4.1 Policy CP8 expects 80% of residential development to be provided on previously developed land. From this basis, it is considered that the principle of undertaking residential development at this site should be supported, subject to the following detailed considerations. This is especially the case given that one of the 12 core principles of sustainable development that are identified within the NPPF is to “promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas.”
- 4.2 Although the proposal relates to works of extension as well as the conversion of the existing building, it is considered relevant to note that policy DM3 states that *“The conversion of existing single dwellings into two or more dwellings will only be permitted where the proposed development:*
- (i) Does not adversely impact upon the living conditions and amenity of the intended occupants and neighbouring residents and uses; and*
 - (ii) Will not harm the character and appearance of the existing building or wider area; and*
 - (iii) Will not lead to a detrimental change of a street’s function; and*
 - (iv) Meets the residential standards set out in DM8 and the vehicle parking standards set out in Policy DM15.”*

Policy DM3 also states that *“The Council will seek to support development that is well designed and that seeks to optimise the use of land in a sustainable manner that responds positively to local context and does not lead to over-intensification, which would result in undue stress on local services, and infrastructure, including transport capacity.”*

- 4.3 From this basis, subject to the detailed considerations that will be undertaken below or under the terms of reserved matters applications, it is considered that no objection should be raised to the principle of residential development and flats at this site.

Design and Impact on the Character of the Area:

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2 and CP4; DPD2 (Development Management) policies DM1 and DM3 and the Design and Townscape Guide.

- 4.4 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF as well as Policies DM1 and DM3 of the Development Management DPD and Policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide (SPD1) also states that the Council is committed to good design and will seek to create attractive, high-quality living environments.
- 4.5 In determining an appropriate contextual relationship with surrounding development, factors such as height, scale, massing and siting are material considerations. Details such as architectural style, along with colour texture of materials, are also fundamental in ensuring the appearance of any new development is sympathetic to its surrounding and therefore wholly appropriate in its context.

- 4.6 The NPPF states that *“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*.
- 4.7 The application seeks outline permission with all matters reserved and as such the plans that have been submitted with regards to the scale, layout and appearance of the proposed development are indicative and should be considered under the terms of reserved matters applications. However, if it is overwhelming obvious that it would be entirely unfeasible or impossible to undertake a development in any form due to its visual impact, it is considered that it is most reasonable to establish this under the terms of an outline application.
- 4.8 The character of The Fairway is dominated by residential properties of varied scale and design. The dwelling that is indicatively shown on the submitted plans would be of a height and form that would not be materially at odds with the two storey dwellings to the south or west of the site. Therefore, it is considered that the broad principle of forming a two storey building with additional rooms in the roof, could be found acceptable under the terms of reserved matters application. The proposed development would not be so out-of-keeping with the character of the surrounding area that it would be reasonable to refuse an outline planning application where the matters of scale, layout and appearance are reserved. This should not be interpreted as support for the scale, layout or appearance of the development that is shown on the indicative plans, but as an acknowledgement that there is a chance that a development could be proposed in a visually acceptable manner.
- 4.9 Based on the indicatively submitted plans, it is considered that there would be a number of matters that will require further attention when an application for reserved matters is submitted. This will include the provision of replacement landscaping at the frontage of the site, the provision of suitable boundary enclosures and the detailing of the proposed building. It is also a concern that the resultant building would be of a bulky scale and appearance due to the depth of the dwelling and the proposal to substantially increase the height of the building. The dormer window is also an area of concern as this will potentially be unacceptable on visual grounds. However, whilst it is appropriate to flag these concerns to the applicant though the use of an informative, it is considered that the application for outline planning permission should not be refused on those grounds as these matters should be given full consideration under the terms of an application for Reserved Matters approval.

Traffic and Transport Issues

The National Planning Policy Framework; DPD1 (Core Strategy) policies KP2, CP4; DPD2 (Development Management) Policies DM1, DM3 and DM15

- 4.10 Policy DM15 states that each flat should be served by one parking space which would therefore require the total provision of at least four parking spaces at the site. This standard would be met by the proposed development which would be served by six parking spaces. In terms of parking space provision, the proposal shown on the submitted plans would accord with the abovementioned standards and as such no objection should be raised to the proposal on the grounds of parking provision.

- 4.11 Two existing access point exists at the frontage of the site and it is therefore considered that there is reasonable prospect that an application relating to the reserved matter of access will be acceptable. The indicative plans that have been submitted show that one dropped kerb would be provided for the full width of the site. This might not be desirable on highway safety grounds or visual grounds, but it is considered that there is scope to provide at least four parking spaces at the site, to accord with the parking requirements of the policy DM15, in a manner that could be found acceptable on highway safety grounds. As such it is considered that no objection should be raised to the outline application on those grounds.
- 4.12 Cycle parking at the site should be secured through the imposition of a condition.

Impact on Residential Amenity:

The National Planning Policy Framework; DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management) Policies DM1 and DM3 and the Design and Townscape Guide.

- 4.13 Paragraph 343 of SPD1 (under the heading of Alterations and Additions to Existing Residential Buildings) states, amongst other criteria, that extensions must respect the amenity of neighbouring buildings and ensure not to adversely affect light, outlook or privacy of the habitable rooms in adjacent properties. Policy DM1 of the Development Management DPD also states that development should “Protect the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.” Noting that all matters are reserved, including the scale, layout and access, it is considered that the ability to consider the impact on neighbouring residents is limited and, as set out above, it should be noted that the submitted plans must be considered as indicative proposals.
- 4.14 The neighbouring property to the south is a two storey residential dwelling. That property is positioned 8 metres to the south of the main part of the existing building at the site and 3 metres from the shared boundary. The neighbouring property has two windows and a door in the side elevation which appear to serve non-habitable rooms or act as secondary windows. In this instance it is considered that the separation distance between properties and the orientation of the neighbouring dwelling means that there is reasonable potential to undertake the development that is indicatively shown without causing material harm to the amenities of neighbouring residents. As above, this should not be interpreted as a determination that the proposal shown is acceptable, but that there is a reasonable prospect that a development could be undertaken without causing material harm to residential amenity.
- 4.15 The neighbouring properties to the east and west are sufficient distance from the existing building to make it reasonably likely that a development at the site would not cause harm to the amenities of neighbouring properties in those directions. Moreover, as the property to the north of the site is used as a school, there are no residential properties which would have their amenities affected by development at this site.

Living Conditions for Future Occupiers

National Planning Policy Framework 2012, Technical Housing Standards 2015, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management) Policies DM and DM8 and SPD1

4.16 Paragraph 17 of the NPPF states that “*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*”. It is considered that most weight should be given to the Technical Housing Standards that have been published by the government which are set out as per the below table:

- Minimum property size for a 1 bedroom (2 bed space) flat shall be 50 square metres.
- Bedroom Sizes : The minimum floor area for bedrooms to be no less than 7.5m² for a single bedroom with a minimum width of 2.15m² ; and 11.5m² for a double/twin bedroom with a minimum width of 2.75m or 2.55m in the case of a second double/twin bedroom.
- Floorspace with a head height of less than 1.5 metres should not be counted in the above calculations unless it is solely used for storage in which case 50% of that floorspace shall be counted.
- A minimum ceiling height of 2.3 metres shall be provided for at least 75% of the Gross Internal Area.

Weight should also be given to the content of policy DM8 which states the following standards in addition to the national standards.

- Provision of a storage cupboard with a minimum floor area of 1.25m² should be provided for 1-2 person dwellings. A minimum of 0.5m² storage area should be provided for each additional bed space.
- Amenity: Suitable space should be provided for a washing machine and for drying clothes, as well as private outdoor amenity, where feasible and appropriate to the scheme.
- Storage: Suitable, safe cycle storage with convenient access to the street frontage.
- Refuse Facilities: Non-recyclable waste storage facilities should be provided in new residential development in accordance with the Code for Sustainable Homes Technical Guide and any local standards. Suitable space should be provided for and recycling bins within the home. Refuse stores should be located to limit the nuisance caused by noise and smells and should be provided with a means for cleaning, such as a water supply.
- Working: Provide suitable space which provides occupiers with the opportunity to work from home. This space must be able to accommodate a desk and filing/storage cupboards.

- 4.17 The submitted indicative plans would comply with the abovementioned standards except for flat 2 which would be too small to be used as a two bedroom three person flat as is indicated by the bedroom sizes. However, there would be options to re-configure this flat or reduce the number of bedrooms to enable the flat to meet with the Technical Housing Standards. This matter would be fully assessed under the terms of the reserved matter of 'layout' and therefore this application for outline planning permission should not be refused on that ground.
- 4.18 An area of amenity space exists at the rear of the site, measuring approximately 240 square metres, which would be able to serve the proposed flats. Although not detailed at this stage, it is considered that there is scope for adequate communal amenity space to be provided to serve the proposed flats.
- 4.19 Policy DM8 states that developments should meet the Lifetime Homes Standards unless it can be clearly demonstrated that it is not viable and feasible to do so. Lifetime Homes Standards have been dissolved, but their content has been incorporated into Part M of the Building Regulations and it is considered that these standards should now provide the basis for the determination of this application. If approved, an informative should be approved to highlight that it would be necessary to comply with these requirements.

Community Infrastructure Levy

- 4.20 This application is CIL liable and there will be a CIL charge payable. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions. As the application is in outline, the level of contribution cannot be clarified with certainty at this stage, however it would be appropriate to use an informative to highlight that the proposed development would be CIL liable.

5 Conclusion

- 5.1 There is no objection to the principle of the proposed development as it is considered that the intensification of the residential use of the site accords with the general content of policy CP8.
- 5.2 The matters of scale, layout, appearance, access and landscaping have been reserved and therefore the development that is shown on the submitted plans must be considered as an indicative proposal only. For the reasons set out above, it is considered that there is a reasonable prospect that a reserved matters application could accord with the content of the development plan and therefore no objection should be raised to the outline application on any of those grounds.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework.
- 6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), and CP8 (Dwelling Provision).

- 6.3 Supplementary Planning Document 1: Design & Townscape Guide (2009)
- 6.4 Development Management DPD policies DM1 (Design Quality) DM3 (The Efficient and Effective Use of Land) DM8 (Residential Standards) and DM15 (Sustainable Transport Management).
- 6.5 CIL Charging Schedule
- 6.6 Technical Housing Standards Transitional Policy Statement (October 2015)

7 Representation Summary

Highway Authority

- 7.1 No comments received.

Design and Regeneration

- 7.2 No comments received.

Public Consultation

- 7.3 6 neighbouring properties were notified of the application and a site notice was posted at the site. No letters of objection have been received.

8 Relevant Planning History

- 8.1 Application 05/00644/FUL approved a single storey rear extension and a garage at the site.
- 8.2 A bay window was approved under the terms of application 97/0326
- 8.3 A single storey rear extension was approved under the terms of application 99/01236/FUL.

9 Recommendation

- 9.1 **It is recommended that outline planning permission is 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. Details of waste and cycle storage shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The waste and cycle storage shall be implemented in accordance with the approved details and shall be 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).

03. 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 Reserved Matters application and implemented in full in accordance with the approved details prior to the first occupation of the flats. 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.

04. Details of the provision of not less than four parking spaces shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall be implemented in accordance with the approved details and retained in perpetuity thereafter.

Reason: To ensure that satisfactory off-street parking is provided in accordance with DPD1 (Core Strategy) 2007 policies KP2, CP3 and CP4, Development Management DPD policies DM1, DM3 and DM15, and SPD1 (Design and Townscape Guide).

05. 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 (lppd) (110 lppd 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 and agreed in writing by the Local Planning Authority prior to commencement of the development hereby approved. The approved details shall be 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).

06. Details of the external materials to be used in the construction of the development hereby approved shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall only be implemented in accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) 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 outline 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

1. 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
2. Please note that the development would be expected to comply with Part M4(2) of the Building Regulations unless it can be demonstrated that it would be unfeasible or unviable to do so.
3. Please also note that the permission hereby granted should not be taken as any form of support for the layout, scale or appearance of the proposed development, the access to the site or the landscaping of the site.

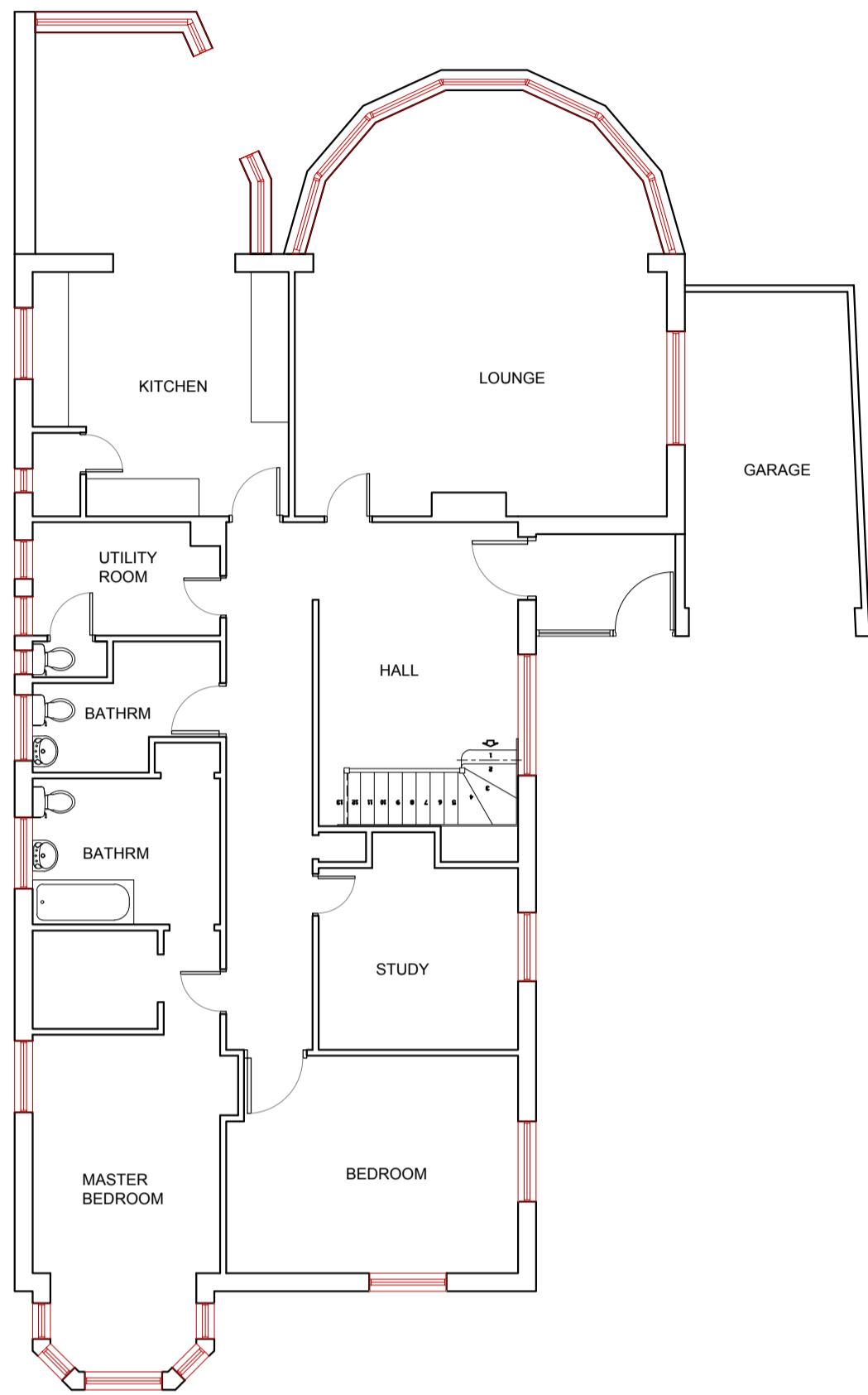
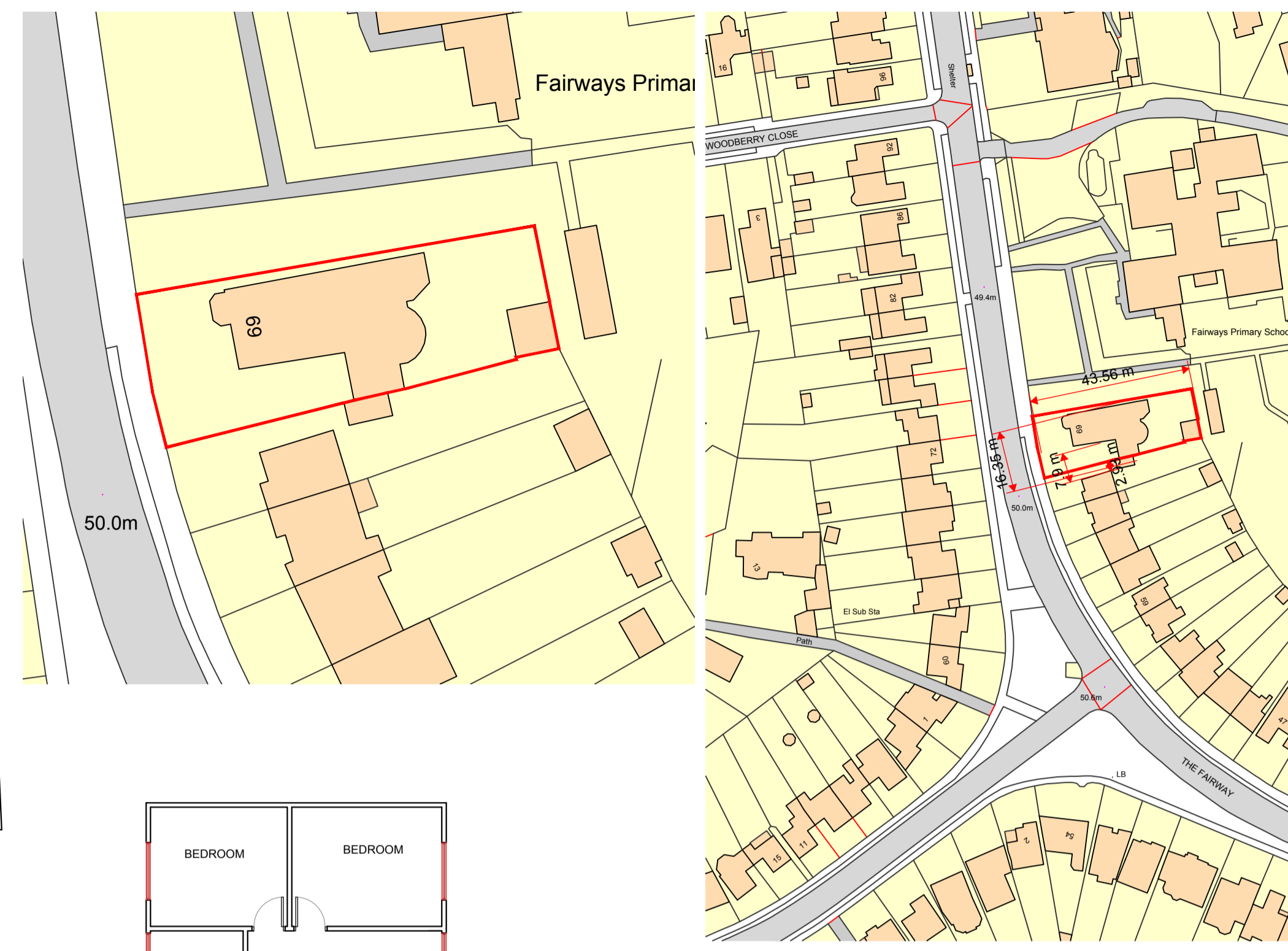
Please note that the details of the proposals indicatively shown on the submitted plans are unlikely to be found acceptable in the following regards:

- The provision of a single, wide vehicle crossover is unlikely to be found acceptable on visual grounds or on highway safety grounds. It is recommended that the parking be split into two pairs of two parking spaces each served by an access.
- A verge, landscaping and replacement tree should be provided within the site between the two pairs of parking spaces that are recommended above.

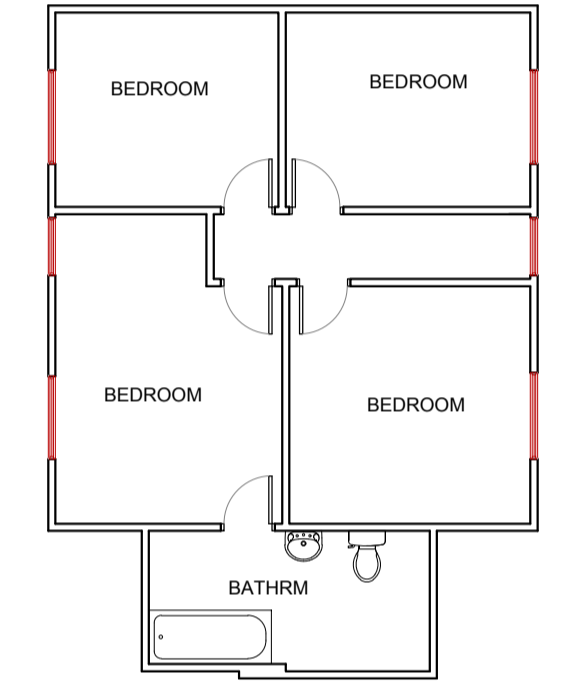
- **Concerns are also likely to be raised with respect to the scale and massing of the resultant building, particularly due to its depth and three storey height. The design of the side dormer, which would be prominently visible from the frontage of the site is also likely to be an area of concern.**

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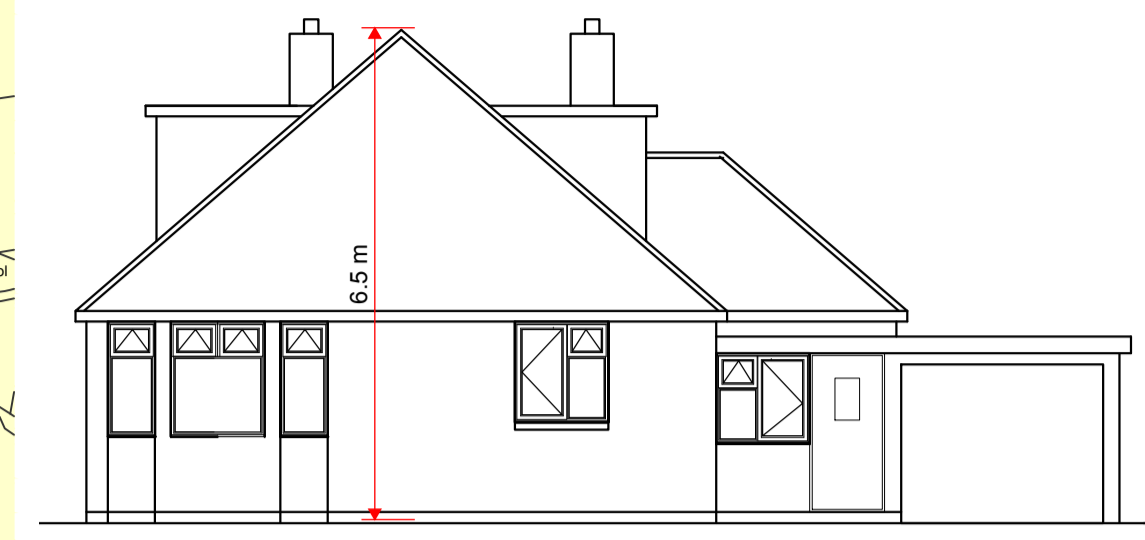
GENERAL NOTES
 All levels & dimensions to be checked on site
 All materials to relevant British Standard
 All work in accordance with 2011 Building Regulations & Approved Documents



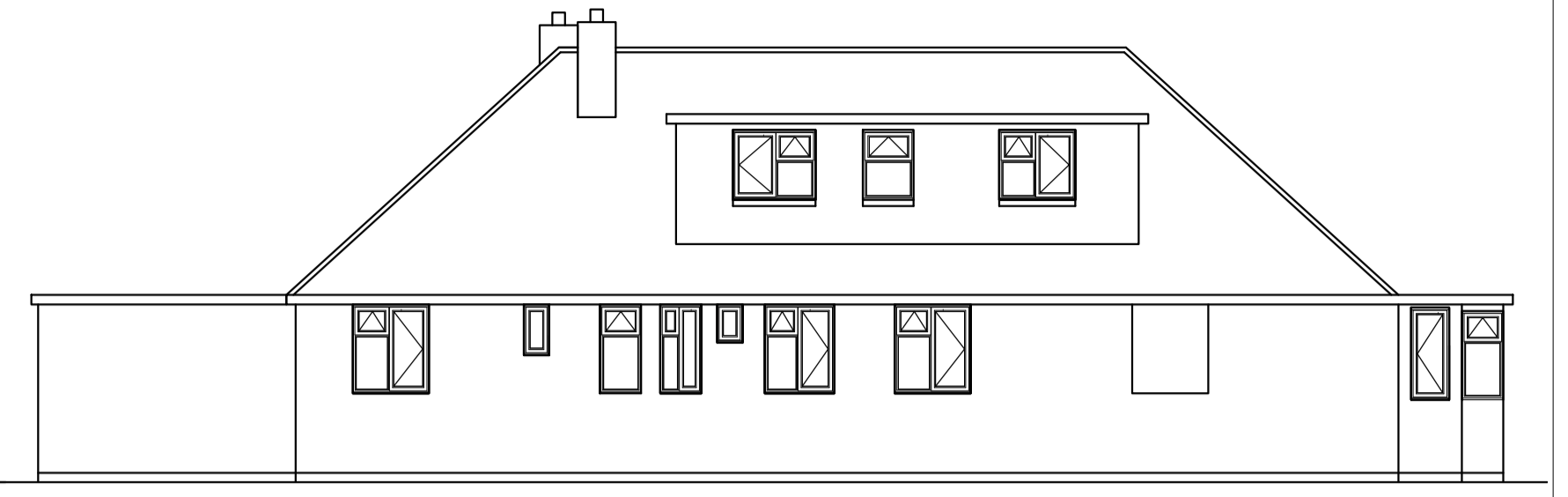
EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



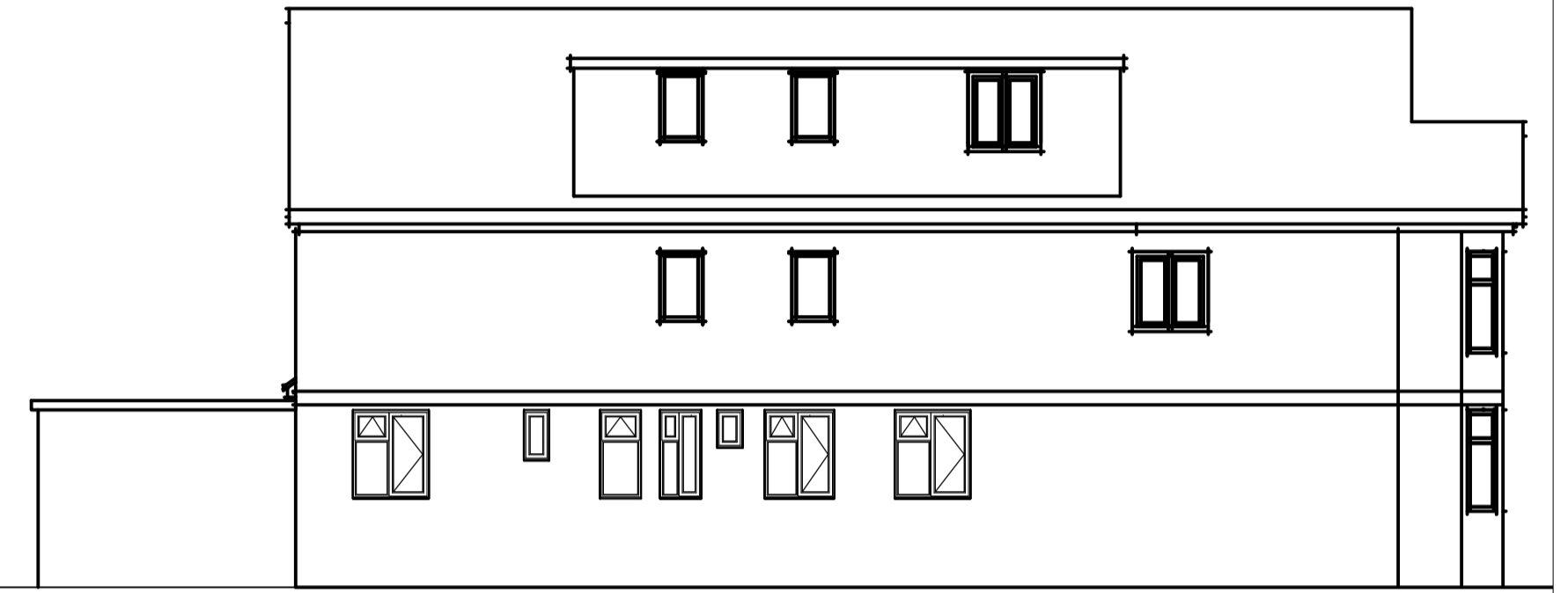
EXISTING FRONT ELEVATION



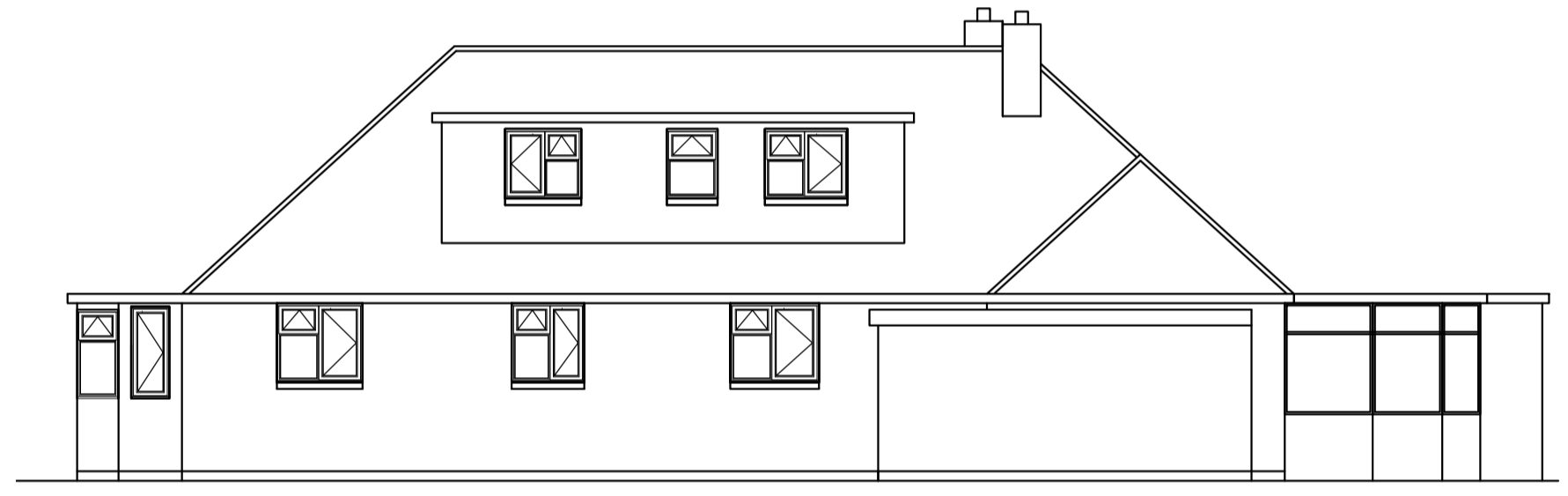
EXISTING SIDE ELEVATION



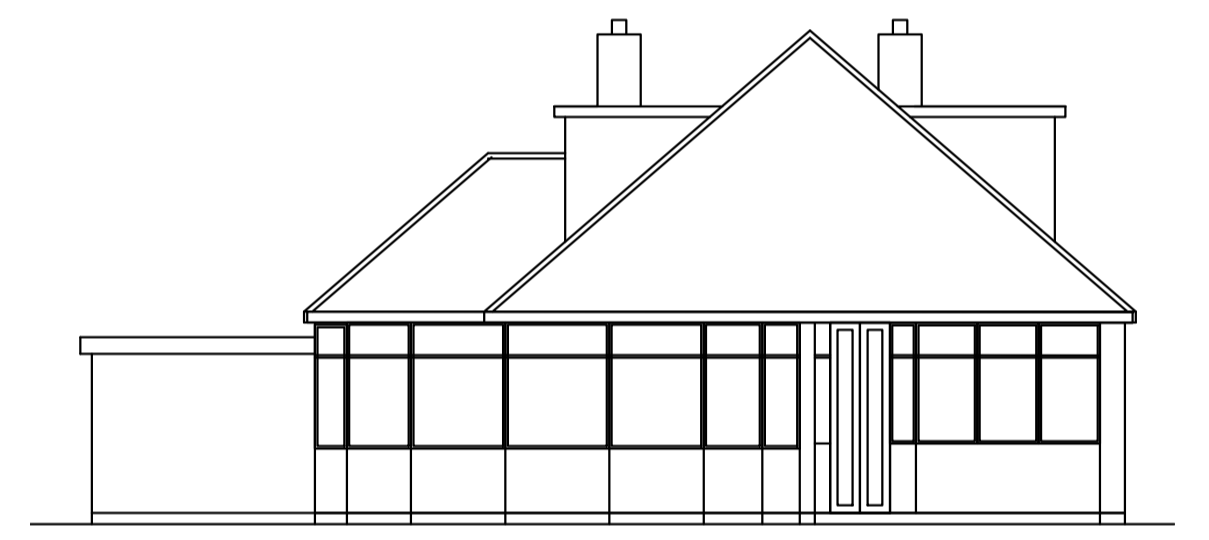
PROPOSED FRONT ELEVATION



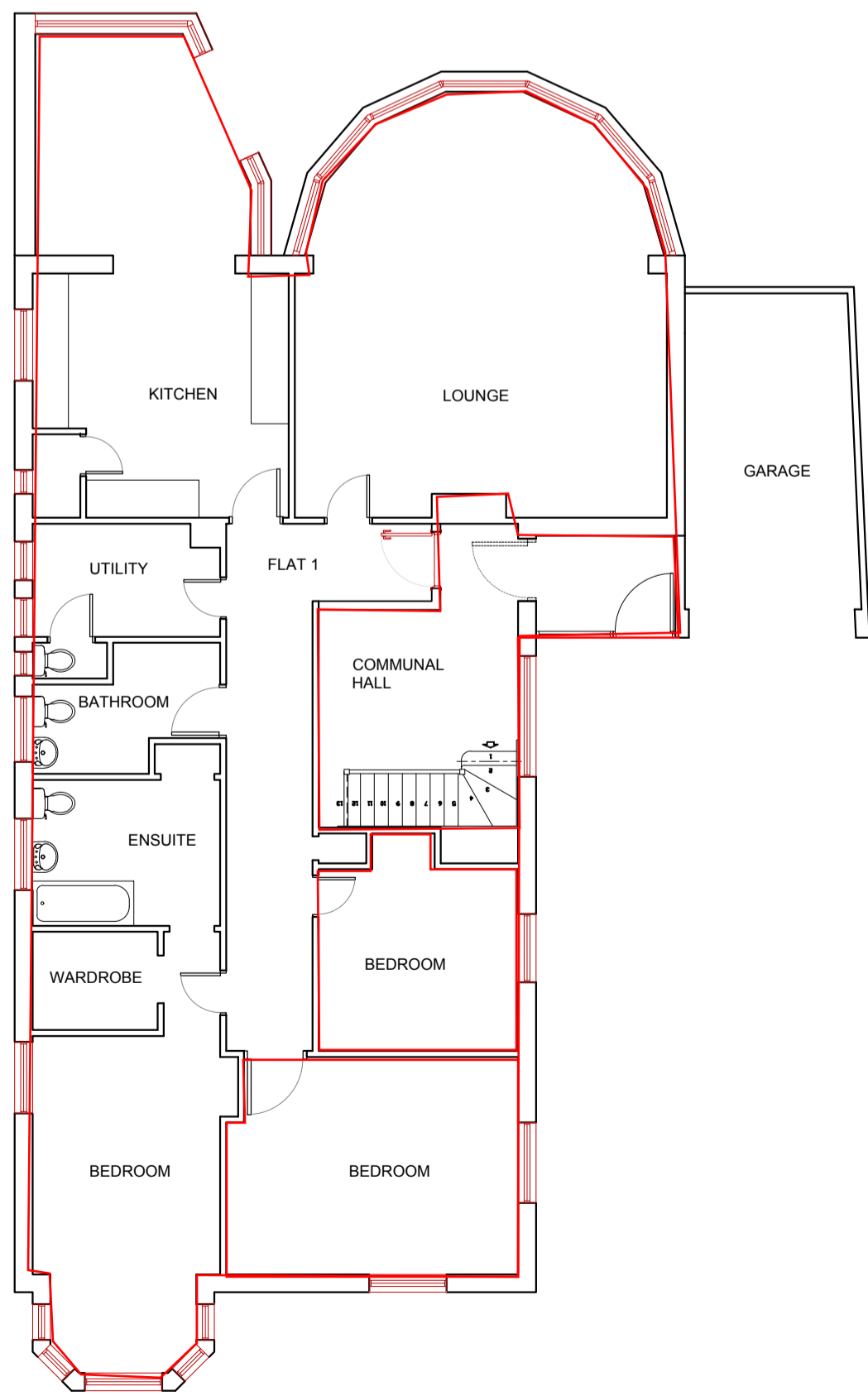
PROPOSED SIDE ELEVATION



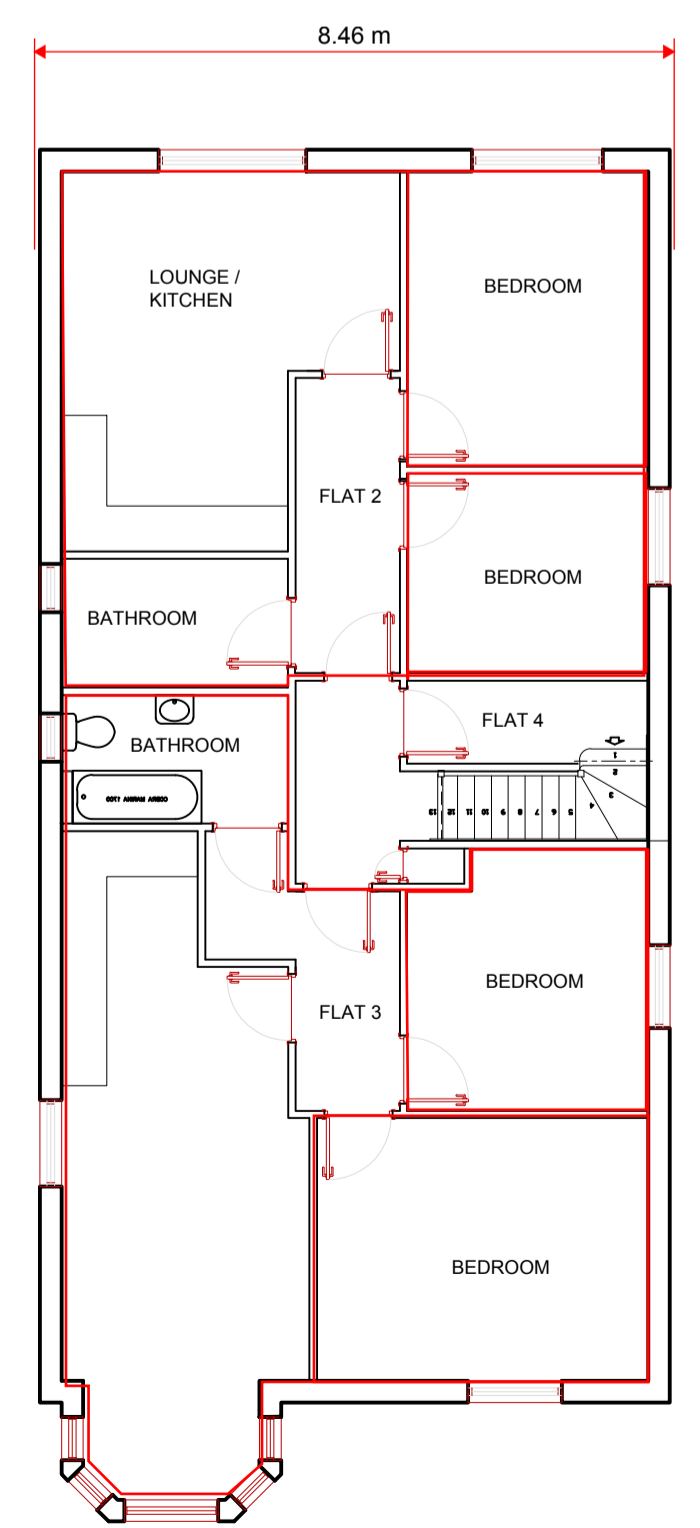
EXISTING SIDE ELEVATION



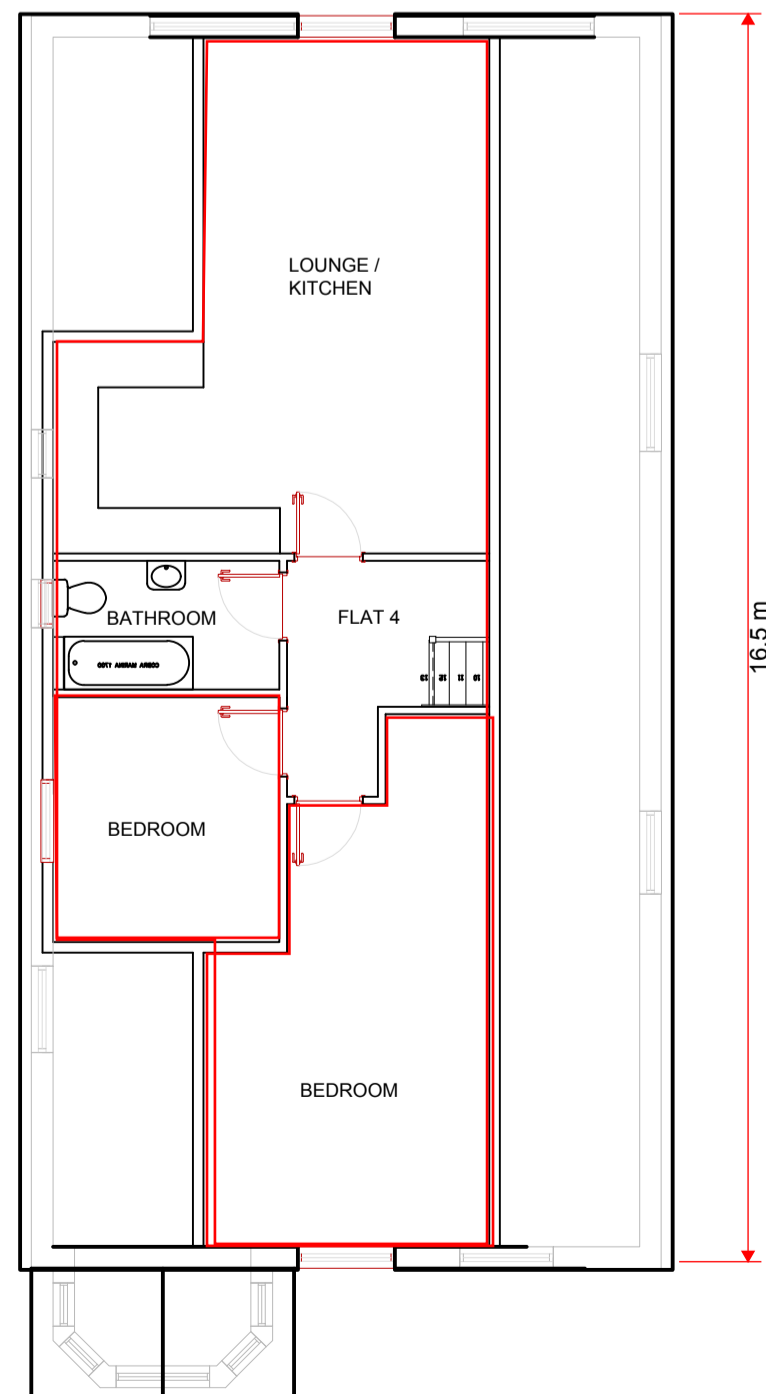
EXISTING REAR ELEVATION



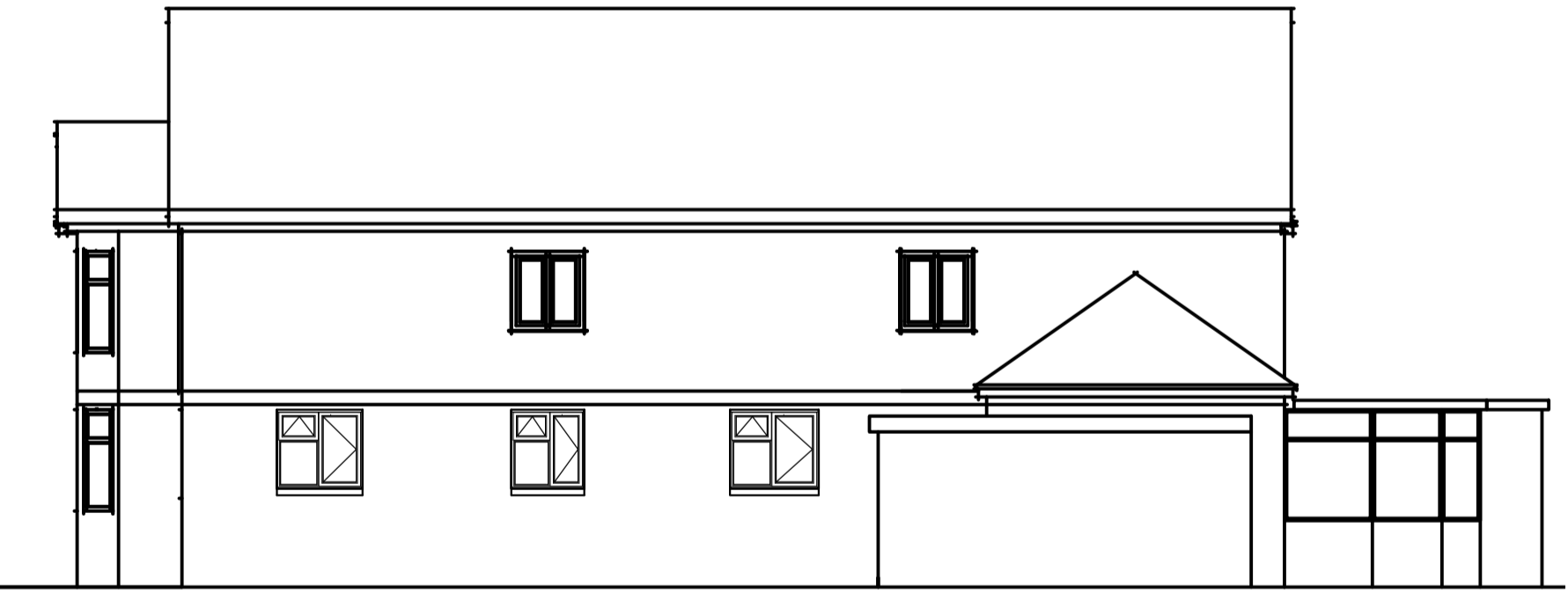
PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



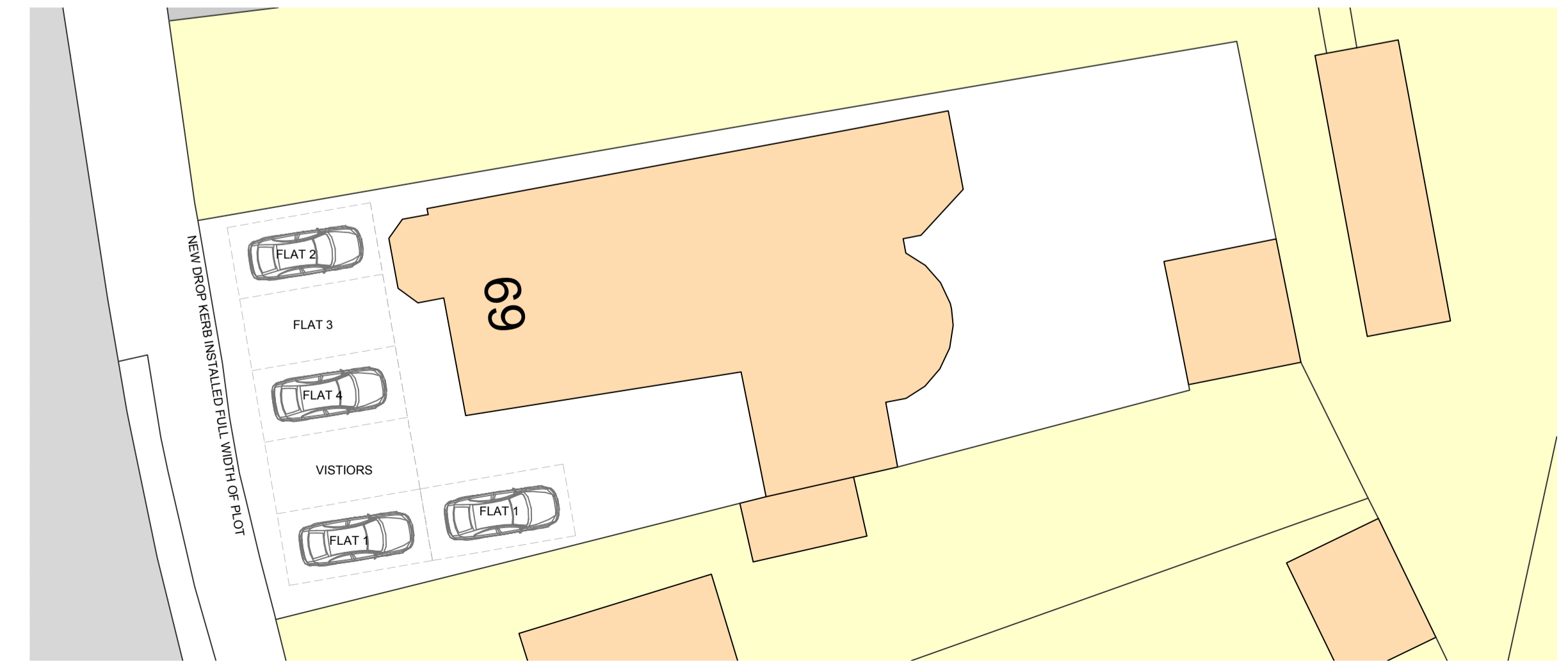
PROPOSED SECOND FLOOR PLAN



PROPOSED SIDE ELEVATION



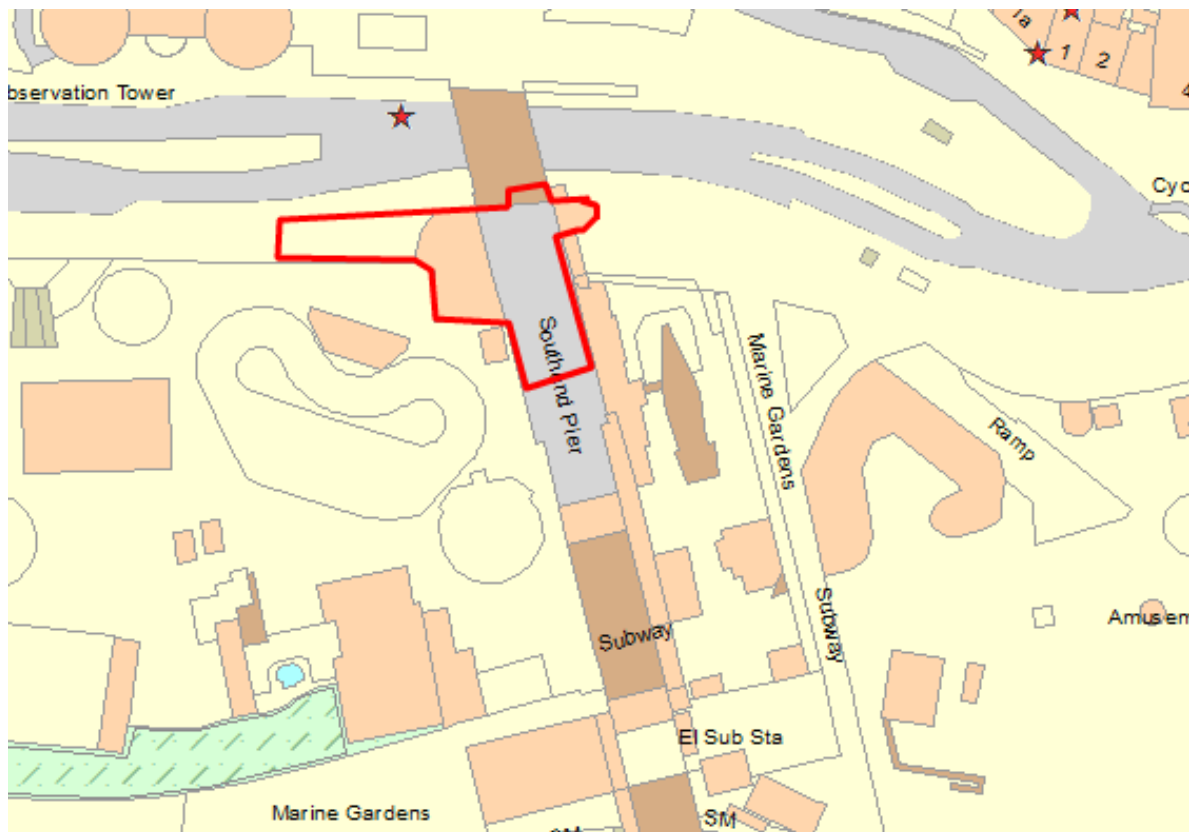
PROPOSED REAR ELEVATION



P1		Outline Planning Issue		01/02/2017	
Rev:		Notes:		Date:	
Domino Sky Building Design 18 Queensmere, Thundersley, Essex, SS7 3XR TEL: 01702 558879 Mob: 07775 568728 e-mail: dominosky@aol.com					
CLIENT					
PROJECT					
69 The Fairway, Leigh On Sea					
DRAWING TITLE					
Proposed Plans and Elevations for Conversion of existing Bungalow to 3 Flats in 2 Storey Building with Rooms in the Roof					
DRAWING NUMBER		DRAWING SCALE			
C-159-01		1:50 & 1:100 @ A1			
Revision	CHECKED BY	DATE			
P1		20/09/2016			

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Reference:	17/00406/BC3	<h1>9</h1>
Ward:	Milton	
Proposal:	Change of use of Amusement Arcade to Pier entrance, increase height and install roof lights, alter elevations and install access ramp and replace part of existing fence.	
Address:	Pier Amusement Arcade, The Pier Western Esplanade, Southend on Sea	
Applicant:	Southend on Sea Borough Council	
Agent:	N/A	
Consultation Expiry:	14 th April 2017	
Expiry Date:	1 st May 2017	
Case Officer:	Charlotte Galforg	
Plan Nos:	1464/01; 1464/02; 1464/03A; 1464/04	
Recommendation:	DELEGATE TO GRANT PLANNING PERMISSION SUBJECT TO EXPIRY OF CONSULTATION	



1 The Proposal

- 1.1 The application site lies to the west of the existing pier entrance and is currently used as an amusement arcade, through which access to the Pier can be achieved. There is a 600mm level difference between the arcade and main Pier accommodation. The applicant states that this has led to the need for numerous internal steps and a confusing layout. The existing Pier entrance layout means that the space becomes overcrowded at times, and that with the entrance to the Pier, museum, information desk and souvenir shop located on this space, navigation is often difficult. Currently there is no toilet accommodation at this end of the Pier and the retail offer is poor. This proposal is an opportunity to extend the Pier entrance and station into the area taken up by the arcade will improve the visual environment, giving greater legibility to the Pier entrance and station and alleviate overcrowding of the entrance at peak times.
- 1.2 The existing front area of the amusement arcade is proposed to be demolished and rebuilt and the internal wall between the arcade and Pier entrance demolished. The design is simple with a curved wall to echo the existing entrance, and an oversailing squared off roof to protect against the sun in summer. The internal space would be lit by new rooflights. The floor level to the arcade will be raised to create one floor level throughout and a ramp and terraced steps will be installed descending from the new building to take visitors to street level. An existing fence along the boundary with Adventure Island will be replaced. This will match the existing fence but be slightly raised to take account of the levels of the access ramp. The materials to be used are timber and brick for the main walls, flat single ply and pvc roof. Windows and doors are proposed to be powder coated aluminium. The application plans show signage but this will be subject to a separate application.
- 1.3 The enlarged space will contain toilets, a new office and store, kiosk and ice cream and drinks counter. The enlarged space will allow for a more logical layout and give room for an improved shopping experience. A new and repositioned ticket and information desk would be sited to give a view of the whole space.

2.0 Site and Surroundings

- 2.1 The Pier is located south of Western Esplanade, central to Southend seafront, and south of the main High Street shopping area.
- 2.2 The Pier is a Grade II Listed Building. The current cast iron pier was completed in 1889 and then extended in 1897, with the upper deck added in 1907 and further extensions were completed in 1927. At the head of the Pier there is currently a lifeboat station incorporating two boathouses, crew accommodation and offices, an RNLI shop and viewing gallery and Cultural Building. A train runs the length of the Pier to the Pier head.
- 2.3 The Pier Head projects 1.34miles into the Thames Estuary and the site lies adjacent to a SSSI, SPA and Ramsar site. The estuary is an internationally important site for wildlife and in particular provides a wide range of feeding and roosting opportunities for birds.

- 2.4 The application site is located at the land end of the Pier, and lies on the western side of the structure at street level. The existing amusement arcade is an irregular shape and has a rather ramshackle appearance. The external elevations essentially comprise timber folding doors which open direct onto the highway. A solid roller shutter together with blue steel supports sit in front of the doors. The unit has a flat metal edged roof from which a number of canopies project. These include lettering. A banner has been affixed to the structure above roof level, advertising the amusements, this does not have consent.
- 2.5 The site lies within Flood Zone 3 and within the Central Seafront Area. The upper deck of the Pier abuts Clifftown Conservation Area.

3.0 Planning Considerations

- 3.1 The main issues when considering this application are: the principle of the proposed use in this location, design and the impact on the character of the area; impact on the listed building, traffic and transport issues, ecology issues, flood risk and CIL.

4.0 Appraisal

Planning Policies: NPPF, DPD1 (Core Strategy) Policies: KP1; KP2; DM6; SCAAP submission document.

- 4.1 Policy KP2 of the Core Strategy requires all new development to contribute to economic, social, physical and environmental regeneration in a sustainable manner and to contribute to the achievement of the Council's strategic objectives. Policy CP4 requires development proposals to contribute to a high quality, sustainable urban environment by safeguarding and enhancing the historic environment, heritage and archaeological assets, including Listed Buildings and Conservation Areas.
- 4.2 Policy DM6 of the DMDPD refers to the Seafront and states:
- All development within the Seafront Area will incorporate measures which will:*
- (i) Limit any adverse impacts and where possible enhance the biodiversity interests of the local nature reserves and coastal and marine environment; and*
 - (ii) Protect the valuable natural amenity areas of International, European, national importance.*
- 2. All development proposals within the Seafront Area must take account of flood risk and coastal change. This will include, where appropriate, developing, agreeing and then incorporating:*
- (i) Appropriate flood defence and engineering solutions; and/or*
 - (ii) Flood resistant and resilient design that provides safe refuge to occupants in the event of a flood and is easily restored after the event.*
 - (i) Design solutions which do not prevent or restrict future maintenance and improvement of flood defences and the Borough Council's ability to manage coastal change.*
 - 3. Existing buildings along the Seafront that form a cohesive frontage, have a historic context or are recognised as key landmarks and/or contribute to a*

distinctive Southend sense of place will be retained and protected from development that would adversely affect their character, appearance, setting and the importance of the Seafront.

4. *Development within or near the Seafront Area must not detrimentally impact upon the Thames Estuary's openness or views across and backdrops to the River Thames and Southend's beaches.*

5. *The provision of new and improved facilities for water recreation and other leisure and tourism facilities will generally be supported in appropriate locations along the Seafront in accordance with Policy Table 1. Proposals are required to demonstrate that:*

(i) Such facilities will not detrimentally reduce the amount of beach available for public use or public accessibility to the foreshore; and

(ii) They provide an adequate means of access to the foreshore

(iii) They contribute to the positive appreciation of natural resources and biodiversity of the foreshore by visitors and users.

4.3 The aims for improvements to the Pier are set out in the SCAAP submission document which states:

"The Grade II listed Pier, the longest pleasure Pier in the world, has recently benefitted from considerable investment, including the development of the Royal Pavilion and the Council will seek further opportunities for its enhancement."

4.4 The pier is Southend's best known landmark and is a treasured listed building. The iron supporting structure dates back to 1877 and it is this part of the building primarily that gives it its special historic interest. The entrance has been upgraded in modern times, although the existing amusement arcade is of limited visual merit and restricts access as explained at para 1.1 above. The proposed alterations to the entrance will help improve the Pier's offer as a tourist attraction and leisure facility. Thus there is no objection in principle to use of the site as proposed, providing other detailed considerations are satisfied. These are considered below.

Design and Impact on the Character of the Area, Impact on the Listed Building.

Planning Policy: NPPF Sections 7 and 12, DPD1 (Core Strategy) policies KP1, KP2, CP4; DMDPD policies; DM5, DM6, Design and Townscape Guide SPD.1

4.5 Policy KP2 of the Core Strategy states that development should:

"Make the best use of previously developed land" and "respect, conserve and enhance the natural and historic environment".

4.6 This approach is reiterated in Policy CP4 which states:

"Development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend." This will be achieved by: "safeguarding and enhancing the historic environment, heritage and archaeological assets, including Listed Buildings, Conservation Areas and Ancient Monuments"

4.7 Policy DM5 of the DMDPD refers to Listed Buildings and states:

“Development proposals that result in the total loss of or substantial harm to the significance of a designated heritage asset, including listed buildings and buildings within conservation areas, will be resisted, unless there is clear and convincing justification that outweighs the harm or loss. Development proposals that are demonstrated to result in less than substantial harm to a designated heritage asset will be weighed against the impact on the significance of the asset and the public benefits of the proposal, and will be resisted where there is no clear and convincing justification for this. High quality redevelopment of existing buildings within conservation areas which are considered to be of poor architectural quality will be encouraged.”

4.8 As the site is part of a Listed Building special attention should be paid to the protecting the character and appearance of the Listed Building in accordance with guidance set out in the NPPF.

4.9 The existing arcade is described at para 2.4 above. There is no objection in principle to the loss of the existing built form in this location as this is poor quality and detracts for the character of the pier and the wider seafront. The proposed development includes alterations to the existing amusement arcade to create an enhanced Pier Entrance. The design is a simple flat roofed single storey addition which is timber clad with a curved glass corner and feature overhanging roof. It has a brick plinth, aluminium windows and doors, a servery and terraced area to west side.

4.10 The scale and form sits well with in this context and the use of matching materials and detailing, including glazing and plinth detail will help to ensure that this extension reads as one with the existing entrance rather than an addition. The curved design reflects main entrance and the flat roof has been designed to act as protection from the sun. The proposed design is generally considered to enhance the appearance of the Listed Building. The applicant has proposed a different material to that of the existing entrance because the render that was used for the main entrance has not weathered well. Instead it is proposed to use reclaimed and recycled timber (taken from, the Pier), which would reflect the character of the Pier structure itself, this is a welcome solution although it will be important to ensure that the cladding under the bridge is replaced to match so achieve this seamless transition. The extension is considered to enhance the character of the Listed Building. There are no objections to the installation of roof lights within the building. These will be screened from general view. The new ramp will improve access to the building in general and will not detract from its character or appearance. The proposed fence will match that which currently exists and therefore will maintain the existing character.

4.11 The built development is considered to be a well designed, good quality development, sympathetic to the listed building and its character, but it will be important to ensure that it is well detailed so as to preserve the integrity of the pier and to ensure that it integrates well with the original entrance concept. Therefore conditions are recommended in respect of the feature overhang, kiosk servery, landscaping/terrace, signage, rooflight and materials (including the timber cladding).

- 4.12 An objector has raised concerns regarding impact of any lighting associated with the development on the night sky. It is proposed to include some downlighting in the development to illuminate the building at night. Presently the area under the bridge is quite dark and it is also intended to improve this by redecoration and installation of a new lighting feature. These details will be subject to agreement by condition in order to minimise light spillage.
- 4.13. The application is considered to protect the character of the Listed Building and to enhance the character of the adjacent Conservation Area and is considered to accord with Policies KP2 and CP4 of the Core Strategy and DM1 and DM5 of the DMDPD.

Traffic and Transport issues

Planning Policies: NPPF; DPD1 (Core Strategy) policies: KP1, KP2, KP3, CP3; DMDPD Policy DM15.

- 4.14. The development would not result in any increase in parking demand.
- 4.15 The proposed steps extend onto the highway. This is an area of high pedestrian footfall and the applicant has amended the original plans to increase the distance between the steps and carriageway in order to facilitate the free flow of pedestrian traffic and in the interests of pedestrian safety. No objections are therefore raised on highway safety grounds.
- 4.16 The development is considered to be in accordance with policies CP3 of the Core Strategy and DM15 of the DMDPD with regard to traffic generation, and parking.

Impact on amenities of adjacent properties

Planning Policies: NPPF: Core Planning Principles, Section 11, DPD1 (Core Strategy) policies, KP2, CP4; DMDPD Policy DM1.

- 4.17 The surrounding properties are in commercial use. The adjacent Adventure Island theme park generates a considerable amount of noise and activity. It is considered that any additional activity generated by the proposed use will have a minimal impact on neighbouring occupiers and will not be detrimental to amenity.

Ecology

Planning Policies: NPPF; DPD1 (Core Strategy) KP1, KP2, Policy CP4, DMDDPD policy DM6.

- 4.18 The application site is located adjacent to an internationally important area for wildlife and in particular for birds. The Environment Agency has been consulted in relation to the application. Consultation responses are awaited and will be reported in the Supplementary agenda. However given the location and scale of the works and the limited increase in activity associated with the site, and the fact the site is separated from the Estuary by Adventure Island, it is not considered that the proposed use would result in harm to the over wintering birds or other interest features in the designated site (Estuary). As noted in para 4.12 above, details of any lighting of the structure will be controlled by condition to prevent light spillage and any possible resulting impact on the night sky or wildlife.

Flood Risk

Planning Policies: NPPF, DPD1 (Core Strategy) policies: KP1, KP2, KP3, CP4, DMDPD Policy DM6.

- 4.19 The site falls within Flood Zones 2 and 3 as identified on the Environment Agency's (EA) indicative flood map. The applicant has submitted a statement in relation to flood risk with the application and the Environment Agency has been consulted. The applicant has stated that the Pier already operates a detailed action and evacuation plan and there is an established council wide early warning system for flood events. The floor level of the proposed building is no lower than that which exists. Both the existing and proposed uses are classified as "Less vulnerable" uses and therefore are considered to be appropriate in this zone.
- 4.20 The Environment Agency guidance states that "The Sequential Test can be considered adequately demonstrated if both of the following criteria are met:
- The Sequential Test has already been carried out for the site (for the same development type) at the strategic level (Local Plan); and
 - The development vulnerability is appropriate to the Flood Zone (see table 3 of technical guidance to the NPPF).
- 4.21 The objective of the Sequential Test is to direct new development to the least flood-prone areas. However, the NPPF at para 102 states:
- "If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared"
- 4.22 As part of the Core Strategy the Council has also had to have regard to the following considerations inter alia :
- i. "excluding such areas from consideration for regeneration and growth would further limit the already limited spatial options available to the Borough to achieve such regeneration and growth, and would require other important sustainability considerations, as set out above, to be compromised;
 - ii. the overwhelming community support for the Council's 'preferred option' (on which the spatial strategy in this Development Plan Document is very strongly based) indicated through the pre-submission consultation and public participation stages."
- 4.23 The spatial strategy set out within the Core Strategy is considered to represent an appropriate balance between these considerations. Equally, it sets out what is considered to be the most appropriate way forward for Southend, seeking to maximise the town's strengths and opportunities by focusing the majority of growth and regeneration on key regeneration areas, including the Seafront. The proposed use is one for which the seafront location is key and that location is in line with key Core Strategy Policy. The application is therefore, considered to meet the

Exception test.

- 4.24 As noted above, the development vulnerability is appropriate to the Flood Zone. The application is therefore considered to meet the Sequential test.
- 4.25 Environment Agency comments are awaited and will be reported in the Supplementary agenda.

Community Infrastructure Levy (CIL) Charging Schedule.

- 4.26 This application is not CIL liable, as there will be no increase in floorspace. Section 143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

5.0 Conclusion

- 5.1 There is no objection to the loss of the existing and the proposed alterations will enhance the character of the Grade II Listed Building and adjacent Conservation Area. The development will not result in additional traffic generation or parking demand and does not impact upon parking demand or give rise to highway safety issues. The development would not have a detrimental impact on ecology and the development has been designed to take into account flood risk issues. The development is therefore, considered to be in accordance with Local Plan Policies and is acceptable.
- 5.2 It is noted that Listed Building consent will also be required for the works. An informative will be added to this effect.

6.0 Planning Policy Summary

- 6.1 National Planning Policy Framework
- 6.2 DPD1 (Core Strategy) Policies- Key Policies, KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance); CP6 (Community Infrastructure).
- 6.3 Development Management DPD ; policies DM1 – Design Quality; DM2 – Low Carbon Development and Efficient Use of Resources; DM5 – Southend-on-Sea's Historic Environment; DM6 – The Seafront; DM15 – Sustainable Transport Management.
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009).
- 6.5 SCAAP (submission document)

7.0 Representation Summary

- 7.1 **The Environment Agency** – to be reported.
- 7.2 **Design and Regeneration** – The proposal seeks to demolish the existing

amusement arcade and erect and erect a single storey addition to extend the entrance of the pier through to the west side. There is no objection in principle to the loss of the existing built form in this location as this is poor quality and detracts for the character of the pier and the wider seafront.

The proposal to use this area to enlarge the entrance to the pier to become a dual fronted entrance allowing visitors to enter from both the east and the west sides will improve visitor access and flow within the building and is welcomed.

The scale and form sits well with in this context and the use of matching materials and detailing, including glazing and plinth detail will help to ensure that this extension reads as one with the existing entrance rather than an addition. It is noted that reclaimed timber which was once part of the pier deck is proposed for the cladding. This is a nice touch and a sustainable It is also considered that the curved glazed corner, which is proposed to reference the glazed stair tower on the east side, will work well to link the two halves of the entrance as one unit. Internally the raising of the floor level to a single height will improve access for users and the raised external terrace and ramp works well to integrate this into the landscape.

Overall the design concept therefore seems well considered and there is therefore no objection to this proposal but it will be important to ensure that it is well detailed so as to preserve the integrity of the pier and to ensure that it integrates well with the original entrance concept. The following comments are therefore made in respect of the detailing.

Feature overhang - It appears that this will be timber clad to match with embossed lettering, which is acceptable in principle although the detailing of this is not shown on the plans. Given that the pier is listed it is important that this detailing is well resolved so this should be requested or conditioned including a cross section showing dimensions, roof detailing (capped edge or parapet), signage, soffit and fascia materials, signage and lighting. (It is noted that this element is shown differently in the 3d image than the elevation (thicker))

Kiosk servery - Design details of kiosk servery including depth of framing, associated signage solution, materials and lighting should be requested or conditioned

Landscaping/Terrace – details of the terrace should be submitted including detailed design, materials, furniture and any balustrading or proposed planting. It is suggested that a paved terracing matching the city beach paving style found at the east entrance would be most appropriate.

Signage and lighting – it is noted that backlit metal lettering is proposed to the east side and embossed signage to timber fascia to the west side. These are acceptable in principle although design details are sketchy and should be requested or conditioned. It is noted that downlighters are proposed to the soffit and that a feature LED lighting grid is proposed under the bridge. These are both welcomed and will add to the visitor experience although again details should be requested or conditioned including colours etc. although it is noted that basic details have been provided which seem generally acceptable.

Materials –in addition to the missing materials / details requested above in relation to the fascia and servery, the window frames and doors and brick plinth should be conditioned to match existing, the timber cladding should be conditioned to include area under bridge. The roof as pvc is accepted subject to it being hidden from ground level and a dark colour - the design detail for the overhang should confirm that it is hidden. The rooflight product detail should be clarified. HPL cladding is

noted on the drawings (fascia) please clarify. It is unclear how this would relate to the timber cladding proposed as this seems different.

7.3 **Highways** – No objections

7.4 **Parks** – No comments received

7.5 **Pier and Foreshore** – No comments received.

7.6 **Asset Management** - No comments received.

8.0 **Public Consultation**

8.1 Site Notice displayed. 12 neighbours have been notified. One letter of objection has been received, summarised as follows:

- The objector represents the Amateur Astronomy Community of SE Essex.
- Object to unnecessary external lighting, particularly decorative lighting, that will inevitably increase light escaping into the night sky increasing light pollution in the form of sky glow.
- The site is on the edge of the foreshore, a site of special significance for wildlife which will be detrimentally affected by light escaping into the night sky. Over wintering wild fowl are particularly affected by lights that can be viewed from a distance which can disrupt their navigation.
- The objector operates an internationally registered Astronomical observatory and is trying to avoid an increase in light escaping into the night sky which hampers research work.
- Lighting levels should be the minimum necessary, decorative lighting should be avoided. External lighting should be avoided in out of summer season periods and extinguished during the hours of 22.00hrs and 06.30hrs.

9.0 **Relevant Planning History**

9.1 There are many applications for development relating to the pier, however none are relevant to this application.

10.0 **Recommendation**

Members are recommended to DELEGATE TO THE GROUP MANAGER PLANNING AND BUILDING CONTROL TO GRANT PLANNING PERMISSION subject to expiration of the consultation period and subject to the conditions set out below:

01 The development hereby permitted shall begin not 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 following approved plans: 1464/01; 1464/02; 1464/03A; 1464/04

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

- 03 No development shall take place until details and samples of the facing materials to be used, including the window frames and doors and brick plinth, HPL cladding timber cladding and details of the rooflight product have been submitted to and approved in writing by the Local Planning Authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 04 No development shall take place until details of the feature overhang at a scale of not more than 1:20 have been submitted to and approved by the Local Planning Authority prior to commencement of development, the details shall include a cross section showing dimensions, roof detailing (capped edge or parapet), signage, soffit and fascia materials, signage and lighting. The development shall be carried out only in accordance with the approved plans and details.**

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 05 No development shall take place until details of the kiosk servery including depth of framing, associated signage, materials and lighting at a scale of not more than 1:20 have been submitted to and approved by the Local Planning Authority. The development shall 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 listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 06 No development shall take place until details of the terrace at a scale of not more than 1:20 have been submitted to and approved by the Local Planning Authority including detailed design, materials, furniture and any balustrading or proposed planting. The development shall 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 listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1, DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 07** No signage shall be displayed on the building until details of the signage at a scale of not more than 1:20 including details of materials and illumination have been submitted to and approved by the Local Planning Authority, the signage shall be displayed 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 listed building and the adjacent Conservation Area. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1 , DM5 and DM6 and SPD1 (Design and Townscape Guide).

- 08** Prior to commencement of development details of any illumination, including luminance and direction of lighting and hours of illumination, shall be submitted to and approved by the Local Planning Authority, the building shall be illuminated only 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 listed building and the adjacent Conservation Area and to protect biodiversity in accordance with DPD1 (Core Strategy) policies KP2 and CP4. This is as set out in the DPD1 (Core Strategy) 2007 policy KP1, KP2 and CP4, Development Management DPD Policies DM1 and DM5, DM6 and SPD1 (Design and Townscape Guide).

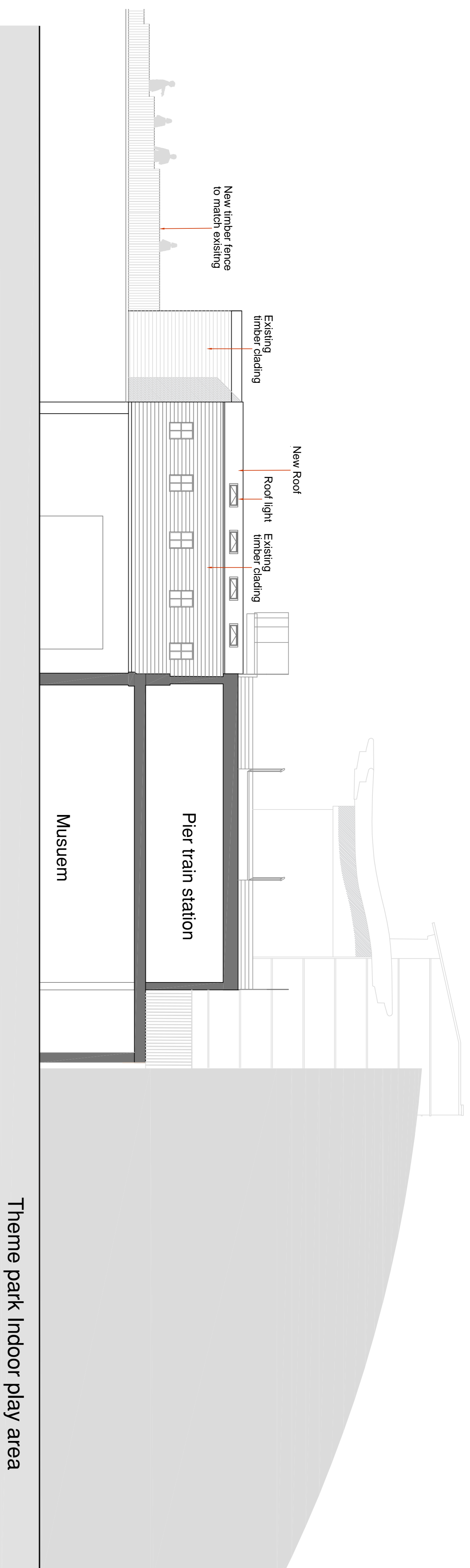
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in 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: The applicant is reminded that Listed Building Consent is also required for this development.

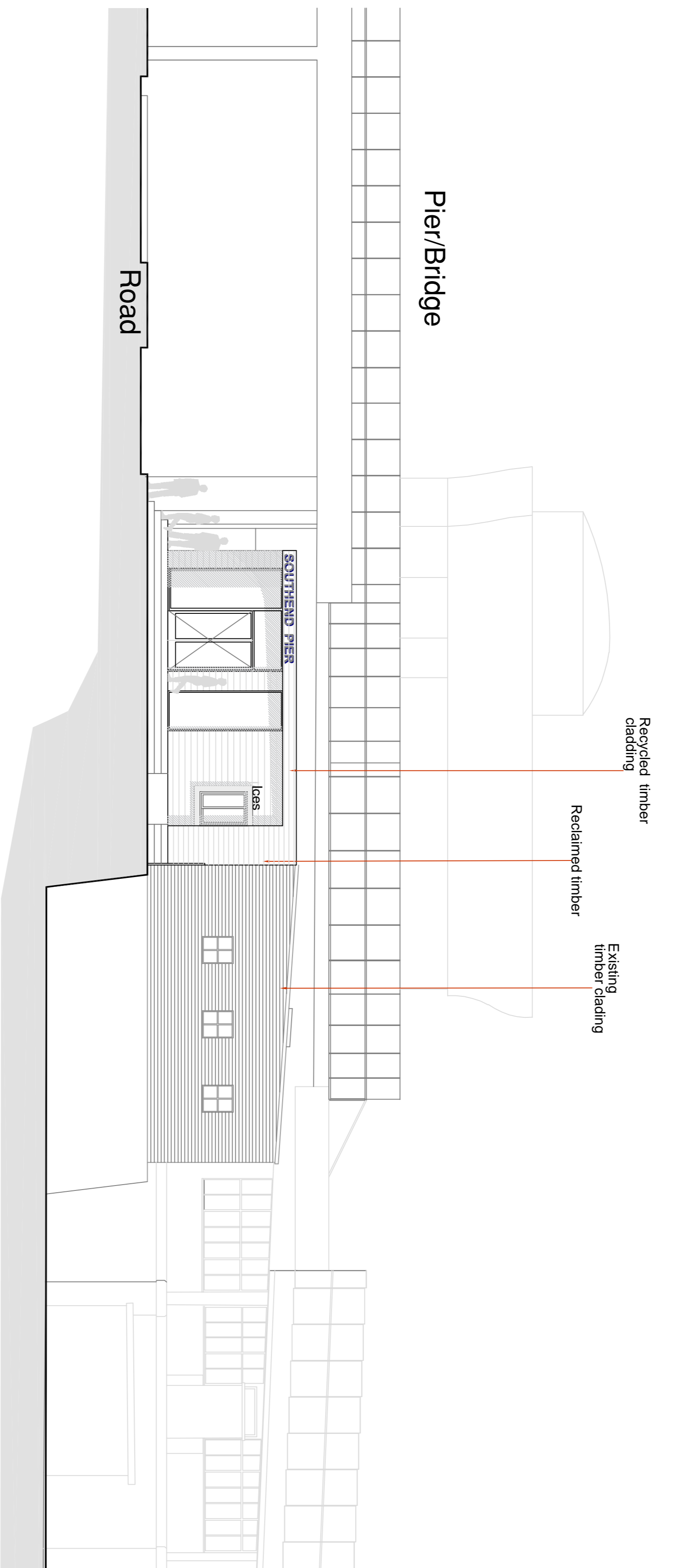
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 The drawings are the property of Southend-on-Sea Borough Council and should not be used for any other purpose without the written consent of the Council. The drawings are the property of Southend-on-Sea Borough Council and should not be used for any other purpose without the written consent of the Council. The drawings are the property of Southend-on-Sea Borough Council and should not be used for any other purpose without the written consent of the Council.

Where signage is shown it is indicative and will be the subject of a separate planning application

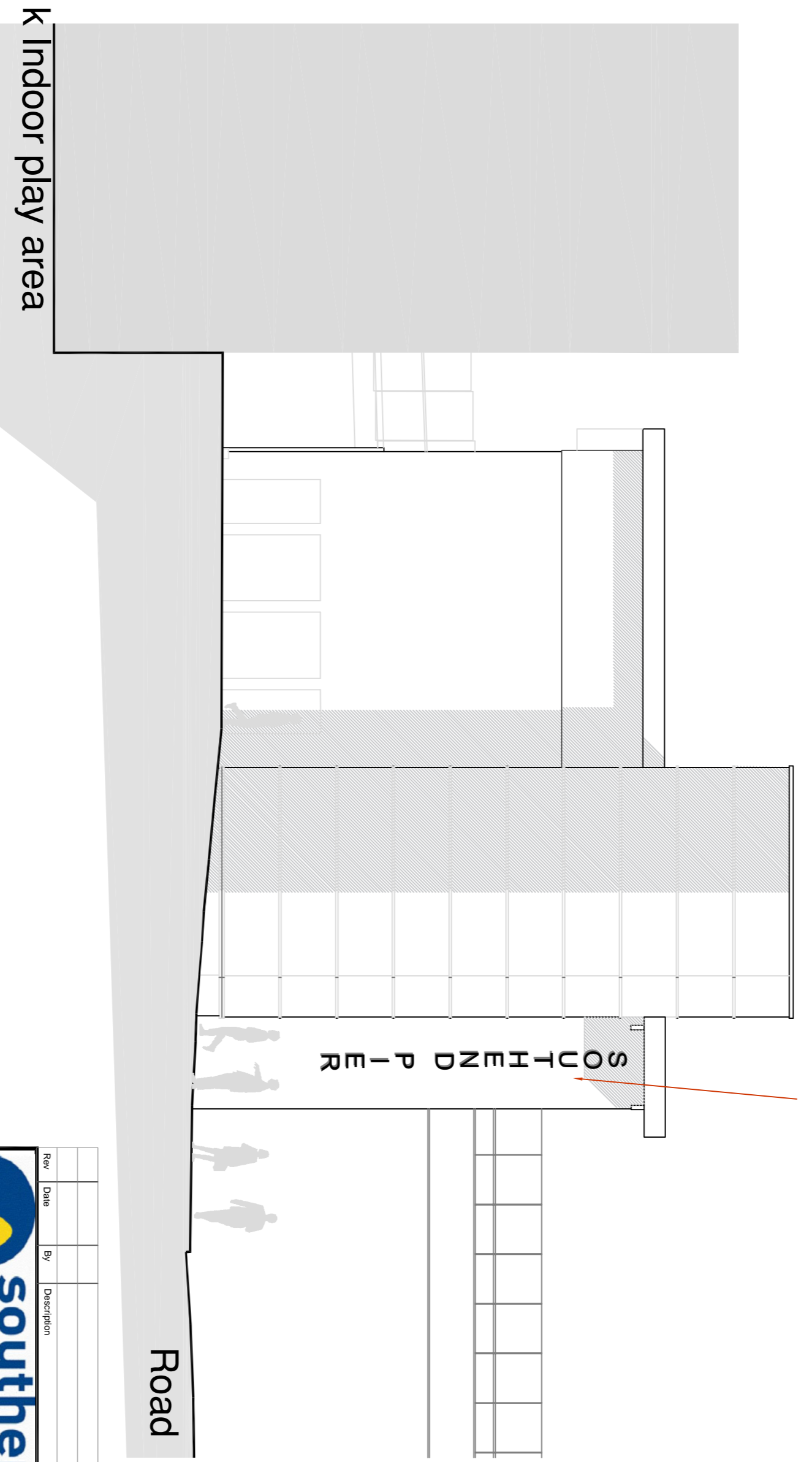
PLANNING proposed elevations



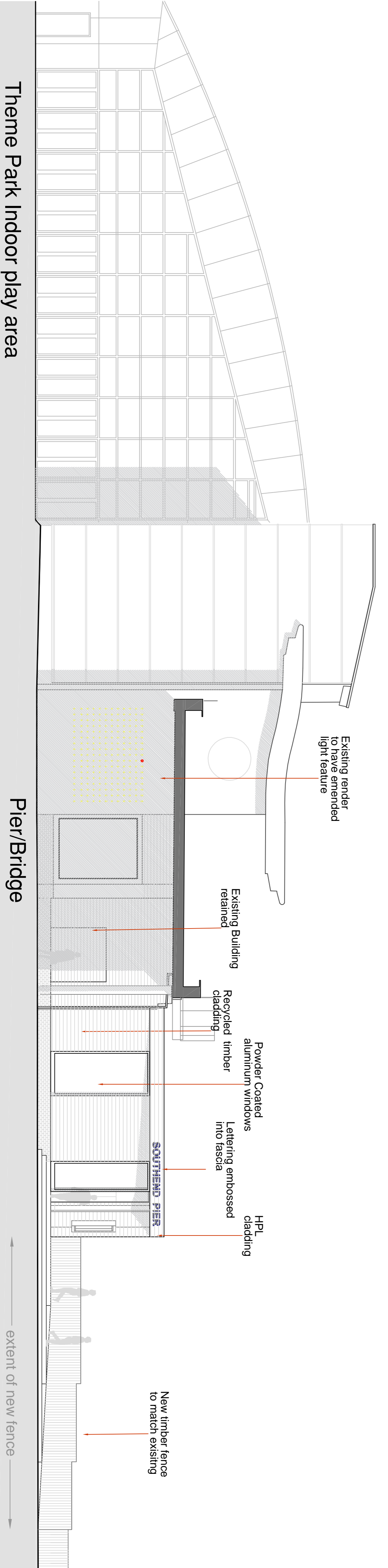
Rear Elevation South (overlooking theme park)



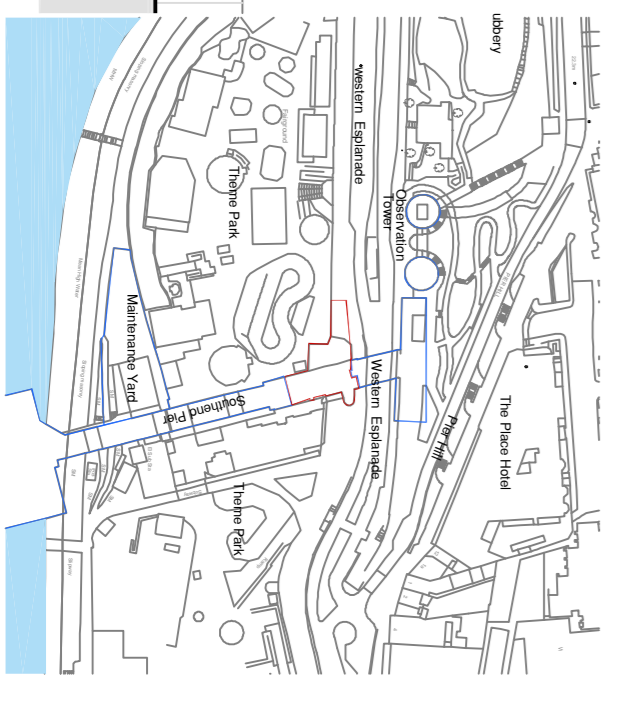
Side Elevation West (towards the lagon)



Side Elevation East (towards city beach)



Elevation North (on esplanade)



Location Plan (n.t.s.)

<p>southend on sea BOROUGH COUNCIL</p>	<p>Department for Planning, Property & Regeneration Group Planning and Regeneration Victoria Avenue Southend-on-Sea Essex SSS1 2JH</p>
<p>Project title: Property & Regeneration</p>	<p>Client: Coin Leisure</p>
<p>Project title: Extension to the Pier Entrance</p>	<p>Location: Western Esplanade Southend on Sea</p>
<p>Project title: Proposed Elevations</p>	<p>Date: Feb 2017</p>
<p>Scale: 1:100 @ A1</p>	<p>Drawn by: dfev</p>
<p>Sheet no: 1464/04</p>	<p>Check: CH</p>
<p>Sheet 1 of 1</p>	<p>Version:</p>

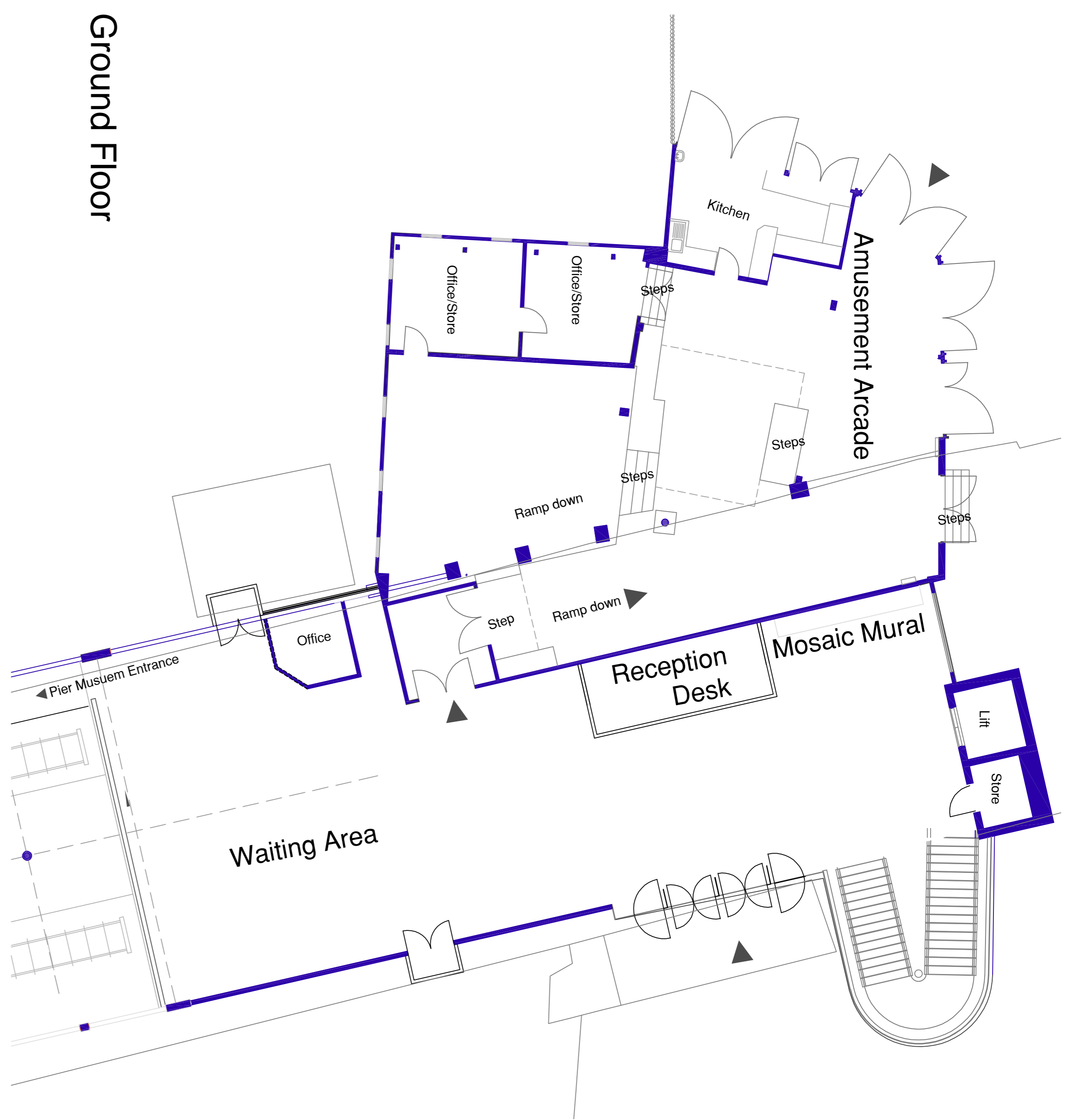
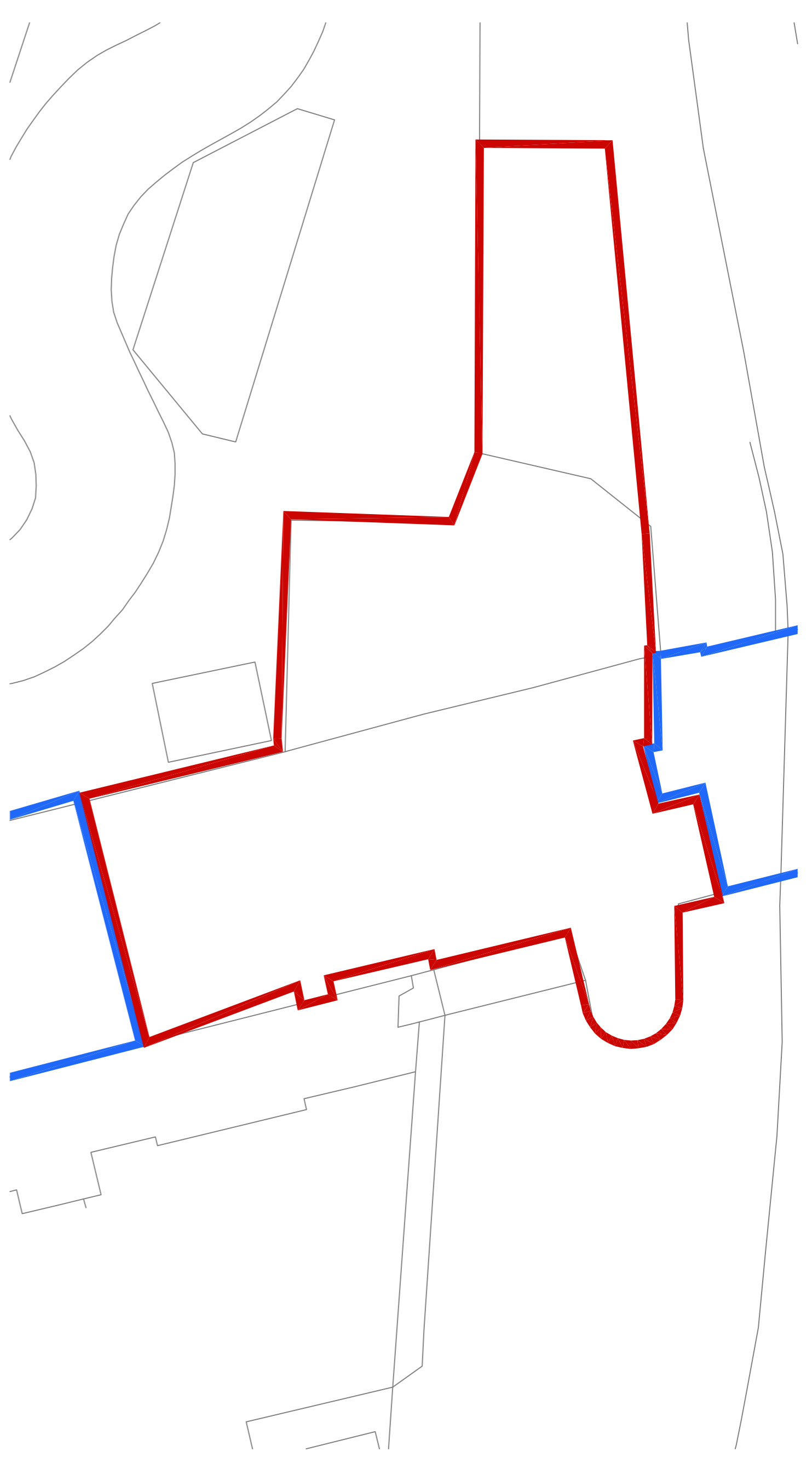
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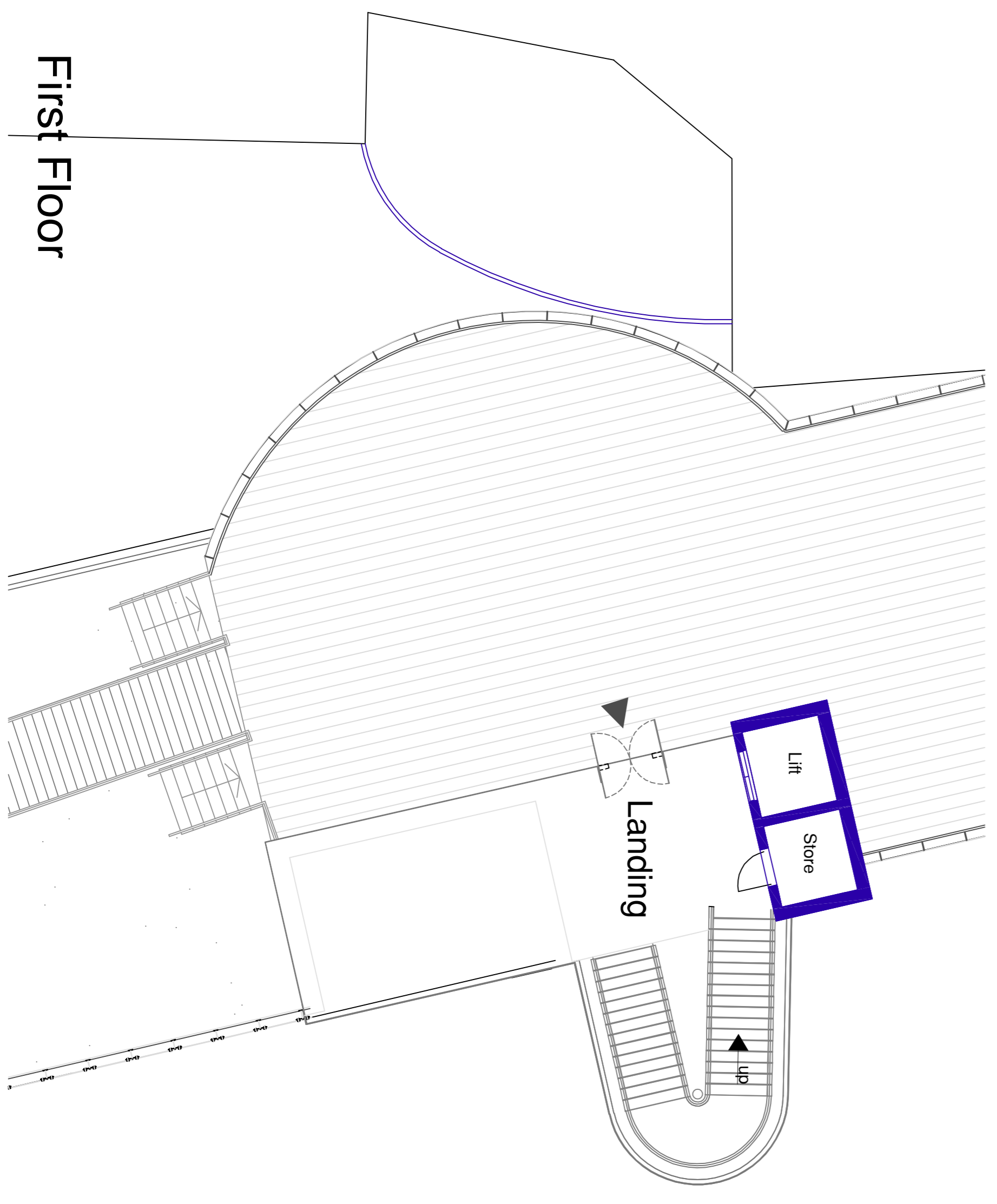
- Key**
- Existing Wall
 - New Wall
 - Outline of roof above
 - - - - - Outline of building under roof
 - Roof Light



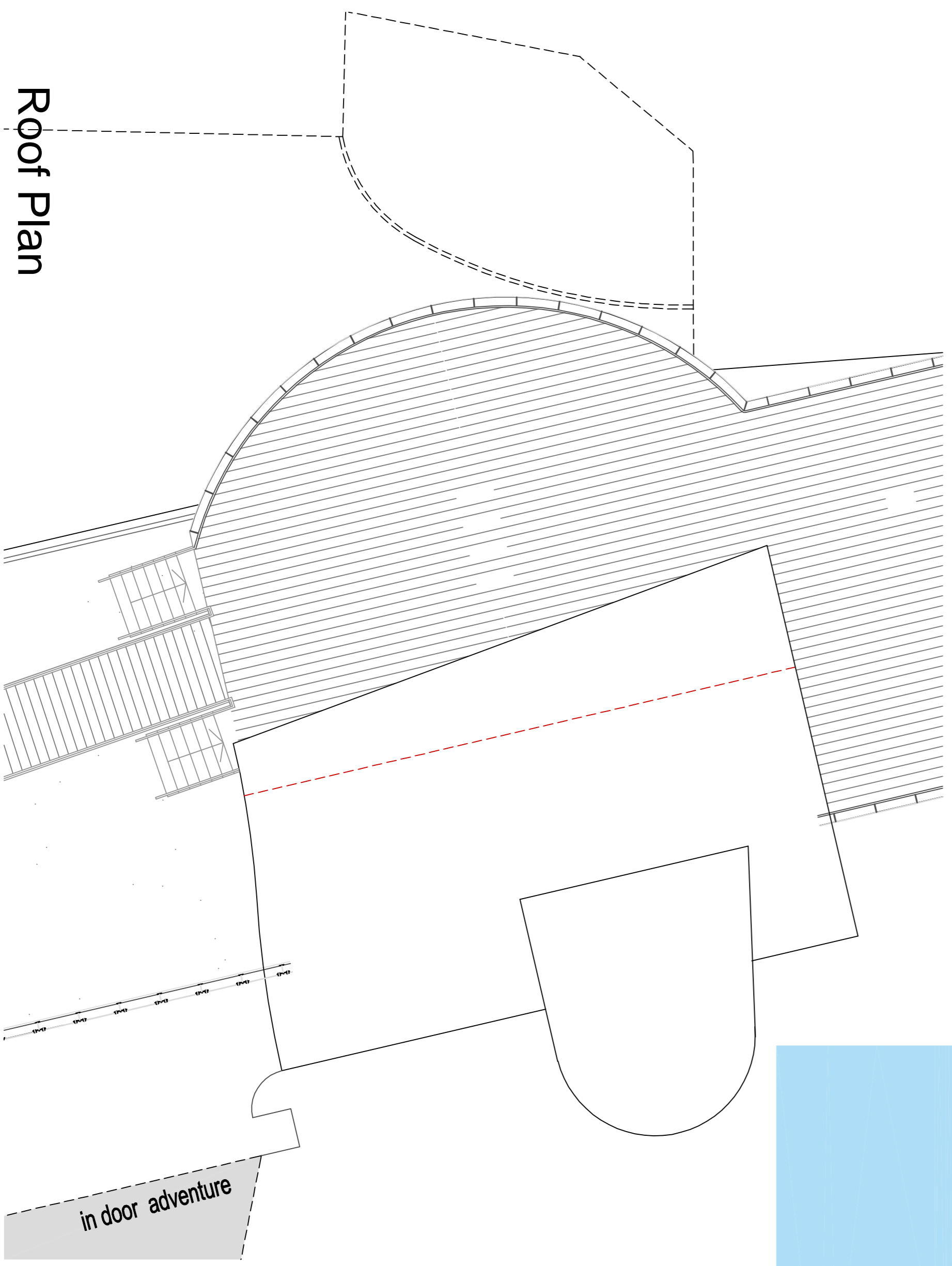
PLANNING existing Plans



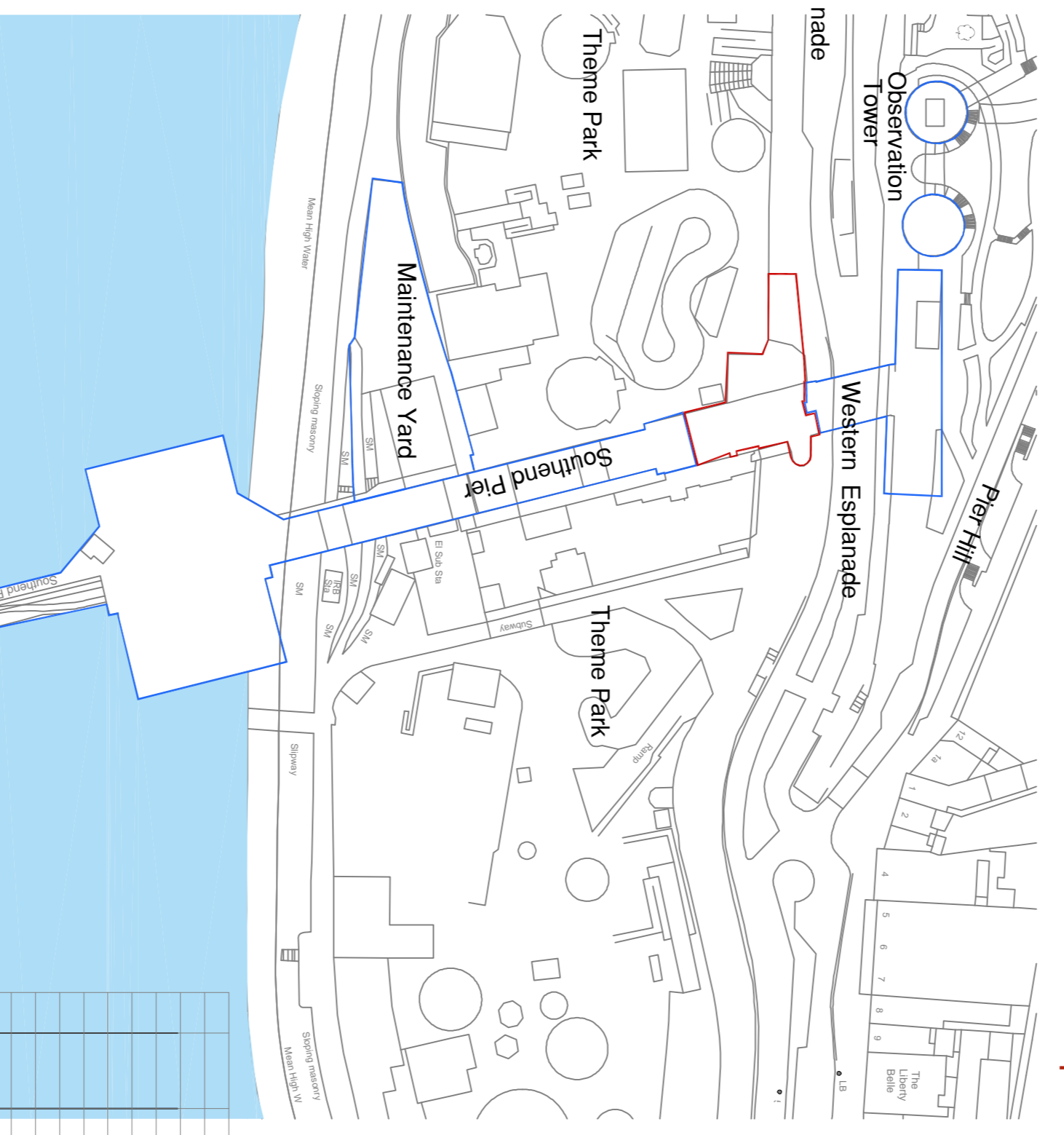
Ground Floor



First Floor



Roof Plan



Location Plan 1-1250

<p>southend on sea BOROUGH COUNCIL</p>	<p>Department for Planning Property & Regeneration Division Civic Centre Victoria Avenue Southend-on-Sea Essex SS2 6ZB</p>
	<p>Project title: Property & Regeneration Extension to the Pier Entrance</p>
<p>Client: Coin Leisure Western Esplanade Southend on Sea</p>	<p>Drawing no: 1464/ 01</p>
<p>Design title: Existing Plans</p>	<p>Scale: 1:100 @ A1</p>
<p>Drawn by: drew</p>	<p>Date: Jan 2017</p>
<p>Checked by: check</p>	<p>Sheet no: Sheet 1 of 1</p>

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