Public Document Pack southend-on-sea Borough council

Development Control Committee

Date: Wednesday, 8th November, 2017 Time: 2.00 pm

Place: Committee Room 1 - Civic Suite

Contact: Tim Row - Principal Committee Officer Email: committeesection@southend.gov.uk

AGENDA

| 1 | Apologies for Absence |
|------|--|
| 2 | Declarations of Interest |
| 3 | Minutes of the meeting held on Wednesday 2nd August 2017 |
| 4 | Minutes of the meeting held on Wednesday 13th September 2017 |
| 5 | Minutes of the Meeting held on Wednesday 4th October 2017 |
| 6 | Supplementary Report To follow |
| **** | <u>Introduction</u> |
| **** | Reports on Applications with Pre-meeting Site Visits |
| 7 | 17/01379/FULH - 68 Pall Mall, Leigh-on-Sea (Blenheim Park Ward) (Pages 75 - 86) |
| 8 | 17/01049/FULH - 54 Undercliff Gardens, Leigh-on-Sea (Leigh Ward) (Pages 87 - 120) |
| 9 | 17/00173/UNAU_B - 365 Victoria Avenue, Southend on Sea, Essex SS2 6NH (Prittlewell Ward) (Pages 121 - 134) |
| **** | Reports on Planning Applications |
| 10 | 17/00664/FULM - Toomey Nissan, 831-837 London Road, Westcliff-on-Sea, SS0 9TE (Blenheim Park Ward) (Pages 135 - 200) |
| 11 | 17/01306/FULM - St Thomas More High School, Kenilworth Gardens Westcliff-on-Sea, Essex, SS0 0BW (Blenheim Park Ward) (Pages 201 - 242) |

17/01464/FULM - Grand Hotel, Broadway, Leigh-on-Sea, Essex, SS9 1PJ

12

(Leigh Ward) (Pages 243 - 318)

- 13 17/01524/BC3M Futures Community College Lower College Building, Prospects College, Southchurch Boulevard, Southend-on-Sea (Southchurch Ward) (Pages 319 336)
- 17/00912/FUL 109 111 Broadway, Leigh-on-Sea, Essex, SS9 1PE (Leigh Ward) (Pages 337 354)
- 15 17/01460/FULH 29 Hadleigh Road, Leigh-on-Sea, Essex, SS9 2DY (Leigh Ward) (Pages 355 398)

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

Councillor F Waterworth (Chair)
Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton, H Boyd, S Buckley, T Callaghan, N Folkard, J Garston, R Hadley, H McDonald, C Mulroney, D Norman MBE, P Van Looy, C Walker and N Ward

PLEASE NOTE: The minibus for the site visits will depart from the bus stop at the front of the Civic Centre at 10.30 a.m.

Public Document Pack

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 2nd August, 2017 Place: Committee Room 1 - Civic Suite 3

Present: Councillor F Waterworth (Chair)

Councillors D Garston (Vice-Chair), B Arscott, B Ayling, H Boyd, S Buckley, M Butler*, T Callaghan, L Davies*, N Folkard, R Hadley, H McDonald, D McGlone*, C Mulroney, D Norman MBE and N Ward

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors L Salter

J K Williams, K Waters, C Galforg, M Warren and T Row

Start/End Time: 2.00 p.m. - 3.05 pm

232 Apologies for Absence

Apologies for absence were received from Councillor Borton (no substitute), Councillor J Garston (Substitute: Councillor Butler), Councillor Van Looy (Substitute: Councillor Davies) and Councillor Walker (Substitute: Councillor McGlone).

233 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillor Buckley 17/00680/BC3M Garages at Rochford Road, Southend-on-Sea Disqualifying non-pecuniary interest: Had regular contact with officers and gave approval comments (withdrew);
- (b) Councillor McGlone 17/00680/BC3M Garages at Rochford Road, Southend-on-Sea Disqualifying non-pecuniary interest: Had regular contact with officers and gave approval comments (withdrew);
- (c) Councillor Mulroney 17/00303/FUL 1333 London Road, Leigh on Sea Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); and
- (d) Councillor Mulroney 17/00875/FUL 1379-1387 London Road, Leigh on Sea Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning)

234 Minutes of the meeting held on Wednesday 10th May 2017

Resolved: That the Minutes of the meeting held on Wednesday 10th May 2017 be received, confirmed as a correct record and signed.

235 Minutes of the meeting held on Wednesday, 14th June 2017

Resolved: That the Minutes of the meeting held on Wednesday 14th June 2017 be received, confirmed as a correct record and signed.

236 Minutes of the meeting held on Wednesday, 5th July 2017

Resolved: That the Minutes of the meeting held on Wednesday 5th July 2017 be received, confirmed as a correct record and signed.

237 Supplementary Report

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

238 17/00303/FUL - 1333 London Road, Leigh on Sea (Belfairs Ward)
Proposal: Erect part three/part four storey rear extension, form third and
fourth floors to form six self-contained flats, alter elevations, layout
parking and bin store and form vehicular access onto Tankerville Drive
Applicant: Mr M Saunders
Agent: Town Planning Experts

Ms Bailey, a local resident, spoke as an objector to the application.

Resolved: That planning permission is REFUSED for the following reasons:

- 01 The proposed development would by reason of its design, height, scale, bulk, appear as an overly dominant and incongruous addition that is out of keeping with and detrimental to the character and appearance of the host property, the streetscene and the area more widely. This is contrary to the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).
- 02 The proposed development would by reason of its siting, size, bulk, massing and scale result in a visually obtrusive and overbearing form of development which causes an unacceptable sense of enclosure to the detriment of amenities enjoyed by existing occupiers of 7 Tankerville Drive contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of Development Management Document (2015), and the advice contained within the Design and Townscape Guide (2009).
- 03 The proposal would, by reason of the limited internal size of a number of the dwellings and the provision of insufficient outdoor amenity space and refuse and cycle storage, result in a poor quality living environment for future occupiers to the detriment of their amenity. This would be contrary to National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007), policies DM1, DM3 and DM8 of the Development Management Document (2015) and the guidance contained within the National Technical Housing Standards (2015).

04 The proposed development, by reason of the insufficient provision of parking, would cause additional on street parking in an area of existing parking stress to the detriment highway safety and the local highway network, contrary to the guidance contained within the National Planning Policy Framework Section 4, Development Management Document (2015) Policy DM15 and Core Strategy (2007) policy CP3.

05 The proposed vehicular crossover, by reason of the extent of hardstanding proposed and its proximity to existing street trees, would be likely to result in their loss. This would be detrimental to the visual amenities of the streetscene contrary to the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

Informative

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

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

239 17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea (St Laurence Ward)

Proposal: Demolish existing garages, erect 2no three storey buildings comprising 12 self-contained flats, three terraced dwelling houses, hard and soft landscaping, associated parking, bin and cycle store, form vehicular access on to Rochford Road

Applicant: Mr. T. Holland (Southend-on-Sea Borough Council)

Agent: Mr. S. Lewis (AK Design Partnership LLP)

Resolved: That planning permission is 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: 3679-7.105 PL1 Existing site plan, key plan, location plan & existing garage elevations; 3679-7-106. PL2 Proposed site plan; 3679-7-107 PL2 Proposed floorplans and elevations; 3679-7-108 PL1 Existing and proposed street scenes; 3679-7.109 PL1 Proposed shed, cycle/bin stores and floorplans/elevations; 3679-7-110 PL1 Proposed landscaping plan.

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

03 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall be constructed entirely of the materials details of which are shown on the plans and Rochford Road Planning Statement for pre commencement conditions dated June 2017 hereby approved.

Reason: To safeguard character and appearance of surrounding area in accordance with policies DM1 and DM3 of the Development Management Document and KP2 and CP4 of the Core Strategy.

04 The development hereby approved shall be carried in accordance with drawings 3679-7.105 Existing Site Plan and 3679-7 in relation to the highways works in relation to the new access road to the development. The works shall thereafter be undertaken in accordance with the approved details and completed prior to first occupation of the development hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with Core Strategy (2007) policy KP2, CP3, CP4; Development Management Document (2015) policies DM13 and the advice contained within the Design and Townscape Guide (2009).

05 The development shall not be occupied until 20 car parking spaces have been provided at the site in accordance with drawing 3679-7.106 PL2 Proposed Site Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy (2007) and policy DM15 of the Council's Development Management Document (2015).

Of Prior to their occupation the proposed development the first floor and second windows in the flank elevations of the flats and houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. 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 windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.

07 The soft and hard landscape works shall be carried out in accordance with drawing 3679-7.110 Revision PL1 and external material and boundary treatment samples and Rochford Road Planning Statement for pre commencement conditions dated June 2017.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management Document (2015).

08 All planting in the approved landscaping scheme shall be carried out within the first planting season following the completion of the development. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the local planning authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management (2015).

09 Prior to occupation of the development hereby approved a scheme for generating 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the development is first occupied and shall remain operational for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4, policy DM2 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

10 Prior to the occupation of the development hereby approved the bicycle stores as shown on drawing 3679-7-109 PL1, shall be implemented and made available for use prior to the first occupation of the flats and dwellinghouses hereby approved to provide one cycle space per dwelling.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy (2007) and policy DM15 of the Development Management Document (2015).

11 No development other than the highway works shown on plan 369-7.105, demolition and site clearance works shall take place until details of the

implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed in accordance with the approved details before the development is occupied and brought into use and be maintained as such thereafter. Those details shall include:

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

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

12 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 day (lpd) (110 lpd when including external consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.

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

13 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 2 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user

dwellings' and the remaining houses and flats comply with building regulation part 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).

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

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

15 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, National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

16 The development shall not be occupied until the refuse store as shown on drawing 3679-7-109 PL1 have been installed. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details.

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

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable

amount, when this is payable and when and how exemption or relief on the charge can be sought.

02 Due to the time constraints and work programme it will be necessary to carry out the highway works through the tendered highways framework contract.

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern 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.

240 17/00875/FUL - 1379 - 1387 London Road, Leigh on Sea (Belfairs Ward)
Proposal: Demolish existing buildings, erect 8 no three storey terraced dwelling houses, layout parking and amenity space

Applicant: Mr Melvin Mason

Agent: SKArchitects

Resolved: That planning permission is 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: 431 P01 Location and Site Plans; 431 P02 Existing Elevations; 431 P03 Proposed Elevations; 431 P06; 204 P04 Proposed Floor Plans; 204 P05 Visuals.

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

03 No development shall take place until samples of the materials to be used on all the external elevations, including walls, windows, doors, roofs,

balustrades to roof terraces, porches, paving, window detailing including brick surround and reveals, brick banding, guttering, balcony hoods and any screen/boundary walls and fences, driveway, forecourt or parking area have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area and relates to the host buildings at the application site. In accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

04 The 16 parking spaces (2 per dwelling) shown on the plan 431P01 (Site and Block Plans) hereby approved shall be provided in accordance with plan 431P01 prior to the first occupation of the building hereby approved. Subsequently, the parking spaces shall be retained in perpetuity and only used by the occupants of dwellings hereby approved and their visitors.

Reason: To ensure that adequate parking is provided at the site. In accordance with the National Planning Policy Framework, policies KP2, CP3 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1, DM3 and DM15 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

- 05 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. 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. The details submitted shall include, but not limited to:-
- i) proposed finished site levels or contours;
- ii) means of enclosure, of the site including any gates or boundary fencing;
- 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.);
- vii) details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- viii) details of measures to enhance biodiversity within the site;
- ix) details of the external amenity areas.

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

06 A scheme detailing how at least 10% of the total energy needs of the dwellings will be supplied using on site renewable sources must be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the first occupation of the dwelling. 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), policy DM2 of the Development Management Document DPD2.

07 Prior to occupation of the dwelling 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 to be included in the scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details before it is occupied and be retained as such in perpetuity.

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

08 Prior to the first occupation of the dwellings hereby approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwellings hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM3, DM8 and DM15 of DPD2 (Development Management).

09 The development hereby approved shall be carried out in a manner to ensure the dwelling complies fully 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).

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

Reason: To safeguard the amenity of neighbours and the character and appearance of the surrounding area in accordance with policies DM1 and DM3 of the Development Management DPD and policies KP2 and CP4 of the Core Strategy.

11 Prior to their occupation the development hereby approved the ground and first floor windows in the flank elevations (east and west) of the houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. 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 windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.

12 No meter boxes, flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes are allowed to be attached to the outside of the building facing the street unless they are shown on approved drawings or unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area and relates to the host buildings at the application site. In accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (SPD1)

13 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any construction 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 before any construction begins. The site shall be remediated in accordance with the approved remediation measures before development the development

hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

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 and these shall be fully implemented before the site is occupied.

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 Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and Policies DM1 and DM14 of the Development Management DPD 2015.

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

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

- 15 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:
- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

16. Prior to the commencement of development, sections and design details at a scale of not less than 1:20 for: the brick framing to the windows, doors and porches (including reveals), parapet details, balustrade arrangement and brick banding shall be submitted and agreed in writing with the Local Planning Authority.

Reason: To ensure that the development contributes positively to the character and appearance of the site and the surrounding area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2012), policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Council's Design and Townscape Guidance (2009)

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

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. 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.

02 Consent is given to this development on the condition that a new metered water supply is provided for each new dwelling for revenue purposes for Essex and Suffolk Water.

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.

17/00908/FUL - 1 - 3 First Avenue, Westcliff on Sea (Chalkwell Ward)

Proposal: Demolish former nursing home and erect eight dwellings comprising of three blocks, layout 16 parking spaces, amenity space to rear, form hard and soft landscaping and install two vehicular accesses onto First Avenue

Application: Childs Property Limited

Agent: SKArchitects

Resolved: That planning permission is GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: P01 Revision A Site and Block Plans; P02 Revision D Site Plan; P04 Houses 1-3 Floor Plans; P05 Houses 1-3 Floor Plans and Typical Section; P06 Houses 4-6 Floor Plans; P07 Houses 4-6 Floor Plans and Sections; P08 Houses 7-8 Floor Plans; P09 Houses 7-8 Floor plans and sections; P10 Houses 1-3 External Elevations; P11 Houses 4-6 External Elevations; P12 Houses 7-8 External Elevations; P21 Street Elevations Proposed; P31 Houses 1-3 Part M Compliance; P32 Houses 1-3 Part M Compliance; P33 Houses 4-6 Part M Compliance; P35 Houses 7-8 Part M Compliance; P40 External Finish Materials; P10 Typical Front Elevation details House 1 (example), P50 Site Arrangement Details.

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

03 Notwithstanding the details shown on the plans submitted otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings at the site have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it is occupied.

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

04 The development shall not be occupied until 16 car parking spaces have been provided at the site in accordance with drawing P02 Revision D Site Plan, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

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

05 The development hereby permitted shall be carried out in accordance with the landscaping details shown on drawings First Avenue Planting Proposal reference ED263 for houses H1-H3, H4-H6 and H7-H8, unless otherwise agreed in writing by the local planning authority. Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

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

06 No development shall commence until a detailed Aboricultural Method Statement and Tree Protection Plan including but not limited to the following information fencing type, piling, ground protection measures, access facilitation pruning specification, project phasing and an auditable monitoring schedule have been submitted to and agreed in writing by the local planning authority including. The works must be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to DPD1 (Core Strategy) policies KP2 and CP4, DPD2 (Development Management) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

07 The development hereby permitted shall be carried out in accordance with drawings P05, P 07 and P09 and the renewable energy strategy report carried out by pexmq dated 07.02.2017 and implemented in full prior to the first occupation of the dwellinghouses. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1), policy DM2 of the Development Management Document.

08 The development hereby approved shall be carried out in accordance with the Surface Water Strategy Report carried out by Innervision Design dated February 2017. 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.

09 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development

Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.

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

10 Final glazing, acoustic insulation and ventilation details for the dwellings hereby approved shall be carried out in accordance with Environmental Noise Impact Assessment Report number IMP4935-1 of January 2017 and be implemented in their entirety priority to the occupation of the building. This include secondary acoustic glazing (10 - 200 - 6) on facades facing the rail line and glazing (4 - 16- 6) for facades not facing the rail line. Mechanical ventilation system must be installed to alleviate the requirement for partially open windows to all facades to ensure the internal noise level is acceptable. Appropriate mitigation must be given to ensure that construction of the development and cumulative noise levels are in accordance with BS EN ISO 140-3 and BS4142:2014 and meet the relevant internal noise criteria in accordance with BS8233:2014. The development shall be carried out in accordance with the approved details before it is occupied and be retained as such thereafter in perpetuity.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1 and DM8 of the Development Management DPD2 and SPD1 (Design and Townscape Guide).

11 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).

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders without the receipt of express planning permission from the local planning authority.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to

safeguard the character of the area in accordance the National Planning Policy Framework, DPD1 (Core Strategy) Policies KP2 and CP4, DPD2 (Development Management Document) Policy DM1 and SPD1 (Design and Townscape Guide).

13 Prior to their occupation the proposed first and second floor windows in the flank elevations of the houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. 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 windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) 2007 policies KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1 and advice contained within the Design and Townscape Guide SPD1.

14 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, National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

15 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time Sundays or Bank Holidays.

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

16 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 and approved in writing by the local planning authority prior to demolition or construction commencing at the site, taking into consideration control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". The development shall be implemented in accordance with the approved details.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with

policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

17 Prior to occupation of the development hereby approved an acoustic fence to be constructed to the boundary of the site with the land owned by Network Rail to the satisfaction of the local planning authority.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policies DM1 and DM8 of the Development Management DPD2 and SPD1 (Design and Townscape Guide).

18 Prior to occupation of the development hereby approved, details of the provision of refuse storage facilities at the site (including day-to-day refuse storage areas and day of collection storage areas as necessary) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided prior to the occupation of the development and be retained in perpetuity thereafter.

Reason: To safeguard the amenities of the future occupants of the proposed HMO and adjoining properties in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1, and SPD1 (Design and Townscape Guide).

Informative

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a Community Infrastructure Levy (CIL) Liability Notice for the attention of the applicant and any person who has an interest in the land. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought.

You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern 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.commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern 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.

242 17/00562/BC3M - Multi-Storey Car Park, Victoria Avenue, Southend on Sea (Victoria Ward)

Proposal: Demolish existing car park and erect multi storey car park

Applicant: Alan Richards Agent: Michelle Fishlock

Resolved: That planning permission is 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: 1440/P/101B; 1440/P/102 A; 1440/P/103 A; 1440/P/104 B; 1440/P/105 B and 1440/P/106.

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 materials to be used on all the external elevations, including walls, cladding (details of materials/colour and finish and a cross section at a scale of not more than 1:20 to show how it will be fitted to the building), windows, doors, louvers/grilles, pcc bars and panels, paving, screen/boundary walls and fences, driveway, forecourt or parking area; have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2012), Southend Core Strategy (2007) policy KP2 and CP4, Development

Management Document (2015) policy DM1, and SPD1 (Design and Townscape Guide).

04 The proposed highways works, including the formation of new vehicular access onto the service road at the rear of the application and the formation of new pavement shall be carried out in full prior to the first use of the car park herby approved in accordance with the details shown in plan no. 1440/P/106.

Reason: In the interests of highways management and safety in accordance with (Southend Core Strategy (2007) policies KP2, CP3, CP4; (Development Management Document (2015) policy DM15 and the Design and Townscape Guide (2009).

05 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction – Recommendations, has been submitted to and agreed in writing by the local planning authority. The tree protection measures and working methods shall be implemented in full as set out in the approved tree protection plan.

Reason: To protect the health of the trees, in the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to DPD1 (Core Strategy) policies KP2 and CP4, DPD2 (Development Management) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

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

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

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

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. 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.

- 02 It is noted that a the time when both the Civic Centre East public car park and the redeveloped of exiting Library car park will be operate together, the Council will have to manage staff permit allocation to ensure the number of permits issued would not be increased to an extent that would unacceptably increase trips.
- 03 It is noted that advertisement consent would potentially be required for the proposed signage.
- 04 Consideration should be given to include the payment of parking charges in cash, in addition to a cashless payment provision.

243 17/00563/OUTM - 939 - 953 London Road, Leigh on Sea (Blenheim Park Ward)

Proposal: Demolish existing building and erect two blocks part 2, part 3, part 4 storey comprising of 30 flats, 1 commercial unit on ground floor lay out parking, refuse and cycle stores (Outline Application) (Amended Proposal)

Applicant: EMEX International

Agent: Third Dimension Architectural Group Ltd.

Resolved:

- (a) That the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager of Planning and Building Control be DELEGATED to GRANT OUTLINE PLANNING PERMISSION subject to completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to secure the provision of:
- Provision of 6 affordable housing units (comprising of 1x1bed, 3x2bed and 2x3bed, and including 4 affordable rented units and 2 shared ownership units) prior to occupation of the 10th dwelling
- A financial contribution towards secondary education provision of £88,728.77 (index-linked), specifically providing increased capacity at Belfairs Academy, which is payable prior to commencement
- (b) That the Deputy Chief Executive (Place), Director of Planning and Transport or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

O1 Details of the appearance and landscaping (hereinafter called the "Reserved Matters") of the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 (three) years from the date of this permission. The development hereby permitted shall begin not later than 2 (two) years from the date of approval of the last of the reserved matter to be approved.

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

02 The development hereby permitted shall be carried out in accordance with the approved plans 100 Location Plan; 201 Proposed site plan; 105 Existing Floor Plans; 106 Existing Elevations; 201 Indicative Streetscenes; 202A Indicative Basement and Ground Floor plans; 202 Indicative First and Second Floorplans; 204 Indicative Third and Fourth Floor plans.

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

03 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), Development Plan Document 1 Southend on Sea Core Strategy 2007 policy KP2 and CP4; Development Plan Document 2 Southend on Sea Development Management 2015 policy DM1, and SPD1 (Design and Townscape Guide) 2009.

04 No development approved by this permission shall be commenced until the Local Planning Authority has approved in writing a full scheme of highway works (including detailed designs and contract details) and the relevant highways approvals are in place, in relation to loading bay on London Road.

The works shall thereafter be undertaken in accordance with the approved details and completed prior to occupation of the hotel hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with (Core Strategy) DPD1 policy KP2, CP3, CP4; (Development Management) DPD2 policy DM15 and the Design and Townscape Guide.

05 No dwelling shall be first occupied until one parking space to serve that dwelling and four disabled spaces have been laid out, together with properly constructed vehicular access to the adjoining highway, all in accordance with

details which shall have been submitted to and approved by the local planning authority, such provision to 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 1995 (or any order revoking or re-enacting that order).

Reason: To make provision for parking off the highway, in the interests of highway and pedestrian safety and to safeguard the character and amenities of the area in accordance with Policy CP3 of the Core Strategy DPD1, DPD2 (Development Management) policy DM15 and the Design and Townscape Guide.

Of The commercial premises shall not be occupied until twenty four parking space to serve commercial unit have been laid out, together with properly constructed vehicular access to the adjoining highway, all in accordance with details which shall have been submitted to and approved by the local planning authority, such provision to 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 1995 (or any order revoking or re-enacting that order).

Reason: To make provision for parking off the highway, in the interests of highway and pedestrian safety and to safeguard the character and amenities of the area in accordance with Policy CP3 of the Core Strategy DPD1, DPD2 (Development Management) policy DM15 and the Design and Townscape Guide.

07 Details of waste and cycle storage to be provided at the site 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 before the development is occupied 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 Development Plan Document: Southend on Sea Core Strategy 2007 policies KP2, CP3 and CP4: Southend on Sea Development Plan Document 2 Development Management 2015 policies DM1 and DM15, and Supplementary Planning Document 1 (Design and Townscape Guide) 2009.

08 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 be 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 Development Plan Document 1 Southend on Sea Core Strategy 2007 Policy KP2; Development Plan Document 2 Southend on Sea Development Management Document Policy DM2 (2015).

- 09 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed in accordance with the approved details before the development is occupied and brought into use and be maintained as such thereafter. Those details shall include:
- i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;
- ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;
- iii) a timetable for its implementation; and
- iv) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

10 Details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting, shall be submitted to and 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, Development Plan Document 1: Southend on Sea Core Strategy policy KP2, Development Plan Document 2: Southend on Sea Development Management Document policy DM2 (2015) and SPD1 (Design and Townscape Guide) 2009.

- 11 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide, amongst other things, for:
- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and Policy DM1 of the Development Management DPD 2015.

12 Details of any external lighting to be installed in the development shall be submitted to and approved in writing by the local planning authority before the development is occupied or brought into use. Development shall be carried out in accordance with the approved details before the development is occupied or brought into use. No additional external lighting shall be installed on the building without the consent of the Local Planning Authority.

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

13 The commercial units, hereby permitted, shall only be used for the purposes falling with Class A1, A2, B1 (a), D2 (gym) of the Schedule to the Town and Country Planning (Use Classes) Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with Policy CP1 of the Core Strategy, DPD2 (Development Management Document) 2015 policy DM10 and DM11.

14 Details of the proposed hours and days of opening in conjunction with A1, A2, B1 (a), D2 (gym) and Class uses shall be submitted to and approved in writing prior to occupation of each unit respectively. Thereafter the A1, A2, B1 (a), D2 (gym) uses shall be operated only in accordance with the approved hours of opening.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties in accordance with DPD2 (Development Management Document) 2015 policy DM1.

15 No dust or fume extraction or filtration equipment, or air conditioning, ventilation or refrigeration equipment shall be installed until full details of its design, siting, discharging points and predicted acoustic performance have been submitted to and approved by the local planning authority. The equipment as installed shall be retained in good working order at all times thereafter. The development shall only be implemented in accordance with the approved details.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the employment provision within the borough, in accordance with DPD2 (Development Management Document) 2015 policy DM1.

16 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 3 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user dwellings' and the remaining 27 flats comply with building regulation part 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).

17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, reenacting or modifying that Order), no structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be installed within the development or on the buildings hereby approved unless otherwise previously agreed in writing by the Local Planning Authority.

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

18 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time Sundays or Bank Holidays.

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

19 No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the

measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and Policies DM1 and DM14 of the Development Management DPD 2015

20 The development shall comprise: 5 x 1 bed units, 7 x 2 bed units, 12 x 3 bed units, and 6 x 4 bed units.

Reason: To ensure that the development provides a range of dwelling types and a sustainable housing mix in order to meet the housing needs of the Borough in accordance with Policies KP2 and CP8 of the Core Strategy and Policy DM7 of the Development Management DPD.

21 The gross internal floorspace of the A1, A2, B1, D2 (gym) development hereby approved shall not exceed 375 sqm. The gross internal floorspace of residential development hereby approved shall not exceed 3005sqm.

Reason: To determine the scope of this permission in accordance with the Development Plan.

Informatives

- 01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at www.southend.gov.uk/cil
- 02 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to affordable housing provision and an education contribution.
- 03 In relation to Condition 4, you are advised to contact Highways Engineer Martin Warren (Tel: 01702 534328) to discuss the requisite Highways Licence, and costs of associated works. You are advised that a Highways Licence needs to be in place before any works are carried out to the public highway and you will need to employ a Council approved contractor to carry out any works.
- (c) In the event that the planning obligation referred to in part (a) above has not been completed by 1st September 2017 or an extension of this time as may be agreed by the Deputy Chief Executive (Place), Director of Planning and

| Transport or Group Mana | ger (Planning & B | Building Control) | be authorised to | | |
|--|-----------------------|-------------------|------------------|--|--|
| refuse planning permission | on for the applic | ation on the gi | rounds that the | | |
| development will not provide for affordable housing or education provision. As | | | | | |
| such, the proposal would be | e contrary to Policie | es KP2, KP3, CP6 | 3 and CP8. | | |

Public Document Pack

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 13th September, 2017 Place: Committee Room 1 - Civic Suite

4

Present: Councillor F Waterworth (Chair)

Councillors D Garston (Vice-Chair), B Ayling, M Borton, H Boyd,

S Buckley, T Callaghan, N Folkard, J Garston, R Hadley,

H McDonald, C Mulroney, D Norman MBE, P Van Looy, C Walker

and N Ward

In Attendance: J K Williams, P Geraghty, C Galforg, J Rowley, P Keyes, M Warren

and T Row

Start/End Time: 2.00 p.m. - 2.40 p.m.

271 Apologies for Absence

Apologies for absence were received from Councillor Arscott (no substitute).

272 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillor Folkard Agenda Item No. 12 (17/01019/FULH 6 Leas Gardens, Westcliff-on-Sea) Disqualifying non-pecuniary interest: Applicant is known to him as a Councillor and socialises with him (withdrew); (NOTE: All other Councillors present declared non-pecuniary interest in this item on the grounds that the applicant was known to them as a fellow Councillor.)
- (b) Councillor Mulroney Agenda Item Nos. 4 (17/01001/FUL 141 Leighton Avenue, Leigh-on-Sea), 5 (17/01287/FUL Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea), 8 (17/01041/FUL 34 Percy Road, Leigh-on-Sea), 9 (17/01361/TPO Haydon House, 10 Underwood Square, Leigh-on-Sea), 10 (17/00969/FUL 42A Lord Roberts Avenue, Leigh-on-Sea) and 11 (17/01008/FULH 66 Leigham Court Drive, Leigh-on-Sea) Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning);
- (c) Councillor Norman MBE Agenda Item No. 7 (17/01090/FUL 78 Mountdale Gardens, Leigh-on-Sea Non-pecuniary interest: Daughter worked at the School;
- (d) Councillor Van Looy Agenda Item No. 5 (17/01287/FUL Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea) Non-pecuniary interest: Applicant is known to him;
- (e) Councillor Walker Agenda Item No. 7 (17/01090/FUL 78 Mountdale Gardens, Leigh-on-Sea) Non-pecuniary interest: Head teacher is a fellow trustee of Southend Boys and Girls Choir;

- (f) Councillor Walker Agenda Item No. 9 (17/01361/TPO Haydon House, 10 Underwood Square, Leigh-on-Sea) Non-pecuniary interest: Friends live in Underwood Square and Lime Avenue;
- (g) Councillor Ward Agenda Item No. 9 (17/01361/TPO Haydon House, 10 Underwood Square, Leigh-on-Sea) Non-pecuniary interest: Applicant is known to him.

NOTE: All Councillors present also declared a non-pecuniary interest in Agenda Item No. 11 (17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea) on the grounds that the applicant was an officer at the Council.

273 Supplementary Report

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

17/01001/FUL - 141 Leighton Avenue, Leigh-on-Sea (Leigh Ward)

Proposal: Demolish existing two storey dwelling house and erect a pair of two storey semi-detached dwelling houses, layout associated parking and form vehicular accesses on to Leighton Avenue

Applicant: Mr Herrtage
Agent: Mr John Beuvink

Resolved: That Planning Permission be GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: 17-101 PO1C; 17-101 PO2; 17-101 PO3; 17-101 PO4 & 17-101 P05.

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

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

Reason: To safeguard character and appearance of surrounding area in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

04 The development shall not be occupied until four car parking spaces have been provided at the site in accordance with drawing 17-101 PO1C, together with

properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy, policy DM15 of the Development Management Document.

05 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. 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. The details submitted shall include, but not limited to:-

- (i) proposed finished site levels or contours;
- (ii) means of enclosure, of the site including any gates or boundary fencing;
- (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.);
- (vii) details of the number, size and location of the trees including new street tree shrubs and plants to be retained and planted together with a planting 11 specification
- (viii) details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy.

06 No development approved by this permission shall take place until Southend Borough Council (as local planning authority and highway authority) has approved in writing a full scheme of replacement tree planting on a two for one basis (including details of size, species and location (to be agreed with the Councils arboriculturalist) and contract details and the relevant approvals are in place) in relation to loss of the street tree. The development and the associated replacement tree planting shall thereafter be undertaken in accordance with the approved details prior to occupation of the development hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policies DM1 and DM3 of the Development Management Document and Policy CP4 of the Core Strategy.

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and policy DM2 of the Development Management Document.

08 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.

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

09 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, Core Strategy policy KP2, Development Management Document policy DM2 and Design and Townscape Guide.

10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and reenacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.

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

11 Prior to their occupation the proposed windows in the flank elevations of the houses hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and

unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level and shall be retained as such in perpetuity thereafter. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policy DM1 and advice contained within the Design and Townscape Guide.

12 Prior to the first occupation of the dwellings hereby approved, details shall be submitted of the provision of cycle parking and refuse storage at the site. The approved cycle parking and refuse storage shall be provided in full and made available for use by the occupants of the proposed dwelling prior to the first occupation of the dwellings hereby approved and be retained as such in perpetuity.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with policies DM3, DM8 and DM15 of Development Management Document.

Informative

01 In relation to condition 06 please contact Development Engineer Martin Warren on 01702 534328 and Park Management Officer Ian Brown 01702 215176.

02 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 I, 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

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.

275 17/01287/FUL - Garages R/o 1- 4 Chalkwell Bay Flats, Undercliff Gardens, Leigh-on-Sea (Leigh Ward)

Proposal: Erect additional garage to existing garage site rear of 1 to 4

Chalkwell bay flats (Amended Proposal)

Applicant: Mr Christopher Bailey

Resolved: That Planning Permission is REFUSED for the following reasons:

O1 The proposed development, by reason of its size, scale, bulk, use of materials, siting and the prominence of the proposed structure, would be detrimental to the character and appearance of the application site and the area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

02 The proposed development would result in a reduction in the area available for parking vehicles at the application site and be likely to cause additional vehicles to park within the surround public highway, to the detriment of the free flow of traffic and highway safety conditions in the area. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policy CP3 of the Southend-on-Sea Core Strategy (2007); and Policies DM3 and DM15 of the Southend-on-Sea Development Management Document (2015).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. The Local Planning Authority is willing to discuss the best course of action in respect of any future application for a revised development.

Informative

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

276 17/00821/AMDT - Crown Secretarial College Ltd, 411 - 415 Sutton Road, Southend-on-Sea (Victoria Ward)

Proposal: Application to vary condition 2 (approved plans) of planning permission 16/01503/FULM (Demolish existing buildings, erect 3 storey block comprising of 44 flats, 252sq. m retail commercial floor space at ground floor, communal amenity space, landscaping, parking and associated works) dated 29/03/2017 to alter elevations, alter layout, alter unit mix.

Applicant: Dove Jeffrey Homes Ltd Agent: FRONT Architecture Ltd

Resolved: (a) That the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager of Development Control & Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to seek the following:

- A minimum of 9 units of affordable rented housing units (20% of overall provision) comprising 2x1 bed and 7x2 bed units.
- Traffic Regulation Order contribution of £4,000
- Provision of Travel Packs for residents.
- Retail Travel Plan.
- (b) The Deputy Chief Executive (Place) Director for Planning and Transport or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:
- 01 The development hereby permitted shall be begun not later than 3 years beginning with the date of the original permission (29th March 2017).

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: FRNT_16.563_200_P5 site plan and streetscene; FRNT_16.563_201_P4 Block A floor plans; FRNT_16.563_202_P4 Block B floor plans; FRNT_16.563_204_P4 Block A elevations; FRNT_16.563_205_P4 Block B elevations; FRNT_16.563_203_P3 Block C Floor Plans; FRNT_16.563_206_P4 Block C elevations: Location plan 001.

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

03 No construction works above the floor slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including balconies, balustrades, screening, fenestration, front porches and hoods have been submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy 2007, Policy DM1 and DM3 of the Development Management Document 2015 and the Design and Townscape Guide 2009

04 Hard and Soft Landscaping shall be carried out in accordance with details approved under application 17/00884/AD and plan No 2244-17 received on 14th August 2017 unless otherwise agreed in writing with the Local Planning Authority. Hard Landscaping shall be completed prior to first occupation of the development and soft landscaping/planting shall be completed within the planting season following first occupation of the development. (or within any other time limit agreed in writing with the local planning authority) The landscaping shall be permanently retained thereafter. If any trees are removed or found to be dying, severely damaged or diseased within 5 years of planting them, they must be replaced with trees of a similar size and species.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 and DM3 of the Development Management Document 2015.

05 The development shall not be occupied until space has been laid out within the site in accordance with drawing No. 200 P4 for cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking spaces shall be permanently retained thereafter for the parking of occupiers, staff and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document 2015.

06 The development shall not be occupied until a car park management plan for the development has been submitted to and agreed in writing by the Local Planning Authority. The development shall only be occupied in accordance with the agreed management plan.

Reason: To ensure that the car parking is satisfactorily managed in the interests of traffic management and highway safety in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015)

07 The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out only in accordance with the approved details.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

08 The development shall not be occupied until details of the secure, covered cycle parking spaces to serve the residential development and cycle parking spaces to serve the retail/commercial unit have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and shall be retained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) DPD1 and Policy DM15 of the Development Management Document (2015).

09 Construction shall be carried out in accordance with the Construction Method Statement approved under application 17/00883/AD unless otherwise agreed in writing with the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

Reason: In the interests of visual amenity and to protect the amenities of occupiers of the development and surrounding occupiers pursuant to Policies CP4 of the Core strategy (2007) and policies DM1 and DM3 of the Development Management Document (2015).

10 Before the retail use hereby permitted begins a scheme for the installation of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the retail unit is occupied. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015)

11 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment should be at least 5dB(A) below the prevailing background at 3.5 metres from ground floor façades and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and visual amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015.)

12 The retail use hereby permitted shall not be open to customers outside the following times: 07:00 to 23:00 hours on any day.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015)

13 No deliveries or refuse collection shall be taken at or despatched from the retail unit outside the hours of 07:00-19:00hours Mondays to Fridays and 08:00-13:00hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

14 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology approved under application ref 17/00953/AD. The results of the site investigation shall be made available to the local planning authority before any construction 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 further 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 before the development is brought into use.

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 Controlled Waters in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015)

- 15 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;
- ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;
- iii) a timetable for its implementation; and

vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

16 Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the retail use hereby permitted begins and residential apartments are occupied. The development shall be carried out in accordance with the approved details. No additional external lighting shall be installed on the building without the consent of the Local Planning Authority.

Reason: In the interest of the visual amenities and character of the area, and to protect the amenities of surrounding occupiers in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 of the Development Management Document (2015).

17 No construction works above the level of the floor slab shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the Local. Planning Authority. The details shall include the insulation scheme including predicted internal Lmax and LAeq levels for the noise sources identified in the noise assessment. Glazing and ventilation shall be selected with relevant acoustic properties as outlined in the Noise Assessment submitted with application 16/01503/FULM and dated 18 December 2014. The agreed noise prevention measures will be installed prior to first occupation of the dwellings and retained at all times thereafter.

Reason: In order to the protect the amenities of future residents in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

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

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

19 Landscape management of the development, including management responsibilities and maintenance for all landscape areas shall be carried out only in accordance with details approved under application 17/00884/AD.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015.)

20 No construction works above the level of the floor slab shall take place until details of the proposed Photovoltaic cells set out in the Energy and Sustainability Statement by Fusion 13 submitted with application 16/01503/FULM have been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and brought into use on first occupation of the development.

Reason: To ensure the development maximises the use of renewable and recycled energy, water and other resources, in accordance with Policy KP2 of the Core Strategy (2007) and Policy DM2 of the Development Management Document 2015.

21 Prior to the installation of any shopfront, the details of the design, materials, glazing, doors, shutters, signage and lighting shall be submitted to and approved in writing by the Local Planning Authority. The retail unit development shall be carried out in accordance with the approved details before it is occupied and permanently retained thereafter.

Reason: In order to protect the character and visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document 2015.

22 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007, or any order revoking and re-enacting that Order with or without modification, no advertisement shall be displayed on the building without the prior written consent of the Local Planning Authority.

Reason: In the interest of the visual amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 and DM13 of the Development Management Document (2015).

23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, reenacting or modifying that Order), no structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be installed within the development or on the buildings unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the character and visual amenities of the development and surrounding area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015)

24 The commercial floorspace hereby approved shall only be occupied for uses falling within Use Class A1 retail and shall not be used for any other purpose and for no other purpose including any within Classes A, C3 or D1 of the Town and Country Planning (Use Classes) Order 1987 as amended (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force). The hereby approved Use Class A1 retail floorspace shall also not be used for any alternative uses otherwise permitted under the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking or re-enacting that Order).

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

25 The development shall be carried out in accordance with the Method Statements for Tree Protection and Tree Works approved under application17/00885/AD unless otherwise agreed in writing by the Local Planning Authority.

Reason In the interests of amenity, to protect existing trees and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policy DM1 of the Development Management Document (2015)

26 The development shall not be occupied until new accesses, removal of the existing redundant crossovers and street furniture, loading bays, on street car parking spaces and public realm improvements in accordance with details approved under application 17/00974/AD have been implemented in full and (prior to this) the Council as Highways Authority has approved in writing a full scheme of highways works and the relevant associated highways approvals are in place.

Reason: In the interests of sustainability, accessibility, highways management, efficiency and safety in accordance Core Strategy (2007) policies KP2, KP3 and CP3 and policies DM1and DM15 of the Development Management Document (2015)

Informatives

- 01 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.
- 02 For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from www.DEFRA.Gov.UK
- 03 The applicant is reminded that this permission does not bestow compliance with the Licensing Act 2003. Applicants should contact the Council's Licensing Team for more advice on 01702 215005.
- 04 Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the

owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

05 An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

Of There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire and Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk of life, business continuity and limit the impact of fire on the environment and local economy. Even where not required under Building Regulation's guidance, ECFRS would strongly recommend a risk base approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We would also encourage developers to use them to allow design freedom, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the regulations are met.

07 The applicant is reminded that additional water supplies for fire fighting may be necessary for this development. The applicant is urged to contact the Water Technical Officer at Service Headquarters tel 01376 576342

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

09 In relation to Condition 26; you are advised to contact Highways Engineer – Martin Warren; (Tel: 01702 215003) to discuss the requisite Highways Licence/Agreements under the Highways Act 1980. You are advised that a Highways Licence/Agreement needs to be in place before any works are carried out to the public highway and any works to public transport infrastructure (e.g. bus stops) will need to be carried out by a Council approved contractor.

10 Informative (approval of S73 applications where original permission granted post-CIL charging AND there is no net increase in floorspace):
Community Infrastructure Levy (CIL): This application has been made pursuant to Section 73 of the Town and Country Planning Act 1990 and as such CIL Regulation 9(6) applies. You are advised that as the amount of CIL payable would not change from the previous permission ref. 16/01503/FULM, the chargeable development is the development for which permission was granted

by the previous permission as if that development was commenced. Therefore, CIL Liability Notice ref. 16/01503/FULM/0001 still applies to the permission hereby granted and is enclosed for your reference.

- (c) In the event that the planning obligation referred to in part (a) above has not been completed by 20th September 2017 the Director of Planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development will not:-
- i) provide for improvements to the public highway and the public realm within the vicinity of the site;
- ii) provide an effective means of enforcing/delivering a Travel Plan;
- iii) provide for a satisfactory provision of public art;
- iv) provide for a satisfactory method of servicing the development;
- v) provide for affordable housing.

As such, the proposal would not make a satisfactory contribution towards the quality of the built environment within the vicinity of the site, would traffic congestion and be to the detriment of highway safety and is likely to place increased pressure on public services and infrastructure to the detriment of the general amenities of the area, contrary to Policies KP2, KP3, CP3, CP4 and CP6 of the Core Strategy, Policies DM1, DM3, DM7, and DM15 of the Development Management DPD 2015.

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.

277 17/01090/FUL - 78 Mountdale Gardens, Leigh-on-Sea (Blenheim Park Ward)

Proposal: Change of use from dwellinghouse (Class C3) to Non-residential education centre (Class D1).

Applicant: The St. Christopher School Academy Agent: The Livemore Partnership – Mr Tony Watts

Resolved: That Planning Permission be GRANTED subject to the following conditions:

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: 16032-01(-), 16032-02(-), 16032-03(-), 16032-04(-)

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

03 The use hereby permitted shall be carried on only by St Christopher School Academy Trust for the purpose of education. When the premises cease to be occupied for educational purposes, the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed. The premises would then return to a residential (Class C3 use).

Reason: Permission has been granted taking into consideration the special circumstances of this case. The local planning authority needs to control future use of the premises if the education use of the premises ceases to ensure compliance with, DPD1 (Core Strategy) 2007 policy K2, CP4, CP8; Borough Local Plan 1994 policies U7 and H4 and SPD1 (Design and Townscape Guide).

04 The Class D1 use allowed by this permission can only be carried out as an ancillary use to The St Christopher School Academy and for no other purpose unless agreed in writing by the Local Planning Authority.

Reason: Planning permission for unrestricted use within Class D1 cannot be granted in this case because of the special circumstances of the application and it would therefore fail to comply with the National Planning Policy Framework (2012), Core Strategy 2007 policy CP8.

05 The premises shall not be used outside the following hours: -

8am to 4pm Monday - Friday and at no time on Saturdays, Sundays or Bank Holidays or within the Essex County Council school holiday dates.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2012), Core Strategy 2007 policy KP2 and CP4.

Informative

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

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

278 17/01041/FUL - 34 Percy Road, Leigh-on-Sea (West Leigh Ward)

Proposal: Demolish existing bungalow, erect detached bungalow with roof extension to front and sides, boundary wall to side to form covered courtyard, form layout parking to front and install new vehicular access on to Percy Road (Amended Proposal)

Applicant: Mrs H Collins

Agent: Knight Gratrix Architects

Resolved: That Planning Permission be REFUSED for the following reason:

01 The proposed development would, by reason of its scale, size bulk, mass, detailed design and use of materials appear incongruous and out of keeping within the streetscene to the detriment of the character, appearance of the site and area more widely. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Southendon-Sea Core Strategy (2007); Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015); and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

Informative

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

02 It should be noted there are a number of mistakes on the submitted plans and any resubmission should ensure the first floor plan shows northern windows, roof plan needs to clearly detail the width of the dormer roof at the northern end and the parking arrangement differs between ground floor and block plan including crossovers.

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

279 17/01361/TPO - Haydon House, 10 Underwood Square, Leigh-on-Sea (West Leigh Ward)

Proposal: Fell one Oak tree, crown lift, prune and removal of deadwood to

various oak trees (works covered by a tree preservation order)

Applicant: Mr Newton

Agent: DF Clark Bionomique Limited

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

Resolved: That consideration of this application be DEFERRED for a site visit.

280 17/00969/FUL - 42A Lord Roberts Avenue, Leigh-on-Sea (Leigh Ward)

Proposal: Erect dormer to rear and first floor rear extension

Applicant: Mr J Beuvink

Resolved: 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: PL01 and PL02.

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

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

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework, Core Strategy 2007 policy KP2 and CP4, Development Management Document policies DM1 and DM3, and Design and Townscape Guide.

04 The roof of the development hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless otherwise agreed in writing by the local planning authority. The roof can however be used for the purposes of maintenance or to escape in an emergency.

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

05 The proposed first floor clerestory window in the north elevation shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policy CP4, Development Management Document policy DM1 and 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

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

281 17/01008/FULH - 66 Leigham Court Drive, Leigh-on-Sea (Leigh Ward)
Proposal: Erect single storey side extension, alter side roof to form
pitched roof with dormer to front and alter elevations
Applicant: Mr and Mrs Ian Brown (Council employee)
Agent: Trudy's Architectural Consultants

Resolved: 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. (C01A)

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 60/17/A, 60/17/B, 60/17/C

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

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission. (C23D)

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, Development Management DPD policies DM1 and DM3, 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

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

282 17/01019/FULH - 6 Leas Gardens, Westcliff-on-Sea (Chalkwell Ward)

Proposal: Raise ridge height and alterations to roof to form habitable accommodation, install dormers, Juliette balcony with terrace area and alter elevations

Applicant: Mr S Habermel (Councillor)

Agent: SKArchitects

Resolved: That Planning Permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no 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: 353P01, 353P02

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

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

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

Informative

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

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

| Chairman: | | |
|-----------|--|--|

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 4th October, 2017 Place: Committee Room 1 - Civic Suite

5

Present: Councillor F Waterworth (Chair)

Councillors D Garston (Vice-Chair), B Arscott, B Ayling, M Borton, H Boyd, S Buckley, M Butler*, T Callaghan, N Folkard, R Hadley,

H McDonald, C Mulroney, P Van Looy and C Walker *Substitute in accordance with Council Procedure Rule 31.

In Attendance: J K Williams, P Geraghty, K Waters, C Galforg, J Rowley, M Warren

and T Row

Start/End Time: 2.00 p.m. - 2.35 p.m.

339 Apologies for Absence

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

340 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillor Arscott Agenda Item No. 4 (17/01361/TPO Haydon House, 10 Underwood Square, Leigh on Sea) Non-pecuniary interest: Applicant and objectors are known to him;
- (b) Councillor Folkard Agenda Item No. 6 (17/00219/FUL 135 Ness Road, Shoeburyness) Non pecuniary interest: Applicants are known to him;
- (c) Councillor Mulroney Agenda Item Nos. 4 (17/01361/TPO Haydon House, 10 Underwood Square, Leigh on Sea) and 5 (16/01756/FULM Car Wash, 120 Broadway, Leigh on Sea) Non-pecuniary interest: Member of Leigh Town Council and Leigh Society (non-participant in planning);
- (d) Councillor Mulroney Agenda Item 7 (17/01121/FUL Oak House, 77 Wimborne Road, Southend on Sea) Non pecuniary interest: Applicants are known to her; and
- (e) Councillor Walker Agenda Item No. 4 (17/01361/TPO Haydon House, 10 Underwood Square, Leigh on Sea) Non-pecuniary interest: Friends live in Underwood Square and Lime Avenue.

341 Supplementary Report

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

17/01361/TPO - Haydon House, 10 Underwood Square, Leigh on Sea (West Leigh Ward)

Proposal: Crown lift, prune and removal of deadwood to various oak trees (works covered by a tree preservation order)

Applicant: Mr Newton

Agent: DF Clark Bionomique Limited

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

Resolved: That consent for the work be GRANTED subject to following conditions:

01 The works covered by this permission shall begin no later than two years from the date of this consent.

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in the interests of Policy DM1 of the Development Management Document (2015).

02 The works shall be carried out in accordance with BS 3998 (2010) by a suitably qualified person.

Reason: In the interests of visual amenity and to protect the tree, pursuant to Policy DM1 of the Development Management Document (2015).

03 The pruning works to the Oak tree T-14 must only include reduction of 2 main limbs over garden at approximately 7m and 7.5m from ground level by approximately 3m to suitable growing points and crown lift to 6m.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015).

04 The pruning works to the Oak tree T-15 must only include reduce crown on east side by 3m, crown lift to 6m. The reduction of the west side by 3m is not permitted by this consent.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015).

05 The pruning works to Oak tree T16 must only include reduction of the lowest limb over the garden by approximately 3m and reduce the 2 lowest limbs in line with each other.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015).

06 The pruning works to Oak tree T17 must only include the reduction of the crown by 2m over the garden to a height of 8m-9m, balancing into the upper crown and removing epicormic growth.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document.

07 The pruning works to Oak tree T18 must only include a crown lift by removing lowest sub lateral over the garden on the south and south east side, shaping the back crown over the garden by 1.5m -2 m up to a height of approx. 7m-8m. The reduction of the sides by 3m is not permitted by this consent.

Reason: In the interests of visual amenity and to protect the tree, pursuant to policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of the Development Management Document (2015).

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.

16/01756/FULM - Car Wash, 120 Broadway, Leigh on Sea (Leigh Ward)
Proposal: Demolish existing buildings and erect 20 self-contained flats
with balconies and terraces, 445sq.m of commercial floorspace, basement
parking, public realm enhancements, associated works and install new
vehicular access onto Victor Drive to 114-120 Broadway
Applicant: Mr L. Panormo, Plaistow Broadway Filling Stations
Agent: Mr M. Calder, Phase 2 Planning and Development

Resolved: That planning permission is REFUSED for the following reasons:

- O1 The submission does not include a formal undertaking to secure an appropriate contribution to affordable housing provision to meet the demand for such housing in the area despite it having been found financially viable for the development proposed to make such a contribution. The application is therefore unacceptable and contrary to the National Planning Policy Framework; Strategic Objective SO7, and policies KP3 and CP8 of the Core Strategy (2007); and the advice contained within Supplementary Planning Document 2 Planning Obligations (2015).
- O2 The submission does not include a formal undertaking to secure an appropriate financial contribution to the provision of education facilities in the borough, to mitigate the demand for such facilities generated by the development proposed. The application is therefore unacceptable and contrary to the National Planning Policy Framework; Strategic Objective SO13, and Policies KP2, KP3 and CP6 of the Core Strategy (2007), and the advice contained within Supplementary Planning Document 2 Planning Obligations (2015).

Informative

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application and therefore, the proposal is not considered to be sustainable development. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

17/00219/FUL - 135 Ness Road, Shoeburyness (West Shoebury Ward)
Proposal: Erect six detached two storey dwelling houses and two
detached garages, retain the existing dwelling, erect boundary wall, form
vehicular access on to Ness Road

Applicant: Mr and Mrs Gillies

Resolved: That planning permission is GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: 9369/LP/01; 9369/DR/01; 9369/E/01; 9369/ES/01; 9369/GA/01; 9369/LP/01; 9369/PL/01 Revision F; 9369/PL02 Revision B; 9369/PL/03 Revision B; 9369/PL/04 Revision B; 9369/PL/05 Revision B; 9369/PL/06 Revision B; 9369/PL07 Revision B, 9368/SL/01 Revision A.

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

03 The development hereby approved shall be carried out in accordance with the Flood Risk Assessment carried out by AGB Environmental (5th June 2017 reference: P2653.2.1) and drawing 9368/SL/01 Revision A.

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

04 Once occupied the development hereby permitted shall operate at all time in accordance with the reference Flood Evacuation and Warning Plan carried out by Stone Frigate dated April 2017 submitted with this application.

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

05 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall be constructed entirely of the materials details of which are shown on the plans and Developers Specification dated 14.09.2017 (reference 9369) hereby approved.

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

06 The development shall not be occupied until garages and car parking spaces have been provided at the site in accordance with drawing 9369/P/01 Revision F, together with properly constructed vehicular accesses to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers of and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy (2007) and policy DM15 of the Council's Development Management Document (2015).

07 Prior to occupation of the proposed development the lower half of the first floor and second windows in the flank elevations of the plots 2 and 7 hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority). 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 windows shall be retained as such in perpetuity thereafter.

Reason: To avoid overlooking and the resultant loss of privacy of the adjoining residential properties, in accordance with the National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policies DM1 and DM3 and advice contained within the Design and Townscape Guide.

08 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. 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. The details submitted shall include, but not limited to:-

- i proposed finished site levels or contours;
- ii. means of enclosure, of the site including any gates or boundary fencing;
- 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.);
- vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- viii. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management Document and Policy CP4 of the Core Strategy.

09 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the Arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been agreed in writing by the local planning authority. These measures shall be carried out as described and approved during the implementation of the development.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1, DM3 and the advice contained in the Design and Townscape Guide.

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy and policy DM2 of the Development Management Document.

11 Prior to occupation of the development hereby approved details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details before it is occupied and be retained as such in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework,

Core Strategy policy KP2, Development Management Document policy DM2 and Design and Townscape Guide.

12 The development hereby approved shall be carried out in a manner to ensure all 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, Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2 and Design and Townscape Guide.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and reenacting that Order with or without modification, no development shall be carried out at the development hereby approved within Schedule 2, Part 1, Classes A, B, C, D, E and F to those Orders.

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, Development Management Document policies DM1 and DM3 and Design and Townscape Guide.

14 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. Lighting shall be installed at the site only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, Core Strategy 2007 policy KP2 and CP4, and Development Management Document 2015 policy DM1.

15 No development shall take place until details of the measures to be taken to protect badgers breeding birds and reptiles in connection with the development hereby approved have been submitted to and approved in writing by the local planning authority (in consultation with Natural England). The development shall only be carried out in full accordance with the approved details.

Reason: To ensure the development has an acceptable impact on the biodiversity of the environment in accordance with the National Planning Policy Framework and Core Strategy (2007) policies KP2 and CP4, policies DM1 and DM3 of the Development Management Document (2015).

16 The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out in accordance with the approved details.

Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

17 No development shall take place until a site investigation of the nature and extent of contamination (including ordnance risk) 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 before development commences. 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 in full before the development is occupied.

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 Development Management Document policy DM14.

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

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

19 Construction and demolition works (including the unloading and loading of associated materials) associated with this permission shall only take place between the hours of 07:30 and 18:00 Monday to Friday 08:00 and 13:00 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 Policies DM1 and DM3 of the Development Management Document.

Informatives

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.

2. 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 construction noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215810 or at Regulatory Services, P.O. Box 5558, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZQ.

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.

17/01121/FUL - Oak House, 77 Wimborne Road, Southend on Sea (Kursaal Ward)

Proposal: Erect single storey detached classroom to rear (Class D1), with canopy to the front and rear, decking with balustrade to the front

Applicant: Oakhouse Montessori Agent: Knight Gratrix Architects

Resolved: That planning permission is GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 010 Revision D, 011 Revision B.

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

03 The development hereby permitted shall be used for purposes in connection with the existing nursery including any other use permitted under the General Permitted Development Order (2015) (as amended) or Use Class Order (2015 (as amended) and no other use within Class D1.

Reason: To safeguard the amenities of adjoining residents, in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

04 The nursery shall not be open for use outside the hours of 07:00 to 19:00 hours Monday to Friday and shall not be open for use on Saturdays, Sundays or Bank Holidays.

Reason: To protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

05 No development shall take place until samples of the materials to be used on all the external elevations, including walls, roof, decking, balustrade, windows and doors have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management 2015 and the advice contained within the Design and Townscape Guide 2009.

06 Prior to first use of the development hereby approved a Travel Plan shall be submitted to and agreed in writing by the local planning authority, and The Travel Plan shall be implemented in full accordance with the approved details from the first occupation of the development. At the end of the first and third years' operation of the development hereby approved, reports monitoring the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must thereafter be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with Core Strategy (2007) policies KP2, CP3 and CP4, policy DM15 of Development Management Document (2015), and the Design and Townscape Guide (2009).

07 The development hereby approved shall be carried out in strict accordance with the mitigation measures and recommendations of the Aboricultural Method Statement dated 16th August 2017 carried out by Moore Partners Limited and

the submitted Tree Protection Plan unless otherwise agreed in writing by the local planning authority.

Reason: To make sure that the trees on the site are adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, and Design and Townscape Guide (2009).

08 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. 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. The details submitted shall include, but not limited to:-

i proposed finished site levels or contours;

- ii. means of enclosure, of the site including any gates or boundary fencing;
- iii. changes to 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.);
- vii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- viii. details of measures to enhance biodiversity within the site;

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping and tree protections measures are implemented pursuant to Policy DM1 of the Development Management Document and Policy CP4 of the Core Strategy.

09 Details of an acoustic fence, to be erected along the northern and western boundary of the site, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development and the fence shall be installed in accordance with the approved details shall be implemented in full prior to the first occupation of the development and be retained as such in perpetuity thereafter.

Reason: To safeguard the amenities of adjoining residents, in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

10 The development shall not be occupied until details of 9 secure, covered cycle storage spaces have been submitted to and agreed in writing by the local planning authority. The approved scheme shall be implemented prior to first occupation of the development and shall be permanently retained thereafter.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy, policy DM15 of the Development Management Document.

11. All servicing of the development must take place between 07:00 hours-19:00 hours Monday to Friday and there shall be servicing or no deliveries on Saturdays, Sundays or Bank Holidays.

Reason: To protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

12. Construction hours of the development hereby permitted shall be restricted to 08:00 hours — 18:00 hours Monday to Friday, 08:00 hours — 13:00 hours Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

Informative

- 1. You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.
- 2. In relation to condition 6 the details of a travel plan should include:
- (i). General provisions- A Travel Plan is a long-term management strategy for the site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.
- (ii). The Travel Plan will set the general objective to:
- a) reduce journeys to the site by single occupancy car and all car traffic;
- b) not adversely affect parking in the local area; and
- c) seek to secure appropriate staggered pick up and drop off arrangements.

The Travel Plan must be consistent with the objectives of the National Planning Policy Framework, the Local Transport Plan and the Local Development Framework (departures from this will generally be unacceptable); clearly set out the benefits of a Travel Plan including carbon reduction and the health benefits from more active travel; and demonstrate how the travel needs for all users of the new development will be met.

3. The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2014 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG

- 4. 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.
- 5. The developer should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". http://www.london.gov.uk/thelondonplan/guides/bpg/bpg 04.jsp

17/01071/FUL - Kiosk 10 West, Chalkwell, Leigh on Sea (Chalkwell Ward)
Proposal: Part demolish existing building, extend front elevation, alter elevations, change of use to a café (Class A3) and internal layout to form new kiosk with bin store to side

Applicant: Mr and Mrs Grant Agent: Stone Me Limited

Resolved: That planning permission is GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans 1700-03; 1700-01; 1700-04A; 1700-02A; 1700-06; 1700-07, 1700-08B; 1700-09A

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

03 Notwithstanding the details shown on the plans submitted, 1700-08B; 1700-09A submitted otherwise hereby, approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposal, roller shutters and display board have been submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it is occupied.

Reason: To safeguard character and appearance of surrounding area in accordance with the National Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management Document 2015 and the advice contained within the Design and Townscape Guide 2009.

04 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment carried out by Richard Jackson Engineering Consultants dated August 2017 reference 48330.

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

05 The development hereby permitted shall be carried out in accordance with the supporting information received on the 9th August 2017 detailing how the front server of the kiosk will be removed for on-going maintenance of the flood defence as set out on drawings 1700-06 and 1700-07. Notwithstanding the above: The kiosk operator shall be responsible for removing the counter, the fibreglass arch and the floor section, when the Council requires reasonable access for maintenance of the wall. Nonetheless they should have a simple and quick removal method for these structures in case the Council's contractor requires access, in which event neither the contractor nor the Council shall be liable for storing them or for any damage to them.

Reason: To ensure the site is protected to the standard that the development is designed and modelled to within the submitted Flood Risk Assessment and access to the sea wall pursuant to the National Planning Policy Framework and policy KP2 of Core Strategy.

06 No construction works associated with this permission involving heavy plant or machinery are to be carried out during periods of freezing weather (i.e. when the ground or air temperature is at or below 0°C, or the ground is snow covered).

Reason: in order to minimise the risk of disturbance to over-wintering wildfowl and waders using the nearby foreshore during periods when they are already subject to additional stress due to the weather conditions.

07 No materials or waste are to be deposited within the Benfleet and Southend Marshes Site of Special Scientific Interest, Special Protection Area and Ramsar site, outside the boundary of the area to which the planning application refers.

Reason: To ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes Site Scientific Special Interest, RAMSAR, Special Protection Areas pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

08 No security or other exterior lighting shall be installed or used at the site, unless such lights are so arranged as to prevent any light spill onto the Benfleet and Southend Marshes SSSI, and to minimise direct glare when viewed from the foreshore. Prior to installation of any external lighting full details of the lighting and an assessment of the proposed lighting 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 and shall be maintained as such in perpetuity.

Reason: to minimise the risk of disturbance to wintering birds whilst feeding on the SSSI, or of disorientation of birds whilst in flight and to ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes Site Scientific Special Interest, RAMSAR, Special Protection Areas pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

09 Notwithstanding the details shown on the plans submitted otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details of the display board and any other advertisements have been submitted to and approved in writing by the Local Planning Authority. The display board and any other advertisements shall not be internally or external illuminated. The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is occupied.

Reason: to minimise the risk of disturbance to wintering birds whilst feeding on the SSSI, or of disorientation of birds whilst in flight and to ensure the nature conservation interests of the area are protected considering the sites location in relation to Benfleet and Southend Marshes Site Scientific Special Interest, RAMSAR, Special Protection Areas pursuant to Policy KP2 of the Southend on Sea Core Strategy 2007.

10 The refuse storage as shown on drawing 1700-02A shall be provided at the site prior to it being brought into use and shall be permanently retained for the storage of waste and the development shall be operated and waste stored in accordance with the approved details in perpetuity. No waste shall be stored external to the building at any time except for purposes of waste collection.

Reason: To protect the environment and provide suitable storage for waste and materials for recycling in accordance with Core Strategy 2007 policies KP2 and CP4 and policies DM1 and DM3 of the Development Management Document.

11 The building hereby approved shall not be open for use outside the hours of 08:00 – 20:00 hours Monday to Sunday including Bank Holidays.

Reason: In the interests of visual amenity and to protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

12 All deliveries and collections to the kiosk shall take place between: 08:00-20:00hrs Monday to Saturday and no deliveries on Sundays or Bank Holidays.

Reason: In order to protect the residential amenity of surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

13 Notwithstanding the details shown on the plans submitted and otherwise approved, prior to the installation of the extract ventilation system in the scheme details of noise attenuation measures in relation to the extract and ventilation equipment of the premises shall be submitted to and agreed in writing with the local planning authority. The attenuation measures shall then be installed in full

accordance with the approved details before the development is brought into use and permanently maintained thereafter.

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, Core Strategy 2007 policy KP2 and CP4, and Development Management Document policies DM1 and DM3.

14 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment shall be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, Core Strategy 2007 policy KP2 and CP4, and Development Management Document policies DM1 and DM3.

15 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority and implemented in full prior to the occupation of the development hereby approved. 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 (2007), Development Management Document (2015) Policy DM2 and the advice contained within the Design and Townscape Guide (2009).

16 Notwithstanding the provisions of the Advertisement Regulations (2007) as amended or any subsequent amendment, revocation or alteration of these Regulations no advertisements of any sort shall be displayed at the site other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority.

Reason: To safeguard character, protect wildlife and appearance of surrounding area in accordance with the National Planning Policy Framework Policies KP2 and CP4 of the Core Strategy 2007 and policies DM1 and DM3 of the Development Management Document 2015 and the advice contained within the Design and Townscape Guide 2009.

17 No live or recorded music which is audible outside the site boundary shall be played at the premises at any time.

Reason: In order to protect wildlife the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

18 Construction hours shall be restricted to between 7.30am – 6pm Monday to Friday, 8am – 1pm on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect residential amenity and general environmental quality in accordance with National Planning Policy Framework, Core Strategy 2007 policies KP2 and CP4, and Development Management Document 2015 policies DM1, DM3 and the advice contained within the Design and Townscape Guide.

Informative

- 1. You are advised that as the proposed new building equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.
- 2. In relation to condition 5, the removal for maintenance may need to be for periods greater than one day, so securing the kiosk should be possible after removal. In time, the Council may need to raise the level of the sea wall, and this must be possible with adaptations to the counter, the arch and the floor, which will all be the responsibility of the operator.

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.

17/00664/FULM - 831 - 837 London Road, Westcliff on Sea (Blenheim Park Ward)

Proposal: Demolition of vacant car showroom and workshops, erect four storey building with retail (Class A1) at ground floor level, 31 retirement apartments above with balconies, install terrace at third floor to front elevation, layout parking and install vehicular access on to London Road (Amended Proposal)

Applicant: Mr J. Brook, Laindon Holdings Limited Agent: Mr C. Green, Town Planning Services

Mr McLernon, a local resident, spoke as an objector to the application. Mr Green, the applicant's agent, responded.

Resolved: That consideration of the application be DEFERRED.

17/00125/UCOU_B - Rear Of 1 Burnaby Road, Southend on Sea (Kursaal Ward)

Variously known as 3 Burdett Road, 58 Burdett Road, and rear of 1 Burnaby Road or Land to rear of 'Smithys' Public House, Eastern Esplanade, Southend.

Breaches of Control: Without planning permission, conversion of a storage building ancillary to a public house to create three self-contained residential units (Class C3 use) together with material changes to the external appearance of the premises

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure:

- (a) the cessation of the residential use;
- (b) the removal of the domestic doors and windows from the front elevation and removal of internal fixtures and fittings serving the residential use to include kitchen units, showers, domestic appliances and domestic furniture;
- (c) the cessation of the use of the part of the yard area used for associated residential parking; and
- (d) the removal of all rubble, materials and equipment associated with complying with the notice.

The unauthorised development is considered detrimental to the character and visual amenity of the area by reason of its contrived and cramped domestic design. The properties lies within flood zones 2 and 3 and there is no evidence that the risk of flooding has or can be satisfactorily mitigated. The proposal also provides inadequate amenity for future occupiers. The unauthorised development conflicts with Policies CP4, KP1 and KP2 of the Southend-on-Sea Core Strategy, Policies DM1, DM3, DM6 and DM8 and DM15 of the Southend-on-Sea Development Management Document and the advice contained within the Council's Design and Townscape Guide.

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, up to 3 separate families may need to find alternative accommodation. A compliance period of 3 months is deemed reasonable for this to be completed. In respect of the physical conversion of the property 3 months is also considered a reasonable time to return the property to its former condition (with the exception of the retained new roof which is not proposed for enforcement). In the event that the invalid planning application is satisfactorily validated following receipt of the necessary information this would be considered and determined on its merits having regard to all of the planning considerations raised.

DEVELOPMENT CONTROL COMMITTEE

8th November 2017

|--|

| Pre Site Plans Report | | | | |
|-----------------------|-----------------|--|--|--|
| Leigh | 17/01379/FULH | 68 Pall Mall Leigh-On-Sea | | |
| Leigh | 17/01049/FULH | 54 Undercliff Gardens Leigh-On-Sea | | |
| Prittlewell | 17/00173/UNAU_B | 365 Victoria Avenue Southend-On-Sea | | |

| Main Plans Report | | | | |
|---------------------------|---------------|--|--|--|
| Blenheim Park | 17/00664/FULM | 831 - 837 London Road Westcliff-On-Sea | | |
| Blenheim Park | 17/01306/FULM | St Thomas More High School Kenilworth Gardens | | |
| Leigh | 17/01464/FULM | Grand Hotel Broadway, Leigh-On-Sea | | |
| Southchurch | 17/01524/BC3M | Futures Community College Southchurch Boulevard | | |
| Leigh 17/00912/FUL | | 109 - 111 Broadway Leigh-On-Sea | | |
| Leigh | 17/01460/FULH | 29 Hadleigh Road Leigh-On-Sea | | |

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



| Reference: | 17/01379/FULH | | | | |
|----------------------|---|--|--|--|--|
| Ward: | Leigh | | | | |
| Proposal: | Demolish existing garage to rear and erect replacement garage | | | | |
| Address: | 68 Pall Mall, Leigh-on-Sea | | | | |
| Applicant: | Mr Tracy Meade | | | | |
| Agent: | Mr Bruce Warren | | | | |
| Consultation Expiry: | 09.10.2017 | | | | |
| Expiry Date: | 09.11.2017 | | | | |
| Case Officer: | Kara Elliott | | | | |
| Plan Nos: | 383/01, 383/02, 383/03/A | | | | |
| Recommendation: | GRANT PLANNING PERMISSION subject to conditions | | | | |



1 The Proposal

- 1.1 Planning permission is sought to demolish an existing single storey flat roof garage at the rear of 68 Pall Mall and replace it with a larger single storey flat roof garage.
- 1.2 The existing garage measures 5m deep x 2.6m wide x 2.3m high. The proposed garage would measure 5m deep x 4.2m wide x 2.8m high.
- 1.3 The garage will be sited in the same location as existing, at the rear of the application site. However, the proposed garage would extend 0.8m further into the rear shared pedestrian access which runs along the back of properties within Pall Mall and Canonsleigh Crescent. A gap of 1.24 metres would be retained to provide access to the alleyway.
- 1.4 Vehicular access to the garage would be via Canonsleigh Crescent. A pedestrian access into the garage would be available from the private rear garden of 68 Pall Mall.
- 1.5 The proposed garage would be finished in rendered and painted blockwork with a felt roof and powder-coated metal garage door.
- 1.6 The application has been called in to be determined by members of the Development Control Committee at the request of Councillor Arscott.

2 Site and Surroundings

- 2.1 The application site relates to the rear private garden for 68 Pall Mall as well as part of the existing alleyway located behind properties within Pall Mall and Canonsleigh Crescent.
- 2.2 The area is residential in character with terraces of two and three storey dwellings fronting Pall Mall and Canonsleigh Crescent. An existing garage is in place on site and is directly adjacent to a garage serving 28 Canonsleigh Crescent.
- 2.3 The applicant states that they have undertaken the appropriate investigations in order to establish the ownership of the alleyway to no avail.

3 Planning Considerations

3.1 The main considerations in relation to the application area the principle of the development, design and impact on the character of the area, traffic and transportation and impact on residential amenity.

4 Appraisal

Principle of Development

National Planning Policy Framework; Core Strategy (2007) Policies KP1, KP2 and CP4; Development Management (2015) policies DM1 and DM3 and The Design and Townscape Guide (2009).

4.1 The principle of providing outbuildings in association with the existing residential use of the dwelling is considered acceptable. Other material planning considerations are discussed below.

Design and Impact on the Character of the Area

National Planning Policy Framework 2012, Core Strategy 2007 Policies KP2 and CP4, Development Management Document 2015 Policies DM1, Design & Townscape Guide.

- 4.2 National Planning Policy Framework (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".
- 4.3 Policy KP2 of the Core Strategy advocates the need for all new development to respect the character and scale of the existing neighbourhood where appropriate and secure urban improvements through quality design. 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 by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.
- 4.4 The proposed replacement garage is single storey and would be 1.6m wider than the existing garage and 0.5m higher. The proposed development is considered acceptable due to its single storey nature, corresponding height to that of the garage to the south of the site serving 28 Canonsleigh Crescent and its appropriate size, scale, bulk, height and appearance in general. The use of materials typical of garages is to be used, consisting of a painted render for the walls, a felt roof and a metal garage door.
- 4.5 Whilst the proposed garage would utilise 0.8m of the existing alleyway to the rear of the site, it is not considered that the introduction of built form into part of the alleyway would result in demonstrable harm to the character and appearance of the application site or the wider area due to its location at the rear of properties, the existing presence of garages and the 1.2 metre gap which would remain at this entrance into the alleyway.
- 4.6 The proposed development will integrate successfully with the existing streetscene and would not result in demonstrable harm upon the character and appearance of the area in accordance with the NPPF, Policies KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide.

Traffic and Transportation

National Planning Policy Framework; Core Strategy 2007 policy CP3; Development Management Document 2015 Policy DM15; EPOA Parking Standards and the Design and Townscape Guide.

4.7 The proposed garage will provide one off street parking space which in principle is welcomed and will ease on-street parking demand in an area which is currently subject to on-street parking stress. The garage will be accessed by a vehicle from the existing crossover within Canonsleigh Crescent and provides a safe and accessible access which would not result in the detriment of highway and pedestrian safety.

Impact on Residential Amenity

National Planning Policy Framework; Core Strategy 2007 policies KP2 and CP4; policy DM1 of the Development Management Document 2015 and the Design and Townscape Guide.

- 4.8 Due to the minor nature of the garage and as it replaces an existing garage, it is not considered that the proposed development would result in any demonstrable harm upon neighbouring occupiers.
- 4.9 The garage would extend 0.8 metres into an existing alleyway at the rear of the properties. This alleyway is 2 metres wide, is not a vehicular access and provides pedestrian access to the rear of dwellings within Pall Mall and Canonsleigh Crescent. A gap of 1.2 metres would remain at the entrance of the alleyway which is considered to provide suitable and safe access for all users.

Community Infrastructure Levy (CIL) Charging Schedule.

4.10 The proposed development equates to less than 100sqm of new floorspace. As such, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and no charge is payable.

Conclusion

4.11 Having regard to all material considerations assessed above, it is considered that on balance and subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework. Furthermore, the proposed development would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site and the locality more widely. The proposal would not result in any adverse impact on parking provision or highways safety. This application is therefore recommended for approval, subject to conditions.

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), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance),

- 5.3 Development Plan Document 2: Development Management Document Policies DM1 (Design Quality), DM15 (Sustainable Transport Management).
- 5.4 The Design & Townscape Guide (2009)
- 6 Representation Summary

Leigh Town Council

6.2 No objection.

Traffic and Transportation

6.3 No objection.

Public Consultation

6.4 A site notice was put up at the site and eight neighbours were notified of the proposal. Three letters of objection have been received.

Summary of objections:

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

Officer Comment: Please refer to paragraphs 4.5 and 4.9. It should be noted that comments made in relation to potential anti-social behaviour and fly-tipping do not constitute material planning considerations sufficiently material to justify refusal of planning permission on such grounds, especially as they are controllable through other legislation.

Reduction of the alleyway width is a civil matter and paragraph 2.3 of this report deals with the applicants statement that they have abortively undertaken investigation of ownership.

- 7 Relevant Planning History
- 7.1 None
- 8 Recommendation

GRANT PLANNING PERMISSION, subject to the following conditions:

The development hereby permitted shall begin no 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.

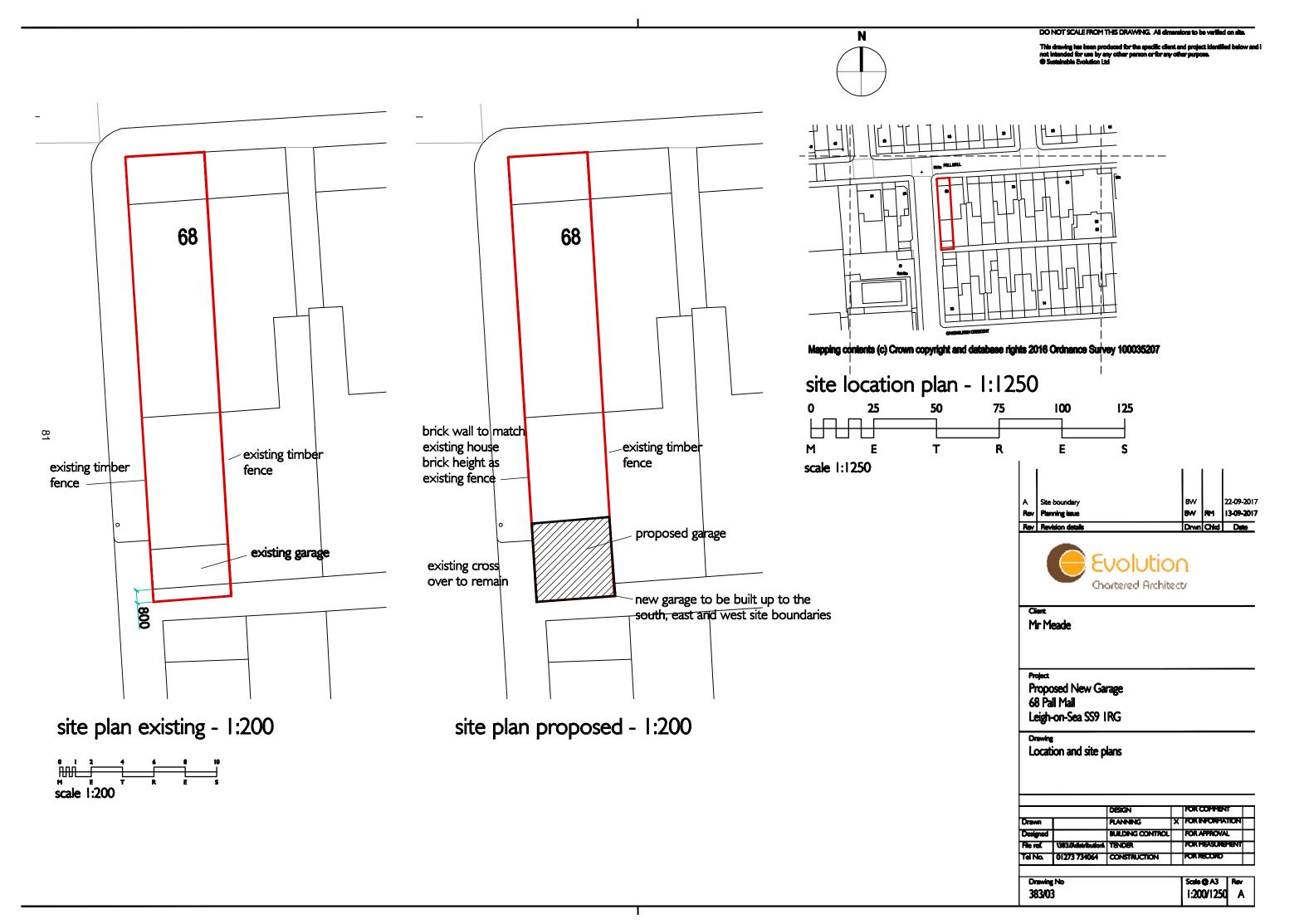
The development hereby permitted shall be carried out in accordance with the following approved plans: 383/01, 383/02, 383/03/A

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

INFORMATIVE

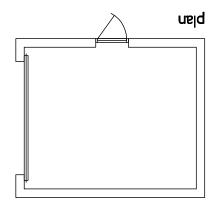
You are advised that as the proposed development equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details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

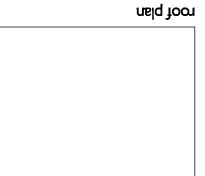
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. The Local Planning Authority is willing to discuss the best course of action in respect of any future application for a revised development.



This page is intentionally left blank





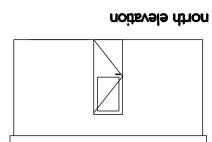


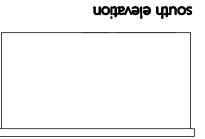




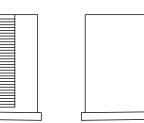
















383/02 383/02

AN bT

Drawn

NOTITUTION 130NET ETS10

Plans and Elevations Proposed and Existing

BUILDING CONTROL

ABOVET Ancieudintelana. 1840/67

DAI e22 se2-no-rejeal

Proposed New Carage 68 Pall Mall

Mr Meade

| | Date | PHD | 3 | Revision details | May |
|----|-------------------------|-----|---|------------------|-----|
| | 13 -09-20 17 | MH | ₩ | ausi gninnsfi | VOA |
| 83 | | | | | |
| | | | | | |

001:1 Scale @ A3

CHCOSH MOT

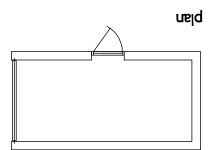
FOR APPROVAL

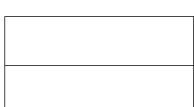
NOTA-MO-INIAO-I X TOR COMPIBAT

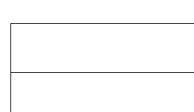
FOR MEASUREMENT

garage as existing

north elevation



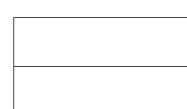








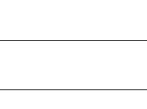








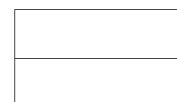


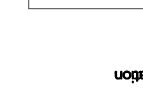


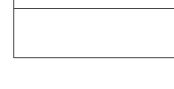
noof plan











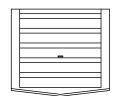










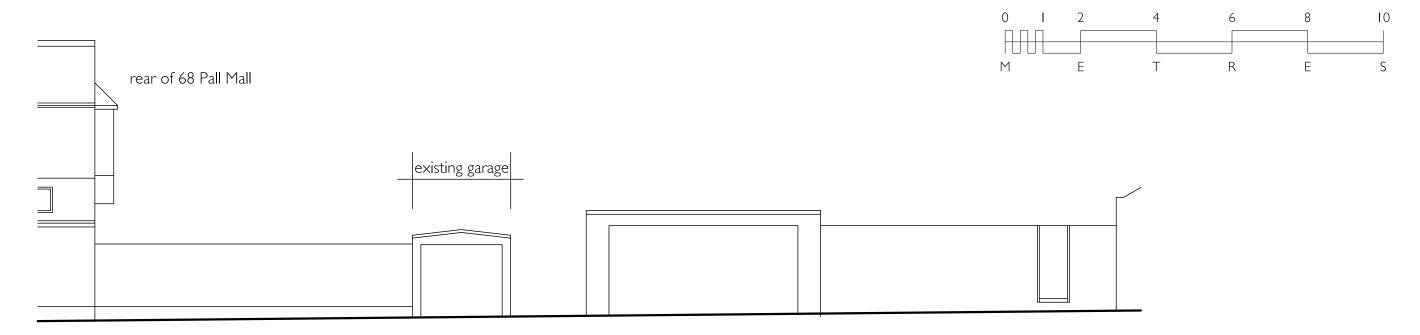


The drawing has been produced for the specific client and project identified below and i not intended for use by any other person or for any other purpose. © Sustainable Evolution Lid

This page is intentionally left blank

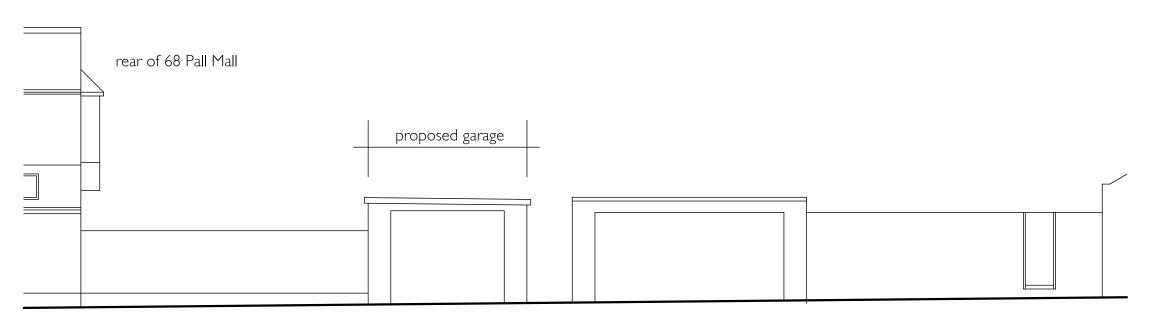
This drawing has been produced for the specific client and project identified below and is not intended for use by any other person or for any other purpose.

© Sustainable Evolution Ltd



street context elevation to Canonsleigh Crescent - as existing

85



street context **elevation** to Canonsleigh Crescent - as proposed

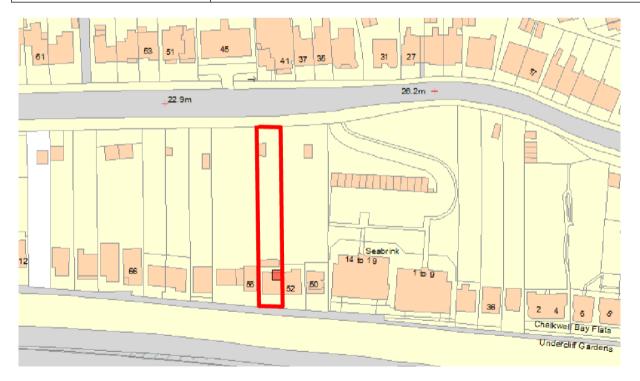
| Rev | Planr | ning issue | | | BW | RM | 28-0 |
|------------------------------|--|---------------------------|--------------------------------|---|-------|-------------------|------------|
| Rev | Revis | sion details | | | Drwn | Chkd | [|
| | | | VOlutio ortered Archit | | | | |
| Clie | | eade | | | | | |
| | | | | | | | |
| | | | | | | | |
| | oject | | | | | | |
| Pr | opo | sed New Gai | rage | | | | |
| Pr 68 | opo Pal | I Mall | | | | | |
| Pr 68 Le | opo Pal eigh- | Ma on-Sea SS9 | | | | | |
| Pr 68 Le | ropo 3 Pal eigh- | Ma on-Sea SS9 | RG | | | | |
| Pr 68 Le | ropo 3 Pal eigh- | Ma on-Sea SS9 | RG | | | | |
| Pr 68 Le | ropo 3 Pal eigh- | Ma on-Sea SS9 | RG | | | | |
| Pr 68 Le | ropo 3 Pal eigh- | Ma on-Sea SS9 | RG | | | | |
| Pr 68 Le | ropo 3 Pal eigh- | Ma on-Sea SS9 | RG | | | TAMMO? | |
| Pr 68 Le | Popo Pal Peigh- Pawing Pevati | Ma on-Sea SS9 | RG xt | × | | COMMEN VFORMA | |
| Pr 68 Le | Pal Pal Pal Pal Pal Pal Pal Pal Pal Pal | Ma on-Sea SS9 | RG xt DESIGN | × | FOR I | VFORMA VPPROVA | ATIC AL |
| Pr 68 Le Dra Ele | Popo Pal Pal Pigh- Popo Popo Popo Popo Popo Popo Popo Pop | Ma on-Sea SS9 | RG xt DESIGN PLANNING | × | FOR I | VFORMA | ATIC AL |

1:100

383/01

This page is intentionally left blank

| Reference: | 17/01049/FULH | 0 | | | |
|--|---|---|--|--|--|
| Ward: | Leigh | 8 | | | |
| Proposal: | Raise ridge height and form hip to gable roof extension, ere dormers to front and rear to form habitable accommodation roof, erect first floor front extension including enlargement roof, replacement front balcony, new walkway to re relocate main entrance door and alter elevations. | | | | |
| Address: | 54 Undercliff Gardens, Leigh-on-Sea | | | | |
| Applicant: | Mr Rupert Cousins | | | | |
| Agent: | THS Concepts LTD | | | | |
| Consultation Expiry: | 06.11.2017 | | | | |
| Expiry Date: | 10.11.2017 | | | | |
| Case Officer: | Kara Elliott | | | | |
| Plan Nos: | PA-001/F | | | | |
| Recommendation: GRANT PLANNING PERMISSION subject to conditi | | | | | |



1 The Proposal

- 1.1 Permission is sought to raise ridge height and form hip to gable roof extension, erect dormers to front and rear to form habitable accommodation in roof, erect first floor front extension including enlargement of roof, replacement front balcony, new walkway to rear leading to Grand Parade, relocate main entrance door and alter elevations.
- 1.2 The overall ridge height of the dwelling will be increased by approximately one metre, reaching the height of adjacent dwelling, no.52. The existing hipped roof of the dwelling will be extended to form a gable and would accommodate dormers to the front (one) and rear (two). The pitched roof dormer to the front would measure 2.75m wide, 2.1m high and would project a total of 3.2 metres. The rear dormers would also be pitched roof in design and would measure 2.8m wide x 2.7m high x 4.1m deep. The rear dormers would be set symmetrically on the rear roof slope. Bay windows would be inserted into the front elevation at ground floor with a balcony above one bay window serving a first floor bedroom. A new walkway will be constructed at the rear providing access from the rear off Grand Parade to a new entrance at first floor.
- 1.3 The proposed development also includes the insertion of various new windows and doors which are to be in white Upvc. The external walls of the dwelling will be finished in a 'HardiePlank' cladding. The roof would be finished in tiles to match the adjacent dwelling at no.52. The proposed timber post and balustrades to the new walkway and balcony will be painted white timber.
- 1.4 The proposed alterations would provide habitable accommodation in the roof with an additional two bedrooms to the second storey; both with en suite bathrooms. The dwelling would go from a four bedroom dwelling to a six bedroom dwelling.
- 1.5 The application falls to be considered by the Development Control Committee at the request of Councillor Arscott.

2 Site and Surroundings

- 2.1 The application site currently contains a large semi-detached, two-storey dwelling situated adjacent to the footpath, known as the Cinder Path that runs to the north of the London to Shoeburyness railway line and to the south of Grand Parade.
- 2.2 The buildings of the surrounding area are in residential use and feature a mixture of two, three and four storey buildings that contain single dwellings as flats, with ground levels changing dramatically from higher ground to the north to lower ground to the south. Whilst the highway and main accesses to the dwellings are located to the rear, the principal elevations front the railway line to the south.
- 2.3 The application site is located within Seafront Character Zone 3 as designated by the Development Management Document 2015.

3 Planning Considerations

3.1 The key considerations in relation to this application are the principle of the development, design and impact on the character of the area, any traffic and transport issues and impact on residential amenity and CIL contributions.

4 Appraisal

Principle of Development

NPPF; Core Strategy (2007) Policies KP2, CP3 and CP4; Development Management Document (2015) Policies DM1, DM3 and DM15.

4.1 The principle of extending and altering the dwelling to provide facilities in association with residential accommodation is considered acceptable. Other material planning considerations are discussed below.

Design and Impact on the Character of the Area

NPPF; Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1, DM3 and DM6; Design & Townscape Guide (2009)

- 4.2 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF (National Planning Policy Framework), in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that; "the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."
- 4.3 Paragraph 56 of the NPPF states that; "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."
- 4.4 Policy DM1 of the Development Management DPD states that all 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 Paragraph 375 of The Design and Townscape Guide states that; "In a few cases it may be possible to extend a property upward by adding an additional storey however this will only be appropriate where it does not conflict with the character of the street." Paragraph 366 states that; "Proposals for additional roof accommodation within existing properties must respect the style, scale and form of the existing roof design and the character of the wider townscape."
- 4.6 Policy DM6 of the Development Management Document identifies a number of distinctive seafront character zones, with Table 1 to the policy identifying the principles that will be applied to development in each of the identified zones. The application site lies within the Cinder Path character zone. The properties on Undercliff Gardens line the northern side of the road at the base of the cliff, just behind the railway, with magnificent views over the estuary. The stated principles for this zone seek to protect the frontage and affirm that development will be considered acceptable where it retains the characteristics and form of the area and adds to the overall quality of the area. With the exception of the flats, a common feature of the dwellings is that they include subordinate front projections, with the main roofs of the dwelling raking away from the highway.

- 4.7 The buildings along Undercliff Gardens demonstrate a wide range of style, design and scale, including some three and four storey properties and some with flat roofs. The application site is a semi-detached, two-storey dwelling of a traditional appearance. As part of the proposed development, the ridge height of the dwelling would be raised by approximately one metre so it reaches the same height of the adjoining dwelling, no.52. A roof extension will go from a hipped roof design to a gable-end towards no.56. It is noted that three storey accommodation is an established feature of Undercliff Gardens. It is considered that the proposed roof accommodation, including the inclusion of the front and rear dormers, would be provided in such a way that it is subservient to the floors below and not overly dominant of the character of the dwelling or within the streetscene (north and south).
- 4.8 Policy DM6 seeks to protect important views from Grand Parade along the estuary in this location and therefore careful consideration is given towards development which involves an increase in built form, from height and bulk, which may impact upon such views. Whilst the proposed development involves an increase in height of the dwelling, due to its minor increase of one metre in line with no.52, it is not considered that the increase would result in demonstrable harm to views across the estuary to the detriment of the important character and appearance of the area. Furthermore, the proposed development would not result in an increase of the existing building lines of the main part of the dwelling, therefore mitigating any potential loss of outlook from an increase in size, scale and bulk.
- 4.9 Dormer windows, where appropriate, should appear incidental in the roof slope (i.e. set in from both side walls, set well below the ridgeline and well above the eaves). The size of any new dormer windows, particularly on the front and side elevations, should be smaller to those on lower floors and the materials should be sympathetic to the existing property. One dormer is proposed to the front and two to the rear of the dwelling. These are common features within the area and would not appear out of keeping in this setting. Furthermore, the dormers are of a subservient size, would not dominate the roofscape and do not result in a negative appearance cumulatively as they are set proportionally apart and reflect the existing pattern of fenestration. It is noted that similar dormers are present to the front and rear of no.52 and the applicant has taken the advice of the Council's Design officer in order to reflect this in order to provide a sympathetic form of development which would not result in demonstrable harm upon the character and appearance of the area.
- 4.10 Balconies, particularly on front elevations are a traditional feature of seaside towns such as Southend. Similarly, roof terraces can be a good way of adding visual interest and layering to a building whilst also providing additional private outdoor space. The front balcony is minor in size (approximately 2m²) and provides interest and depth to the front elevation. This is a clear characteristic of the surrounding area and would not appear out of keeping. Furthermore, the proposed walkway from the first floor to the rear linking to the rear access is a common feature and would be constructed in timber which appears in keeping with the traditional character of the dwelling.
- 4.11 The proposed use of timber-effect cladding for the external walls of the property is not currently observed at the application site. However, its use is a common feature of dwellings within Undercliff Gardens, for example immediately to the west at no.56 and would not appear incongruent in this location.

No objection is raised in relation to the proposed arrangement of fenestration or the new openings which are in proportion and have been designed in order to reflect those of the adjoining property as much as possible in order to provide balance and coordination within the streetscene.

4.12 The resulting dwelling, whilst of an increase of size, height, scale and bulk, would not appear overly dominant and would not result in demonstrable harm to the character and appearance of the dwelling or the wider area, especially in consideration of the designated seafront character zone, in accordance with relevant local and national policies and guidance.

Impact on Residential Amenity

NPPF; Development Management Document (2015) Policies DM1 and DM3; Core Strategy (2007) Policies KP2 and CP4; Design & Townscape Guide (2009)

- 4.13 Policy DM1 of the Development Management DPD requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities "having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."
- 4.14 The adjacent dwelling to the west, 56 Undercliff Gardens, is located approximately 2.2 metres from the closest side elevation of the dwelling. As a result of the proposed development, the main building would not extend closer to the boundaries of the application site in any direction than the current building line. The increase in height and the addition of the dormers are considered acceptable on amenity grounds and would not result in perceived or actual levels of dominance or overbearing impacts. The proposed development would result in fewer openings to the west side elevation than currently observed. The side openings facing no.56 would serve non-habitable areas such as a bathroom and a landing and therefore there would be no loss of privacy through perceived or actual overlooking. Similarly, there are no dwellings to the south which users of the balcony would overlook.
- 4.15 Therefore, the proposed development would not result in demonstrable harm to the amenity of any neighbouring occupiers through loss of light, privacy, overbearing or dominant impacts or loss of outlook, in compliance with Development Management Document (2015) Policies DM1 and DM3; Core Strategy (2007) Policies KP2 and CP4; the guidance contained within the Design & Townscape Guide (2009) and national guidance within the NPPF.

Highways and Transport Issues

NPPF; Development Management (2015) Policy DM15; Core Strategy (2007) Policy CP3; Design & Townscape Guide (2009)

4.16 Policy DM15 of the Development Management Document states that new development will only be permitted if it makes provision for off-street parking in accordance with the adopted vehicle parking standards. For a dwelling of 2+ bedrooms, a minimum of 2 off-street parking spaces should be available.

4.17 The proposed development would result in a two additional bedrooms; an increase from four to six. The proposal would not result in the loss of existing parking spaces. Two off-street parking spaces would continue to be available within the curtilage of the property off Grand Parade and therefore no objection is raised on highway or parking grounds.

Community Infrastructure Levy

CIL Charging Schedule 2015

4.18 The proposed development equates to less than 100sqm of new floorspace. As such, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and no charge is payable.

5 Conclusion

- 5.1 Having regard to all material considerations assessed above, it is considered that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant local development plan policies and guidance as well as those contained within the National Planning Policy Framework. Furthermore, the proposed development would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site and the locality more widely. The proposal would not result in any adverse impact on parking provision or highways safety. This application is therefore recommended for approval, subject to conditions
- 6 Planning Policy Summary
- 6.1 The National Planning Policy Framework (2012)
- 6.2 Core Strategy (2007) Policies KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance)
- 6.3 Development Management Document (2015): DM1 (Design Quality), DM3 (Efficient and Effective Use of Land), DM6 (The Seafront) and DM15 (Sustainable Transport Management)
- 6.4 Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015
- 7 Representation Summary

Leigh Town Council

7.1 No objection

Design & Conservation

7.2 No objection

Transport & Highways

7.3 No objection

The Society for the Protection of Undercliff Gardens

- 7.4 Makes the following comments;
 - The proposed new front bay extends 1000mm but the existing bay is 900mm. Clarification on which dimension is correct will be required.

Officer Comment: The existing bay window and conservatory at the ground floor front elevation projects 1.56 metres. The proposed bay windows at the ground floor front elevation would project 1 metre.

 Artificial timber cladding to all elevations is currently popular, but it does rely on a high standard of workmanship and attention to detail, especially at the joints, window surrounds and corners, all of which are an integral part of "good design".

Officer Comment: Comments noted.

The colour of this proposed cladding is grey, but we suggest it would look better if there is a contrast with the neighbouring property on the west - which is also grey. Undercliff Gardens, when viewed from the cinder path, comprises a mixture of colours and materials and a contrast would more closely follow the local context and surroundings. In other words it would make a more acceptable contribution to the distinctiveness of place.

Officer Comment: A suitable condition would be attached to any positive decision in order to confirm materials prior to commencement of works.

The style of sash windows proposed, with small panes in the upper half, is particularly welcome as they reflect the late Edwardian style prevalent when the original house was built in 1913. However they will require careful detailing, especially if each pane is to be double glazed in order to meet sustainability requirements. The preferred material is timber or aluminium where slim profiles may be achieved but the use of UPVC plastic profiles is certainly not welcome due to its "heavy" aesthetic appearance which we suggest would conflict with the design of the proposed windows.

Officer Comment: A suitable condition would be attached to any positive decision in order to confirm materials prior to commencement of works.

- 7.5 Two neighbours were notified of the original scheme and 2 letters of objection were received. These are summarised as follows;
 - Plans do not correctly show neighbours:
 - Lack of courtesy for 45 degree splays;
 - 'Building line does not appear to be considered';
 - Forward projection is out of keeping with no.52;
 - Incorrect dimension of existing bay window projection:
 - Incorrect house number on plan PA-001;
 - Result in loss of sight, light and amenity to bay windows of no.52;

- Increased projection will overwhelm no.52;
- Loss of privacy and overlooking from balcony.
- 7.6 These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.
- 7.7 Two neighbours were re-notified of the application following a revised proposal. No letters of representation have been received in relation to the revised scheme.
- 8 Relevant Planning History
- 8.1 99/01224/FUL Erect garage fronting Grand Parade, 2m high brick wall and hardstanding Approved 24.02.2000
- 9 Recommendation

Members are recommended to:

GRANT PERMISSION, subject to the following conditions:

1. The development hereby permitted shall begin no 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: PA-001/F

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

3. No development shall take place until details and/or samples of the facing materials to be used in the construction of external elevations of the building hereby permitted, including the proposed windows, 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 details 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, Development Management DPD policy DM1 and DM6 and The Design and Townscape Guide (2009).

4. The first floor windows in the west side elevation shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent) 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 and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: In order to protect the character and appearance of the area and the amenities of the future occupiers from loss of privacy, in accordance with of the Council's Policies KP2 and CP4 of the Core Strategy DPD1, Development Management DPD2 policies DM1 and DM3.

Informative

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

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





This page is intentionally left blank



17/01049/FULH

Raise ridge height and form hip to gable roof extension, erect dormers to front and rear to form habitable accommodation in roof, single storey rear extension, form terrace area to first floor front elevation, relocate main entrance door and alter elevations.

54 Undercliff Gardens
Leigh-On-Sea
Essex









































This page is intentionally left blank

| Reference: | EN/17/00173/UNAU_B | |
|---------------------|---|---|
| Ward: | Prittlewell | 9 |
| Breaches of Control | Without planning permission, construction of single storey side extension to north side and single storey rear extension. | |
| Address: | 365 Victoria Avenue, Southend on Sea, Essex. SS2 6NH | |
| Case Opened: | 3 rd July 2017 | |
| Case Officer: | Steve Jones | |
| Recommendation: | AUTHORISE ENFORCEMENT ACTION | |



1 Site and Surroundings

1.1 The site is on the south west corner of Victoria Avenue, Southend at its junction with Fairfax Drive and contains a two storey end of terrace building. Its ground floor consists of two self-contained hot food take away premises. "Superpizza" facing onto Victoria Avenue and former "Kebabish" facing onto Fairfax Drive. The first floor is understood to be in a residential use. The part of the site subject of this report is the former "Kebabish" premises.

2 Lawful Planning Use

2.1 The lawful planning use of the property is considered to be as a hot food take away falling within Class A5 of the Town and Country Planning Use Classes Order 1987 (as amended).

3 Present Position

- 3.1 On 28th June 2017 a complaint was received alleging the installation of 3 columns with a lintel across at the above location. This installation is immediately next to the footpath in Fairfax Drive.
- 3.2 On 6th July 2017 Enforcement staff emailed the freeholder advising that the works required planning permission and to make contact urgently to discuss. The email also advised that no further works should take place.
- 3.3 On 19th July 2017 Enforcement staff sent a further email to the freeholder as no contact had been received. The email asked that they contact the Enforcement Officer as a matter of urgency.
- 3.4 On 20th July 2017 Enforcement staff formally wrote to the freeholder inviting a retrospective planning application to be submitted by 25th August 2017. The letter also advised that no further works should take place.
- 3.5 On 8th August 2017 Enforcement staff again emailed the freeholder asking for an urgent update.
- 3.6 On 11th August 2017 Enforcement staff attended the site to meet the freeholder. It was noted that works had continued to the side extension and the metal structure now had a roof installed. In addition to this a wooden framework had been attached to the rear of the property consisting of a roof plate secured to the rear wall and some wooden upright posts cemented into the ground. It appeared that this structure was intending to form a rear extension. The freeholder confirmed it was to be a storage shed.
- 3.7 On 14th August 2017 Enforcement staff wrote to the freeholder confirming that both the side structure and the rear structure required planning permission and extended the deadline for submission of a planning application to 8th September 2017. The freeholder was again advised to cease further works.

- 3.8 On 28th September 2017 Enforcement staff wrote to the freeholder advising him that a report would be submitted to the Development Control Committee
- 3.9 recommending enforcement action as he had failed to submit a planning application within the two deadlines given. He was asked to make contact with the Enforcement Officer to discuss.
- 3.10 On 29th September 2017 Enforcement staff noted that raised flooring had been installed inside the metal structure indicating that works were continuing.
- 3.11 On 17th October 2017 Enforcement staff attended the site and noted that solid style roller security shutters had been installed to the metal framework and decking protruded below the shutters at a height of 330mm immediately adjacent to the pavement. 4 wooden posts extend vertically from the decking at a height of 1.2 meters and appear to be supports for future balustrading.

4 Appraisal

4.1 Express planning permission is required for this development because both the side and rear extensions constitute operational development as defined by the Town and Country Planning Act 1990 (as amended) and the works do not constitute permitted development.

5 Policy Considerations

- 5.1 The key issues raised by this unauthorised development are: the design and visual impact of the structures, their impact on the streetscene and character of the surrounding area and their impact upon amenity more widely.
- 5.2 Good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the National Planning Policy Framework 2012 (NPPF), in Policy DM1 of the Development Management Document and in Policies KP2 and CP4 of the Core Strategy. The Design and Townscape Guide also states that "the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."
- 5.3 The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."
- 5.4 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."
- 5.5 Policy KP2 of Core Strategy (CS) states that new development should "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of CS requires that development proposals should "maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development".

5.6 Paragraph 398 of the Design and Townscape Guide (2015) states that:

Shopfronts must reflect the scale and character of the whole building and generally aim to enhance the streetscene. Whilst large garish signs and over proportioned shopfronts may initially draw attention to a particular shop, they impinge on and dilute architectural details and will be "bst" when adjoining shops follow suit. The streetscene will then generally appear devoid of character and disjointed.

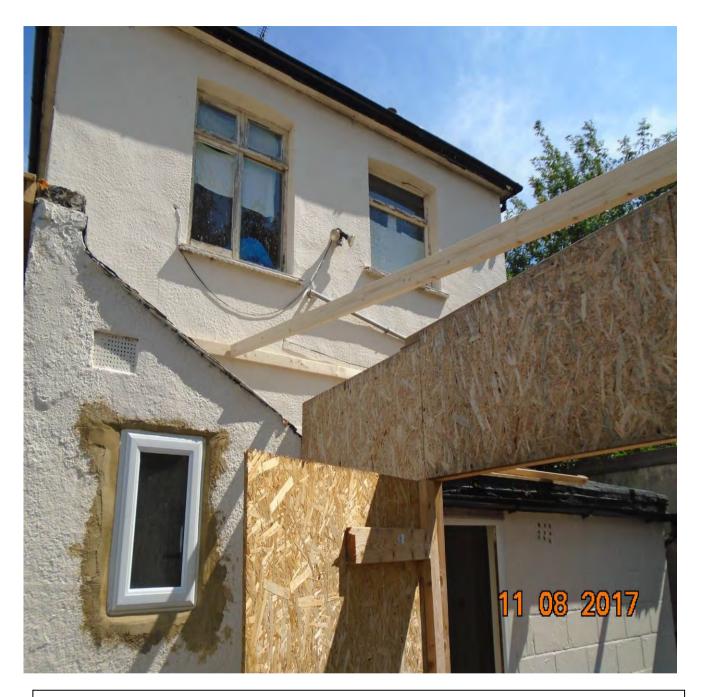
6 Planning Considerations

- 6.1 The metal structure fronting onto Fairfax Drive by reason of its stark, basic, utilitarian and poor quality design and appearance is an incongruous, unsightly and obtrusive structure which results in demonstrable harm to the character and appearance of the streetscene compounded by its position at this prominent junction. It is unsympathetic to its surroundings and responds negatively to local character contrary to Policies DM1 and DM3.
- The rear structure, although not complete, may possibly be considered acceptable in planning terms dependant on its eventual design and quality of finish and materials used. As the finish and its use cannot be determined at this time and mindful of the lack of planning application to date and poor quality unauthorised development undertaken along the site frontage it is considered that there is a material risk that this extension could cause demonstrable harm to the visual amenities of the area. The case for supporting this view is supported further by the fact that this element of the works can be seen from points along the public highway. A condition could be imposed to require certain materials to be used but in the absence of a planning application to control this it is considered reasonable, and expedient to take enforcement action.
- 6.3 Taking enforcement action in this case may amount to an interference with the owner/occupiers" human rights. However, it is necessary for the Council to balance the rights of the owner/occupiers against the legitimate aims of the Council to regulate and control land within its area. In this particular case it is considered reasonable, expedient and proportionate and in the public interest to pursue enforcement action to require the unauthorised residential to cease.

7 Planning History

- 7.1 There is extensive planning history related to the comprehensive redevelopment of the Roots Hall football ground site but none directly relevant to the unauthorised development subject of this report.
- 8 Recommendation
- 8.1 **Members are recommended to AUTHORISE ENFORCEMENT ACTION** to secure (a) The removal of the side extension, (b) the removal of the rear structure. (c) the removal of all rubble, materials and equipment associated with complying with the notice.

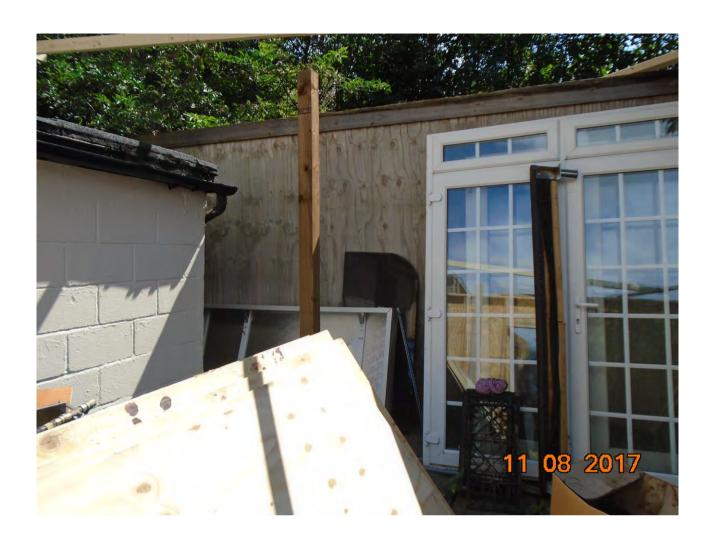
- 8.2 The authorised enforcement action to include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 and the pursuance of proceedings whether by prosecution or injunction to secure compliance with the requirements of said Notice.
- 8.3 When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, a compliance period of 2 months is deemed reasonable for the removal of the unauthorised structures.



Wall plate and joist at rear of premises



Wall plate and joist at rear of premises



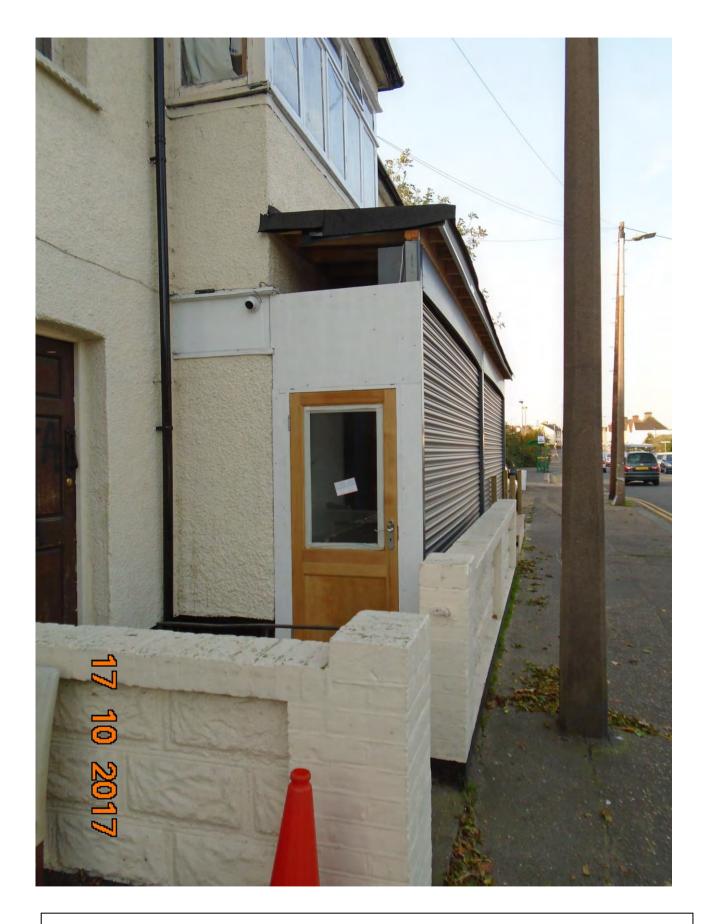
Wood roof support cemented into ground at rear of premises



Side Extension viewed from Fairfax Drive

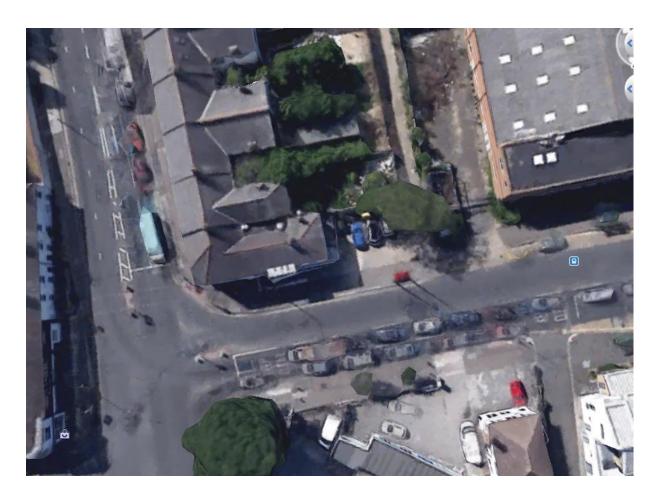


Side Extension viewed from west side



Side Extension viewed from east side









| Reference: | 17/00664/FULM | 4.0 | |
|----------------------|--|-------------------------------|--|
| Ward: | Blenheim Park | 10 | |
| Proposal: | Demolition of vacant car showroom and workshops, erect four storey building with retail (Class A1) at ground floor level, 31 retirement apartments above with balconies, install terrace at third floor to front elevation, layout parking and install vehicular access on to London Road (Amended Proposal) | | |
| Address: | Toomey Nissan, 831-837 London Road, Westcliff-on-Sea, SS0 9TE | | |
| Applicant: | Mr J. Brook, Laindon Holdings Limited | | |
| Agent: | Mr C. Green, Town Planning Services | | |
| Consultation Expiry: | 02.06.2017 | | |
| Expiry Date: | 09.11.2017 | | |
| Case Officer: | Janine Rowley | | |
| Plan Nos: | 6766_P12; 6766_P11A; 6766_P300; 6766_P301.1C; 6766_P301.2C; 6766_P301.4C; 6766_P301.5C; 6766_P306.1C; 6766_P307.2D; 6766/P307.1C | 6766_P301.3C; 6766_P301.6; | |
| Recommendation: | GRANT PLANNING PERMISSION | | |



This application has been deferred from the 4th October Development Control Committee.

1 The Proposal

- 1.1 Planning permission is sought to demolish the existing vacant car showroom and to erect a four storey building containing a retail use (Class A1 use) at ground floor level and 31no. retirement flats above (age restricted to 65 years or over), together with parking, access and a raised landscaped deck. The building is 53m in width, 21.6m to 33m deep and has an overall height of 13.2m.
- 1.2 The proposed ground floor retail use will measure 410sqm and have 14 car parking spaces (one disabled) located immediately to the east which will be accessed from London Road.
- 1.3 A total of 31 self-contained flats (11 x 1 bed and 20 x 2 bed flats) are proposed to the first, second and third floors of the building. Proposed flat 1 sits in a projecting wing at first floor. Access to the flats is via a communal entrance on the south-eastern corner of the building with stairs and a lift. The internal floorspaces of the flats range from 50.4sqm to 87.9sqm.
- 1.4 29 car parking spaces (including two bays for disabled persons) for the proposed flats are located to the rear of the building along the northern boundary of the site which is accessed through the retail car park. An access gate will separate the two parking areas. Scooter storage and a bin store for the proposed flats are located at ground floor level.
- 1.5 On the first floor of the building are a communal lounge and kitchen area, reception, office space and guest suite. An entrance deck to the front of the building is proposed with a width of 7m, depth of 3.4m deep and 4.6m in height. To the rear is an external amenity deck which spans almost the entire width of the site with an area of approximately 308sqm. The communal roof terrace to the front elevation on the third floor is 24.6sqm in area.
- 1.6 The proposed development wraps around the rear of 841 London Road to the west of the site. The proposal is located up to the eastern site boundary.
- 1.7 A previous application for a similar development was refused planning permission (reference 14/01052/FULM) by Development Control Committee on 11th December 2014. The application was refused for the following reasons:
 - "The proposed development by reason of its design, height, scale, bulk, width, relationship with neighbouring development, appearance and use of materials would appear overly dominant, be out of keeping with and detrimental to the character and appearance of the streetscene. This is contrary to the National Planning Policy Framework, Core Strategy Policies KP2 and CP4, Borough Local Plan Policies C7, C11 and H5 and the Design and Townscape Guide, 2009 (SPD1)".
 - 2. "The proposed development by reason of the height and scale of the development would be overbearing upon and result in an undue sense of enclosure, to the detriment of the amenities of neighbouring occupiers adjoining the site in Wellington Avenue. This is contrary to the National

- Planning Policy Framework, Policies KP2 and CP4 of the Core Strategy, Policies C11, H5 and H7 of the Borough Local Plan and the Design and Townscape Guide, 2009 (SPD1)".
- 3. "The proposed development by reason of unsatisfactory provision of parking will cause additional on street parking in an area of parking stress to the detriment of highway safety and the local highway network contrary to the NPPF, Policy CP3 of DPD1 (Core Strategy) and Policies T8 and T11 of the Borough Local Plan and the Design and Townscape Guide (SPD1)".
- 1.8 The appeal following the above application was subsequently dismissed (reference: 3030441) and will be discussed in further within the Appraisal section of this report. The main conclusions of the appeal decision by the Inspector were that:
 - Height, width and detailed design the building would be unduly dominant and would harm the character of the area and the streetscene
 - The living conditions of nearby residential occupiers would not be adversely affected by the proposal.
 - An original resolved third reason for refusal relating to parking was not pursued due to the Development Control Committee subsequently withdrawing this reason. It should also be noted the appellant was awarded costs against this reason for refusal.
- 1.9 The Planning Statement accompanying this application states the main changes following the refusal 14/01052/FULM and following subsequent pre application discussions with officers include:
 - Revised mix of apartments including 16 x 1 bed, 15 x 2 (previously 14/01052/FULM proposed 11 x 1 bed and 20 x 2 bed)
 - Retail floorspace reduced from 479sqm to 410sqm
 - Removal of central fourth floor roof terrace and roof top communal space
 - The appeal scheme is 13.6m to 16.5m tall and it is now a maximum of 13.4m
 - Provision of a communal terrace in the centre of the third floor, breaking up the roofline
 - Frontage stepped and set back from the frontage compared to appeal scheme
 - The entrance canopy reduced in depth, width and scale
 - Simplified elevation changes to the western and eastern flank elevations
 - Third floor set back from the side and front lower elevations to reduce its
 - Stairwell with vertical glazing is incorporated on the eastern end
- 1.10 The supporting information accompanying this application makes a case for the proposed resulting in significant benefits including:
 - The delivery of housing for the elderly to meet and identified need
 - Provision of low cost retirement apartments on a 'not for profit' basis
 - Provision of 25-30 new full time jobs within the convenience store
 - Delivery of an additional local convenience facility for the community
 - Enhanced facilities to support the vitality and viability of London Road
 - Making the best use of previously developed land
 - Improvement of the environment and regeneration of land that has been

vacant since 2009

2 Site and Surroundings

- 2.1 The site is occupied by the vacant former Toomey car showroom. It is located on the northern side of London Road, approximately 80m west of its junction with Southbourne Grove and 130m east of its junction with Nelson Road. The site was formerly designated within the Fringe Commercial Area however; this allocation has now been removed from the Local Plan. To the east of the site (up to 815 London Road) is a Primary Shopping Frontage and further away from the site (towards Nelson Road) is a Secondary Shopping Frontage.
- 2.2 Immediately to the north of the site is Wellington Avenue which is a residential area characterised predominantly by two storey terrace dwellinghouses.
- 2.3 The site is located immediately opposite Chalkwell Park which is on the southern side of London Road.
- 2.4 The immediate character of London Road is predominantly for commercial uses at ground floor level with flats above with average buildings heights at two or three storeys. Several neighbouring sites in this stretch of London Road have been developed with flat schemes, mainly up to four storeys in height.

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 character of the area, traffic and transportation, impact on residential amenity, standard of accommodation for future occupiers, sustainable construction, developer contributions and whether the proposal has overcome the previous reasons for refusal and dismissed on appeal of application 14/01052/FULM.

4 Appraisal

Principle of the Development

National Planning Policy Framework (2012); Core Strategy (2007) Policies KP1, KP2, CP1, CP2, CP3, CP4, CP6 and CP8; Development Management Document (2015) policies DM1, DM3, DM7, DM8, DM9, DM11, DM13, DM15 and the Design and Townscape Guide (2009).

Retail Use

- 4.1 The site was previously occupied by a car showroom (sui generis use) which had stood vacant since 2008. This building has a floorspace of approximately 890sq.m. The proposed development will provide a retail space of 410sqm.
- 4.2 Paragraph 26 of the National Planning Policy Framework states;

"When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500sq.m)..."

- 4.3 Previously under application 14/01052/FULM a retail statement had been submitted for consideration and it was concluded that the store is intended to meet the daily needs of residents in the immediate catchment area. It satisfied the sequential approach and as it occupies a highly accessible location, there was no objection in principle on retail grounds. This view was endorsed by the appeal inspector.
- 4.4 Given the commercial nature of London Road there is no objection in principle to the loss of the car sales use (a sui generis use), which has been vacant since 2009 and the introduction of a more compatible retail use which will add vitality to this section of London Road, complement the nearby Primary and Secondary Shopping parades and meet locally generated needs in accordance with Policy CP2 of the Core Strategy and Policy DM13 of the Development Management Document. It is also considered that the proposed retail use would be more compatible with the character and amenities of the surrounding area in comparison with the existing lawful use of the site.
- 4.5 Given the conclusions of the submitted retail study and that the proposed retail space will be relatively small it is concluded that there will be no detrimental impact on the viability or vitality of the town centre or other district centres (Westcliff and Leigh).

Dwelling Mix

4.6 Policy DM7 of the Development Management Document states that all residential development is expected to provide a dwelling mix that incorporates a range of dwelling types and bedroom sizes, including family housing on appropriate sites, to reflect the Borough's housing need and housing demand. Paragraph 50 of the National Planning Policy Framework sstates that 'plan for a mix of housing should be based on current and future demographic trends, market trends and the needs of different groups in the community'. The proposed development is for 31 retirement flats (16 x 1 bed and 15 x 2 bed) and the dwelling mix as proposed is found to be appropriate for such housing.

Retirement Flats

4.7 As set out in policy DM9 of the Development Management Document, the Council seeks to promote independent living where residents have access to transport services, public services, civic space and amenities. The promotion of independent living is therefore the policy focus of the Council, and the principle of retirement homes in this location has not been objected to previously under application 14/01052/FULM or the subsequent appeal (reference: 3030441). It is therefore found to be acceptable.

Design and Impact on the Streetscene

National Planning Policy Framework (2012); Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) policies DM1, DM3 and the Design and Townscape Guide (2009)

- 4.8 The National Planning Policy Framework requires new development to reinforce local distinctiveness. Policy KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 and the Design and Townscape Guide advocate the need for any new development to respect the character of the area and complement the local character.
- 4.9 The Design and Townscape Guide paragraph 2009 states:

"Infill sites are development sites on the street frontage between existing buildings. These areas are usually spaces left over after earlier development or the redevelopment of small industrial units or garages. 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 usable 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. In these circumstances, unless an exceptional design solution can be found, infill development will be considered unacceptable. Other options, such as an extension to an adjacent building or a garage may be more achievable. However, in certain situations, where the density, grain and openness of an area are integral to its special character, infill development of any kind will not be appropriate in principle".

- 4.10 Where such development is acceptable in principle, the Design and Townscape Guide states that it is important to draw strong references from surrounding buildings in terms of scale, frontage, materials and rhythm. It is not considered the proposed infill development would appear out of keeping, nor would it conflict with the urban grain of the area taking into account the surrounding residential development, subject to the other material planning considerations discussed in detail below.
- 4.11 The main concerns raised at appeal related to design, impact on the character of the area, bulk and forward projection in relation to its neighbours and the wider streetscene. The inspector made the following comments on this issue:
- 4.12 Paragraph 14 (appeal reference: 3030441) 'Even if the projecting front bays were taken into account the setback would be little more than 1m.... this would be in contrast to nos 843 and 845 where the fourth storey is shown on the plans ...to stand well back from the main front wall. Such a setback would reduce the visual prominence of the fourth storey and hence the overall scale of the building.'
- 4.13 Comments were also made in paragraph 16 in relation to the unbroken nature of the 4th storey which at nearly 53m was considered to also make a significant contribution to bulk.

- 4.14 In relation to the building line at the lower floors at paragraph 17 the inspector comments that:
 - 'Even allowing for the curve of the road, the main bulk of the proposed building would be further forward than either the existing or proposed buildings on adjoining sites to the west. Furthermore, there would be a large and rather heavy looking entrance lobby and larger open area supported by piers with an entrance deck at first floor level. This would be well forward of the main building line of existing buildings immediately to the east. To my mind the positioning of the built development would further emphasis its prominence.'
- 4.15 The inspector also comments on the long views of the proposal from Chalkwell Park which would expose the skyline and bulk of the development in relation to the neighbours and the wider streetscene. She expressed concerns relating to the bulk including the projecting entrance feature when viewed from the east.
- 4.16 The inspector concluded that the appeal proposal would be 'Unduly dominant and would fail to respect its surroundings.' She also commented that 'This is not a landmark site but rather one part of a streetscene that is currently undergoing change.' She concludes by saying that 'in this case the concern relates to the height combined with the width and forward projection of the building. This would result in a scale of development which would be unacceptable.'
- 4.17 The applicant has made a number of changes to the design seeking to address the concerns detailed above.

Height

- 4.18 The building remains at 4 storeys with an overall height of 13.4m, which has been reduced from 13.6m-16.5m under the previously refused application 14/01052/FULM. The 4th floor communal room and roof terrace has been omitted from the plans, which is welcomed. This has been replaced by a small communal terrace and day room at 3rd floor level in the centre of the block. The removal of the 4th floor, which would have been very apparent in longer views from Chalkwell Park, is welcomed as it brings the overall profile of the building more in line with its neighbours to the west currently under construction (845-849 London Road 16/01210/RESM). The relocation of the terrace to 3rd floor breaks the overall massing of the 3rd floor such that from closer views it will read as two separate additions. It also reduces the perceived width, which was a concern to the inspector. Overall it is considered that these amendments have addressed the concerns in relation to height, bulk, mass and skyline impacts.
- 4.19 The 3rd floor set back from the main building line now ranges from 1.5m to 3m, compared to the previously refused application (14/01052/FULM), which was set in line with the building line. This is a welcomed change. The 3rd floor set back remains smaller than other elements of the block especially at the western end where the lower floors have been set back but the 3rd floor set back is greater than that proposed in the appeal scheme.

Building line and forward projection

- 4.20 To reduce the prominence of the proposal in the streetscene and improve the relationship to the existing frontage lines, the siting of the building, at the western end, has been stepped back at all levels. The front building line now proposed has a staggered transition between the two building lines of the neighbouring properties compared to that of the previously refused application. This revised building line enables a more generous open frontage at ground level, reflective of local character and a more pronounced stagger to follow the curve of the road. The projecting entrance deck at first floor of the eastern end of the proposal still remains a feature of this amended proposal, but this has been scaled back in width from 11.9m to 7m and reduced in depth from 4m-4.7m to 3.4m. It therefore achieves a more lightweight appearance.
- 4.21 The exposed eastern flank of the proposal remains of a similar bulk as the dismissed scheme but the amended proposal has sought to better resolve the detailed design of this element including an improved relationship and alignment with the lower box features and a simpler profile. This results in a refined acceptable design.
- 4.22 The amenity deck, which is visible from both the east and west has been reduced in width and depth. It will still be prominent in the streetscene but is not unacceptable.

Design detail

- 4.23 Whilst the overall detailed design did not form a reason for dismissal of the appeal, the overall detailing and articulation of the current scheme appears more resolved than the originally refused scheme. The main feature of the design is the projecting box elements, providing a rhythm and coherence to the frontage, referencing the grain of the wider streetscene. Limited information has been provided on the detailing of the elevational projections but the overall detailing including profile, reveals, fenestration and materials can be controlled by condition.
- 4.24 On balance, the proposed design and scale is acceptable and policy compliant. The proposed development has overcome the reason for the recently dismissed.

Traffic and Transportation

National Planning Policy Framework (2012), Policies KP2, CP3 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1, DM3 and DM15 and the Design and Townscape Guide (2009)

- 4.25 It is proposed to replace the three existing vehicular crossovers along the London Road frontage with a single vehicular access which will provide access to both the retail and residential car parks. A ghost island right turn lane would be provided to allow the free flow of westbound traffic on London Road. A pedestrian crossing point is proposed on London Road to improve pedestrian accessibility.
- 4.26 It is not considered that the proposed vehicular access would be detrimental to highway or pedestrian safety or local highway conditions and this can be secured by a Section 278 agreement.

- 4.27 It is considered that the level of traffic generated by the proposed development would not have a significant impact on the surrounding highway network particularly when account is taken of the previous use for car sales.
- 4.28 A total of 43 car parking spaces are proposed. 14 to serve the retail unit incorporating one disabled bay and 29 to serve the residential units, which incorporate 2 disabled bays.
- 4.29 Policy DM15 of the Development Management Document parking standards require 1 space per 14sqm for a Class A1 shop selling food and 1 space per dwelling. The internal floorspace of the retail unit is 410sqm and would require up to 29 parking spaces, in addition 31 parking spaces would be required for the flats. The retail car parking standards are maximums and Policy DM15 of the Development Management Document suggests that greater flexibility will be applied where it can be demonstrated that the development is proposed in a sustainable location with frequent and extensive links to public transport. Parking provision formed a reason for refusal at application stage, but was not pursued through the appeal following Development Control Committee's resolution to withdraw that reason for refusal based on professional advice. The nature of the use is such that it would also be expected to have a lower level parking demand overall. In light of the above, no objection is raised on highway or parking grounds for either element of the uses proposed.
- 4.30 In accordance with Policy DM15 of the Development Management Document, the cycle parking standards required for the proposed development include 1 space per 400sqm for staff and customers with 1 space per 8 units for the retirement flats. The cycle spaces can be controlled by condition as there is sufficient space on site to accommodate the cycle spaces.
- 4.31 The proposed residential bin store is within guidance and considered to be of acceptable size and location. Whilst no detailed information has been provided regarding the proposed retail refuse arrangements, the refuse facility will be located internally and will be dependent on the operator requirements. This can be controlled by condition. A service lay-by is also proposed to the front of the retail unit which will provide a suitable space for deliveries and refuse collection. Whilst this will reduce the width of the existing footpath, a new area of footpath outside the store will be created and secured by a Section 278 agreement. No objections have been raised by the Highways Officer as per the previous application.
- 4.32 Overall, it is not considered that the proposed development would have an adverse impact on the local highway network in terms of traffic movements and generation. It is found that the proposal is acceptable on parking and highway safety grounds. It is considered the proposed development satisfies the objectives of the relevant development plan policies and guidance.

Standard of Accommodation for Future Occupiers

National Planning Policy Framework (2012), Policies KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1, DM3 and DM8, National Technical Housing Standards and the Design and Townscape Guide (2009)

- 4.33 The internal sizes and layouts of the units are considered to be acceptable and will have a satisfactory floor area ranging from 50.4sqm to 87.9sqm. This complies with the National Technical Housing Standards. All habitable rooms would benefit from sufficient outlook and daylight conditions.
- 4.34 The communal roof terrace to the rear at first floor and third floor fronting London Road will provide approximately 381sqm of amenity space, which is approximately 12.2sqm per flat. This is found to be acceptable given the other amenities provided by the scheme for occupiers and the nature of the proposal.
- 4.35 The overall sizes of the amenity spaces proposed are considered to be acceptable for the number of units proposed. Amenity space provision was not considered a reason for refusal or dismissal on appeal.
- 4.36 In light of the above, the proposal is acceptable and compliant with the objectives of the development management plan and guidance on this matter.

Impact on Residential Amenity

National Planning Policy Framework (2015), Policies KP2 and CP4 of the Core Strategy (2007), Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's of life and ensuring the successful integration proposed of development into existing neighbourhoods. Amenity refers to well-being and takes account of factors such as privacy, overlooking, outlook, noise and disturbance, the sense of overbearing, pollution and daylight and sunlight. A proposed development will need to consider its potential impact upon neighbouring properties and the surrounding area. policy DM1 of the Development Management requires that all development should (inter alia):

"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"

- 4.38 The application site is located to the south of dwellinghouses in Wellington Avenue which have approximately 14m-16m deep rear gardens and are separated from this site with a 1m alleyway.
- 4.39 The proposal includes a 2.3m high boundary wall along these properties northern boundary and a 4.6m high wall (5.6m including balustrade) set 4.3m-4.6m away from the northern boundary, to facilitate the amenity space at first floor for the proposed development.

- 4.40 The car park will be sited behind a large wall running along the northern boundary of the site. This, together with the roof of the rear amenity terrace, will form an enclosed parking area and therefore, act as an acoustic barrier. It is not considered that the parking area would have a detrimental impact in terms of noise or disturbance to neighbouring occupiers. The opening hours of the proposed retail use can be dealt with by condition. This relationship replicates that in the appealed scheme and was not a factor in its dismissal.
- 4.41 There is no objection in principle to the introduction of retail (Class A1) uses in this location as it is not considered that such use would have an adverse impact on the amenities of neighbouring occupiers. Should any external extraction/ventilation equipment be required, this would require separate permission and an informative would remind the applicant of this requirement.
- 4.42 The overall height of the proposed building is 13.4m and the first, second and third floors are set 11.6m to 13.3m away from the northern boundary with a further 16m to the rear elevations of Wellington Avenue. A minimum separation distance of 29m will therefore be retained between the upper floor rear windows of the proposed development and the rear of neighbouring properties in Wellington Avenue.
- 4.43 The overall height has been reduced from the previously refused application and the depth remains unchanged. The appeal Inspector considered in paragraphs 24, 25 and 26 of her decision the effect of the previously refused development on residential amenity (application 14/1052/FULM).
- 4.44 In paragraph 24 the Inspector notes:

"The landscaped deck would be some 4.3-4.6 metres from the rear site boundary and enclosed by a wall about 5.6 m in height above ground level. To the north of this would be a roof enclosing the rear parking spaces and a further wall along the back boundary of around 2.3 m in height. Although the main part of the building would stand behind the landscaped deck, there would be a single storey flat at first floor level extending out towards the rear boundary. Whilst this would be higher than the existing commercial building it would be narrower and would be inset sufficiently to ensure that it would not appear intrusive. The higher of the two brick walls would be far enough away from residential properties to ensure that an unreasonable degree of enclosure would not ensue".

4.45 In paragraph 25 the Inspector notes:

"The main part of the new building would be about 14 m from the northern site boundary and about 28-30 m from the rear of the houses in Wellington Avenue. In my judgement the distances would be sufficient to ensure that it would not appear unduly overbearing or result in a sense of enclosure to houses or gardens to the north. There would be a small building housing a stairway and communal space at fifth floor level. However this would be well set back from the rear elevation and I do not consider that it would be an intrusive feature".

4.46 In paragraph 26 the Inspector notes:

"The new building would be to the south of the houses in Wellington Avenue. The Appellant has prepared a study which shows the shadows cast at the Spring equinox. This indicates that the development would only affect the southernmost ends of the rear gardens. However the study takes no account of existing conditions. At my site visit, which was on a sunny afternoon a month after the Autumn equinox, I observed that the sunlight to many of the gardens was already restricted. Clearly in the summer months the situation would be improved. Taking account of advice in the British Research Establishment's document Planning for Daylight and Sunlight I consider that the enjoyment and amenity value of the gardens, and the sunlight they presently receive, would be unlikely to significantly change".

4.47 Taking into account the overall height has been reduced the depth of the development remains unchanged and the conclusions of the appeal Inspector on the issue of amenity, it is not considered that the proposed development would have a materially harmful impact on adjacent residential occupiers in terms of being overbearing, intrusive, causing, loss of light, overlooking or loss of privacy. The proposal is therefore considered to be acceptable and policy compliant in this respect.

Sustainable Construction

Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice contained within the Design and Townscape Guide (2009)

- 4.48 Policy KP2 of the Core Strategy states that at least 10% of the total energy needs of a new development should be provided through on-site renewable sources of energy provision (and/or decentralised renewable or low carbon energy sources). Policy DM2 of the Development Management Document requires all new development to contribute to minimising energy demand and carbon dioxide emissions.
- 4.49 An Energy and Sustainability Report carried out by Green and Castle has been submitted for consideration. Various renewable energy technologies are discussed in detail together with carbon saving technologies. The applicant has confirmed there is sufficient space to the south facing slope to accommodate photovoltaic panels in order to comply with Policy KP2 of the Core Strategy. Whilst no calculations have been provided to demonstrate the 10% of the energy from the development will be renewable, this can be controlled by condition.
- 4.50 With respect to the requirement for Sustainable Urban Drainage Systems (SUDS), the site is entirely hardsurfaced and it is considered that the proposed development would not increase the level of water discharging from the site than at present. The site is also not within a high risk flood zone. Details of surfacing materials and a scheme of SUDS can be dealt with by condition. Anglian Water have recommended that a condition requiring details of a surface water management strategy are submitted to and approved in writing prior to the commencement of any drainage works taking place on site. This has been included in the conditions recommended.

Developer Contributions

National Planning Policy Framework (2012); Core Strategy (2007) Policies KP3, CP6 and CP8, Community Infrastructure Levy Charging Schedule

- 4.51 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 3542sqm, which may equate to a CIL charge of approximately £72,589.00 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.
- 4.52 Core Strategy Policy KP3 requires that:

"In order to help the delivery of the Plan's provisions the Borough Council will."

- 2. Enter into planning obligations with developers to ensure the provision of infrastructure and transportation measures required as a consequence of the development proposed."
- 4.53 Policy CP8 of the Core Strategy relates to affordable housing and requires that for all residential proposals for 10-49 dwellings, an affordable housing provision of not less than 20% of the total number of units on site are provided in order to meet the housing requirements of the Borough and wider area.
- 4.54 On larger sites where on-site provision of affordable housing is not practical, a commuted sum is sought for off-site provision of affordable housing (this would incorporate the cost for the Council to be able purchase or build the equivalent units). In this instance the applicant states that any financial contribution towards off-site provision for affordable housing would not be viable and that the scheme is a 'not for profit' venture.
- 4.55 The applicant states that the scheme is therefore entirely profit neutral and supporting evidence has been provided to show that any funds generated are retained to ensure the continued maintenance of the premises.
- 4.56 When considering the previous refused application and dismissed appeal 14/01052/FULM, viability was considered by the District Valuer Service on behalf of the Council. It was accepted that the scheme would be unviable with any S106 contribution. The applicant has now re-appraised the scheme to reflect increased costs and values. Officers raised a number of areas of concern with the applicant's residual valuation of the proposed scheme including possibly over-inflated build costs, repair costs and sales values, and potentially under-valued commercial unit. Officers sought further evidence in respect of each of these areas of concern to substantiate the applicant's case that the scheme is not sufficiently viable to make any S106 contribution towards affordable housing.

- 4.57 Comparable local evidence has now been provided in respect of the sales values and further details have been provided to evidence the repair costs in the context of the existing use value, and the commercial value. However, officers do not accept the applicant's position in respect of a substantial increase in the build costs, which have been based on the Tender Price Index (TPI). Officers are of the view that BCIS (Building Costs Information Service) build data should be used instead of the TPI as it is specific to the development type.
- 4.58 Rona, on behalf of the applicant, state:

The base date for the updating is the original assessment date of 2012. If you refer to the BCIS All In Tender Price Index (attached) this gives a value of 230 for the 2nd quarter of 2012 and (in December 2016) an estimate of 289 for the 2nd quarter of 2017. This equates to 25.65% to compare with the 25% I have used.

- 4.59 On this basis, the significant uplift in build costs does appear reasonable. However, the TPI is not development type specific. Based on the more specific BCIS build costs for Sheltered Housing, the increase in build costs is far less significant. Median build costs for an average 3 storey sheltered housing building in Essex show an increase from 2014 (date of original viability assessment) to 2017 of 4.9%. This has implications in terms of the scheme being more or less viable; and such a reduction in build costs would result in the scheme showing a surplus based on the applicant's residual valuation of the proposed project. When considering whether the scheme can support a contribution towards affordable housing one must take into account the fact that the applicant has only factored in a profit of 5% of Gross Development Value. However, when applying a standard profit level, the scheme remains unviable. Therefore, notwithstanding the point of dispute in relation to the build costs, officers consider that there is sufficient evidence to demonstrate that an open market scheme would not generate sufficient profit to allow any contribution towards affordable housing to be made.
- 4.60 As set out in the Planning Inspector's decision dated 20th October 2015, it is recommended that a condition be imposed on any permission granted requiring the occupants to be at least 65 years old to ensure that the development hereby approved reflects that for which permission has been sought.
- 4.61 In light of the above, at this time it has been demonstrated that affordable housing contributions cannot be viably provided.

Other matters

Contamination

4.62 The Councils Environmental Health Officer has confirmed a substantial part of the site has been identified as being potentially contaminated from historical uses. A suitable condition requiring investigation and mitigation can be imposed to ensure full details are dealt with by condition.

Conclusion

4.63 Having taken all material planning considerations into account, including the findings of the appeal inspector in 2015 it is found that subject to compliance with the proposed conditions and S106 agreement, the development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposed development by reason of its design, scale, and layout would provide an acceptable addition within the streetscene maintaining the overall character and appearance of the surrounding locality, while providing adequate amenities for future occupiers, respecting the amenities of neighbouring properties and not resulting in any unacceptable parking or highways impacts. The application is therefore recommended for approval.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (NPPF), 2012.
- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), KP3 (Implementation and Resources), CP1 (Employment Generating Development), CP2 (Town Centre and Retail Development), CP3 (Transport and Accessibility), CP4 (The Environment & Urban Renaissance), CP6 (Community Infrastructure) and CP8 (Dwelling Provision).
- 5.3 Development Management Document (2015): Policies DM1(Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM10 (Employment Sectors), Policy DM11 Employment Areas, Policy DM13 (Shopping Frontage Management outside the Town Centre) and DM15 (Sustainable Transport Management)
- 5.4 Design & Townscape Guide (2009)
- 5.5 A Guide to Section 106 and Developer Contributions, 2010.

6 Representation Summary

Highways

6.1 The level of parking is considered to be acceptable given the sustainable location of the site. The highway works include the construction of a loading bay which will serve the retail unit, ghost right turn lane and a pedestrian crossing point on the southern kerb line. This will not have a detrimental impact upon existing highway conditions. The applicant will be required to dedicate the land directly in front of the store to the Council, as this will ensure that the highway that is being used as the loading bay will be provided in front of the store. This dedication can form part of the Section 278 works that are required at the site. Given the above, there are no highways objections to this proposal.

Design and Regeneration

6.2 No objections, overall this amended proposal has made significant and positive changes to address the previous concerns raised by officers and the Inspector

Strategic Housing

6.3 The Department for People requires the provision of Affordable Housing on residential developments of this size.

Core Strategy Policy CP8 provides the guidance on the affordable housing threshold for residential developments. This is outlined below: 10 to 49units = 20%, 50+ units = 30%

In terms of the dwelling mix, the SHMA Review 2013 undertook an assessment of affordable dwelling needs and consequently set out a recommended affordable dwelling mix for Southend on Sea, the percentages Indicated below are the affordable housing provision by bedroom size for the borough.

The percentage of affordable housing element required within the borough: -

| 1 bed | 2 bed | 3 bed | 4+ bed |
|-------|-------|-------|--------|
| 16% | 43% | 37% | 4% |

In line with the Interim Affordable Housing Policy, the Strategic Housing Team therefore requires 37 units of affordable or 6 units and a financial contribution of 0.2 units.

| 7 Units AH | Exact | Rounded |
|------------|-------|---------|
| AH Units: | 6.2 | 7 |
| AR (60%) | 3.72 | 4 |
| SO (40%) | 2.48 | 3 |

| 6 Units AH | + | | |
|--------------|-----|-------|----------|
| Financial | | | |
| Contribution | | Exact | Adjusted |
| AH Units: | 6.2 | 6 | |
| AR (60%) | | 3.72 | 4 |
| SO (40%) | | 2.48 | 2 |

The required dwelling mix would be as follows:

| 7 Units Affordable Housing | | | | |
|----------------------------|------------|---------|-------|---------|
| AH | | Revised | Exact | Rounded |
| Breakdown | Applicable | % | Units | Units |
| 1 bed | 54.98 | 0.65 | 4.03 | 4 |
| 2 bed | 29.52 | 0.35 | 2.17 | 3 |
| 3 bed | | 0 | 0 | 0 |
| 4 bed | | 0 | 0 | 0 |
| 5 bed | | 0 | 0 | 0 |
| | | | Total | 7 |

| 6 Units Affordable + financial contribution | | | | |
|---|------------|---------|-------|----------|
| AH | | Revised | | Adjusted |
| Breakdown | Applicable | % | Units | Units |
| 1 bed | 54.98 | 0.65 | 4.03 | 3 |
| 2 bed | 29.52 | 0.35 | 2.17 | 3 |
| 3 bed | | 0 | 0 | 0 |
| 4 bed | | 0 | 0 | 0 |
| 5 bed | | 0 | 0 | 0 |
| | | | Total | 6 |

However in light of the viability document, Strategic Housing Officers feel that there is sufficient evidence to demonstrate that an open market scheme would not generate sufficient profit to allow any contribution towards affordable housing to be made(notwithstanding the required evidence in regards to build costs).

Environmental Health

- 6.4 The scale of the development, together with its proximity to residencies, suggests that controls on hours for contractual work would be beneficial.
- 6.5 Contrary to the responses contained within Section 14 of the application form, a substantial part of the site has been identified as being potentially contaminated arising from historical uses.
- 6.6 It is noted that 2 No. plant rooms are to be located to the rear of the site, both in very close proximity to flats within the development itself and relatively close to existing properties.
- 6.7 Conditions in relation to demolition, construction, contaminated land, sound levels arising from plant equipment.

The Environment Agency

6.8 Consultation received but not within the Environment Agency's remit therefore, will not be providing a formal consultation response.

Anglian Water

6.9 Section 2 – Wastewater Treatment

The foul drainage from this development is in the catchment of Southend Water Recycling Centre that will have available capacity for these flows.

6.10 Section 3 – Foul Sewerage Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

6.11 Section 4- Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

- 6.12 Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.
- 6.13 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA).
- 6.14 We request a condition requiring a drainage strategy covering the issue(s) to be agreed.
- 6.15 Section 5 Trade Effluent Not applicable.

Essex and Suffolk Water

6.16 The Water Supply (Water Fittings) Regulations 1999 apply to all new works on water service installation and the applicant is required

Airport Director

6.17 No objections. If a crane or piling rig to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.

Public Consultation

- 6.18 22 Neighbours notified, a site notice was displayed on the 12th May 2017 and one letter of representation has been received stating:
 - The application is almost identical to the previous applications rejected by the Development Control Committee and Planning Inspectorate who stated; "Overly dominant and assertive development that would fail to successfully integrate with its surroundings and unacceptably detract from the existing and evolving streetscene of which it would form part"
 - Impact on residents of Wellington Avenue in respect of noise and pollution
 - Sense of enclosure and impact on amenity
 - Overly dominant design
 - Impact on parking in the immediate area, overflow of parking to neighbouring roads
 - Lack of viability of a commercial outlet
 - The size is unacceptable in terms of its bulk, mass, width
 - Detailed design

Two proforma letters, relating to the issues set out below have been received

One additional proforma letter with 237 signatures has been received stating the following:

- The application is identical to the previously refused applications 14/01052/FULM and 12/01510/FULM
- 31 flats would generate excessive noise
- Proposal is excessive and will impact on light
- Overshadowing
- Loss of privacy
- Addition of a window to the boundary with Wellington Avenue
- Provision of parking makes no account for visitors
- Does not provide sufficient parking for 31 flats or commercial use
- Inclusion of a convenience store will result in closure of small local businesses
- Out of character with the surrounding properties and of significant scale both in terms of height, width and bulk
- Dominating and detracting from Chalkwell Park
- Overdevelopment

One proforma letter has been received with 23 signatures stating:

- The application is identical to the previously refused applications 14/01052/FULM and 12/01510/FULM
- Concerns over four storey development
- Impact on light
- Not inkeeping with the nature of other buildings
- Loss of privacy
- Overlooking
- Scale both in terms of height, width and bulk
- Overdomaint
- Noise and disturbance
- Fumes
- Loss of local businesses
- Overdevelopment

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

6.19 Councillor Courtenay have requested this application be dealt with by Development Control Committee.

7 Relevant Planning History

7.1 2014- Demolition of vacant car showroom and workshops, erect four storey building with retail (class A1) at ground floor level, and 31 No retirement apartments above, parking, access, and landscape deck (Amended Proposal) Refused planning permission for the reasons set out in paragraph 1.7 above (14/01052/FULM). Dismissed at appeal reference APP/D1590/W/15/30330441 as set out in paragraph 1.8 above.

7.2 2012- Demolition of vacant car showroom and workshops, erect four storey building with retail (class A1) at ground floor level, and 31 No retirement apartments above, parking, access, and landscape deck- Refused (12/01510/FULM)

8 Recommendation

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

O1 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

The development shall be carried out in accordance with the approved plans: 6766_P12; 6766_P11A; 6766_P300; 6766_P301.0B; 6766_P301.1C; 6766_P301.2C; 6766_P301.3C; 6766_P301.4C; 6766_P301.5C; 6766_P301.6; 6766_P306.1C; 6766_P307.2D; 6766_P307.3C; 6766/P307.1C.

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

- 03 Each of the units hereby permitted shall be only occupied by
 - (i) persons aged 65 years or older; or
 - (ii) persons living as part of a single household in the development with such a person or persons aged 65 years or older; or
 - (iii) persons who were living as part of a single household in the development with such a person or persons who have since died.

Reason: To define the scope of this permission with respect to parking provision, amenity space, general living conditions and the provision of affordable housing and infrastructure required to support the development, in accordance with Core Strategy (2007) Policies KP2, KP3, CP4, CP6 and CP8 and Policies DM1 and DM3 of the Development Management Document (2015).

The communal spaces and guest facility as shown on the approved plans shall be provided before the proposal is occupied and shall not be altered or removed in any way and be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that amenity space and living conditions are safeguarded for future occupiers of the development in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Council's Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the ground floor (parking) slab level shall take place until samples of the materials to be used in the construction of the external elevations of the building hereby permitted, including projecting elevational box details including projection, reveals, balustrade, lighting, entrance canopy, screening, fenestration, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in full accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and policies DM1 and DM3 of the Development Management Document (2015).

The car parking spaces, cycle storage and refuse store shall be implemented in accordance with plan no. 6766/301.4 Revision C prior to occupation of the retail and residential uses hereby approved to provide not less than 29 car parking spaces for the residential use, 14 car parking spaces for the retail use and 5 cycle parking spaces and shall thereafter be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

Notwithstanding the details shown on the plans submitted otherwise hereby approved the development hereby permitted shall not be commenced until the Local Planning Authority has approved in writing a full scheme of highways works (including detailed designs and contract details) and the relevant associated highways approvals are in place, in relation to the new service layby and new pedestrian crossing point. The works shall thereafter be undertaken in accordance with the approved details and completed prior to first occupation of the development hereby approved unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways management and safety in accordance with Core Strategy (2007) policies KP2, CP3, CP4; Development Management Document (2015) policy DM15.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be fully adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

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

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

09 No development shall take place until a site investigation of the nature and extent of contamination at this site 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 construction begins. If, during the course of development, any contamination is found which has not been identified in the site investigation construction shall stop immediately and additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority before construction continues. The remediation of the site shall incorporate the approved additional measures before construction continues.

Reason: To ensure that any contamination on the site 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 controlled waters in accordance with policy DM14 of the Development Management Document (2015).

10 The retail unit hereby approved shall not be open for customers outside the following hours: - 07:00 hours to 23:00 hours Monday to Sundays and Bank Holidays.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document.

11 All servicing of the site must take place between 07:00 to 23: 00 hours Monday to Sunday, with the exception of newspaper deliveries. Servicing includes loading and unloading goods from vehicles and transferring rubbish outside the building.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document.

No dust or fume extraction or filtration equipment or air conditioning, ventilation, or refrigeration equipment shall be installed at the site until full details of its design, siting, discharge points and predicted acoustic performance have been submitted to and approved by the Local Planning Authority. The equipment shall only be installed in accordance with the approved details and shall be maintained in good working order thereafter.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential occupiers of the development in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

No construction works above the slab level shall take place until full details of both hard and soft landscape works to take place at the site have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; means of enclosure (including any gates to the car parks); car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures. Details for the soft landscape works shall include the number, size and location of any shrubs, trees and plants to be planted together with a planting specification, the management of the site (e.g. the uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The development shall be implemented in full accordance with the approved details before it is occupied or brought into use.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policies KP2 and CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

14 The development shall not be occupied until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter be carried out only in accordance with the approved details in perpetuity.

Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015) and Design and Townscape Guide (2009).

- No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SUDs) Principles) have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter. Those details shall include:
 - i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;

- ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;
- iii) a timetable for its implementation; and
- vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM2.

Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00hours Mondays to Fridays and 08:00hours to 13:00hours on Saturdays and at no time Sundays or Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

19 Notwithstanding the provisions of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or adaptation of this legislation of for the time being maybe in force, the retail floorspace hereby approved shall be used only for purposes falling within Use Class A1 and for no other purpose.

Reason: To safeguard the amenities of adjoining residents, in accordance with policies KP2 and CP4 of the Core Strategy, policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide.

20 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure the flats comply with Building Regulation part 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 the National Planning Policy Framework, Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM2 and Design and Townscape Guide (2009).

The development shall not be occupied until details of the privacy screens to be installed at the site have been submitted to and approved in writing by the local planning authority. The development shall be occupied in full accordance with the approved details before it is occupied and be maintained as such in perpetuity thereafter.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) policies KP2 and CP4, and Development Management Document (2015) Policies DM1 and DM3 and advice contained within the Design and Townscape Guide (2009).

Prior to their occupation the proposed first floor windows in the north elevation serving the kitchen to flat 1 hereby approved shall be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut and unopenable, except for any top hung light which shall be a minimum of 1.7 metres above internal floor level. 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 windows shall be retained as such in perpetuity thereafter.

Reason: To safeguard the privacy and amenities of occupiers of neighbouring residential properties and the future occupiers of the proposed residential dwellings in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) policies KP2 and CP4, and Development Management Document (2015) Policies DM1 and DM3 and advice contained within the Design and Townscape Guide (2009).

Informatives

Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council.

Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

- The 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.
- In relation to condition 07 above, the works to existing highway will require a Section 278 agreement or Highways Licence.



Appeal Decision

Hearing held on 20 and 21 October 2015 Site visit made on 20 October 2015

by Christina Downes BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 November 2015

Appeal Ref: APP/D1590/W/15/3030441 823-837 London Road, Westcliff-on-Sea, Essex SS0 9SY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Laindon Holdings Limited against the decision of Southend-on-Sea Borough Council.
- The application Ref 14/01052/FULM, dated 1 July 2014, was refused by notice dated 11 December 2014.
- The development proposed is demolition of vacant car showroom and workshops, followed by the erection of a four storey building with local convenience store at ground floor level and 31 retirement apartments above, parking, access and landscape deck.

Decision

1. For the reasons given below, the appeal is dismissed.

Application for costs

2. At the Hearing an application for costs was made by Laindon Holdings Limited against Southend-on-Sea Borough Council. This application will be the subject of a separate Decision.

Procedural Matters

- 3. It was confirmed at the Hearing that the list of plans on the Council's decision notice was not complete or accurate and that the correct list was in Section 9 of the Statement of Common Ground. A number of additional drawings were submitted with the appeal. However it was clarified at the Hearing that these did not change the submitted scheme. Rather they were intended to supplement the application drawings and provide context, including a comparison with nearby developments that had been permitted. There were also some visual impressions.
- 4. It was confirmed at the Hearing that those policies in the Southend-on-Sea Borough Local Plan that were referred to in the reasons for refusal had not been saved following the adoption of the *Development Management Development Plan Document* (DMD) in July 2015.
- 5. On 8 July 2015 the Council determined that it would not be pursuing the third reason for refusal, which related to parking issues.

Preliminary Matters

- 6. The Council has not objected to the loss of the existing employment use or to the principle of the proposed uses. The development plan makes clear that there is a growing need in the Borough for accommodation for the elderly. I note the point made by one objector that a main road location is not the right place for older people to live. However the Council's Environmental Health Officer did not raise objections to the proposal on the grounds that the vicinity was either excessively noisy or suffered from damaging levels of air pollution. Conversely it is of importance that this is a sustainable location where new occupiers would have shops and facilities close at hand.
- 7. The supermarket is proposed to be occupied by Morrisons. On the Policy Map to the DMD, the appeal site is shown to lie between two secondary shopping frontages. The DMD only defines Town and District Centres and although it refers to Local Centres it is not altogether clear where they are. Whether or not these secondary frontages could properly be classified as a Local Centre, the retail assessment undertaken in 2012 concluded that there were no suitable or available alternative sites in a sequentially preferable location. The Council is satisfied that this remains the case and from what I heard at the Hearing I have no reason to reach a different conclusion.
- 8. A retail impact assessment would not be required in this case because the proposed retail floorspace would be well below the 2,500 m² threshold in Paragraph 26 of the Framework. There is no locally applicable lower threshold in the development plan. The evidence indicates that the predicted turnover would be too small to have a material effect on the vitality or viability of either Leigh or Westcliff District Centres or Southend Town Centre. I appreciate that some local shopkeepers are concerned about the effect on their businesses. However it is not the purpose of the planning system to inhibit competition between one retail outlet and another. In any event the new store may well increase footfall and provide benefits for local businesses in the adjacent secondary frontages. Whilst I saw a number of other supermarkets along London Road, the Framework does not require an assessment of need to be undertaken for retail proposals. For all these reasons the proposal would comply with the Framework and Policy CP2 in the Core Strategy.
- 9. The Council's Annual Monitoring Report indicates that there is a 5.3 year supply of deliverable housing sites going forward from 2013. The Appellant contended that this did not include a 5% buffer as required by Paragraph 47 of the Framework and if this were to be applied the supply would fall to around 5.1 years. Unfortunately there is no more recent housing update but no party had any evidence to demonstrate that the situation had worsened or that sufficient deliverable sites will not come forward to maintain the supply. There is thus insufficient information to conclude other than that the policies for the supply of housing in the development plan are up-to-date.
- 10. There was no allegation that other policies relevant to the appeal were other than compliant with the Framework. In such circumstances the presumption in favour of sustainable development in Paragraph 14 of the Framework means that the appeal development should be determined in accordance with the development plan, unless material considerations indicate otherwise.

Reasons

The effect of the proposed development on the character of the area and the street scene

- 11. The appeal site is on the northern side of London Road within a built-up frontage opposite Chalkwell Park. At this point there is a mix of commercial and residential uses and a variety of built form. Some of the traditional two storey properties have high rooflines into which third floors have been inserted. There are also several more recent utilitarian buildings of two or three storeys in height. The appeal site and its neighbour to the east are not in keeping with the relatively tight grain of development that otherwise typifies the vicinity. On the appeal site is a large vacant building, which was previously used as a car showroom and workshop with car parking on its eastern side. This is adjoined by an L-shaped property used as a carpet showroom and warehouse. Overall this part of London Road does not have a cohesive or easily discernable character. Buildings are generally two and three storey in height and in places there is a somewhat rundown appearance.
- 12. However this is an area that is in the process of change. To the west of the appeal site a number of larger scale developments have either been permitted or built. At 853 London Road and 3-5 Leigh Road four storey apartment blocks have recently been constructed. At 845 London Road outline planning permission and reserved matters approval have been granted for a four storey block comprising 22 flats and 2 commercial units. I observed that the site has been cleared but this development has not yet been built. On the adjoining site, No 843, outline planning permission has been granted for a four storey building with 9 flats and offices on the ground floor. It is within this evolving context that the appeal scheme should be considered.
- 13. Policy KP2 in the Core Strategy addresses development principles, including making best use of previously developed land and securing quality design in the urban environment. Policy CP4 seeks to achieve a high quality, sustainable urban environment. Policy DM1 in the DMD requires that development should add to the overall quality of an area, respecting its context and surroundings in terms of height, scale and massing, amongst other things. It also includes specific reference to the guidance in the *Design and Townscape Guide* supplementary planning document (SPD) where applicable. Policy DM3 encourages the efficient and effective use of land provided it is well designed and responds positively to local context.
- 14. The building, excluding the small roof structure, would be about 13.6 m in height and therefore materially higher than the development permitted at No 845, which would be about 11.4 m to the top of the fourth storey. The illustrative drawings for No 843 show a comparative height of around 11.9 m, although matters of appearance, layout and scale have not yet been approved as far as I am aware. The proposed fourth storey of the appeal building would be constructed as a mansard style roof. This would be set in from either end of the building by a small amount but there would be minimal setback from the main front wall. Even if the projecting front bays are taken into account, the set back would be little more than one metre. Although some of the dormer windows would be recessed others would project out beyond the main roofslope, which would slope back at a fairly steep angle. This would be in contrast to Nos 843 and 845 where the fourth storey is shown on the

illustrative and approved drawings respectively to stand well back from the main front wall. Such a set back would reduce the visual prominence of the fourth storey and hence the overall scale of the building. It is noted that the SPD refers to the introduction of set backs at upper levels as a means by which the scale of larger buildings can be reduced.

- 15. It is appreciated that No 845 would have a 1.8 m high privacy screen above its fourth storey that would enclose a roof top amenity space. However this would also be set back from the lower parts of the building façade. Although a condition on the reserved matters approval requires the screen to be obscure glazed it would be a lightweight structure with a very different visual appearance to the solid mansard roof of the appeal scheme, even taking account of its pale grey colour and standing seam construction. The plans for No 843 also show a rooftop terrace with a privacy screen. However the Inspector commented in his appeal decision on the outline application that this would have implications for the appearance of the development and that the facility could be reduced in area or re-sited due to its illustrative nature. In the circumstances the appearance of the upper part of No 843 may well significantly change when reserved matters are submitted.
- 16. The width of the proposed development would be about 53 m. This would be considerably greater than the new apartment blocks permitted to the west. Nos 843 and 845 would be separate developments even though I was told that in both cases the developer and architect are the same. Although the two buildings would be close together and the Appellant's street scene drawings show two similarly designed developments, it is important to remember that the permission for No 843 is only in outline form. Even from the street elevation provided with the appeal, which is based on the illustrative drawings for No 843, it can be seen that there are differences at fourth floor level and that this upper storey would not read as a single continuous feature. By contrast the appeal building would have an unbroken four storey roofline across the whole site save for indents of about one and two metres at the eastern and western ends respectively.
- 17. Even allowing for the curve in the road, the main bulk of the proposed building would be further forward than either the existing or proposed buildings on adjoining sites to the west. Furthermore, there would be a large and rather heavy looking projecting element incorporating a small entrance lobby and a larger open area supported by piers with an entrance deck at first floor level. This would be well forward of the main building line of existing buildings immediately to the east. To my mind the positioning of the built development would further emphasise its prominence.
- 18. Although someone standing on the pavement immediately outside the building would not be aware of the full height of the building, it would be evident from the far side of London Road and in longer views, including from Chalkwell Park. Furthermore when approaching from either side, especially from an easterly direction, the bulk of the building would be readily apparent, including the single storey projecting entrance canopy. I appreciate that the palette of materials would provide visual interest to the flank walls. I also acknowledge that at some time the site to the east may be redeveloped, although I was made aware of no proposal in the pipeline at the moment. Nevertheless in my opinion from this viewpoint the scale of the building would be fully appreciated. This would be an overly dominant and assertive development that would fail to

- successfully integrate with its surroundings and unacceptably detract from the existing and evolving street scene of which it would form a part.
- 19. The Appellant's evidence at the Hearing was that the floor heights indicated on the approved drawings for Nos 843 and 845 would be unlikely to be feasible taking account of the Building Regulations and servicing requirements. However it is relevant to note that the outline permission for No 845 included a condition that the building should not exceed 11.4 m in height. If the approved elevations are not capable of implementation then the development would not be able to be built in accordance with the planning permission. Reference was made to 3-5 Leigh Road as being an approved development of over 12.5 m in height. However this is a corner site and adjacent to Chalkwell Hall Junior School, which itself is a substantial building with a steeply pitched roof. The situation here is sufficiently different that it is not a good comparator to the appeal proposal.
- 20. 853 London Road is also over 12.5 m in height, albeit that it appears to have been built considerably higher than approved. The Appellant has made the point that taking account of the higher land level, the difference in roof lines between it and the appeal building would only be about 0.3 m. Whilst this may be the case, No 853 is a much narrower building and is separated from the site of No 845 by the two storey building housing the Westcliff and Chalkwell Synagogue. The visual impact of No 853, which also stands well back from the road frontage, would not be comparable to the appeal scheme.
- 21. It is appreciated that the Appellant has revised the design and materials to add visual interest and articulation in order to address the Council's concerns on a previous scheme. Nevertheless the height and width of the building remains the same and for the reasons given the proposed building would be unduly dominant and would fail to respect its surroundings. This is not a landmark site but rather one part of a streetscape that is currently undergoing change. The SPD envisages situations where increases in building height can be acceptable, such as to provide variety in the roofline for example. However in this case the concern relates to the height combined with the width and forward projection of the building. This would result in a scale of development that would be unacceptable.
- 22. The Framework makes clear that good design is a key aspect of sustainable development. For the reasons given I do not consider that the present proposal would be good design and I conclude that it would unduly harm the character of the area and the street scene.

The effect of the proposed development on residential amenity

23. At the site visit I was invited to view the appeal site from several residential properties in Wellington Avenue to the rear. These are two storey houses in short terraces. In some cases rear and roof level extensions have been built. There is no doubt that the appeal proposal would result in a considerable change in outlook. In place of the low rise commercial buildings and open car park would be a four storey building across the whole of the site. Current views of the trees or open spaces of Chalkwell Park or the sea beyond it, would be lost. I can appreciate that this would be most unwelcome but it is the case that there is no right to a view across someone else's land. The relevant matters are whether the new development would be unduly overbearing or unacceptably reduce the light or privacy that is currently enjoyed.

- 24. The landscaped deck would be some 4.3-4.6 metres from the rear site boundary and enclosed by a wall about 5.6 m in height above ground level. To the north of this would be a roof enclosing the rear parking spaces and a further wall along the back boundary of around 2.3 m in height. Although the main part of the building would stand behind the landscaped deck, there would be a single storey flat at first floor level extending out towards the rear boundary. Whilst this would be higher than the existing commercial building it would be narrower and would be inset sufficiently to ensure that it would not appear intrusive. The higher of the two brick walls would be far enough away from residential properties to ensure that an unreasonable degree of enclosure would not ensue.
- 25. The main part of the new building would be about 14 m from the northern site boundary and about 28-30 m from the rear of the houses in Wellington Avenue. In my judgement the distances would be sufficient to ensure that it would not appear unduly overbearing or result in a sense of enclosure to houses or gardens to the north. There would be a small building housing a stairway and communal space at fifth floor level. However this would be well set back from the rear elevation and I do not consider that it would be an intrusive feature.
- 26. The new building would be to the south of the houses in Wellington Avenue. The Appellant has prepared a study which shows the shadows cast at the Spring equinox. This indicates that the development would only affect the southernmost ends of the rear gardens. However the study takes no account of existing conditions. At my site visit, which was on a sunny afternoon a month after the Autumn equinox, I observed that the sunlight to many of the gardens was already restricted. Clearly in the summer months the situation would be improved. Taking account of advice in the British Research Establishment's document *Planning for Daylight and Sunlight* I consider that the enjoyment and amenity value of the gardens, and the sunlight they presently receive, would be unlikely to significantly change.
- 27. When considering the issue of privacy it is relevant to bear in mind that this is an urban location where a degree of mutual overlooking is not unusual. It is appreciated that the new development would result in a large number of windows in the rear elevation where none currently exist. On the other hand these would be about 28-30 m from the rear of the existing houses and about 14 m from the bottom of their gardens. Although there would be full length windows and glazed screens to the first and second floor living areas these would not be provided with external balconies for sitting out. There would be a window to Flat 1 close to the boundary and also to the roof top communal structure. However these could be obscure glazed or removed altogether by means of a planning condition.
- 28. The main amenity deck would be at first floor level and there would be a conservatory at the eastern end. The deck would be screened by a wall and landscaping to prevent those using the deck or conservatory from being able to look out towards the existing rear gardens. The main view from the roof terrace would be towards Chalkwell Park and the proposed screens and planted perimeters would prevent overlooking to the rear. The landscaping and enclosures could be controlled through a planning condition.

- 29. Servicing to the retail store would be from London Road but some objectors were concerned about the noise from delivery cages. It is proposed that deliveries would not take place during the night or very early morning when the noise environment along this busy road would be expected to be quieter. In the circumstances it seems unlikely that there would be any unacceptable disturbance to those living nearby. The rear car park would be enclosed and separated from the residential boundaries by the boundary wall and alleyway. There would be grilles within the rear boundary wall but it was explained at the Hearing that these were solely for ventilation purposes with no mechanical operation. The wall would act as an acoustic barrier and it seems likely that vehicular movements would be limited due to the nature of the occupation. In the circumstances I am satisfied that residents to the rear would not be unduly disturbed by vehicular activity in the parking area.
- 30. For all of the above reasons it is concluded that the living conditions of nearby residential occupiers would not be adversely affected by the appeal proposal.

Other Matters

- 31. There is no dispute that the Borough has a need for affordable housing and consequently Policy CP8 in the Core Strategy seeks 20% of housing to be affordable for a development of this size or, exceptionally, for a commuted contribution. A viability exercise was undertaken which showed that an open market scheme would not generate sufficient profit to allow any contribution to be made. This has been independently scrutinised by the District Valuer.
- 32. Although the viability work was not assessed in this way, it is the intention of the Appellant to undertake the development on a not-for-profit philanthropic basis. This would be similar to the Brimsdown Apartments in Laindon which is also operated by the Appellant. I have no doubt that it is a popular and successful concept where elderly residents purchase a 60 year lease and then are guaranteed the lease to be bought back at the same price net of the service charges. These cover nearly all expenses, including everyday bills, so there are very few additional outgoings. However any planning permission would run with the land and a personal restriction would be inappropriate for a development of this nature. In the circumstances there is no guarantee that the development would go ahead on this basis and so little weight can be given to it as a material consideration.
- 33. On the other hand considerable weight can be attached to the provision of housing for elderly people for which the Strategic Housing Market Assessment has made clear there is a growing need. This could be controlled through a planning condition requiring occupants to be over the age of 65 years. Not only would the proposal provide independent living within a caring environment but it would also have the potential to release larger houses more suitable for family occupation.
- 34. The Council withdrew its objection on parking but it is still of concern to local people. The parking standard for retirement developments is 1 space per dwelling. However Policy DM15 in the DMD indicates that this may be applied flexibly in sustainable locations such as the appeal site. The Appellant has considered local car ownership levels and has estimated that the development would require 23 spaces. This would leave 6 spaces for visitors. At the Appellant's Laindon retirement development the evidence is that only about 30% of residents have a car. The Council's parking requirement for

- commercial uses is a maximum standard. 14 spaces would be provided on the site for those using the foodstore. This would be a small local facility for day to day purchases rather than somewhere that people would drive to in order to carry out a main food shop.
- 35. The Appellant undertook a parking survey of the surrounding area. Whilst I have no doubt that streets such as Wellington Avenue have few available kerbside spaces, the survey showed that there is available on-street parking in the vicinity. The Highway Officer has not raised objections to the appeal proposal on parking grounds. This is a matter of some weight as it is the Council as Highway Authority who is responsible for the safe function of the local road network. In the circumstances I consider that the parking provision would be sufficient to meet the needs of the development in accordance with Policy DM15.

Planning balance and conclusions on sustainable development

- 36. The appeal development would have a number of advantages. It would help meet the increasing need for residential accommodation for the elderly. It would also make efficient and effective use of a rundown brownfield site that has been vacant since about 2009. Furthermore, the retail unit would have the potential to increase footfall with beneficial effects for the overall vitality and viability of the secondary shopping frontages on either side of the site. There would be new jobs created both at construction stage and once the development had been completed. The new population would also generate income through local spending and therefore give rise to economic benefits.
- 37. However against these advantages would be the substantial harm to the local environment. A redevelopment could considerably improve the appearance of the site and contribute positively to the changing character of this part of London Road. However this particular proposal would be overly dominant and intrusive in the street scene and thus unacceptably harmful. It would be contrary to Policies KP2 and CP4 in the Core Strategy, Policy DM1 in the DPD, the Framework and the guidance in the SPD. The Framework makes clear that sustainable development comprises three interrelated dimensions and in this case the environmental role would not be satisfied. The proposal would not be a sustainable form of development and the appeal does not succeed.

Christina Downes

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr C Green BA(Hons) DipTP

MRTPI

Director of Town Planning Services Ltd

Mr R Weedon BA DipArch ARB Saunders Partnership

Mr J Brook Director of Laindon Homes Limited

Mr R Phillips QC Francis Taylor Building

FOR THE LOCAL PLANNING AUTHORITY:

Ms J Rowley MA MRTPI Senior Planning Officer with Southend-on-Sea

Borough Council

Ms A Greenwood BSc(Hons) Senior Planning Officer in Design and

PGDip MRTPI Conservation with Southend-on-Sea Borough

Council

Mr P McIntosh BRTP Team Leader of Planning, Enforcement and

Appeals with Southend-on-Sea Borough Council

INTERESTED PERSONS:

Mr I McLernon Local resident

Ms J Raphael Local resident

Mr M Caplan Westcliff and Chalkwell Synagogue

Mr G Mitchell Local resident

Mrs K Allen Local resident

Mr M Patel Local resident

Mr N Fox Local resident

Ms J Childs Local resident

Mr M Pinkney Local resident

Mr J Redburn Local resident

Mrs J Sherlock Local resident

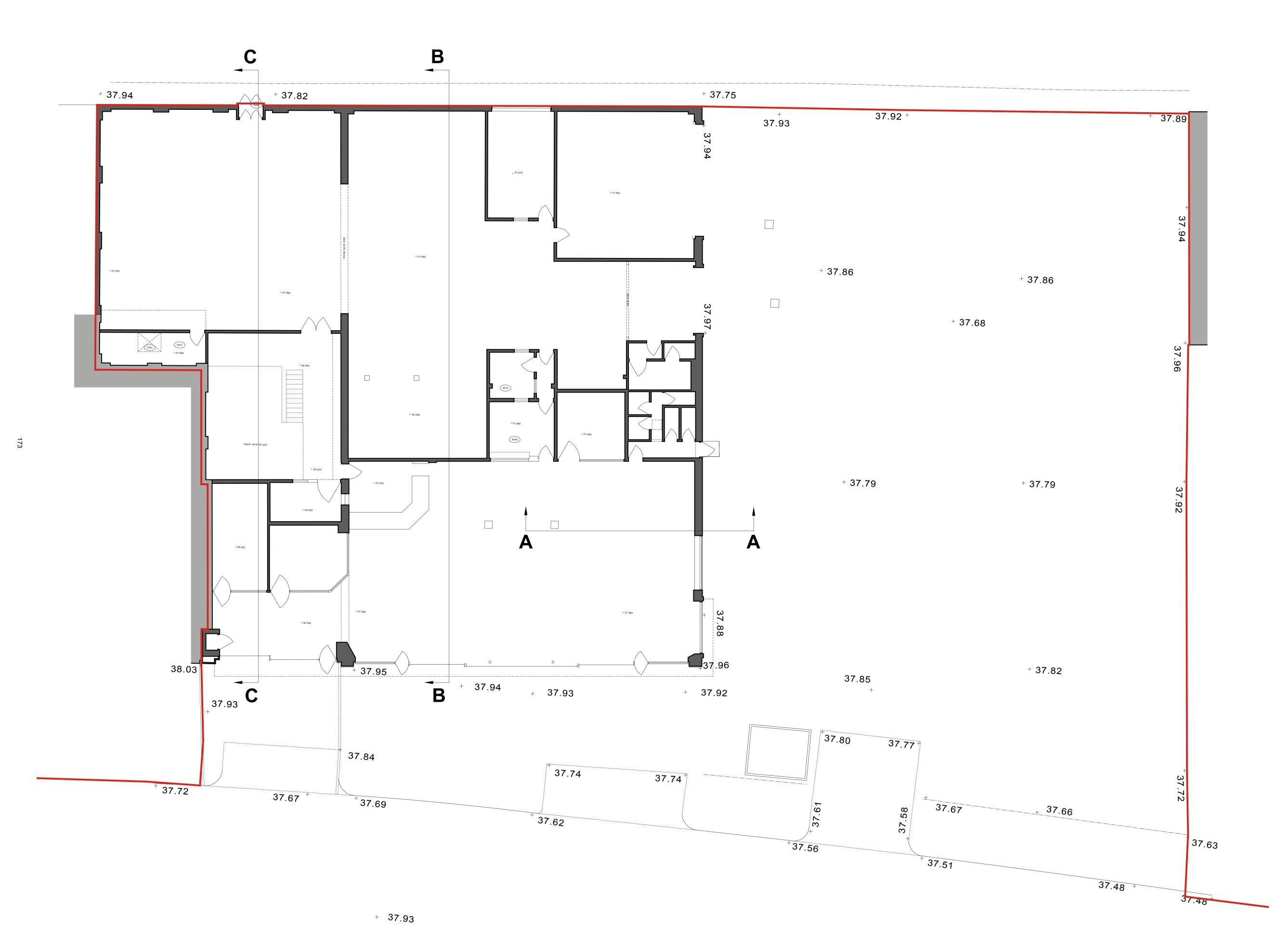
DOCUMENTS SUBMITTED AT THE HEARING

- 1 Statement of Common Ground between the Appellant and Council
- 2 Extracts from the *Development Management Development Plan Document* (July 2015)
- Policies Map from the *Development Management Development Plan Document*
- 4 Extracts from the *Design and Townscape Guide* Supplementary Planning Document (2009)
- 5 Annual Monitoring Report (December 2013)
- 6 Local newspaper articles, including a plan showing supermarkets in London Road (submitted by Ms Raphael)
- 7 Copies of planning permissions for 845-849 London Road
- 8 Appeal and cost decisions relating to the reserved matters application at 845 London Road (20 May 2015)
- 9 Appeal decision relating to 51 retirement apartments at Brentwood (22 July 2013)
- 10 Copy of covering letter that accompanied the appeal (5 May 2015)
- 11 Report to the Council's Development Control Committee concerning the third reason for refusal on parking
- 12 Application for costs made by Mr Phillips on behalf of the Appellant, along with associated correspondence
- Response to the costs application by the Council
- 14 Further correspondence concerning the costs application following the close of the Hearing

PLANS

- A/1-A/13 Application plans
- B/1-B/12 Plans submitted with the appeal

_



This drawing to be read in accordance with the specification/Bills of Quantities and

No Dimensions to be scaled from this drawing. All stated dimensions to be verified on site and the Architect notified of any discrepancies.

Reproduced from OS Mastermap by permission of Ordnance Survey ® on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright 2012
All rights reserved. Reference number 1021522

FOR PLANNING

| Α | 18.12.2012 | APPLICATION BOUNDARY AMENDED | DF | |
|------|------------|------------------------------|----|--|
| REV. | DATE | NOTE | IN | |
| | | | | |

PROPOSED MIXED USE DEVELOPMENT LONDON ROAD WESTCLIFF-ON-SEA

EXISTING BUILDING GROUND FLOOR LAYOUT

Scale 1:100 @A1 Date OCT 2012 Checked Drawing Number 6766_PII

Saunders Partnership Architects

ARCHITECTURE | URBAN DESIGN | MASTER PLANNING
Studio Four, 37 Broadwater Road, Welwyn Garden City, Herts, AL73AX



This page is intentionally left blank





This drawing to be read in accordance with the specification/Bills of Quantities and

No Dimensions to be scaled from this drawing. All stated dimensions to be verified on site and the Architect notified of any discrepancies.

Reproduced from OS Mastermap by permission of Ordnance Survey ® on behalf of the Controller of Her Majesty's Stationery Office. © Crown

Copyright 2012
All rights reserved. Reference number 1021522

Project

PROPOSED MIXED USE DEVELOPMENT LONDON ROAD WESTCLIFF-ON-SEA

Title

EXISTING BUILDING ELEVATIONS & SECTIONS

| 1:100 | @AI | OCT 2012 | |
|--|---------------|----------------------|----------|
| Drawn NR | | Checked | |
| Drawing 6766 | Number PI2 | | Revision |
| Saunder Studio Four 37 Broadwa' Welwyn Gar Hertfordshire | den City | Architects | |
| | | Bristol Manchester | SAUNDERS |

SECTION B-B SECTION C-C

This page is intentionally left blank

177

NOTES

This drawing to be read in accordance with the specification/Bills of Quantities and related drawings. No Dimensions to be scaled from this drawing. All stated dimensions to be verified on site and the Architect notified of any discrepancies.

©

Scale bar 50mm at 1:1

Reproduced from OS Mastermap by permission of Ordnance Survey ® on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright 2012

All rights reserved. Reference number 1021522

NOTES

- Existing levels have been taken from Ordinance Survey and Topographical Information provided by others.
 Currently proposed levels are as provided by Civil Engineer and subject to change following any detailed site levels investigation.
 Highways arrangement is shown indicatively only, refer to Highway Engineer drawings for detailed highways proposal. Proposed works are subject to agreement with Local Highways Authority.
 Landscaping is shown indicatively only, refer to Landscape Architect's drawin for detailed landscape proposals.
 Store footprint and internal arrangement subject to retail planning approval.

APPLICATION BOUNDARY

FOR PLANNING

PROPOSED MIXED USE DEVELOPMENT WEST CLIFF-ON-SEA

SITE LOCATION PLAN

Scale 1:1250 @A3 Date JAN 2017 Drawn BV Checked RC Drawing Number 6766/P300 Revision

Saunders

Architecture + Urban Design

saundersarchitects.com | 01707 385300 | London | Manchester | Bristol | Welwyn

This page is intentionally left blank



Scale bar 100mm at 1:1 Reproduced from OS Mastermap by permission of Ordnance Survey® \square on behalf of the Controller of Her Majesty's Stationery Office. \square © Crown Copyrigh2012 . All rights reserved. Reference number 1021522 NOTES Existing levels have been taken from Ordinance Survey and Topographical Information provided by others.

Currently proposed levels are as provided by Civil Engineer and subject to change following any detailed site levels investigation. Highways arrangement is shown indicatively only; refer to Highway Engineer's drawings for detailed highways proposal. Proposed works are subject to agreement with Local Highways Authority. MOE for detailed landscape proposals. • Store footprint and internal arrangement subject to retail planning approval. PLANT/ STORAGE + 00.00 Proposed levels ACCOMMODATION SCHEDULE RETAIL STORE - GIA 4413sqft/ 410sqm **PLANT** with associated plant and internal refuse RESIDENTIAL PARKING (29 SPACES) dependent on operator requirements 14 RETAIL PARKING SPACES SUB-STATION RESIDENTIAL BIN STORE 7 x 1100 litres capacity bins incorporating separate recycling and waste provision subject to Local Planning Authority approval CONTROLLED ACCESS DOOR SECURE STORAGE FOR 12 MOTORISED 29 RESIDENTIAL PARKING SPACES SCOOTER STORAGE RESIDENTIAL BIN STORE **RETAIL STORE FOR PLANNING** UNIT SUBJECT TO DETAILED RETAIL PLAN B 17.02.17 AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS BV
A 14.02.17 AMENDMENTS FOLLOWING CLIENTS COMMENTS BV REV. DATE NOTE PROPOSED MIXED USE DEVELOPMENT WESTCLIFF-ON-SEA RETAIL DELIVERY PROPOSED GROUND LOBBY FLOOR PLAN ENTRY Scale I:100 @AI JAN 2017 Checked **RC** Drawn **BV** Drawing Number 6766/P301.0

PROPOSED LAYOUT LEVEL 0

This drawing to be read in accordance with the specification/Bills of

NOTES

Quantities and related drawings.

No Dimensions to be scaled from this drawing. All stated dimensions to be verified on site and the Architect notified of any discrepancies.

- Landscaping is shown indicatively only; refer to Landscape Architect's drawings

| LEGEND | | |
|---------|---------------------------|--|
| | Site Application Boundary | |
| + 00.00 | Existing levels | |
| | | |

Saunders

Architecture + Urban Design

Quantities and related drawings. No Dimensions to be scaled from this drawing. All stated dimensions to be

verified on site and the Architect notified of any discrepancies.

Reproduced from OS Mastermap by permission of Ordnance Survey ${\mathbb R} \,\square\,$ on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyrigh 2012 .
All rights reserved. Reference number 1021522

NOTES

Scale bar 100mm at 1:1

 Existing levels have been taken from Ordinance Survey and Topographical Information provided by others.

- Currently proposed levels are as provided by Civil Engineer and subject to change following any detailed site levels investigation.

 • Highways arrangement is shown indicatively only; refer to Highway Engineer's drawings for detailed highways proposal. Proposed works are subject to
- agreement with Local Highways Authority. Landscaping is shown indicatively only; refer to Landscape Architect's drawings for detailed landscape proposals.
- Store footprint and internal arrangement subject to retail planning approval.

LEGEND

Site Application Boundary

(82.7sqm)

ACCOMMODATION SCHEDULE

390 sqm APPROX. OF EXTERNAL AMENITY SPACE AT FIRST FLOOR LEVEL

216.2 sqm APPROX. OF INTERNAL COMMUNAL SPACE

RECEPTION AND OFFICE

GUEST SUITE

FIRST FLOOR 2 BEDROOM FLAT I-(82.0sqm) FLAT 2-2 BEDROOM (87.9sqm) FLAT 3-I BEDROOM (57.3sqm) FLAT 4-I BEDROOM (51.3sqm) FLAT 5-2 BEDROOM (86.3sqm) FLAT 6-2 BEDROOM (65.9sqm) FLAT 7-2 BEDROOM (67.3sqm) FLAT 8-I BEDROOM (51.3sqm)

2 BEDROOM

TOTAL: 31 FLATS OVER 3 FLOORS

FLAT 9-

FOR PLANNING

16.03.17 AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS SM 17.02.17 AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS BV 14.02.17 AMENDMENTS FOLLOWING CLIENTS COMMENTS BV

PROPOSED MIXED USE DEVELOPMENT WESTCLIFF-ON-SEA

PROPOSED FIRST FLOOR PLAN

Scale I:100 @A1 Date JAN 2017 Checked Drawn RC

Drawing Number 6766/P301.1

Saunders

Architecture + Urban Design

saundersarchitects.com | 01707 385300 | London | Manchester | Bristol | Welwyn



PROPOSED LAYOUT LEVEL 2

NOTES

This drawing to be read in accordance with the specification/Bills of Quantities and related drawings.

verified on site and the Architect notified of any discrepancies.

No Dimensions to be scaled from this drawing. All stated dimensions to be

Scale bar 100mm at 1:1

Reproduced from OS Mastermap by permission of Ordnance Survey® \square on behalf of the Controller of Her Majesty's Stationery Office. \square © Crown Copyrigh2012 . All rights reserved. Reference number 1021522

NOTES

- Existing levels have been taken from Ordinance Survey and Topographical Information provided by others.
- Currently proposed levels are as provided by Civil Engineer and subject to change following any detailed site levels investigation.

 Highways arrangement is shown indicatively only; refer to Highway Engineer's drawings for detailed highways proposal. Proposed works are subject to
- agreement with Local Highways Authority. Landscaping is shown indicatively only; refer to Landscape Architect's drawings for detailed landscape proposals. • Store footprint and internal arrangement subject to retail planning approval.

LEGEND

Site Application Boundary

ACCOMMODATION SCHEDULE

30.1 sqm APPROX. OF INTERNAL COMMUNAL SPACE

SECOND FLOOR

| SECOND LEGON | • | |
|--------------|-----------|------------|
| FLAT 10- | I BEDROOM | (51.7sqm) |
| FLAT II- | I BEDROOM | (53.1 sqm) |
| FLAT 12- | I BEDROOM | (57.3sqm) |
| FLAT 13- | I BEDROOM | (51.3sqm) |
| FLAT 14- | I BEDROOM | (57.5sqm) |
| FLAT 15- | I BEDROOM | (55.1 sqm) |
| FLAT 16- | 2 BEDROOM | (70.9sqm) |
| FLAT 17- | 2 BEDROOM | (65.9sqm) |
| FLAT 18- | 2 BEDROOM | (67.3sqm) |
| FLAT 19- | I BEDROOM | (51.3sqm) |
| FLAT 20- | 2 BEDROOM | (82.7sqm) |
| FLAT 21- | 2 BEDROOM | (86.8sqm) |
| | | |

TOTAL: 31 FLATS OVER 3 FLOORS

FOR PLANNING

| C B A | 16.03.17 17.02.17 14.02.17 | AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS AMENDMENTS FOLLOWING CLIENTS COMMENTS | SM BV BV |
|-------------|----------------------------------|---|----------------|
| REV. | DATE | NOTE | IN |

PROPOSED MIXED USE DEVELOPMENT WESTCLIFF-ON-SEA

PROPOSED SECOND FLOOR PLAN

| Scale 1:100 | @AI | Date JAN 2017 |
|--------------------|-----|----------------------|
| Drawn BV | | Checked RC |

Drawing Number 6766/P301.2

Saunders

Architecture + Urban Design

saundersarchitects.com | 01707 385300 | London | Manchester | Bristol | Welwyn

PROPOSED LAYOUT LEVEL 3

NOTES

Quantities and related drawings.

No Dimensions to be scaled from this drawing. All stated dimensions to be

This drawing to be read in accordance with the specification/Bills of

verified on site and the Architect notified of any discrepancies.

Scale bar 100mm at 1:1

Reproduced from OS Mastermap by permission of Ordnance Survey® on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyrigh 2012. All rights reserved. Reference number 1021522

NOTES

- Existing levels have been taken from Ordinance Survey and Topographical Information provided by others.
- Currently proposed levels are as provided by Civil Engineer and subject to change following any detailed site levels investigation.
 Highways arrangement is shown indicatively only; refer to Highway Engineer's
- drawings for detailed highways proposal. Proposed works are subject to agreement with Local Highways Authority.

 Landscaping is shown indicatively only; refer to Landscape Architect's drawings
- tandscaping is shown indicatively only, refer to Landscape Architect's drawing for detailed landscape proposals.
 Store footprint and internal arrangement subject to retail planning approval.

LEGEND

Site Application Boundary

ACCOMMODATION SCHEDULE

sqm APPROX. OF EXTERNAL AMENITY SPACE AT THIRD FLOOR LEVEL 27 sqm APPROX. OF COMMUNAL SPACE

THIRD FLOOR

| FLAT 22- | 2 BEDROOM | (74.6sqn |
|----------|-----------|----------|
| FLAT 23- | I BEDROOM | (50.8sqn |
| FLAT 24- | I BEDROOM | (51.3sqn |
| FLAT 25- | I BEDROOM | (50.9sqn |
| FLAT 26- | I BEDROOM | (50.9sqn |
| FLAT 27- | I BEDROOM | (50.4sqn |
| FLAT 28- | I BEDROOM | (54.9sqn |
| FLAT 29- | 2 BEDROOM | (68sqm) |

(69.6sqm)

(74.4sqm)

TOTAL: 31 FLATS OVER 3 FLOORS

FLAT 30- 2 BEDROOM

FLAT 31- 2 BEDROOM

FOR PLANNING

| C B A | 16.03.17 17.02.17 14.02.17 | AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS AMENDMENTS FOLLOWING CLIENTS COMMENTS | SI B\ |
|-------------|----------------------------------|---|----------|
| REV. | DATE | NOTE | IN |

Project

PROPOSED MIXED USE DEVELOPMENT WESTCLIFF-ON-SEA

Title

PROPOSED THIRD FLOOR PLAN

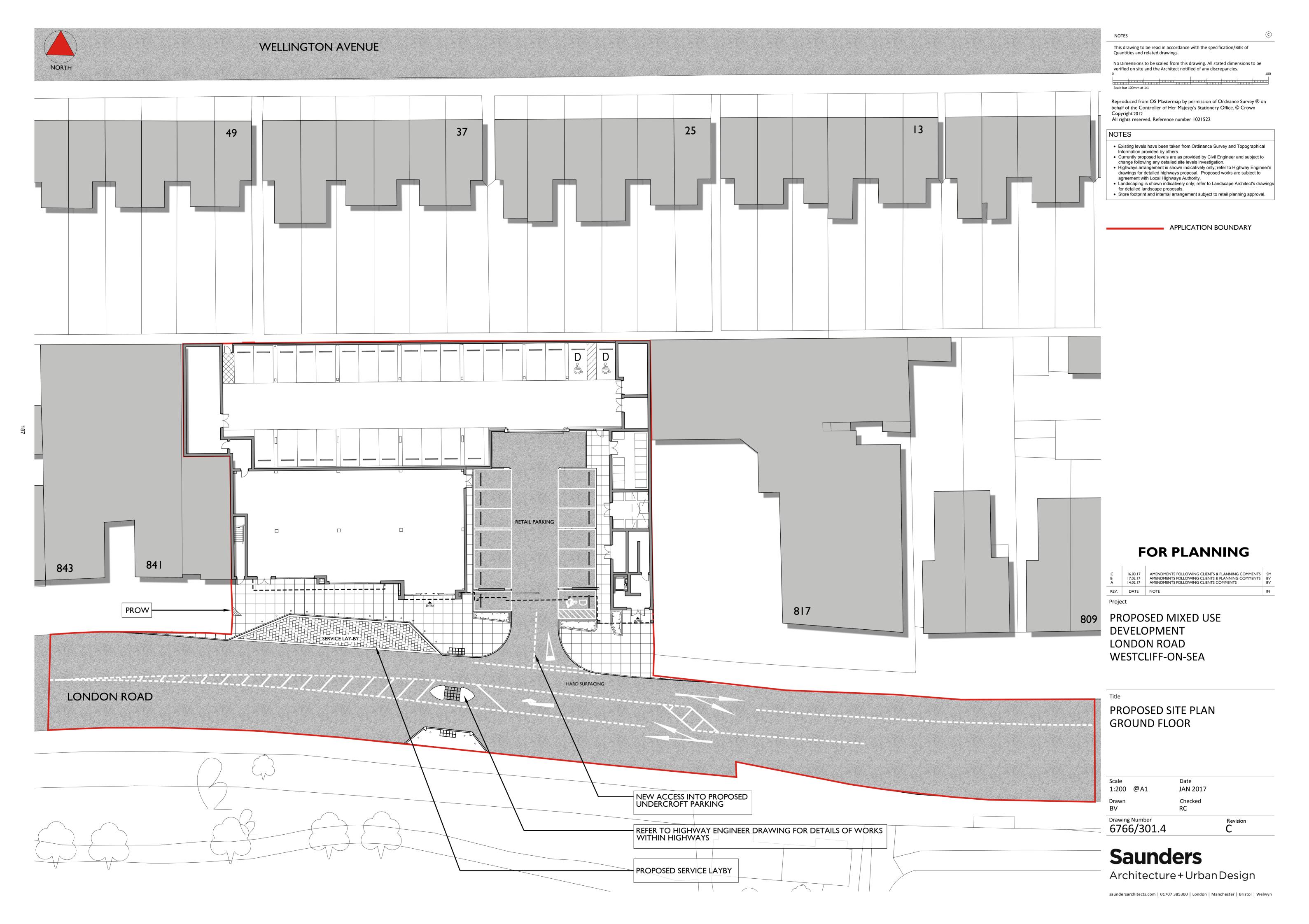
| Scale 1:1 00 | @AI | Date JAN 2 |
|------------------------|-----|---------------|
| Drawn | | Checke |

Drawing Number 6766/P301.3

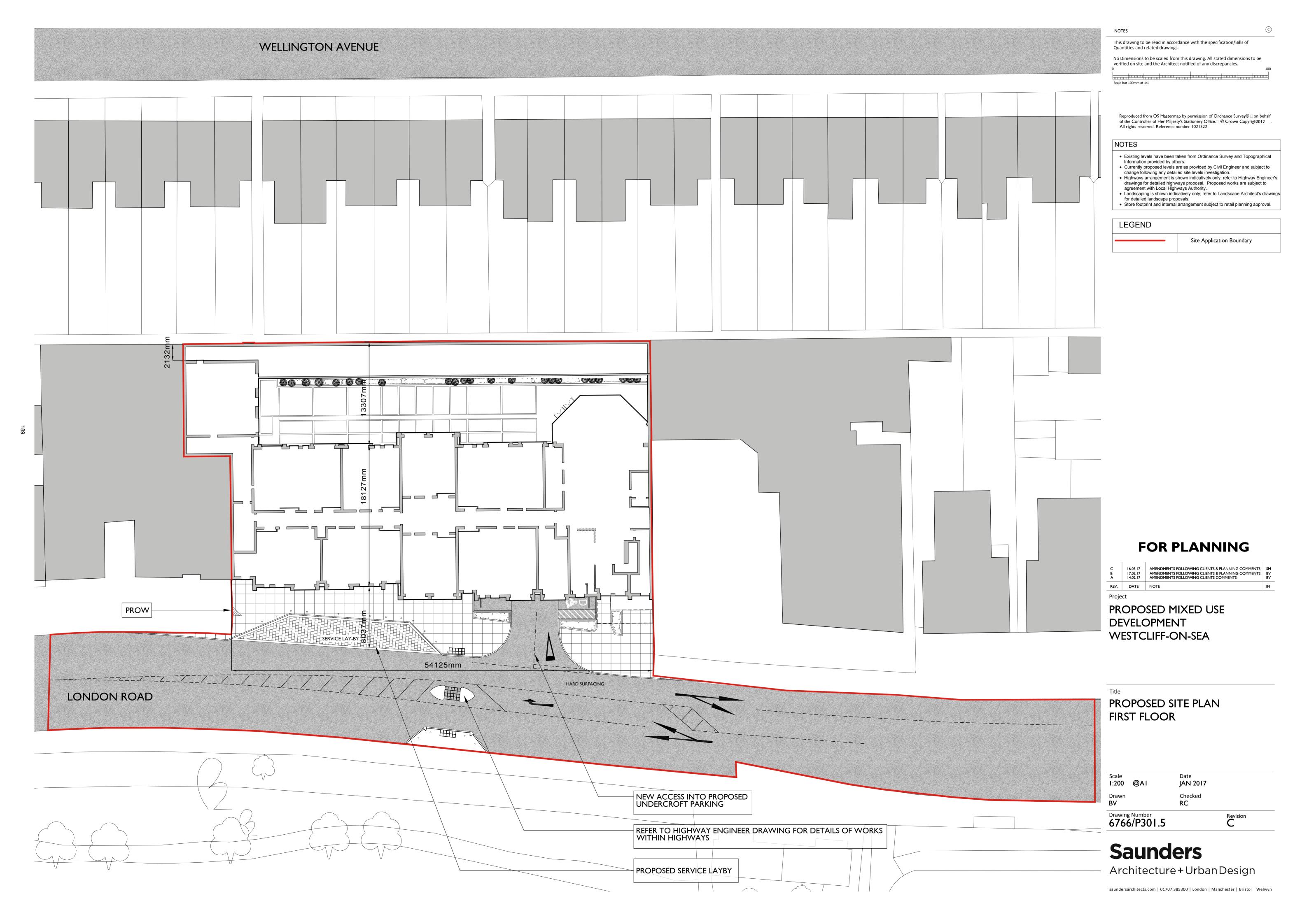
Saunders

Architecture + Urban Design

saundersarchitects.com | 01707 385300 | London | Manchester | Bristol | Welwyn

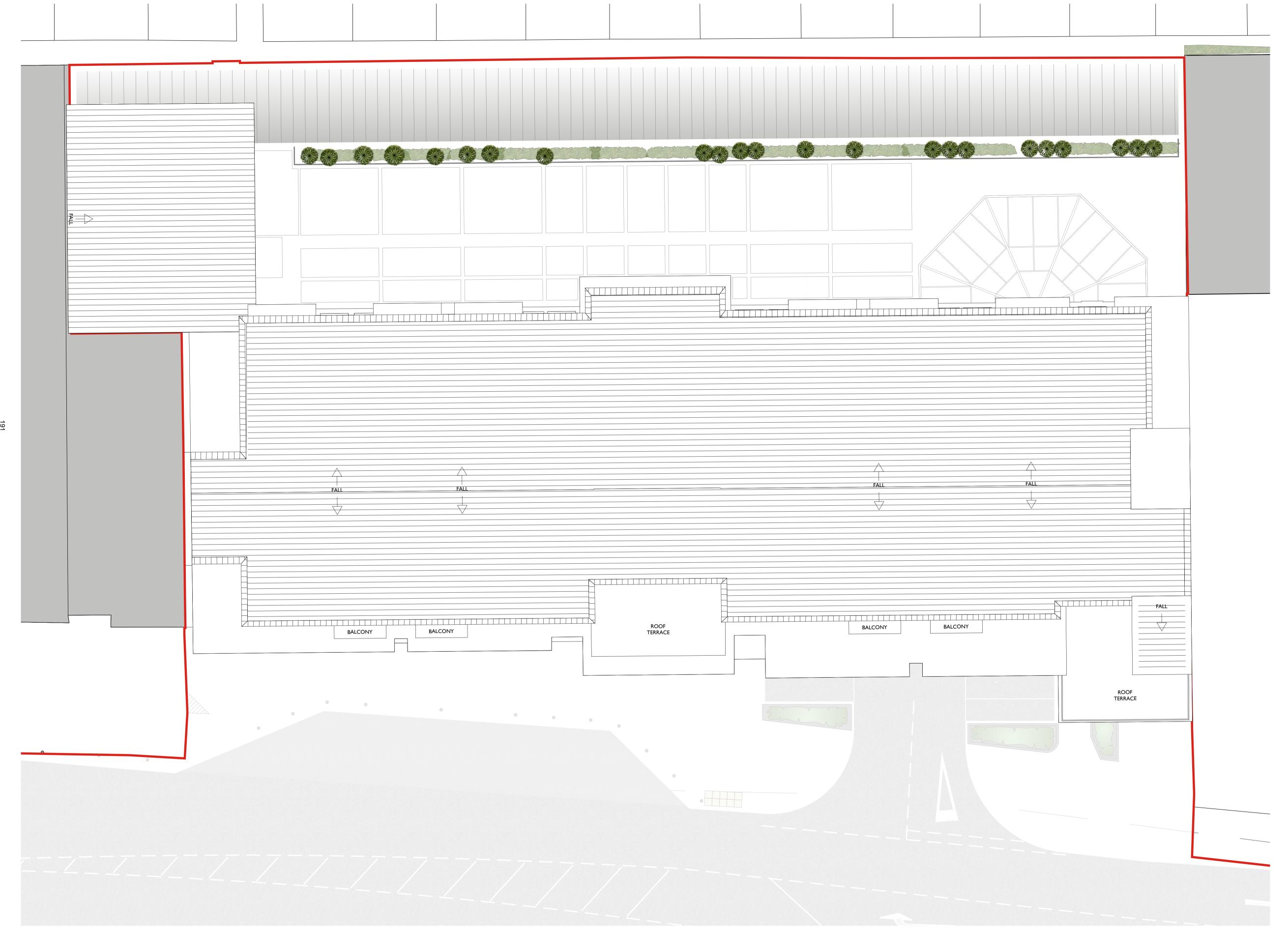












PROPOSED LAYOUT LEVEL 3

NOTES

This drawing to be read in accordance with the specification/Bills of Quantities and related drawings.

No Dimensions to be scaled from this drawing. All stated dimensions to be verified on site and the Architect notified of any discrepancies.

Scale bar 100mm at 1:1

Reproduced from OS Mastermap by permission of Ordnance Survey® \square on behalf of the Controller of Her Majesty's Stationery Office. \square © Crown Copyrigh $\mathbf{\hat{z}}$ 012 . All rights reserved. Reference number 1021522

NOTES

- Existing levels have been taken from Ordinance Survey and Topographical Information provided by others.
- Currently proposed levels are as provided by Civil Engineer and subject to change following any detailed site levels investigation.
 Highways arrangement is shown indicatively only; refer to Highway Engineer's
- drawings for detailed highways proposal. Proposed works are subject to agreement with Local Highways Authority.

 Landscaping is shown indicatively only; refer to Landscape Architect's drawings
- for detailed landscape proposals.Store footprint and internal arrangement subject to retail planning approval.



GREY STANDING SEAM ROOF

FOR PLANNING



PROPOSED MIXED USE DEVELOPMENT WESTCLIFF-ON-SEA

itle

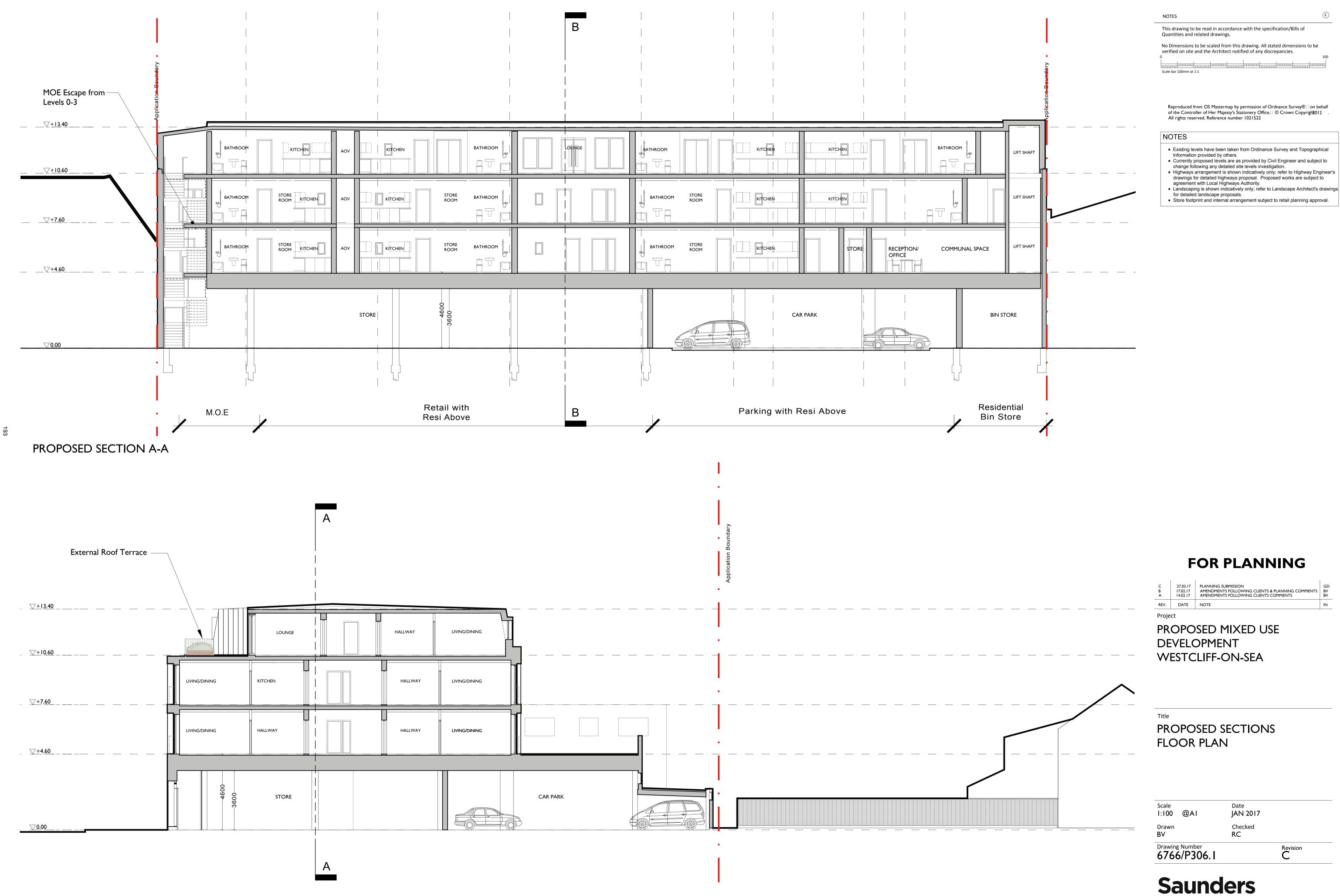
PROPOSED ROOF PLAN

| 6766/P301.6 | Revision |
|--------------------|---------------|
| Drawn DH | Checked RC |
| Scale I:I00 @AI | Date APR 2017 |

Saunders

Architecture + Urban Design

saundersarchitects.com | 01707 385300 | London | Manchester | Bristol | Welwyn



PROPOSED SECTION B-B

Architecture + Urban Design

This drawing to be read in accordance with the specification/Bills of Quantities and related drawings.

No Dimensions to be scaled from this drawing. All stated dimensions to be verified on site and the Architect notified of any discrepancies.

Reproduced from OS Mastermap by permission of Ordnance Survey® \square on behalf of the Controller of Her Majesty's Stationery Office. \square © Crown Copyrigh2012 . All rights reserved. Reference number 1021522



STREET ELEVATION



Saunders

Architecture + Urban Design

Scale bar 100mm at 1:1

No Dimensions to be scaled from this drawing. All stated dimensions to be verified on site and the Architect notified of any discrepancies.

Reproduced from OS Mastermap by permission of Ordnance Survey® \square on behalf of the Controller of Her Majesty's Stationery Office. \square © Crown Copyrigh2012 . All rights reserved. Reference number 1021522



NORTH ELEVATION



FOR PLANNING

| D | 27.03.17 | PLANNING SUBMISSION | SM |
|------|----------|--|----|
| C | 16.03.17 | AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS | RC |
| B | 17.02.17 | AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS | BV |
| A | 14.02.17 | AMENDMENTS FOLLOWING CLIENTS COMMENTS | BV |
| REV. | DATE | NOTE | |

PROPOSED MIXED USE DEVELOPMENT WESTCLIFF-ON-SEA

NORTH ELEVATION

| Drawing Number 6766/P307.2 | Revision |
|----------------------------|-----------|
| Drawn | Checked |
| BV | RC |
| Scale | Date |
| I:I00 @AI | JAN 2017 |
| | |

Saunders

Architecture + Urban Design



STAINLESS STEEL BALCONY HANDRAILS WITH CLEAR GLASS PANELS



RED BRICKWORK



RECONSTITUTED STONE



GREY STANDING SEAM ROOF



GROUND FLOOR FFL +0.00

EAST ELEVATION



PROPOSED MIXED USE DEVELOPMENT WESTCLIFF-ON-SEA

FOR PLANNING

27.03.17 PLANNING SUBMISSION
17.02.17 AMENDMENTS FOLLOWING CLIENTS & PLANNING COMMENTS BV
14.02.17 AMENDMENTS FOLLOWING CLIENTS COMMENTS
BV

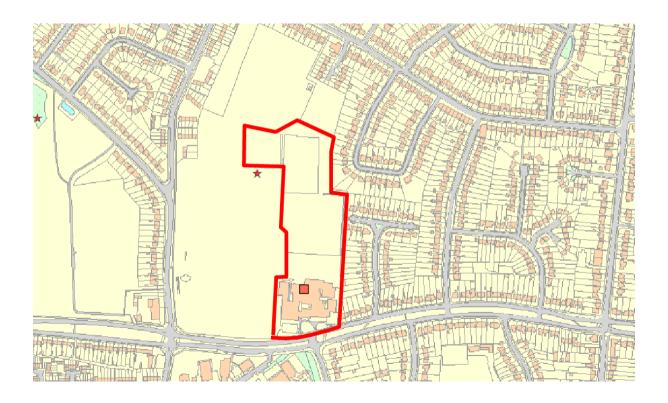
EAST AND WEST **ELEVATION**

| _ | Drawing Number 6766/P307.3 | | Revision |
|---|----------------------------|------------------|----------|
| | Drawn BV | Checked RC | |
| | Scale I:100 @AI | Date JAN 2017 | |

Saunders

Architecture + Urban Design

| Reference: | 17/01306/FULM | 11 | |
|---------------------------------|---|--------------------|--|
| Ward: | Blenheim Park | | |
| Proposal: | Erect two storey building creating additional class rooms and fitness suite and associated accommodation, layout 10 additional car parking spaces and erect cycle store, layout Multi Use Games Area and associated works | | |
| Address: | St Thomas More High School, K Westcliff-on-Sea, Essex, SS0 0BW | enilworth Gardens, | |
| Agent | St Thomas More High School | | |
| Applicant: Ingleton Wood LLP | | | |
| Consultation Expiry: 21.09.2017 | | | |
| Expiry Date: 09.11.2017 | | | |
| Case Officer: | Janine Rowley | | |
| Plan No's: | 001 Revision C; 100 Revision D; 101 Revision D; 102 Revision C; 103 Revision E; 104 Revision C; 108 Revision F; 004 Revision A | | |
| Recommendation: | GRANT PLANNING PERMISSION | | |



1 The Proposal

- 1.1 Planning permission is sought to erect a two storey pitched roofed teaching block and fitness suite, to layout of 10 additional car parking spaces, erect a cycle store and form a Multi-Use Games Area, together with associated works.
- 1.2 The proposed two storey detached building would be located to the north of the existing school buildings, sited on an existing hardstanding area, which is currently used as three tennis courts. The proposed building is 35m wide x 32m deep x 9.8m high and would provide new classrooms a drama/music studio, practice rooms, a fitness suite with associated changing rooms, storage, toilets, plant rooms and associated offices. The fitness suite would be open to the public. The overall internal floorspace of the extension is approximately 1540sqm.the floorspace of the fitness suites is 150sqm.
- 1.3 The materials to be used in the construction of the new teaching block include powder coated aluminium double glazed windows and doors in grey, composite grey roof panels for the pitched roofs, yellow stock brick, coloured trespa panel, aluminium surrounds to the windows, copper cladding and red bricks to match the existing buildings.
- 1.4 The proposal includes the creation of a new Multi Use Games Area to the north of the playing fields. The surface would allow all year round activity and will enable a number of different sports to be played together with four tennis courts marked out (to replace the three that would be lost as a result of the wider development). The proposal will result in an overall increase of 272sqm of play area. No flood lights are proposed as part of this application.
- 1.5 The proposal also includes new car parking and 10 additional spaces would be created by remodelling the existing hardstanding area in front of the new building. A new cycle store is proposed to the east of the new building.
- 1.6 The planning statement states the proposed development would enable a further 151 students to be accommodated and provide specialist teaching rooms, staff and administration areas and associated space for the 2018 intake.
- 1.7 The existing number of students on site is 995 (750 years 7-11 and 246 years 12-13). This proposal will increase the number of students to 1146 (151 additional students in years 7-11). The existing members of staff include 141 (111 full time and 30 part time), this proposal will increase the members of staff by 5 to 146 (116 full time and 30 part time).
- 1.8 A planning statement, design and access statement, energy statement, transport statement, ground investigation report, archaeological site investigation report have been submitted for consideration.

2 Site and Surroundings

- 2.1 The school site is located along Kenilworth Gardens. The existing school building fronts Kenilworth Gardens and the playground, grass and artificial sports pitches are to the north of the existing buildings. To the east of the site are two storey residential properties in Arundel Gardens. To the immediate west of the site are playing fields used by Westcliff High Schools for Girls and Boys. The site includes two vehicle access onto Kenilworth Gardens to the east and western boundaries. To the south of the site are Westcliff High School for Boys and Girls and there residential properties on the junction of Eastwood Boulevard and Kenilworth Gardens and to the north and east of the playing fields.
- 2.2 The playing fields to the north and east of the new educational building are designated as 'Protected Green Space' by the Development Management Document.

3 Planning Considerations

3.1 The main considerations in relation to this application are the principle of the development and in particular the loss of a playing field, design and impact on the character of the area, traffic and transportation, impact on residential amenity and CIL liability.

4 Appraisal

Principle of Development

National Planning Policy Framework (2012), Core Strategy (2007) Policies KP1, KP2, CP4, CP6, CP7; Development Management Document (2015) Policies DM1 and DM3, and the Design and Townscape Guide (2009)

- 4.1 Policy CP6 of the Core Strategy advocates the need to improve educational facilities to ensure that the needs of the local community are met. The policy states that subject to the maintenance of satisfactory environmental conditions and residential amenities, the Borough Council will support the improvement or extension of existing public and private education establishments and will encourage the use of their facilities for community purposes where this would meet identified requirements. The proposed development will improve the facilities available at St Thomas More, thus the proposal is in principle in accordance with Policy CP6 of the Core Strategy.
- 4.2 Policy CP7 of the Core Strategy states the Council will normally refuse permission for proposals involving the complete or partial loss of school playing fields. This proposal would not result in the loss of playing fields but would result in the loss of an existing hardstanding area which is currently used as tennis courts. This is proposed to be mitigated by the creation of a new Multi Games Use Area on land currently vacant and not capable of being used as playing field. Overall the proposal will result in the net gain of 272sqm playing area. The sports pitches to the immediate north of the existing school buildings would remain unaltered.

4.3 Sport England have raised no objection to the development, stating that the Multi Use Games Area would provide a larger size play surface with four tennis courts marked out and designed for formal sport, enabling the school to host tournaments and competitive tennis matches, which the existing games courts are not suitable for. The superior quality of the Multi Use Games Area would offer greater potential for meeting local community tennis court needs. In addition, the proposed fitness suite within the new teaching block would widen the range of physical activities that the school can offer as part of the Physical Education curriculum, providing additional capacity to meet the needs of the expansion. In relation to the impact on the playing field, the existing area to where the Multi Use Games Area is proposed, includes rough grassland, is poorly drained and has not been previously used for playing pitches. Sport England have raised no objections subject to a number of conditions relating to the Multi Use Games Area design specifications, phasing and delivery and the implementation of community use agreement as set out below.

Design and Impact on the Character of the Area

National Planning Policy Framework (2012); Core Strategy (2007) Policies KP2, CP4; Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009)

- 4.4 Policy DM1 of the Development Management requires any new development to respect and enhance the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, layout, proportions, materials and overall townscape. The proposed development will result in a replacement of tennis courts with a contemporary building providing extra internal floorspace for pupils at the existing school and future expansion.
- 4.5 The overall design is simple and contemporary with varying pitches to the roof being the main feature. The proposed materials will relate satisfactorily to the existing buildings including the use brickwork to match the existing development with modern wood effect cladding to add interest. It is considered the overall design and scale of the building does not detract from the character and appearance of the existing school building or the surrounding area. Although the proposal will be visible from Kenilworth Gardens from the west of the site, the building is set 125m from the street frontage and will have limited visual impact.
- 4.6 Given the simplicity of the design, the success of the proposal will depend on the quality of materials, which can be controlled by condition.
- 4.7 The resiting of the tennis courts and formation of a Multi-Use Games Area will not result in any material harm to the character and appearance of the area.

4.8 In light of the above, subject to suitable 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 to be in accordance with the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document, and the Design and Townscape Guide.

Traffic and transportation

National Planning Policy Framework (2012); Core Strategy (2007) Policies KP2, CP4, CP3; Development Management Document (2015) Policy DM15, and the Design and Townscape Guide (2009).

- 4.9 The primary vehicle access to the school is from Kenilworth Gardens in the south-western corner of the school, via a gated access. There is also a gated entrance for additional car parking to the south-eastern corner to the east of the main entrance. There are currently 86 parking spaces on site for visitors and members of staff. The proposal will include the formation of 10 additional places to the rear of the site resulting in 96 spaces available on site.
- 4.10 The eastbound and westbound Kenilworth Gardens carriageways are separated by wide verges in the vicinity of the site, with traffic calming provided by the on street parking that occurs in one lane in each direction. There are a number of safe pedestrian crossing points for children.
- 4.11 Existing bus stops are on either side of Kenilworth Garden with a number of services.
- Vehicle parking standards set out in policy DM15 of the Development Management Document state require a maximum of 1 space per 15 students for years 7-11. For schools with further education years 12-13 1 space per 15 students for full time equivalent staff plus 1 space per 15 students for student parking are sought as a maximum. Based upon current planning policy a maximum number of 10 spaces are required for the development as proposed (which results in 151 additional students and 5 staff). Thus the 10 additional car parking spaces that are proposed will meet policy requirements. It should also be noted that parking for the site as a whole (96 parking spaces including those now proposed) exceeds the current maximum standards as set out by policy DM15 of the Development Management Document.
- 4.13 The transport statement for the school has been updated (in terms of pupil numbers and members of staff) to take into account the proposed development. The document states that the majority of new trips generated to and from the school will be made by sustainable means, with the majority being by bus, walking and cycling. It is estimates that there would be an additional 41 traffic movements as a result of the development. It is not considered that the additional traffic generated as a result of the proposed development will result in harm to the highway network or highway safety.

- 4.14 Furthermore, evidence has been submitted to demonstrate that the existing travel plan operated at the school successfully encourages travel by sustainable means; and that approximately 84% of students use sustainable means of transport. A condition will be imposed should permission be granted to ensure the travel plan is updated and reviewed annually and sustainable transport modes are continued to be encouraged.
- 4.15 The current proposal will allow for the provision of additional cycle spaces to be provided. Policy DM15 of the Development Management Document states 1 space per 5 staff plus 1 space per 3 pupils is required. The applicant has confirmed currently there are cycle spaces on site. In order to ensure the proposal meets the current cycle parking standards as set out above, 55 spaces can be required by a suitable condition should permission be granted and that the proposal is therefore policy compliant in terms of cycle provision.
- 4.16 Taking the above, the parking and impact on the highway network is considered to be compliant with policy DM15 of the Development Management Document.

Impact on residential amenity

National Planning Policy Framework (2012); Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1, and DM3 the Design and Townscape Guide (2009).

4.17 Policies DM1 and DM3 of the Development Management Document and CP4 of the Core Strategy refer to the impact of development on surrounding occupiers. High quality development, by definition, should provide a positive living environment for its occupiers whilst not having an adverse impact on the amenity of neighbours. Protection and enhancement of amenity is essential to maintaining people's quality of life and ensuring the successful integration of proposed development into existing neighbourhoods. Amenity refers to well-being and takes account of factors such as privacy, overlooking, outlook, noise and disturbance, the sense of overbearing, pollution and daylight and sunlight. A proposed development will need to consider its potential impact upon neighbouring properties and the surrounding area. policy DM1 of the Development Management requires that all development should (inter alia):

"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"

4.18 The proposed two storey building is 63m located from the boundary of with properties in Arundel Gardens with a further 35m to the rear elevation of those properties. Whilst there are windows at first floor of the new building they are set 83m from the eastern boundary. Taking into account the separation distance to the properties to the east of the site it is considered sufficient to mitigate any material harm on the existing residents in terms of overlooking, loss of privacy and light and the development being overbearing.

- 4.19 The two storey building will be sited 222m from the nearest properties to the west of the site, with sport pitches operated by Westcliff Grammar School for Girls and Boys.
- 4.20 The proposed Multi Use Games Area is located to the east of the existing sports pitches, the applicant has confirmed no floodlights. There is an overall separation distance of 93m from the nearest property to the east in Treecot Drive, 106m from the nearest property in Winsford Gardens and 193m from properties in Bridgwater Drive, which is sufficient to mitigate any material harm to the existing residents in terms of noise and disturbance.
- 4.21 In terms of noise and disturbance, there are no restrictions of the opening hours of the school. It should be noted no conditions were imposed on the school when originally constructed in terms of hours of use. The additional parking is proposed to be accessed from Kenilworth Gardens, in terms of impact of noise and disturbance it is considered negligible and no objection is raised in relation to noise on this basis. However the Community Use agreement will contain details of hours of operation of the MUGA and fitness centre and this will protect the amenities of nearby properties.

4.22 **Sustainability**

National Planning Policy Framework (2007); Core Strategy (2007) Policy KP2; Development Management Document (2015) Policy DM2 and the Design and Townscape Guide

Paragraph 97 of the National Planning Policy Framework states that local authorities should promote energy from renewable sources. Policy KP2 of the Core Strategy states that all new development proposals should demonstrate how they will maximise the use of renewable and recycle energy, water and other resources. Policy DM2 of the Development Management Document advocates the need to ensure the delivery of sustainable development whereby all development proposals should contribute to minimising energy demand and carbon dioxide emissions in accordance with the energy hierarchy.

- 4.23 The drawings submitted illustrate that a large area of photo voltaic panels are proposed to the roof. Air source heat pumps are discussed within the supporting information. This approach is acceptable in principle but the 10% energy policy requirement will need to be demonstrated as no definitive calculations have been provided to demonstrate the proposal will meet the requirements of policy KP2 of the Core Strategy. This will be dealt with by condition.
- 4.24 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.

4.25 The applicant has submitted details of the drainage suggesting existing foul and surface water drainage will be extended and connects to existing drainage. Further details will be required by condition to demonstrate the proposal will increase surface water runoff and how it will incorporate the principle of SuDs.

4.26 Other Matters

Lighting

No additional lighting has been proposed at this time. However, a suitable condition will be imposed to ensure full details are submitted for consideration should this be proposed at a later date to mitigate against any potential harm to surrounding residential properties.

4.27 Flood Risk Assessment

The site is located within flood zone 1 and is therefore suitable for all types of development without the need to pass the sequential test of exception test. The site is not at a significant risk of flooding and as referred to above further details on the Sustainable urban Drainage systems are to be required by condition.

4.28 Archaeology

An archaeological desk based assessment prepared by the applicants suggests that there are several features on site that may result from buried archaeological ditched features and that a further site investigation should be undertaken within the northern part of the school grounds within, and possibly around the MUGA to mitigate against the potential impacts of the development. A condition will be imposed to ensure that further site investigations are carried out and if any archaeology is discovered during the demolition and construction works, full details are to be submitted to the Council and recorded.

4.29 Ecology/Bat Survey

The National Planning Policy Framework (section 11) states that local authorities should aim to conserve and enhance biodiversity. Planning decisions must prevent harm to bio-diversity and impose adequate mitigation measures where appropriate. The applicant has confirmed there are no endangered or priority species inhabiting the site or any features of notable ecological value. Officers consider an appropriate condition shall be imposed to ensure relevant mitigation measures are implemented in relation to ecology matters that may arise during the construction of the development.

Trees

4.30 The location of the Multi Games Area is sited in close proximity to mature trees. No objections are raised subject to conditions to ensure all work in the vicinity of the trees is undertaken in accordance with the guidelines set out in BS5837 to ensure root protection areas are calculated for each tree with protective fencing erected prior to start of the development works.

Contamination

4.31 The proposed Multi Games Use Area will be located on open space and the new building above an existing playground. Whilst the area is not known for contamination, during development contamination not previously identified if found present at the site can be controlled by condition.

Community Infrastructure Levy Charging Schedule

4.32 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

4.33 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development is acceptable and that will provide an improved education facility and new multiuse games area. The development would not result in the loss of playing fields or sports facilities. The design and scale of the proposed development relates satisfactorily to the existing school buildings and will provide an improved education facility. The increased number of students and members of staff will have limited impact on the highway network or neighbour amenity and the number of parking spaces provided is policy compliant. This application is therefore recommended for approval subject to conditions.

4.34 Planning Policy Summary

- 5 National Planning Policy Framework
- 5.1 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Traffic and Highways), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP7 (Sport, Recreation and Green Space)
- Development Management Document (2015) policies DM1 (Design Quality), DM2 (Low carbon development and efficient use of resources), DM3 (The Efficient and effective use of land), DM5 (Southend on Sea Historic Environment), DM15 (Sustainable Transport Management)
- 5.3 Design & Townscape Guide 2009.
- 5.4 Community Infrastructure Levy Charging Schedule

5.5 **Representation Summary**

Design & Regeneration

6 No comments.

6.1 **Children and Learning**

No comments.

6.2 Traffic and Transportation

The applicant is providing 96 car parking spaces for the proposed school expansion which will total 1146 students by 2022 for years 7-11. Sixth form student numbers remain unchanged. The expansion will increase the current staffing levels by 5 to 146 which include 30 part time staff. The number of car parking spaces provided for the proposal exceeds the current Development Management Document Policy DM15. 130 existing cycle parking spaces are being provided for staff and student use currently and the applicant has agreed to provide additional cycle provision in accordance with Policy DM15.

The applicant has provided a comprehensive design and access statement which includes a transport statement and travel plan detailing current modes of travel for all students. The travel plan will also be monitored annually by the highway authority. The travel plan has also referenced the previous highway improvements at the front of the site which provides a dedicated contract bus pick up and drop off area which is used by a large number of students. In addition to this there are existing bus stops within the local area which all links to services throughout the borough. The location of the school is also located to close Prittlebrook cycleway which provides good links to Leigh and Central Southend.

Given the above information no highway objections are raised as all aspects of the parking provision are policy compliant. The site benefits from being in a sustainable location with regard to public transport which has good links in close proximity and provides an alternative travel choice for all students and staff at the school. It is not considered that the additional school intake and 5 members of staff will have a detrimental impact on the public highway.

6.3 Trees

The proposal is acceptable subject to conditions that all work in the vicinity of the trees is undertaken in accordance with the guidelines set out in BS5837, that all trees in the vicinity of the Multi Use Games Area are identified and the root protection areas calculated for each tree with protective fencing erected prior to start.

6.4 Environmental Health

No objections in principle subject to conditions in relation to contamination and noise as follows:

- 1. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority a remediation strategy detailing how this unsuspected contamination shall be dealt with. All agreed remediation works must be implemented in their entirety prior to further construction works commencing unless otherwise agreed in writing by the LPA.
 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework, sections 120 and 121.
- Due to the proximity of the site to other residential buildings, the hours of work will need to be restricted. The hours of work are therefore restricted to 8am – 6pm Monday to Friday, 8am – 1pm Saturday. No demolition or construction shall be carried out on Sundays or Bank Holidays.
- 3. Due to the proximity of the site to other residential buildings, 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"*. http://www.london.gov.uk/thelondonplan/guides/bpg/bpg 04.jsp

6.5 **Sport England**

Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in the light of the National Planning Policy Framework (particularly Para 74) and Sport England's policy on planning applications affecting playing fields 'A Sporting Future for the Playing Fields of England'.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply.

The Proposal and Impact on Playing Field

The proposal involves the expansion of St Thomas More High School to 6FE. This would principally involve a new teaching block and additional car parking spaces that would be sited on part of the existing games court area and a new multi-use games area (MUGA) that would be sited on part of the natural turf playing field adjoining the artificial grass pitch. The proposed teaching block would include a fitness suite and ancillary changing facilities.

Assessment against Sport England Policy

As the application relates to the provision of new outdoor and indoor sports facilities on the existing playing field, it therefore needs to be considered against exception E5 of the above policy, which states:

 E5 - The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

The existing and proposed playing fields have been assessed against the above policy to determine whether the proposals meet exception E5.

Sports Development Benefits

The key potential sports development benefits of the proposed development are considered to be as follows:

- Multi-Use Games Area (MUGA): While the MUGA would be directly replacing part of the existing games court area that would be lost to the classroom block, as set out in the Planning Statement, the MUGA would offer a number of benefits when compared to the games court area that it would replace:
- It would be larger in size (net increase of 2232 sqm) and would allow 4 tennis courts to be marked out which would increase the number of tennis courts available on the site by one court.
- The surface would be designed for formal sport as it would be a sports macadam surface and would be expected to be superior in quality to the games court area it would replace which appears to be a standard hard play area surface;
- The MUGA would be fenced which would offer ball stop, security and maintenance benefits
- The quality of the MUGA would allow the school to host tournaments and competitive tennis matches which the existing games courts are not suitable for;

- The superior quality of the MUGA compared to the games court would offer greater potential for meeting local community tennis court needs. At present, there is no community use of the existing games courts by the community but the new courts proposed on the MUGA would offer greater potential for meeting community needs due to the surfacing and fencing proposed. The school have also confirmed that the MUGA would be made available for community use.
- Fitness Suite: The new teaching block would include a fitness studio and ancillary changing facilities. The school's existing sports hall is unsuitable for permanent fitness equipment to be installed due to the need to maintain it for indoor sports. The fitness suite would widen the range of physical activities that the school can offer as part of its PE curriculum and provide additional capacity to meets the needs of the expansion. It is also proposed that the suite would be made available for community use outside of school hours which may help to meet local community needs for fitness suite provision.

Impact on Playing Field

In terms of the impact on the playing field, the MUGA would be sited on an area of the school's natural turf playing field adjoining the artificial grass pitch to the north of the site. While it would be a relatively large encroachment onto the playing field, it is understood that this area is rough grassland and is poorly drained. Consequently, it is not used for marking out playing pitches and has not been in the past. This area is also constrained by trees which would prejudice the potential for marking out pitches in any case. An existing athletics jump pit would also be displaced but this would be relocated to the south of the artificial grass pitch.

The teaching block would result in the loss of about half of the existing games court area but as set out above this would be replaced by the MUGA which would be a superior facility in size and quality. The relative remoteness of the MUGA to the school buildings is undesirable but the school have advised that this will not be an issue in relation to meeting the school's needs. The Lawn Tennis Association has been consulted and have advised that the remoteness of the MUGA from changing/toilet facilities may have an impact on potential community use although it is acknowledged that the artificial grass pitch that is used by the community is in a similar location. An existing footpath would be extended around the artificial grass pitch to ensure suitable and inclusive pedestrian access to the MUGA.

Conclusion

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to meet exception E5 of its Playing Fields Policy i.e. the potential sports development benefits associated with the proposed MUGA and fitness suite would outweigh the detriment caused by the impact on the playing field. The absence of an objection is subject to the following conditions being attached to the decision notice should the local planning authority be minded to approve the application:

Multi-Use Games Area Design Specifications: While the proposed outline specifications for the construction, surfacing and fencing of the MUGA that have been provided by the applicant are acceptable in principle, the detailed construction specifications for the MUGA that will be implemented are not available at this stage. Consequently, these details will need to be submitted prior to commencement of development of the MUGA to demonstrate that the detailed design is of a suitable quality and follows the outline specifications. The specification should include details of the surface, fencing and court markings. This is justified to ensure that the facility does deliver the benefits to sport identified above which mitigate the impact on the playing field. It is requested that the following condition and informative be imposed on any planning permission to address this matter (which is based condition 9 of our model conditions schedule https://www.sportengland.org/facilities-planning/planning-for-sport/planning-applications/):

"No development of the multi-use games area shall commence until details of the design and layout of the multi-use games area including the surface specification, fencing specification and line markings have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The multi-use games area shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy **.

Informative: The applicant is advised that the design and layout of the [sports facility] should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England and National Governing Bodies for Sport. Particular attention is drawn to Sport England's 'Artificial Surfaces for Outdoor Sports' guidance note (2013) https://www.lta.org.uk/venue-management/facilities-advice/.

• Community Use Agreement: A condition requiring a community use agreement for the school's MUGA and fitness suite to be submitted and approved by the local planning authority (in consultation with Sport England) prior to first occupation of the development in order to ensure that community access to the proposed sports facilities is secured in practice. A community use agreement sets out a school's policy and arrangements for community use of its facilities and covers matters such as hours of use, pricing policy, types of bookings accepted, restrictions on community use, facility management arrangements, lettings policy etc. The agreement is usually between a school and the relevant local authority or leisure trust (e.g. Southend-on-Sea Borough Council) but may involve additional bodies. Sport England regularly secures the completion of such agreements through planning conditions on planning permissions for school developments.

- Such a condition is justified to ensure community use of the proposed facilities is secured in practice and to ensure that the community use arrangements are safe and well managed. Without suitable community access being secured over a long term period in practice, one of the principal sports development benefits of the proposals would not be realised and consequently there would not be a basis for Sport England to make no objection to the impact of the development on sports facilities. A community use agreement also provides clarity and formalisation with respect to community access arrangements for all parties. Community use agreement templates, examples of completed agreements and further advice can be provided upon request. For information, Sport England's guidance for schools on preparing for and delivering community use is available on our 'Use our School' toolkit at http://www.sportengland.org/facilities-planning/use-our-school/.
- The school's existing community lettings policy for its sports facilities can be incorporated into a community use agreement. The following condition is <u>requested</u> to be imposed to address this which is based on model condition 16 of our schedule:

"No occupation shall commence of the development hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the multi-use games area and fitness suite and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy **.

• Multi-Use Games Area Phasing & Delivery: A condition requiring details of the phasing and delivery of the proposed multi-use games area to be submitted and approved prior to commencement of development. Indicative phasing proposals for the MUGA has been provided with the planning application which suggests that the facility would be phased so that it is available during the summer period when there is greatest demand for its use but the detail of the phasing is unavailable at this stage as this is subject to when planning permission is granted and the contractor's construction programme.

It is therefore necessary to consider the actual proposed phasing and delivery arrangements when the planning application has been approved to assess the acceptability of the arrangements in order to ensure that the phasing minimises disruption to the delivery of the PE curriculum and ensures that it is delivered in practice within an acceptable timescale. The following condition is <u>requested</u> to be imposed to address this which is based on model condition 7 of our conditions schedule

No development shall commence until details for the phasing and delivery of the multi-use games area hereby permitted, have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby permitted shall not be carried out other than in accordance with the approved details.

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

6.6 **Southend Airport**

No objections. If a crane or piling rig are required to construct the proposal, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport authority.

6.7 **Essex and Suffolk Water**

We have no objection to this development subject to compliance with our requirements, consent is given to the development on the condition that a water connection is made onto our Company network for the new dwelling for revenue purposes.

6.8 Natural England

No comments. Natural England have not assessed this application for impacts on protected species.

6.9 Essex County Fire and Rescue Service

It is not clear whether vehicles will be able to turn in the area for the access to the proposed building and more detailed observations on accesses and facilities for the fire service will be considered at Building Regulation consultation stage.

The development would be required to comply with the relevant requirements of the Building Regulations.

Water supplies for fire fighting maybe necessary for this development.

Sprinkler systems may be required.

6.10 **Public Consultation**

Site notice displayed on the 30th August 2017 and 34 neighbours notified of the proposal. Five letters of objection have been received stating:

- Consultation on the application was inadequate
- Loss of playing fields
- Visible from the houses in Arundel Gardens and would obstruct views from homes
- Increase noise and disturbance
- Opening hours should be controlled if the fitness suite is to be open for the public
- Arundel Gardens is a 6th formers car park, there should be a foliage screen
- Traffic and congestion increased
- Overdeveloped site
- Loss of playground space
- School travel action plan gives data and number of staff and students travelling to school and claims the trend by car is reducing but does not analyse the 6th form students travelling by car
- Application documents inaccurate
- Adverse impact on access including access for emergency vehicles
- Unacceptable parking impacts
- Scheme should include a foliage screen plan

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

7 Relevant Planning History

- 7.1 There is an extensive history relating to this site but the most relevant application are as follows:
- 7.2 Replace existing panelling, windows and doors to Blocks A and C- Granted (17/00162/FULM)
- 7.3 Erect single storey infill extension- Granted (15/00069/FULM)
- 7.4 Application for approval of details pursuant to Condition 4 (materials) of planning permission 13/01684/FULM granted 10.03.14- Agreed (14/01091/AD)
- 7.5 Extend existing front car park by fifteen spaces- Granted (13/01684/FULM)
- 7.6 Erect freestanding canopy/shelter adjacent to north end of building- Granted (13/00856/FUL)

8 Recommendation

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.

The development hereby permitted shall be carried out in accordance with the approved plans 001 Revision C; 100 Revision D; 101 Revision D; 102 Revision C; 103 Revision E; 104 Revision C; 108 Revision F; 004 Revision A.

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

Notwithstanding the details shown on the plans submitted otherwise hereby approved the development hereby permitted shall not commence other than for groundworks and site preparation works unless and until details and appropriately sized samples of the materials to be used for all the external surfaces of the proposed buildings and hardsurfaced areas at the site have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be implemented in full accordance with the details and samples approved under this condition before it is occupied.

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 Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

4 No development of the multi-use games area shall commence until details of the design and layout of the multi-use games area including the surface specification, fencing specification and line markings have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The multi-use games area shall not be constructed other than in accordance with the approved details and retained thereafter.

Reason: To ensure the satisfactory, quality of compensatory provision and to ensure that the development is fit for purpose and sustainable and to accord with Development Plan Document Policy CP7 of the Core Strategy (2007).

No occupation shall commence of the development hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the multi-use games area and fitness suite and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport in accordance with Development Plan Policy CP7 of the Core Strategy DPD1.

No development shall commence until details for the phasing and delivery of the multi-use games area hereby permitted, have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The development hereby permitted shall not be carried out other than in accordance with the approved details.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures continuity of use (phasing provision) and to ensure that the development is fit for purpose and sustainable and to accord with Development Plan Document Policy CP7 of the Core Strategy (2007).

- a) No development associated with this permission shall take place until a written scheme of investigation for a programme of archaeological work has been submitted to and approved in writing by the local planning authority. This must include details of the suitably qualified person or organisation that will carry out the archaeological work and reasonable notification to the local planning authority when the work will be undertaken.
 - (b) The archaeological work and development must then be carried out in accordance with the approved scheme. A written report of the investigation and findings must be produced, showing that the archaeological work and development has been carried out in accordance with the approved scheme and recommendations within the report carried out. Copies of the written report of the investigation and findings must be sent to Southend Borough Council.
 - (c) No part of the construction work shall commence until the local planning authority has provided written confirmation that it is satisfied that the archaeological fieldwork and development has been carried out in accordance with the approved scheme.

Reason: To avoid damage to archaeological remains on site as set out in the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM2 and Design and Townscape Guide (2009).

Prior to first occupation of the development 10 additional car parking spaces to serve the development shall be provided in accordance with drawing 108 Revision F hereby approved and shall thereafter be permanently retained for use by staff and visitors to the school. Permeable paving shall be used for the hardstanding area associated with this use.

Reason: In the interests of highway management and safety, residential amenity and general environmental quality in accordance with the NPPF, Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

Notwithstanding the details shown on the plans submitted otherwise hereby approved prior to occupation of the development hereby approved details of the 55 bicycle parking spaces to be provided at the site shall be submitted to and agreed in writing by the Local Planning Authority. The approved bicycle parking spaces shall be provided prior to the occupation of the building and permanently maintained thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with policy CP3 of the Core Strategy (2007) and policy DM15 of the Development Management Document (2015).

Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any order revoking and re-enacting that Order) no floodlighting shall be installed at the site without the receipt of express planning permission in writing.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, and Development Management Document (2015) Policies DM1 and DM3.

11 No site clearance, preparatory work or development shall take place until a scheme of mitigation for the protection of the trees adjacent to the Multi Use Games Area and those identified on plan ref 108 revision F & and the appropriate working methods (the Arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and agreed in writing by the local planning authority.

The approved mitigation measures shall be installed before the commencement of works and the development implemented in full accordance with the approved measures and methods.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of tree protection, pursuant to Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

No site clearance, preparatory work or development shall take place until a scheme of mitigation measures to show how the developments potential effects on biodiversity, protected species and habitats would be mitigated against during the construction of the development. The works must then be carried out only in accordance with the approved measures.

Reason: To protect the biodiversity of the environment in accordance with the National Planning Policy Framework, Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policies DM1, DM3 and the advice contained in the Design and Townscape Guide (2009).

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (2007), Policy DM2 of the Development Management Document (2015).

- No development other than demolition and site clearance works shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed in accordance with the approved details before the development is occupied and brought into use and be maintained as such thereafter. Those details shall include:
 - i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;
 - ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme.

The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;

- iii) a timetable for its implementation; and
- vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: 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 (2007), Development Management Document (2015) Policy DM2.

- No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. details of drainage/surface water to ensure the proposal does not discharge onto Network Rail land including foul drainage.
 - vi. measures to control the emission of dust and dirt during construction
 - vii. plant and materials
 - viii. scaffolding
 - ix. piling
 - x. lighting
 - xi. a scheme for recycling/disposing of waste resulting from demolition and construction works
 - xii. future maintenance of the site

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance National Planning Policy Framework; Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policies DM1 and DM3.

If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until written approval from the Local Planning Authority has been received for a remediation strategy detailing how this unsuspected contamination shall be dealt with that has previously been submitted to the Local Planning Authority in writing. All agreed remediation works must be implemented in their entirety prior in full accordance with the approved remediation strategy to further construction works commencing unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework, sections 120 and 121 and Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

17 Construction and demolition shall only take place between the hours of 07:30 and 18:00 Monday to Friday 08:00 and 13:00 on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To protect residential amenity and general environment quality in accordance with the National Planning Policy Framework (2012), DPD1 (Core Strategy) 2007 policy KP2 and CP4, and policies DM1 and DM3 of the Development Management Document (2015).

During construction and demolition the loading or unloading of goods or materials shall take place on the land only between the hours of 07:30 hours -18:00 and Monday to Friday 08:00 to 13:00 on Saturdays, and not at all on Sundays or Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

The development shall not be occupied until refuse and recycling details have been submitted to and agreed in writing by the Local Planning Authority. The waste management of the development shall thereafter be carried out in accordance with the approved details.

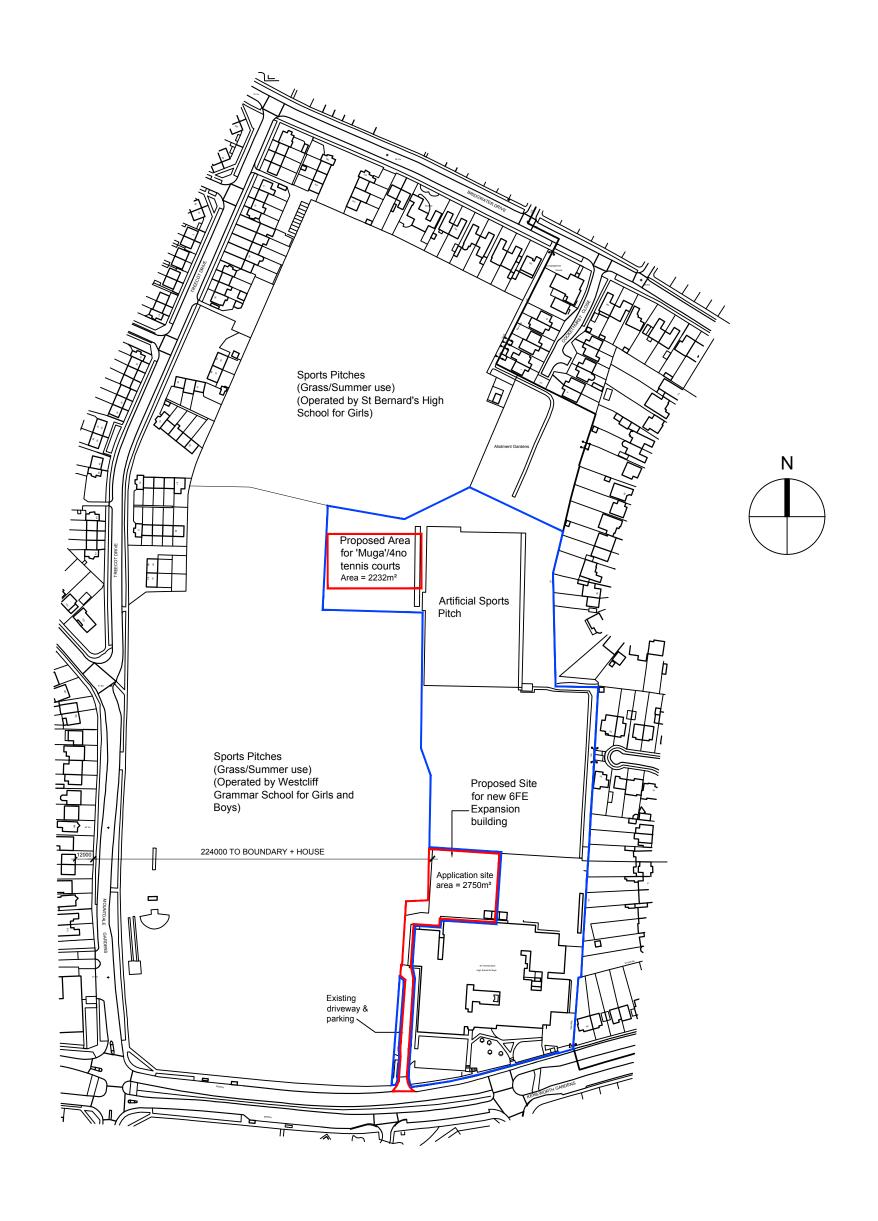
Reason: to ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

Informatives

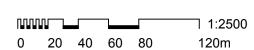
- 1 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use.
- You are advised that the development hereby approved is likely to require approval under Building Regulations. Our Building 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.
- 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.
- In relation to condition 4 above The applicant is advised that the design and layout of the [Multi Use Games Area] should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England and National Governing Bodies for Sport. Particular attention is drawn to Sport England's 'Artificial Surfaces for Outdoor Sports' guidance note (2013) www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-surfaces/ and the Lawn Tennis Association's Porous Macadam Tennis Courts and Floodlighting Outdoor Tennis Courts guidance notes https://www.lta.org.uk/venue-management/facilities-advice/.

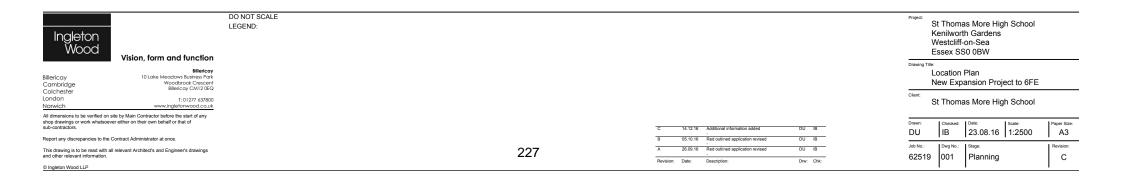
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local 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.



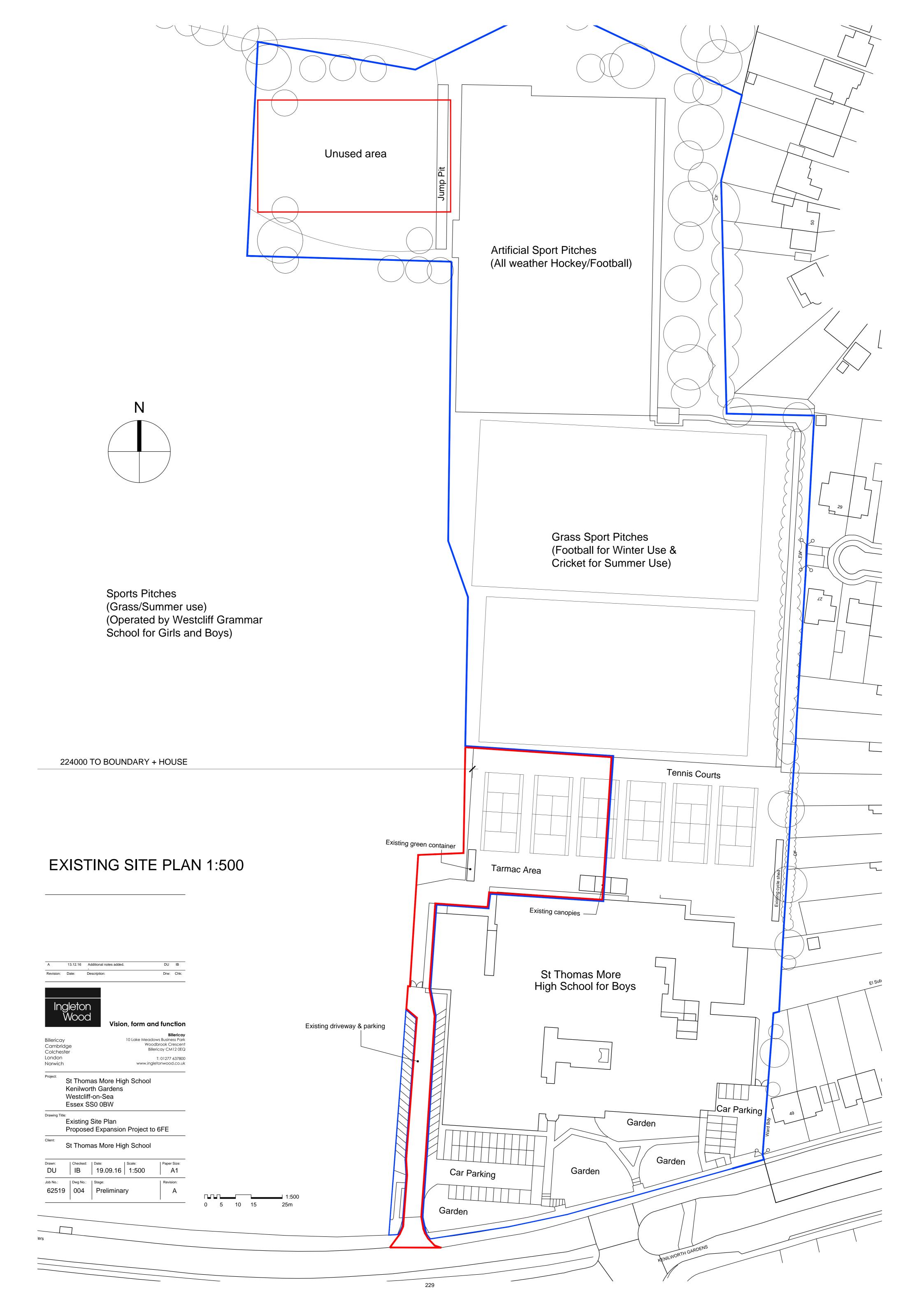


LOCATION PLAN

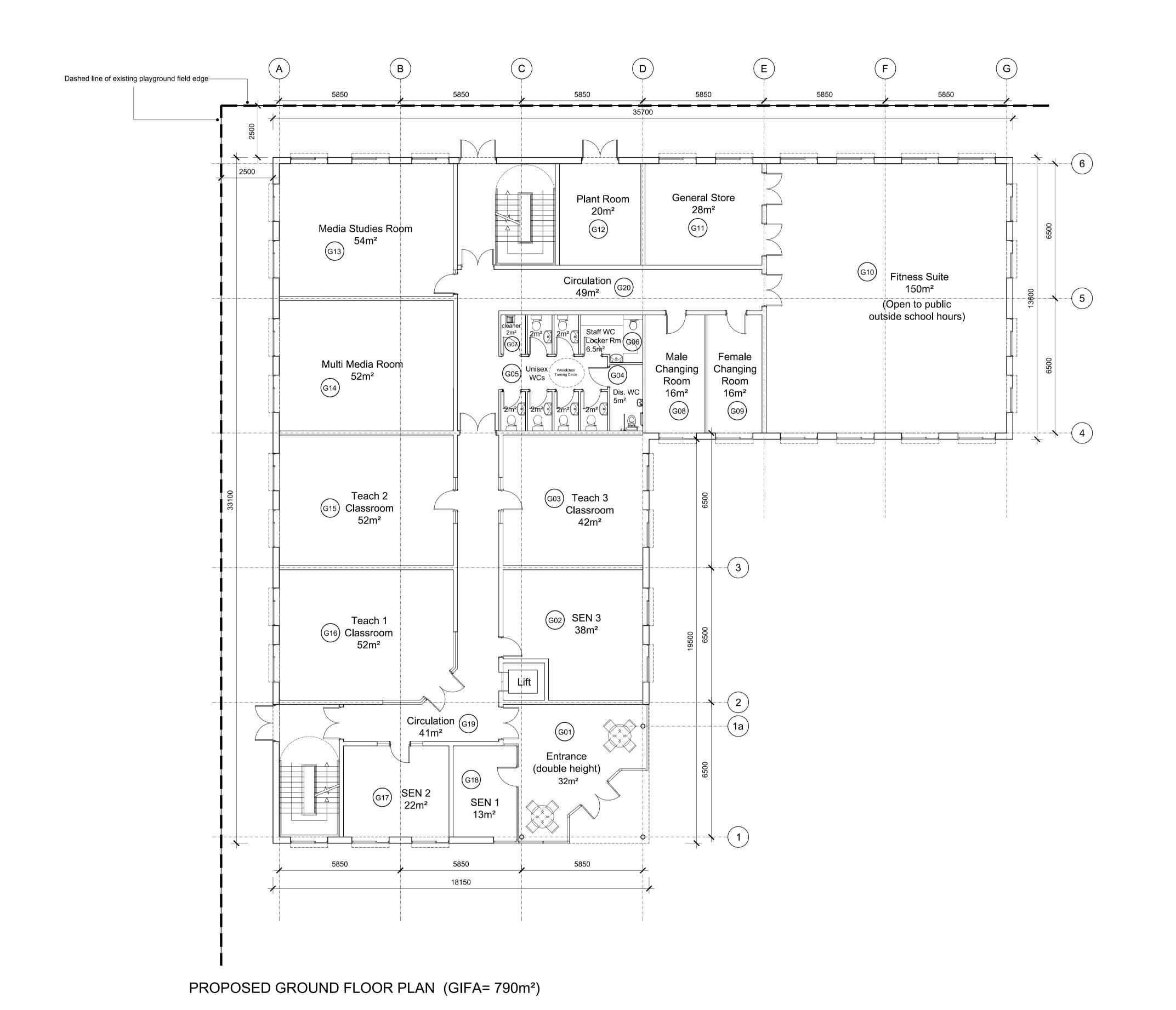












All dimensions to be verified on site by Main Contractor before the start of any shop drawings or work whatsoever either on their own behalf or that of sub-contractors.

Report any discrepancies to the Contract Administrator at once.

This drawing is to be read with all relevant Architect's and Engineer's drawings and other relevant information.

© Ingleton Wood LLP

LEGEND: DO NOT SCALE

| DOOM | CCLIEDLILE |
|------|------------|
| KOOM | SCHEDULE |

| NUMBER | NAME | AREA | OCCUPANCY |
|--------|----------------------|-------|-----------|
| G01 | Entrance | 32 | |
| G02 | SEN 3 | 38 | |
| G03 | Teach 3 Classroom | 42 | |
| G04 | Disabled WC | 5 | |
| G05 | Unisex WCs (3no) | 6 | |
| G06 | Staff WC/Locker | 6.5 | |
| G07 | Cleaner | 2 | |
| G08 | Male Changing Room | 16 | |
| G09 | Female Changing Room | 16 | |
| G10 | Indoor Gym | 150 | |
| G11 | Plant Room | 28 | |
| G12 | General Store | 20 | |
| G13 | Media Studies Room | 54 | |
| G14 | Multi Media Room | 52 | |
| G15 | Teach 2 Classroom | 52 | |
| G16 | Teach 1 Classroom | 52 | |
| G17 | SEN 2 | 22 | |
| G18 | SEN 1 | 13 | |
| G19 | Circulation | 41 | |
| G20 | Circulation | 49 | |
| | Total | 696.5 | |
| F01 | SLT Office | 31 | |
| F02 | Maths Office | 38 | |
| F03 | Maths 4 | 42 | |
| F04 | Disabled WC | 5 | |
| F05 | Unisex WCs (3no) | 6 | |
| F06 | Staff WC Locker Room | 6.5 | |
| F07 | Cleaner | 2 | |
| F08 | Maths 2 | 48 | |
| F09 | Music Practice 1 | 13 | |
| F10 | Studio Music/Drama | 84 | |
| F11 | Music Practice 2 | 13 | |
| F12 | General Store | 13 | |
| F13 | Maths 2 | 49 | |
| F14 | Maths 1 | 54 | |
| F15 | Maths 6 | 52 | |
| F16 | Maths 5 | 52 | |
| F17 | Computer 1 Classroom | 52 | |
| F18 | Circulation | 41 | |
| F19 | Circulation | 55 | |
| | Total | 656.5 | |
| | | | |
| | Overall Total Area | 1353 | |
| | | | |

| В | 23.09.16 | Revised to suit Client's requirements | DU | IB |
|---|----------|---|----|----|
| A | 16.09.16 | - Revised to suit Client's requirements | DU | IB |



Vision, form and function

| Billericay Cambridge Colchester | Billericay 10 Lake Meadows Business Park Woodbrook Crescent Billericay CM12 0EQ |
|---------------------------------------|---|
| London | T: 01277 637800 |
| Norwich | www.ingletonwood.co.uk |

St Thomas More High School Kenilworth Gardens Westcliff-on-Sea Essex SS0 0BW

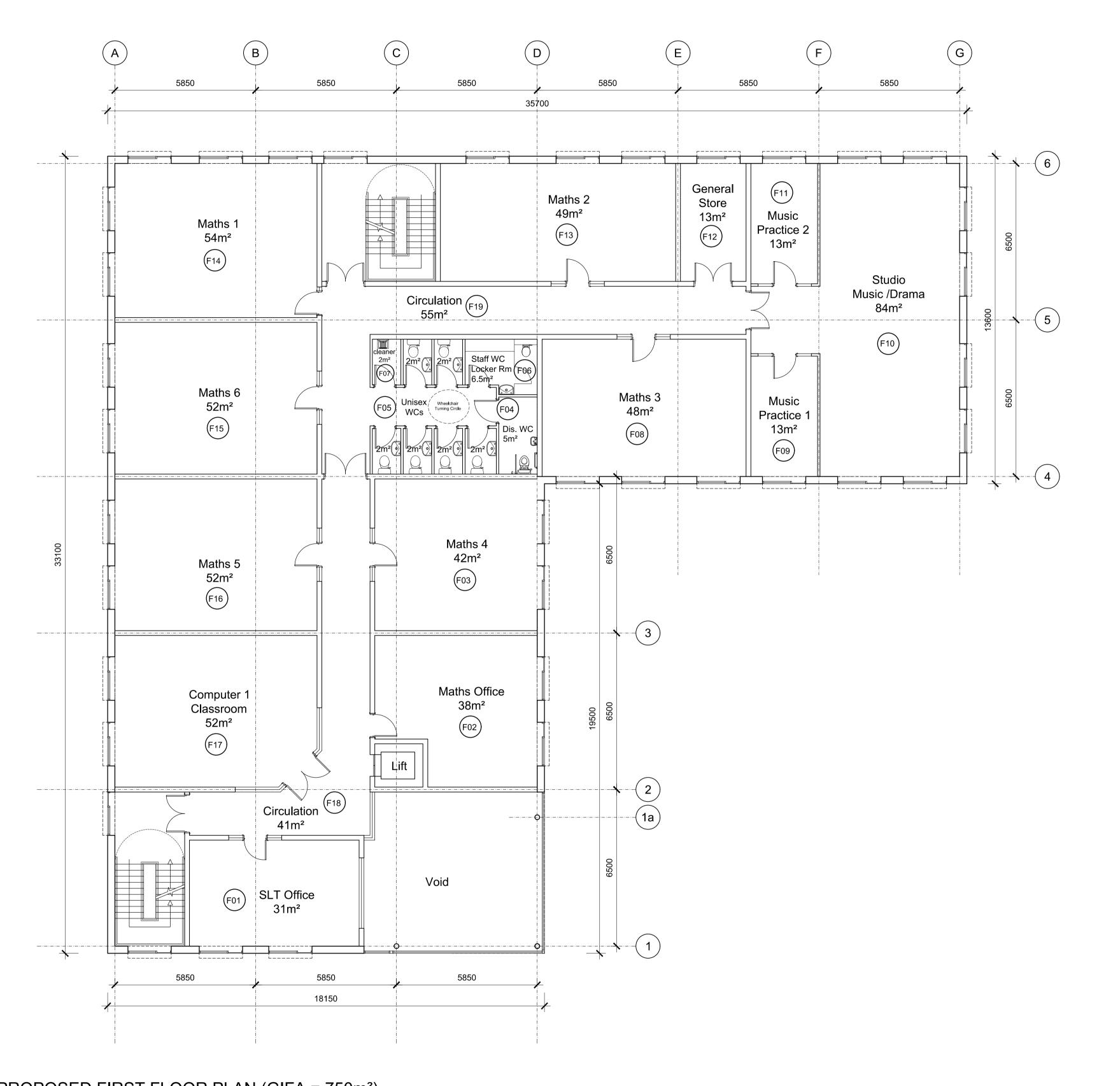
Proposed Ground Floor Plan
Proposed Expansion Project to 6FE

St Thomas More High School

1:100 0 1 2 3 5m

| Drawn: | Checked: | Date: 09.09.16 | Scale: 1:100 | Paper Size: |
|-------------------|----------|--------------------|-------------------|-------------|
| Job No.: 62519 | Dwg No.: | Stage: Planning | | Revision: |

This page is intentionally left blank



PROPOSED FIRST FLOOR PLAN (GIFA = 750m²)

All dimensions to be verified on site by Main Contractor before the start of any shop drawings or work whatsoever either on their own behalf or that of sub-contractors.

Report any discrepancies to the Contract Administrator at once.

This drawing is to be read with all relevant Architect's and Engineer's drawings and other relevant information.

DO NOT SCALE

© Ingleton Wood LLP

LEGEND:

| NUMBER G01 G02 G03 G04 G05 | Entrance SEN 3 Teach 3 Classroom | AREA 32 | OCCUPANC |
|---|----------------------------------|------------|----------|
| G02 G03 G04 G05 | SEN 3 | | |
| G03 G04 G05 | | 38 | |
| G04 G05 | reach 3 Classroom | 42 | |
| | Disabled WC | 5 | |
| | Unisex WCs (3no) | 6 | |
| G06 | Staff WC/Locker | 6.5 | |
| G07 | Cleaner | 2 | |
| G08 | Male Changing Room | 16 | |
| G09 | Female Changing Room | 16 | |
| G10 | Indoor Gym | 150 | |
| G11 | Plant Room | 28 | |
| G12 | General Store | 20 | |
| G13 | Media Studies Room | 54 | |
| G14 | Multi Media Room | 52 | |
| G15 | Teach 2 Classroom | 52 | |
| G16 | Teach 1 Classroom | 52 | |
| G17 | SEN 2 | 22 | |
| G18 | SEN 1 | 13 | |
| G19 | Circulation | 41 | |
| G20 | Circulation | 49 | |
| | Total | 696.5 | |
| F01 | SLT Office | 31 | |
| F02 | Maths Office | 38 | |
| F03 | Maths 4 | 42 | |
| F04 | Disabled WC | 5 | |
| F05 | Unisex WCs (3no) | 6 | |
| F06 | Staff WC Locker Room | 6.5 | |
| F07 | Cleaner | 2 | |
| F08 | Maths 2 | 48 | |
| F09 | Music Practice 1 | 13 | |
| F10 | Studio Music/Drama | 84 | |
| F11 | Music Practice 2 | 13 | |
| F12 | General Store | 13 | |
| F13 | Maths 2 | 49 | |
| F14 | Maths 1 | 54 | |
| F15 | Maths 6 | 52 | |
| F16 | Maths 5 | 52 | |
| F17 | Computer 1 Classroom | 52 | |
| F18 | Circulation | 41 | |
| F19 | Circulation | 55 | |

Overall Total Area

| D | 10.07.17 | Planning Stage Issue | DU | IB |
|-----------|----------|---------------------------------------|------|------|
| | | - | | |
| С | 30.09.16 | Changed to L shaped building | DU | IB |
| | | - | | |
| В | 23.09.16 | Revised to suit Client's requirements | DU | IB |
| | | - | | |
| Α | 16.09.16 | Revised to suit Client's requirements | DU | IB |
| | | - | | |
| Revision: | Date: | Description: | Drw: | Chk: |
| | | · | | |
| | | | | |

1353



Vision, form and function

| Billericay Cambridge Colchester | Billericay 10 Lake Meadows Business Park Woodbrook Crescent Billericay CM12 0EQ |
|---------------------------------------|---|
| London | T: 01277 637800 |
| Norwich | www.ingletonwood.co.uk |

St Thomas More High School Kenilworth Gardens Westcliff-on-Sea Essex SS0 0BW

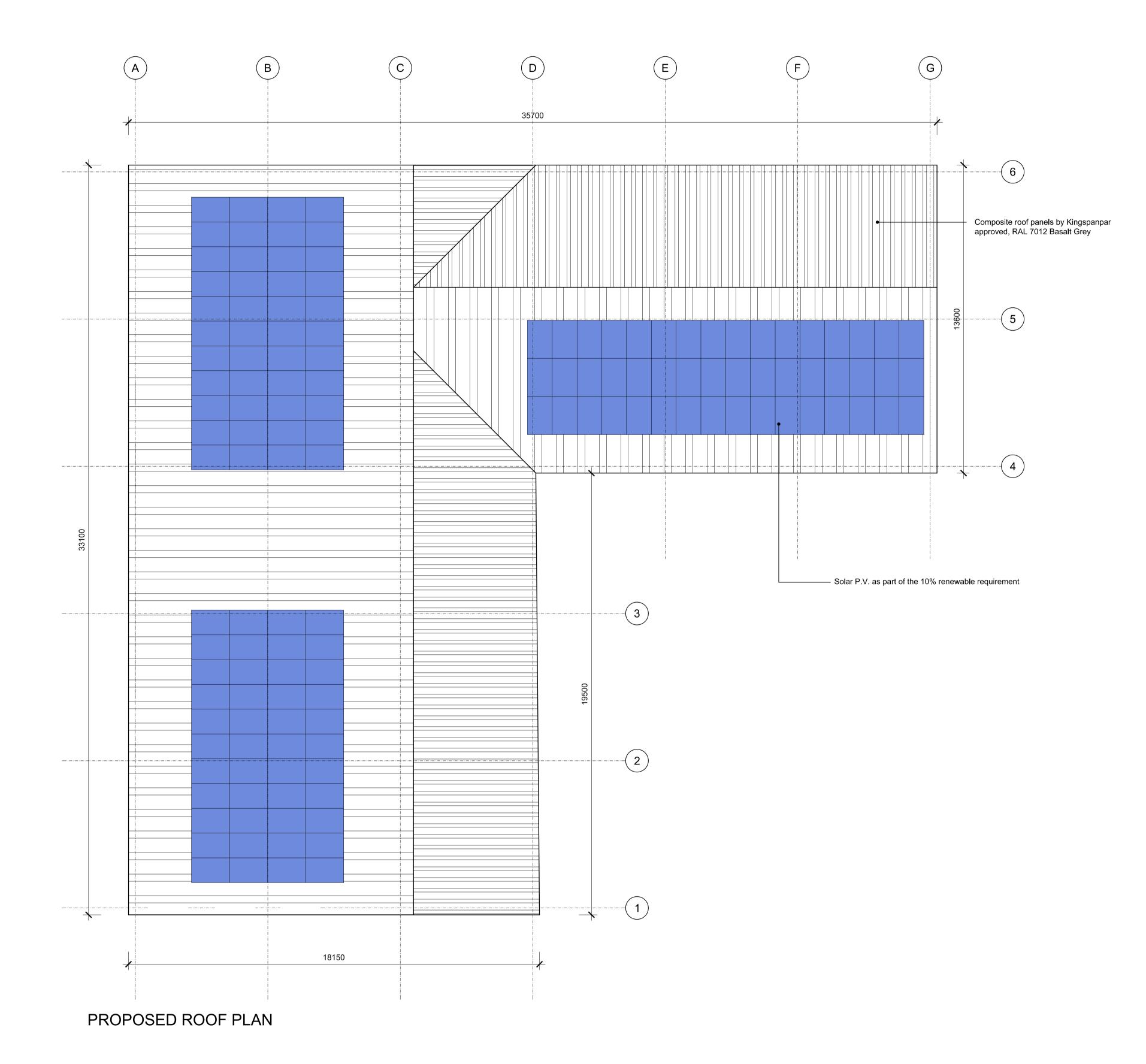
Proposed First Floor Plan
New Sixth Form Building

St Thomas More High School

1:100 0 1 2 3 5m

| Drawn: | Checked: | Date: 09.09.16 | Scale: 1:100 | Paper Size: |
|----------|----------|----------------|--------------|-------------|
| Job No.: | Dwg No.: | Stage: | | Revision: |
| 62519 | 101 | Planning | | D |

This page is intentionally left blank



All dimensions to be verified on site by Main Contractor before the start of any shop drawings or work whatsoever either on their own behalf or that of sub-contractors.

Report any discrepancies to the Contract Administrator at once.

This drawing is to be read with all relevant Architect's and Engineer's drawings and other relevant information.

© Ingleton Wood LLP

LEGEND: DO NOT SCALE

| С | 07.07.17 | Additional information added for Planning Stage Issue | DU | IB |
|-----------|----------|--|------|------|
| В | 05.10.16 | Revised to suit our latest plans | DU | IB |
| Α | 16.09.16 | Revised to suit Client's requirements | DU | IB |
| Revision: | Date: | Description: | Drw: | Chk: |



Vision, form and function

| billericay |
|------------|
| Cambridge |
| Colchester |
| London |
| Norwich |
| |

Billericay 10 Lake Meadows Business Park Woodbrook Crescent Billericay CM12 0EQ T: 01277 637800 www.ingletonwood.co.uk

St Thomas More High School Kenilworth Gardens Westcliff-on-Sea Essex SS0 0BW

1:100 0 1 2 3 5m

Proposed Roof Plan
Proposed Expansion Project to 6FE

St Thomas More High School

| Drawn: | Checked: | Date: 09.09.16 | Scale: 1:100 | Paper Size: |
|----------|----------|----------------|--------------|-------------|
| Job No.: | Dwg No.: | Stage: | | Revision: |
| 62519 | 102 | Planning | | С |

This page is intentionally left blank





All dimensions to be verified on site by Main Contractor before the start of any shop drawings or work whatsoever either on their own behalf or that of sub-contractors.

Report any discrepancies to the Contract Administrator at once.

This drawing is to be read with all relevant Architect's and Engineer's drawings and other relevant information.

© Ingleton Wood LLP

LEGEND: DO NOT SCALE

MATERIAL PALETTE:

Glazed double-height reception area glazing and sliding door system; http://www.comar-alu.co.uk/window-walling/ (or equal and approved), in RAL 7012 Basalt Grey.with coloured interlayers as shown. (Note all curtain walling areas are to have internal blinds)

Individual aluminium windows / doors; http://www.comar-alu.co.uk/windows (or equal and approved), in RAL 7012 Basalt Grey, with matching vents as shown. Where shown also coloured Trespa infill panels http://www.trespa.com/uk/product/trespar-meteonr-facades - exact colour to be approved, with solar body tint (in approved colour) to south and south west facing elevations.

Brickwork and mortar, where shown, to match existing from http://wienerberger.co.uk/product-search?wb condition=ProductType:1366306088345 to match existing as far as possible in Buff / Yellow multi-stock (main wall areas) and red multi-stock (for contrasting bands, plinths and details), or equal and approved.

Surround to windows; Ply-backed PPC aluminium sheeting in RAL 7012 Basalt Grey.

Rainscreen Cladding; http://www.parklex.com/products/facade/ in Copper, cut to size and fitted in secret fix, random pattern, as shown. Add link to fireproofing quantities.

Bullnosed Facias / soffits / downpipes and cappings or flashings in PPC Coated aluminium; http://www.dales-eaves.co.uk/fascia.html, or equal and approved, with downpipe profile; http://www.alumascrainwater.co.uk/aluminium-downpipes/flushjoint/3/c3.2, or equal and approved, all in RAL 7012 Basalt Grey.

High performance profiled composite roofing system; http://www.kingspanpanels.co.uk/panels/products/insulated-roof-panels/trapezoidal-rw/ (or equal and approved), in standard colour range to match as far as possible RAL 7012 Basalt Grey.

Add a note also to say;

Refer to 3D/Artists impression.

Refer to M and E drawings and spec for details of external lighting.

0 1 2 3

Sports fencing to new tennis courts; https://www.jacksons-security.co.uk/sports-fencing/rebound.aspx, or equal and approved in Grass Green RAL 6010.

| E | 07.07.17 | Additional information added for planning stage issue | DU | IB |
|-----------|----------|---|------|------|
| D | 15.12.16 | Revised to suit planner's pre-app comments | DU | IB |
| С | 0510.16 | Revised to suit our latest plans | DU | IB |
| В | 2309.16 | Revised to suit Client's requirements | DU | IB |
| Α | 16.09.16 | Revised to suit Client's requirements | DU | IB |
| Revision: | Date: | Description: | Drw: | Chk: |



Vision, form and function

| Billericay Cambridge Colchester | Billerica 10 Lake Meadows Business Pa Woodbrook Cresce Billericay CM12 0E |
|---------------------------------------|---|
| London | T: 01277 6378 |
| Norwich | www.ingletonwood.co. |

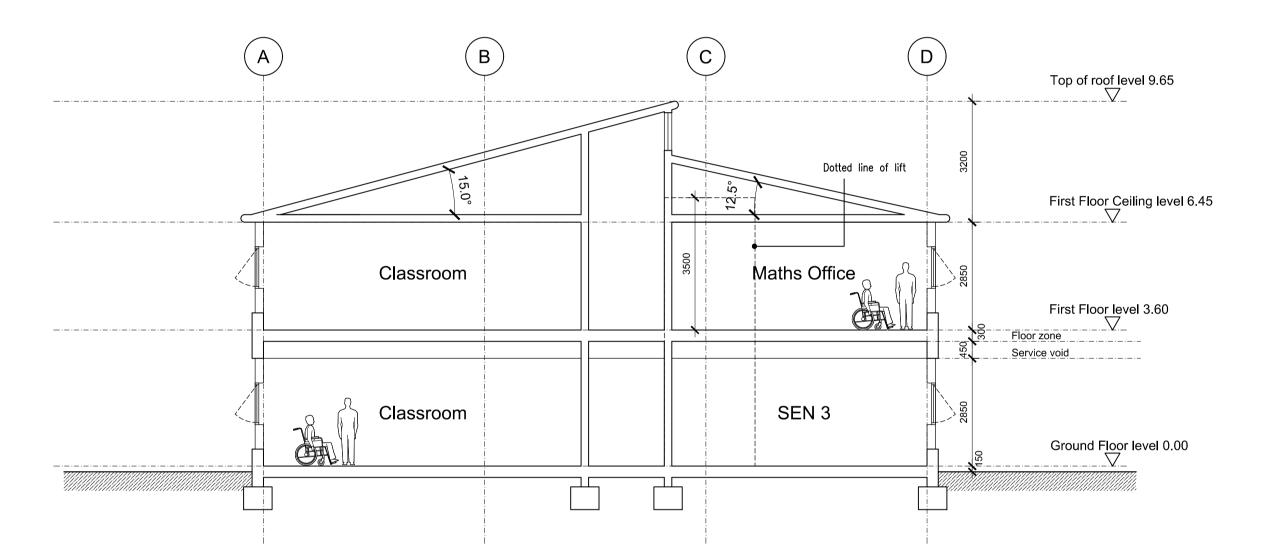
St Thomas More High School Kenilworth Gardens Westcliff-on-Sea Essex SS0 0BW

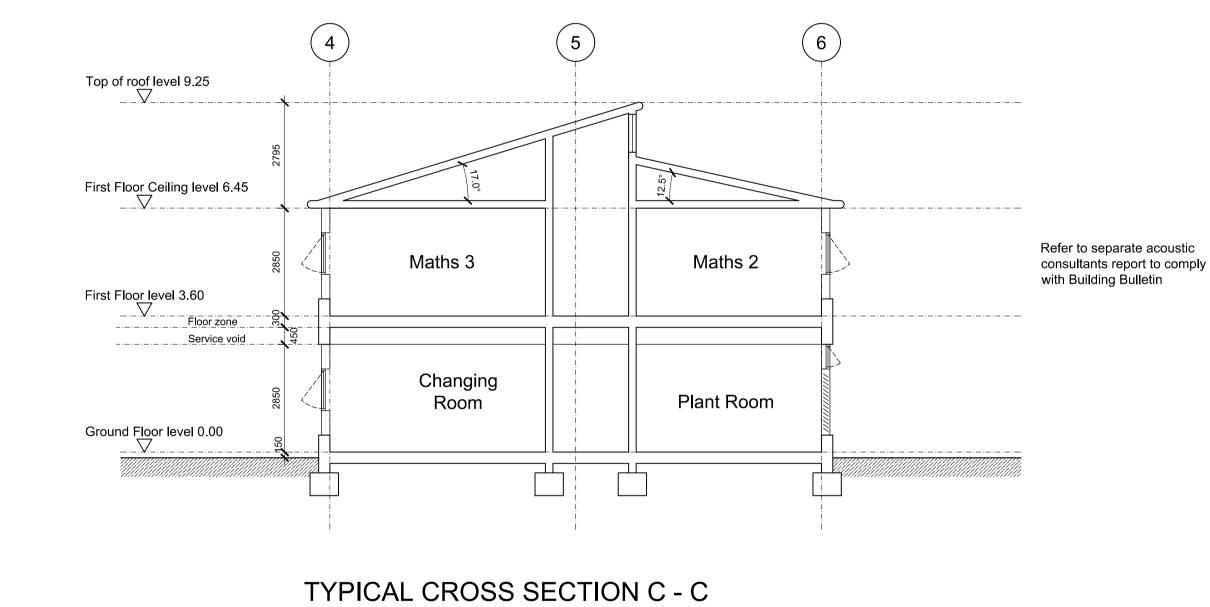
Proposed Elevations
Proposed Expansion Project to 6FE

St Thomas More High School

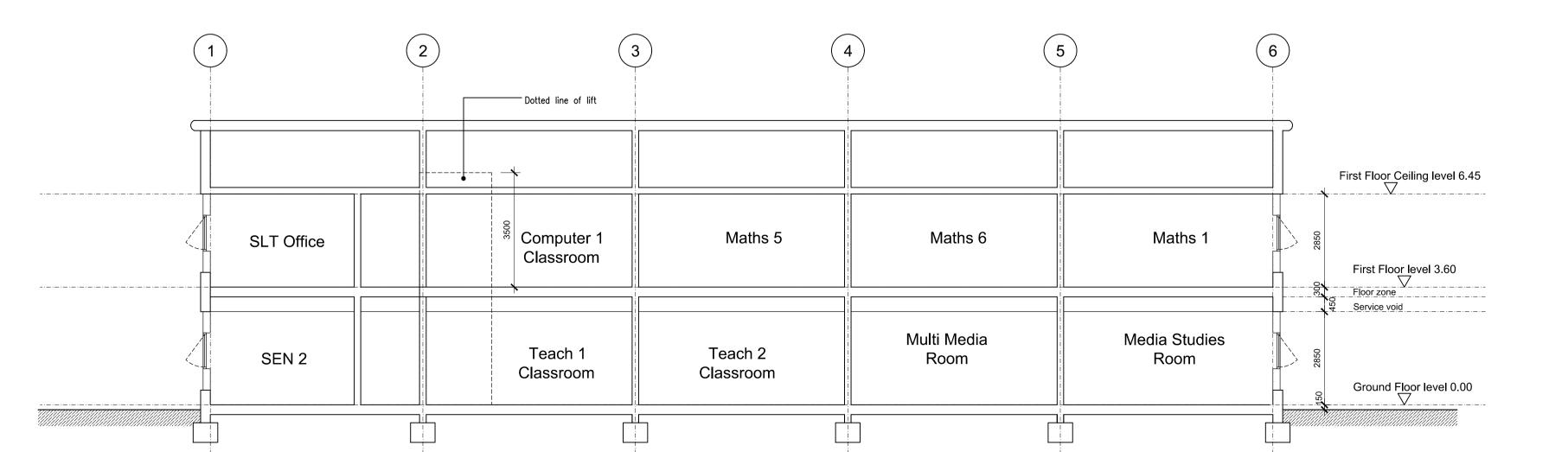
| Drawn: | Checked: | Date: 09.09.16 | Scale: 1:100 | Paper Size: |
|----------|----------|----------------|-------------------|-------------|
| Job No.: | Dwg No.: | Stage: | | Revision: |
| 62519 | 103 | Planning | | E |

This page is intentionally left blank





TYPICAL CROSS SECTION B - B



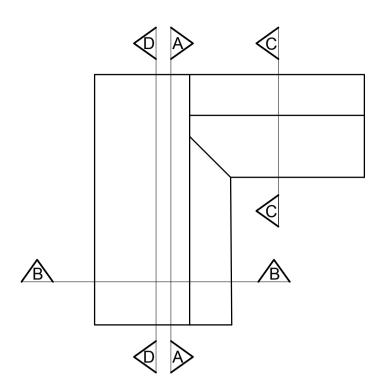
TYPICAL LONG SECTION D - D

All dimensions to be verified on site by Main Contractor before the start of any shop drawings or work whatsoever either on their own behalf or that of sub-contractors.

Report any discrepancies to the Contract Administrator at once. This drawing is to be read with all relevant Architect's and Engineer's

drawings and other relevant information. © Ingleton Wood LLP

LEGEND: DO NOT SCALE



Location Reference

07.07.17 Planning Stage Issue DU IB DU IB DU IB Drw: Chk:



0 1 2 3

Vision, form and function

T: 01277 637800

www.ingletonwood.co.uk

10 Lake Meadows Business Park Woodbrook Crescent Billericay CM12 0EQ Billericay Cambridge Colchester London Norwich

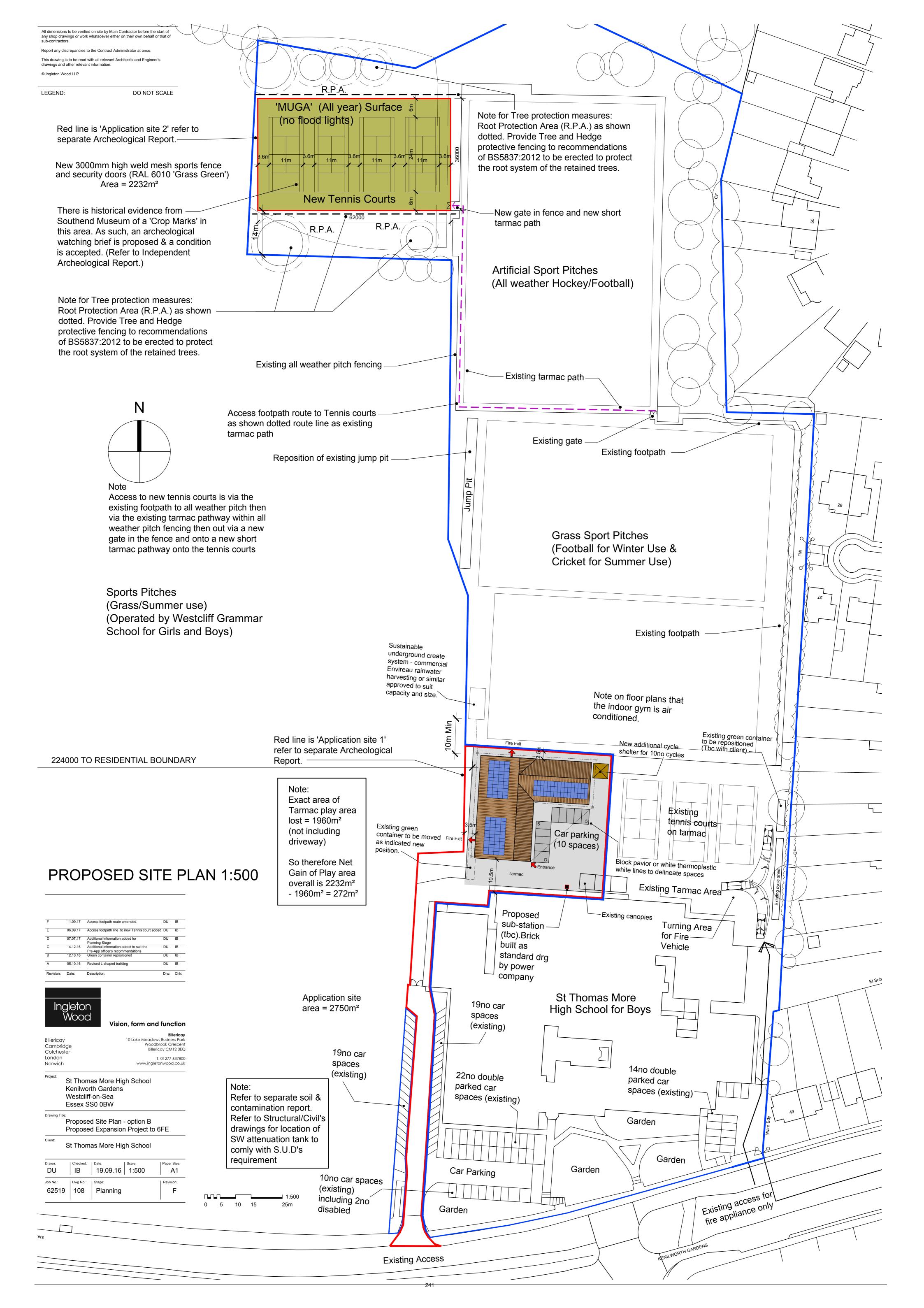
St Thomas More High School Kenilworth Gardens Westcliff-on-Sea Essex SS0 0BW

Proposed Sections Proposed Expansion Project to 6FE

St Thomas More High School

A1 62519 | 104 | Planning

This page is intentionally left blank





| Reference: | 17/01464/FULM | | | |
|----------------------|--|--------------------|--|--|
| Ward: | Leigh | 19 | | |
| Proposal: | Convert existing hotel into mixed use comprising baser wine bar and health club, ground floor restaurants and terrace, 18 self-contained flats on three floors, demolish existing mansard roof and form new replacement mansard roof, erect three storey rear extension with mansard roof, install balconies to rear and sides at first floor and third floor level, external alterations, install extract/ventilation equipment and solar PV panels on roof, layout additional parking, associated landscaping and communal roof terrace and form vehicular access onto Broadway (Amended Proposal) | | | |
| Address: | Grand Hotel, Broadway, Leigh-on-Sea, Essex, SS9 1PJ | | | |
| Applicant: | 460 Leisure Ltd | | | |
| Agent: | Smart Planning | | | |
| Consultation Expiry: | 28 th September 2017 | | | |
| Expiry Date: | 16 th November 2017 | | | |
| Case Officer: | Abbie Greenwood | | | |
| Plan No's: | 1391-14A, 1622-01; 1622-02G; 1622-03J; 1622-04K; 1622-05L; 1622-06H; 1622-07E; 1622-08D; 1622-09D; 1622-11B 1622-12A; 1622-25, Soft Landscape Plan; Location Plan | | | |
| Recommendation: | GRANT PLANNING PERMISSION sub of S106 | ject to completion | | |



1 The Proposal

- 1.1 Planning permission is sought to convert the existing hotel into a mixed use building, comprising a wine bar and health club at basement level, a restaurant with external raised terrace at ground floor and 18 flats to the upper three floors. The works to the existing building include rebuilding the mansard floor with a slightly raised roof pitch (a change from 45 degrees to 55 degrees). A three storey extension with mansard roof and undercroft parking is also proposed to the rear. Overall the development will include 18 flats at 1st to 3rd floor. A large shared amenity terrace is proposed on the roof of the building which will accessed by a central stairtower. Extract/ventilation equipment and 34 solar PV panels are also proposed to be installed at roof level.
- 1.2 Parking for the commercial uses is proposed at the front of the building. This area will provide 9 spaces including 2 disabled spaces. The visual impact of this parking area will be mitigated by soft and hard landscaping and a restoration of the existing boundary wall. It is also proposed to provide a terrace in this area to the front of the building to provide outside seating for the proposed restaurant and brasserie. This will be accessed by new full height timber glazed doors in place of the ground floor windows.
- 1.3 Parking for the residential units is located to the rear partly under the proposed rear extension. 19 spaces are proposed for 18 flats. Bin and cycle storage is also proposed in this area, mainly within the undercroft, as well as some soft landscaping. A new crossover is proposed to be formed long the eastern boundary of the application site (along Broadway), 6.6m wide. The crossover on the northernmost part of the west side of the application site, along Leighton Avenue, would be reinstated. The crossover will result in the loss of a small oak tree in this location which is covered by TPO 4/2007, however, it is noted that the principle of the loss of this tree has been agreed in previous applications, to facilitate the regeneration of the site.
- 1.4 The existing building is mainly rectangular in shape with single, two and three storey extensions to the rear, which are proposed to be demolished to make way for the proposed rear extension. The footprint of the main building would be retained. The proposed extension to the rear is three storeys with a mansard roof and would measure 14m deep x 18.3m wide, 11.8m to the parapet and 14.5m to the top of the mansard. The maximum height, which includes the staircase roof access, is 16.9m. These heights tie in with that of the main building. Balconies would be incorporated to the east and west elevations of the proposed rear extension at first floor, replicating the design of the existing front balconies.
- 1.5 The existing mansard roof of the existing building would be demolished and rebuilt with a pitch which is 10 degrees sharper than the existing feature, resulting in an amended form which has increased visibility to the corners of the building. However, the height of the roof itself remains the same as the existing although, it is proposed that this be topped with a balustrade to the proposed amenity space which will add 0.6m to the overall height of the building. The proposed balustrade will be decorative black metal of a design which matches the existing balconies at first floor.

- 1.6 To access the roof terrace a small stair tower is proposed which will be 2.4m tall, 2.9m wide and 4m deep. This is proposed to be clad in metal sheeting. It will be located above the rear extension and set back 1.4m from the edge of the mansard roof on the east side of the building. The existing iconic chimneys at this level will remain unchanged.
- 1.7 There is an existing basement which is proposed to be extended to the rear under the proposed rear extension which would measure approximately 733sqm. The basement would be used as a bar and health club.
- 1.8 Internally, the following uses are proposed:
 - Basement: wine bar (approximately 40 covers) and health club
 - Ground floor: restaurant, brassiere and function room (approximately 144 covers) including terrace to front providing an additional 75 covers
 - First to third floors: 18 flats, including
 - 1 x 1person bedroom flat (47.9sqm)
 - 8 x 2 bed 3 person flats (varying between 60.1sqm and 108 sqm)
 - 9 x 2 bed 4 person flats (varying between 77.8 sqm and 107.8sqm).

The agent has provided the following information in relation to trading times for the commercial uses

- A3 Restaurant, Brasserie and Function Room
 - 9.00am -1.00am Monday to Saturday
 - o 9.00am 11.00pm Sunday and Bank Holidays
- A4 Wine Bar
 - 9.00am 1.00am Monday to Saturday
 - o 9.00am 11.00pm Sunday and Bank Holidays
- D2 Health club
 - 7.00am 11.00pm Monday to Sunday including Bank Holidays
- 1.9 The proposed basement wine bar would measure approximately 276sqm, while the proposed health club would cover an area of around 427sqm. The ground floor restaurant, brasserie and function room would measure 394sqm and the proposed front terrace would be around 193sqm. A kitchen, reception to the Health club, restaurant and apartments, cycle and bin storage, and three undercroft parking spaces would be located to the rear of the restaurant at ground floor.
- 1.10 A 231sqm communal amenity terrace would be provided for the flats on the roof of the historic building and four flats at first floor would benefit from private balconies measuring 6.5 sqm and six flats at mansard roof level would be provided with small balconies, with indoor opening doors, similar to Juliet balconies.
- 1.11 22 cycle parking spaces would be provided within the rear part of the building at ground floor, together refuse store, which would be separated for the commercial and residential uses.
- 1.12 A structural report has been submitted in support of the application detailing the renovation works required. It is noted that some of the defects are specific to the building and some common to renovation projects for all buildings of this age. The key issues in relation to the poor condition of the building relate mainly to the

differential movement to the northeast caused by a tree which has now been removed and water damage, coming through the ceiling to second and third floors which were caused by vandalism to the plant room at roof level. The rest of the issues that have affected the building mainly result from lack of maintenance of the building over many years. According to the report the following internal and external repairs are required:

- Repair to structural crack to the northeast corner.
- Replacement of defective flat roofs.
- Rebuilding one chimney and repairing/repointing the rest of the chimneys.
- Repointing of elevations and replacement of severely weathered brickwork and stonework.
- Repair/replacement of windows
- Repair of soil pipes.
- Resurfacing of car parks.
- Repair to boundary wall.
- Repair of damp proof course.
- Treatment and re-plastering walls that have suffered damp.
- Treatment of small area of dry rot in southeast corner floors 1 and 2.
- Replace ceilings.
- Replace water heaters, heating and boiler and missing pipework.
- Install new sanitary ware.
- Repair stained glass windows
- 1.13 The materials to be used to the external elevations of the building would include white painted timber framed windows and doors (to match the style and colour of the existing); red clay tiles to the mansard roof to match the existing mansard; and the external walls would be finished in red brick and stone detailing to match the existing. The proposed stair tower to the roof top amenity area is proposed to be finished in metal sheet cladding.
- 1.14 This proposal follows a recent refusal for a similar scheme for the renovation of the building, extension and 19 flats which included a steeper replacement mansard and an additional penthouse residential unit on the roof of the historic building ref 16/01475/FULM. This was refused for the following reasons:
 - 01 The development, by reason of the design, mass, scale, siting and size of the proposed fourth floor penthouse roof extension and the increased scale and detailed design of the enlarged mansard roof, would have a detrimental impact on and be significantly harmful to the character and appearance of the locally listed building and the Leigh Cliff Conservation Area more widely. The development is therefore considered to be unacceptable and contrary to the National Planning Policy Framework (2012), policies KP2 and CP4 of the Southend Core Strategy (2007), policies DM1, DM3 and DM5 of the Southend Development Management Document (2015) and the advice contained in the Design and Townscape Guide (2009).
 - 02 The submission does not include a completed formal undertaking to secure an appropriate financial contribution to the provision of education facilities in the borough, to mitigate the demand for such facilities generated by the development proposed. The application is therefore unacceptable and contrary to the National Planning Policy Framework and Policies KP2, KP3 and CP6 of the Southend Core Strategy (2007).

2 Site and Surroundings

- 2.1 The application site is approximately 0.21 hectares in size and is located on the northwest corner of Broadway, east of Leighton Avenue, within Leigh Cliff Conservation Area and is an iconic building and the principle landmark of the conservation area. The property is a late Victorian baroque building built in 1899 and it is a three storey building with mansard roof and is locally listed. It is finished in red brick with decorative stone pediment details around the windows, characteristic prominent gables and chimneys and decorative metal balconies to the front elevation.
- 2.2 The property is set well back in relation to the properties along Broadway and is enclosed by a substantial brick boundary wall with pillars incorporating large terracotta copings. The original railings have been removed. There are a number of trees within the site close to the front boundary, the most distinctive of which is a cedar tree. At the time of the site visit the property was surrounded by hoarding and ground floor windows were boarded up.
- 2.3 In general, the property appears well preserved externally, although in some areas the brick and stonework is eroded and requires attention. The applicant also notes that Japanese Knotweed on site, now removed, has also caused cracks on the walls.
- 2.4 The site is located at the easternmost part of the Leigh Broadway and lies within a designated secondary shopping frontage area. To the west of the application site, lies the primary shopping frontage of Leigh Broadway, comprising predominantly two and three storey buildings with small shops at ground floors and flats above. Directly to the west of the site is an open car wash and a new built five-storey block of flats. The character of the area immediately to the north of the application site is mainly residential.

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 locally listed building and the Leigh Cliff Conservation Area, living conditions for future occupiers, impact on neighbouring properties, any traffic and transport issues, sustainability and developer contributions/CIL and whether the application has overcome the previous reasons for refusal.

4 Appraisal

Background to the application

- 4.1 It is noted that the site has a lengthy history; however, the most relevant and recent history is as follows:
 - The recently refused proposal (ref 16/01475/FULM) to convert existing hotel into mixed use comprising of basement wine bar and health club, ground floor restaurants and terrace, 19 self-contained flats on three floors including forming a new mansard roof plus a penthouse roof extension and three storey rear extension with mansard roof, external alterations, install extract/ventilation equipment and solar PV panels, layout parking, associated landscaping and form new vehicular access onto Broadway the reasons for refusal are set out in Section 1 above.
 - An amended and approved proposal (ref. no. 12/01439/FUL) to erect a three-storey rear extension to form 3 additional bedrooms, enlarge existing kitchen facilities and form a basement to the existing hotel.
 - An application (13/00477/EXT) to extend the time of the previously approved applications 10/00421/FUL and 10/01447/FUL, which involved alterations to elevation, installation of a disabled access ramp and formation of a terrace with seating area to the front, was approved in June 2013.

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

- 4.2 It is also relevant to note that a pre-application request was submitted in 2016 for a scheme which was proposal broadly similar to the recently refused proposal ref 16/01475/FULM and which included the larger mansard and penthouse addition and an even larger rear extension. A number of concerns were raised by officers during this process, including the following:
 - The design of the proposed penthouse, mansard roof and scale of rear extension and undercroft parking were not considered to be acceptable in terms of their visual impact.
 - Lack of amenity space.
 - Proposed dwelling mix not being in accordance with policy DM7 of the Development Management Document.
- 4.3 The pre application scheme was amended before the 2016 application (recently refused) and these amendments included a reduction in the scale of the rear extension and undercroft parking but maintained the enlarged mansard and penthouse addition which were found to be unacceptable on consideration of the 2016 application and subsequently refused on. The lack of amenity provision and mix were also noted as concerns but did not constitute a reason for refusal in this instance.

Principle of Development

National Planning Policy Framework 2012, Core Strategy Policies KP1, KP2, CP1, CP2, CP4, and CP8, Development Management DPD Policies DM1, DM3, DM5, DM8, DM10 and DM15 and SPD1.

- 4.4 As noted above, the site previously had permission to be used as a hotel incorporating extensions of moderate scale in relation to the main building. The applicant has stated that because of a number of constraints to the site including the condition and structure of the building, the previously permitted hotel is not a commercially viable option. Therefore it is now proposed to convert the building to a mainly residential use incorporating a restaurant use at ground floor and health club and bar at basement.
- 4.5 One of the core planning policies of the NPPF is to "encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of environmental value". However, another core planning policy states that development should "conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations".
- 4.6 The Grand Hotel is a locally listed landmark building, located on a prominent corner location within Leigh Cliff Conservation Area. This attractive late Victorian Baroque building was once vibrant but it has been left unoccupied and boarded up for a number of years and is considered to be at risk. The Council recognises that this is an important historic landmark and wishes to see the building brought back to use, however, it has a statutory duty to preserve or enhance its character and the character of the Conservation Area.
- 4.7 Policy DM3 of the Development Management DPD 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." Moreover, policy DM5 highlights that "All development proposals that affect a heritage asset will be required to include an assessment of its significance, and to conserve and enhance its historic and architectural character, setting and townscape value" and it continues stating that "Development proposals that result in the loss of or harm to the significance of a non-designated heritage asset, such as a locally listed building or frontages of townscape merit, will normally be resisted, although a balanced judgement will be made, having regard to the scale of any harm or loss, the significance of the asset and any public benefits"
- 4.8 An in principle objection was raised in relation to the penthouse in the previously refused scheme, however, this element has now been omitted from the proposal and therefore the principle of the conversion of the building to residential on the upper floors and an extension to the rear of the building are accepted subject to consideration of the design detail of the proposal which is discussed below.

- 4.9 Amongst other policies designed to support sustainable development, the NPPF seeks to boost the supply of housing by delivering a wide choice of high quality homes. Policy KP2 of the Core Strategy requires that "all new development contributes to economic, social, physical and environmental regeneration in a sustainable way". This approach is enlarged upon in further policies within the Development Management Document. Furthermore, policy CP8 of the Core Strategy identifies the need of 6,500 homes to be delivered within the whole Borough between 2001 and 2021.
- 4.10 The site is located within a secondary shopping area and Policy DM13 requires that "All developments in the secondary shopping frontage, as defined on the Policies Map, must maintain or provide an active frontage with a display function for goods and services rendered and the proposed use will provide a direct service to visiting members of the general public."
- 4.11 It is recognised that whilst the building is within a shopping frontage, it has never been used as a shop and that the character of the area is not strictly for A1 uses. The proposed development would provide a restaurant/ brassiere use at ground floor as well as a wine bar and health centre within the basement. These uses would maintain an active and vibrant use on the lower floors and provide an attractive frontage to the street. It is therefore considered that the proposal conforms to the objectives of policy DM13.
- 4.12 Although the proposal would regrettably result in loss of an existing visitor accommodation use Policy DM12(3) states that "Proposals for alternative uses on sites used (or last used) for visitor accommodation outside the Key Areas in (1) will generally be permitted provided that the proposal meets other relevant planning policies". The proposal would create residential accommodation (18 flats) to the upper floors, retaining an active leisure use at ground floor and basement and therefore, the proposal would accord with the objectives of the local plan in terms of the uses provided on site. Whilst the proposal would result in loss of a visitor accommodation, the applicant states that this is not a commercially viable use. It is also noted that the site is not located within a key area for visitor accommodation, therefore on balance, taking into consideration that the proposed use would bring a landmark building back to use, no objection is raised in terms of the loss of the hotel use. This is consistent with the advice provided at pre application stage.

4.13 Paragraph of the NPPF states that:

Paragraph 140 of the NPPF advises that "Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies."

And para 137 states that

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."

4.14 It is noted that the existing building has been left vacant for a number years; it is currently in poor condition and considered to be at risk. The Council has received a number of complaints over the past few years regarding its deterioration. It is therefore considered that finding a viable use for the building and land is crucial to its long terms survival. Given that the proposed residential/commercial/leisure use of the building would be compatible with the mixed character of the area, no objection in raised to the principle of the proposed use in this location.

Dwelling Mix

4.15 Policy DM7 of the Development Management Document states that all residential development is expected to provide a dwelling mix that incorporates a range of dwelling types and bedroom sizes, including family housing on appropriate sites, to reflect the Borough's housing need and housing demand. A range of dwelling types would provide greater choice for people living and working in Southend and it would promote social inclusion. The Council seek to promote a mix of dwellings types and sizes as detailed below. The dwelling mix of the application is also shown in the table below.

| Dwelling size: | 1-bed | 2-bed | 3-bed | 4-bed |
|----------------|-------|-------|-------|-------|
| No bedrooms | | | | |
| Proportion of | 9% | 22% | 49%* | 20%* |
| dwellings | | | | |
| (Policy DM7) | | | | |
| Proposal | 6% | 94% | 0% | 0% |

4.16 The proposed development would result in 1 x 1 bed 1 person flat, 8 x 2 bed 3 person flats and 9 x 2 bed 4 person flats. Whilst the proposed development does not accord with the dwelling mix identified in Policy DM7, the applicant has submitted evidence from a local estate agent stating that the demand in the area for flatted schemes is for mainly for 2 bed units, and the demand for 3 bed flats is very low. Paragraph 50 of the National Planning Policy Framework states that 'plan for a mix of housing should be based on current and future demographic trends, market trends and the needs of different groups in the community'. Therefore, on balance, in this particular instance, the dwelling mix, as proposed, whilst not strictly in accordance with policy DM7, taking into account the fact that the parameters of the conversion are fixed (there is an existing building on site) as well as the market trend in the area and the fact that it is a relatively small scheme, is considered adequate. However, this noted as a negative element of the scheme.

Affordable Housing

4.17 Policy CP8 of the Core Strategy explains that residential development proposals will be expected to contribute to local housing needs, including affordable housing. It states that:

"All residential developments of 10-49 dwellings will be expected to provide not less than 20% of the total number of units on site as affordable housing"

4.18 The applicant is seeking not to provide any affordable housing on viability grounds. A viability statement has been submitted with the application. It is noted that a similar viability statement for the previous proposal, which included the penthouse, was independently appraised and it was accepted that the proposal could not viably make a contribution to affordable housing. The current proposal has omitted the penthouse and has less residential units.

Officers accept that in this instance provision of affordable housing cannot be justified as part of the development, as proposed. However, this is not a positive element of the proposal. Details of the viability assessment and affordable housing provision are discussed in more detail in 'Developer contributions' section of this report.

4.19 In light of the above, it is considered that the principle of the proposed uses on site is acceptable. The issues relating to the design, as well as other material planning considerations, including impact on future neighbours' amenities, living conditions of future occupiers and parking standards are further discussed below.

Design and Impact on the Character of the Leigh Cliff Conservation Area

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policy DM1, DM3 and DM5; SPD 1 (Design & Townscape Guide (2009))

- 4.20 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that "the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."
- 4.21 Paragraph 56 of the NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."
- 4.22 Policy DM1 of the Development Management DPD states that all 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".
- 4.23 According to Policy KP2 of Core Strategy (CS) new development should "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of Core Strategy requires development proposals to "maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development". It also 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" and "promoting sustainable development of the highest quality and encouraging innovation and excellence in design to create places of distinction and a sense of place".
- 4.24 In respect of altering a heritage asset, such as a locally listed building and development in conservation areas, the NPPF states that Local Authorities should "recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance." (paragraph 126)

- 4.25 Policy DM5 of the Development Management DPD states that:
 - "2. 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.
 - 3. Development proposals that result in the loss of or harm to the significance of a non-designated heritage asset, such as a locally listed building or frontages of townscape merit, will normally be resisted, although a balanced judgement will be made, having regard to the scale of any harm or loss, the significance of the asset and any public benefits."
- 4.26 The proposed development is to extend, convert and reuse the existing locally listed building as eighteen self-contained flats. with ground restaurant/brassiere/function room and basement health club and wine bar. It is noted that the existing locally listed building is of high significance, but also that because of its deterioration, it requires significant restoration works which have the potential to regenerate the area. Therefore, it is considered that a scheme which restores this important historic building in an appropriate manner would preserve or enhance the building and the Leigh Cliff Conservation Area should be encouraged and supported.
- 4.27 This proposal is an amended scheme and follows a recent refusal for a similar development for the conversion and extension of the building but which included a steeper replacement mansard and an additional penthouse residential unit on the roof of the historic building ref 16/01475/FULM . This was refused for the following reason relating to the design and impact on the character of the building and conservation area:
 - 01 The development, by reason of the design, mass, scale, siting and size of the proposed fourth floor penthouse roof extension and the increased scale and detailed design of the enlarged mansard roof, would have a detrimental impact on and be significantly harmful to the character and appearance of the locally listed building and the Leigh Cliff Conservation Area more widely. The development is therefore considered to be unacceptable and contrary to the National Planning Policy Framework (2012), policies KP2 and CP4 of the Southend Core Strategy (2007), policies DM1, DM3 and DM5 of the Southend Development Management Document (2015) and the advice contained in the Design and Townscape Guide (2009).

4.28 In light of this refusal the application has been amended. The penthouse element has been removed and the pitch of the mansard has been decreased from 65 degrees to 55 degrees. In all other aspects the external alternations to the building remain essentially unchanged although there are some small variations to the internal layout and detailing, to address minor concerns previously raised by officers. This section of the report therefore focuses on the impact of these amendments on the proposed design although the other aspects of the proposal are also discussed as they were in the previous report.

Removal of the Penthouse

- 4.29 The most significant change between the previously refused application and the current proposal is the removal of the penthouse. This element was considered to be out of character with the existing building and harmful to its significance, in particular in relation to the roofscape and silhouette of the historic building and the omission of this element is therefore welcomed. The proposal now seeks to replace this with a communal amenity terrace, including the erection of a metal balustrade to the edge of the mansard, which matches the design of the metal balustrades to the existing front balconies. The plans show that this will be accessed by an extension of the existing stair core located within the proposed rear extension which will have modern detailing.
- 4.30 Historic photos of the building show that there was originally a viewing terrace on the roof of the building with decorative balustrade and this provides justification for this element. Overall this is a much more appropriate solution for the roof of this historic building and will have the added benefit of providing amenity provision for the residents which was previously very limited. This element of the proposal is therefore considered to be acceptable subject to the agreement of the balustrade detail and the detailing to the stair tower which can both be agreed by condition.

Alterations to Mansard Roof

- 4.31 The structural report submitted with the application states that the existing roof is in poor condition, including missing tiles and water leaks and it recommends that this element of the building is renewed and its thermal insulation enhanced in order to accommodate a residential use. No objections were raised to this in principle in the previously refused scheme however the reason for refusal sited the amended form of the mansard as being detrimental to the character of the historic building.
- 4.32 The current proposal has amended the design of the replacement mansard roof so that it has a shallower pitch, thus reducing its impact on the lower principle section of the building, the roof scape and in the wider streetscene. This has been achieved by reducing the pitch of the roof. The existing mansard has a pitch of 45 degrees and the refused scheme proposed a pitch of 65 degrees. The current proposal has amended this to 55 degrees to achieve a balance between reducing the impact of this element and achieving a more useable headroom. The elevations show that this change has significantly reduced the bulk of the roof and the new profile now appears more subservient and sits more comfortably with the shaping of the existing parapet. Overall therefore, the amended design of the mansard is now considered to be a reasonable and acceptable compromise for the design of this element of the proposal subject to the approval of appropriate materials.

- 4.33 It is noted that, as with the previous proposal, more dormers are proposed in the mansard than exist a present and that a number of these have small terraces set behind the historic parapet. The scale and design of the building is such that the dormers now proposed would have a positive relationship with the fenestration on lower floors and would not appear over dominant or out of character with the building as a whole. These are therefore accepted subject to the agreement of their details, including the decorative pediment and materials, which can be dealt with via a condition. It is also noted that the applicant has submitted detail of the replacement box gutter to demonstrate that it is achievable and fit for purpose when the mansard is rebuilt, easy to maintain and fully integrates with the existing downpipes.
- 4.34 The remainder of the alterations and extensions to the building are essentially similar to that submitted in the previously refused application and are discussed below, however, it should be noted that the reason for refusal only related to the penthouse and mansard discussed above.

Rear Extension

- 4.35 A three storey, plus mansard, extension is proposed to the rear of the historic building. The scale of this addition is much larger than the previously approved in 2010 and renewed in 2013, however, being located to the rear, it will not impact on the principle elevation or the all-important roofscape of the existing building although it will clearly have a significant impact in the streetscene from the rear and from Leigh Road. It is noted that the scale of this addition has been reduced from initially proposed in pre application discussions, which stretched to the rear boundary and included undercroft parking to the full depth of the site. This proposal was a matter for concern for the Council during the pre-application process.
- 4.36 The scale of the extension now proposed, which is unchanged from the previous proposal, is considered to be significant but it is set in from the side elevations to provide some subservience and to enable a better transition of materials and it provides a good level of articulation to all the elevations. The statements submitted with the application state that a larger extension than that initially approved is required to add enough value to the scheme to facilitate the refurbishment of the building.
- 4.37 The detailing of the extension is traditional and matches that of the existing building including the proposed windows and their surrounds, balconies and chimneys. Although there could be an option for a modern addition to this building there is no objection in principle to a traditionally detailed extension in this location and this was accepted in the previous approval
- 4.38 On balance it is considered that, in this instance, the scale of the addition proposed to the rear can be accepted as it facilitates the reuse and refurbishment of the historic building and is well detailed so that it achieves a good match to the exiting character. The current scale of extension is seen as the compromise which is required to enable the development to come forward. This is the same conclusion as was reached in the previously refused design in relation to this element of the proposal. Therefore, subject to the agreement of the detailing of the windows and doors, their surrounds, balconies and dormers and the materials, this aspect of the proposal is considered to be acceptable.

External Alterations to the Existing Building

4.39 Part of the proposed development would involve the conversion of the ground floor to an A3 use (restaurant/brassiere/function room) and the application includes a proposal for an external terrace to the front to provide space for outside dining. This element of the proposal includes the replacement of the windows at ground floor to the front elevation with French doors, providing access to the outside seating area. The provision of a restaurant and external seating area was previously approved (10/00421/FUL and 10/01447/FUL) and thereafter the permission was extended (13/00477/EXT). It is considered that subject to agreement of the details of the how the terrace integrates with the building and detailing in relation to the French doors, the ramp and the part brick part metal railings boundary wall to the front of the terrace, which could be achieved by condition, the proposed alterations are considered acceptable in terms of their impact on the existing building and the conservation area.

Windows

- 4.40 It is also the intention to replace the remaining windows within the historic building with matching timber designs. This is partly because they are in a poor state of repair but also because there is a need to ensure that the residential uses above are not unduly affected by noise from the A3 uses at ground floor. The agent has submitted details to show that the glazing required level of noise attenuation can be accommodated within a frame of very similar dimensions to the existing.
- 4.41 On balance therefore, seeing as the existing frames are in a poor state of repair, the replacement of the windows is accepted subject to the agreement of detailed designs via a condition.

Chimneys

4.42 One of the main features of the historic building and in particular the roof is the prominent chimneys, which are some of the largest and most distinctive chimneys within the Borough. Their scale, predominantly the one in the centre and front of the building, and their prominent and dramatic silhouette is a characteristic of the locally listed building and therefore, it is important that this is maintained. Unlike the rest of the chimneys which sit directly on the top of the parapet, the main central chimney is set back and the chimney breast currently runs through the plant room at roof level and the every floor below it. Given the extent of alteration to the internal layout it is necessary to ensure that the stability and future retention of these chimneys is not compromised. It is noted that the internal layout of the development has been amended to ensure that the existing chimney breasts which currently provide restraint for the chimneys are maintained to a suitable level through the building and a statement has been submitted from a chartered engineer to confirm that these important feature are not compromised.

Internal Layout and Proposed Uses

4.43 The existing basement is proposed to be extended to the rear under the proposed extension and reused as a wine bar and health club. This element of the proposal would have limited impact on the appearance and character of the existing building or the wider conservation area and therefore, no objection is raised in design terms.

- 4.44 It is noted that these two facilities would share the main access from the eastern side and share sanitary facilities but the agent has explained that the wine bar will operate as a café for the health spa during the day but revert to a wine bar in the evening. This seems an efficient use of space and does not impact on the character of the historic building or the wider conservation area. The implications for neighbours are discussed in more detail below and it is suggested that a condition restricting opening times be imposed.
- 4.45 At ground floor, A3 uses are proposed which will require extraction and ventilation systems. The plans shown that these will be ducted through the building to the cycle store and undercroft parking and to the roof where the main plant will be screened by the proposed parapet so will have no impact on the character of the building. No objections are therefore raised in respect of the design of the plan. The impact on neighbours of the proposed plant is discussed below.

Renewables

4.46 34 Solar panels are proposed to be installed to the rear of the proposed rear extension. This is welcomed and this location behind the parapet and balustrade should ensure that the panels are not visible from the street. No information has been provided to confirm if this meets the 10% requirement for renewable energy, however, there is no objection in principle to PVs in this location and there seems to be plenty of space for them to be accommodated. It is therefore considered that the detail in relation to renewable energy could be agreed by condition.

Landscaping and trees

- 4.47 An indicative landscaping plan and document has been submitted for the proposal. This shows a good level of planting around the building which should help to screen and soften the parking proposed to the front and rear and enhance the setting of the building generally. There are some concerns in relation to the proposed landscaping. Particular concern is raised in respect of the proposal to use tarmac for all parking areas. Although it is noted that there is some tarmac on site already, this would not normally be acceptable in a historic setting and it is considered that a higher quality permeable material should be sought.
- 4.48 There is also a concern that some of the planting may not be appropriate for a town centre location and this should be revised to something more appropriate to this context. It will also be necessary to ensure the protection of existing trees to be retained including the cedar to the front which makes a positive contribution to the streetscene and the wider conservation area. It is however considered that these details could be agreed by condition.
- 4.49 It is noted that the proposal includes the removal of a protected tree to the rear to facilitate the car parking and vehicular access for the flats, however, the removal of this tree has been agreed in the past to enable parking to be accommodated to the rear so this is again accepted subject to the agreement of landscaping including replacement tree planting.

4.50 It is therefore considered that the proposed amendments have overcome the reason for refusal 01 of 16/01475/FULM in relation to the impact of the previously proposed penthouse and mansard design on the character of the locally listed building and wider Leigh Cliff Conservation Area and that the design of the amended proposal is now considered to be acceptable subject to the appropriate conditions relating to the design detailing of the proposal as noted above.

Living Conditions for Future Occupiers

National Planning Policy Framework 2012, Core Strategy Policies KP2, CP4 and CP8; SPD1; Policies DM3 and DM8 of the Development Management DPD and National Housing Standards

- 4.51 Delivering high quality homes is one of the Government's requirements according to the NPPF. Since 1st of October Policy DM8 of the Development Management DPD has been superseded by the National Housing Standards regarding the minimum internal floorspace standards, these set out the following minimum internal floorspace standards for the sized of the flats proposed as follows:
 - 1 bedroom (2 bed spaces) 50sq.m
 - 2 bedroom (3 bed spaces) 61sq.m
 - 2 bedroom (4 bed spaces) 70sq.m

National standards also require bedrooms to have a minimum internal floor area, which is as follows:

- Single bedrooms 7.5sqm
- Double bedrooms 11.5sqm
- 4.52 Generally the flat sizes are generous and the internal floor layout has been amended to ensure that it accords with the requirements of the National Technical Housing Standards.
- 4.53 Policy DM8 states that all new dwellings should "make provision for usable private outdoor amenity space for the enjoyment of intended occupiers; for flatted schemes this could take the form of a balcony or easily accessible semi-private communal amenity space. Residential schemes with no amenity space will only be considered acceptable in exceptional circumstances, the reasons for which will need to be fully justified and clearly demonstrated".
- 4.54 The current proposal is to form 18 self-contained flats. The removal of the penthouse has enabled a 231sqm communal amenity terrace to be provided for the flats on the roof of the historic building. In addition to this four flats at first floor would benefit from private balconies measuring 6.5 sqm and six flats at mansard roof level would be provided with small balconies, with indoor opening doors, similar to Juliet balconies. Overall this is considered to provide a good level of amenity space for this type of development and has overcome and concerns previously raised in relation to this issue.

- 4.55 According to SPD1 refuse storage and recycling should not be visible from the streetscene and as such, it should be located either internally to the development or to the rear of the property, to minimise the adverse visual impact. Refuse facilities for both the residential and commercial units will be provided to the northwest of the building. Part of the refuse storage facilities would be within the building, while part would be provided in an enclosed area to the west of the building adjacent to the western boundary.
- 4.56 The bins would be located to the rear of a high wall along the western boundary and therefore, they would not be visible from public vantage points. The position of the bin store, both for the residential and commercial uses is considered to be reasonably located to an easily accessible location and therefore, no objection is raised in relation to the position of the proposed refuse.
- 4.57 Policy DM8 of the Development management DPD states that all new dwellings should meet the Lifetime Homes Standards, this requirement has now been substituted by building regulation M4 (2). These include a step-free access to the residential units and any associated parking space, a step-free access to a WC and any private outdoor space, accessible accommodation and sanitary facilities for older people or wheelchair users and socket outlets and other controls reasonably accessible to people with reduced reach.
- 4.58 The parameters of the conversion are fixed by the existing building and on balance, it is considered that, in this particular instance, the proposal should not be required to fully accord with the M4(2) standards. However, an internal lift would be provided to give access to all proposed flats and a ramp would be formed giving access to the raised entrance of the building and access to the restaurants. It is also noted that 2 disabled parking spaces are proposed to serve the commercial uses at the front of the site but although the access to the rear car parking area would be levelled and therefore accessible, there is no provision of disabled parking for the residential units. On balance, given the constraints of the site, the accessibility of the building is considered to be acceptable.

Impact on Neighbouring Properties

NPPF; DPD 1 (Core Strategy) Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3; SPD 1 (Design & Townscape Guide (2009))

- The Design and Townscape Guide (SPD1) states 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." (Paragraph 343 Alterations and Additions to Existing Residential Buildings). Policy DM1 of the Development Management DPD requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities "having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."
- 4.60 The proposal would result in some increased activity and associated noise from the proposed flats; however, given the last use of the building was unrestricted and as a hotel/restaurant/bar, it is not considered that the impact from the activity associated with the proposed residential units would be materially greater or harmful to the residential amenity of the nearby neighbours.

Impact on properties to the north Southdown Court

- 4.61 The site is located at the southern end of a residential block, having no attachment to any other building. However, it is surrounded by residential properties. The proposed rear extension would be sited approximately 13.7m away from the neighbouring building to the north (Southdown Court). Whilst there are windows in the southern elevation of this building which face the site, it appears that the main habitable room windows are on the east and west elevations of the building. It is also noted that there is an increase of the ground levels towards the north of the site and the neighbouring building to the north sits at a higher level than the application site.
- 4.62 Given that the level of separation of the extension to the rear and the building to the north, the marginally increased levels towards the north and the fact that primary windows are not sited to the south elevation of the adjacent building (no. 133 Broadway), on balance, it is not considered that the proposed development would result in unacceptable overshadowing or have an overbearing impact on the occupants of the properties to the north. In addition, the proposed windows and balconies are not considered capable of materially increasing overlooking, given the separation distances involved. The proposed roof terrace would be sited to the front of the historic building away from the neighbouring property to the north and given this separation, it is not considered that it would result in overlooking or loss of privacy.

Impact on properties to the west Leighton Avenue

- 4.63 The development would be located around 17.7m away from the properties to the west, along Leighton Avenue. This separation distance is considered sufficient to protect from any unacceptable loss of light or domination. The proposed roof terrace, balconies and Juliet balconies would overlook the highway and the neighbouring front gardens, which is considered acceptable.

 Impact on properties to the east Broadway
- 4.64 A marginally larger (approximately 21m) separation distance would be maintained to the maintained to the neighbouring properties to the east, along Broadway. As noted above, this separation distance is considered to be a reasonable to mitigate against overshadowing and to ensure that the proposed extensions would not overbearing upon neighbouring occupiers. The neighbouring block of flats to the east has existing balconies facing the application site. However, it is considered that balconies to the elevations facing the highway are semi-private amenity areas and that a level of overlooking is acceptable. The application site would have balconies, windows and Juliet balconies opposite the windows and balconies of the property to the east; however, on the basis of the above, in this instance, this is considered acceptable.

Impact on properties to the south Broadway

4.65 The separation distance to the properties to the south would be around 40m. As such, by reason of the position of the building, the relationship with the properties to the south would not be materially harmful in terms of loss of light, overlooking, overbearing impact or sense of enclosure.

Noise generated by commercial units, associated plant and traffic

- 4.66 With regard to the noise generated by the proposed fixed plant, the outdoor seating area and traffic movement, the applicant has submitted an acoustic statement, concluding that the plant would not increase noise levels to a degree that would exceed the typical quietest background noise levels. Whilst the Environmental Health Officer raised some concerns in relation to this and other noise sources, such as the function room and health club not included in the assessment, it is considered that this issue could be dealt with by condition relating to detailed assessment, management and opening hours. The Council's Environmental Health Officer has not raised any objections to the applicants proposed opening times for these uses as noted in para1.9.
- The Council's Environmental Health Officer has also raised concerns in relation to the potential impact that the noise and disturbance generated by the use of the outside terrace restaurant seating area would have to the occupants of the upper floors of the application building and possibly the impact on the occupants of the properties along Leighton Avenue. In relation to this issue the acoustic report submitted with the application comments that some mitigation measures will be required to protect the flats above from unreasonable noise nuisance from the use of the terrace. These measures include the use of high performance glazing for the replacement windows and a management plan for the terrace to control hours of use. The agent has submitted details in relation to the glazing for the replacement windows on this elevation to demonstrate that high specification glazing can be used to provide noise insulation without compromising the design or dimensions of the window frames and this offers sufficient comfort that a solution to this issue can be satisfactorily dealt with via a condition.
- 4.68 It is also noted that permission has previously been granted to erect a front restaurant terrace of a similar size to the proposed terrace in this location. The impacts of the potential noise generation of the previously approved scheme were dealt with by conditions requesting the submission of a noise management plan and the restriction of hours of use. It is therefore considered that these matters can be dealt with via a similar condition.

Traffic and Transport Issues

NPPF; DPD 1 (Core Strategy) Policies CP3; Policy DM15 of the emerging Development Management DPD; SPD1

- 4.69 Policy DM15 of the Development Management DPD requires all development to provide adequate parking. The parking requirement for the proposed uses is the following:
 - A3 (Restaurants & Cafes) 1 space per 5sq.m. A maximum of 83 parking spaces.
 - A4 (Drinking Establishments) 1 space per 5sq.m. A maximum of 61 parking spaces.
 - D2 (Health club) 1 space per 10sq.m. A maximum of 43 parking spaces.
 - D2 (Function room) -1 space per 20sqm. A maximum of 3 parking spaces.
 - C3 (Flats) 1 per flat. A minimum of 18 parking spaces.

4.70 Nine parking spaces would be provided to the front curtilage of the property to serve the ground floor and basement commercial uses and an additional nineteen parking spaces for the eighteen residential units are proposed to the rear. The applicant has submitted a transport statement in support of his application, concluding the impacts caused to the highways network and parking availability would be acceptable.

Residential element

- 4.71 Nineteen parking spaces would be provided for the proposed flats, which will accord with the requirements as set in Policy DM15. Access to the residential parking is via a new vehicular access onto Broadway. There is on street parking along this part of Broadway and the proposal would result in loss of at least one parking space; therefore, the existing traffic regulation order will require amending. Should permission be granted, this amendment will need to be carried out prior to development and the cost of these works can be secured via a Section 106 Agreement as recommended in subsequent sections of this report.
- 4.72 Normally it would be necessary for a travel pack to be provided to the future occupiers of flats, notifying them about sustainable travel choices. In this instance it is considered unnecessary, taking into account that the proposal would accord with the minimum parking requirements as set out in policy DM15 for the residential element of the development. However, it is noted that paragraph 5.26 of the Transport Statement suggest that Travel Information Packs and "how to get here" information would be provided to first residents, staff and visitors of other uses and this is welcomed

Commercial/leisure element

4.73 As noted above the amount of parking provided to serve the commercial/leisure element of the development is below the maximum parking standards. However, it is noted that similar uses and scale of commercial development has previously approved on site (12/01439/FUL) and no objection was raised in relation to the level of parking proposed in the development. It is also noted that the ground floor has an existing restaurant/bar use. The current proposal would increase the size of the commercial/leisure uses at ground floor and basement, however, the applicant has submitted a robust Transport Statement, including a TRICs Assessment which compares predicted trip generation at AM and PM peak hours between the previously approved extended hotel/spa/restaurant/bar and the current mixed use residential/restaurant/bar/spa. The TRICs assessment concludes that the additional vehicle movements (3 in the morning hours and 22 in the evening hours) would be unlikely to cause a significant capacity issues on the local highway network. It is noted that the on-street parking is available in the vicinity and a temporary car park is located adjacent to the junction of Leigh Road and Leigham Court Drive which can be used by the restaurant/bar users. It is also considered likely that the ground floor and basement uses would be part of linked trips or be used by local residents. which would not further increase the vehicle movements. In light of the above, it is considered that, on balance, the proposed development including the ground floor and basement commercial/leisure uses would not have a detrimental impact on the highway network, nearby local roads and parking availability which would warrant refusal of the application. However, it is noted that, given the level of lack of parking provision for the commercial element of the development, a Travel Plan encouraging sustainable travel for the users and staff of the commercial uses is considered to be necessary and this can be agreed in a Section 106 Agreement.

- 4.74 Refuse collection would be undertaken from Leighton Avenue. This would be consistent with the previous use of the building and it is therefore, considered acceptable. It is noted that the design of the refuse store door has been amended so that the door opens inwards to ensure that it does not cause an obstruction to pedestrians which was raised as a concern in the previous application.
- 4.75 Servicing would be undertaken from the car parking area to the front of the building, accessed from Leighton Avenue. This proposal would not require the formation of a loading bay and no objection is raised in terms of the impact of the proposal on the local highway network.

Construction Traffic

4.76 Although it is difficult to identify the construction vehicle movements associated with the development before a contractor has been appointed, it is anticipated that vehicle movement would be channelled from the A13 to Hadleigh Road/Broadway or Leigh Road. A Construction Management Plan will be conditioned to be agreed prior to the commencement of the development, should planning permission be granted.

Sustainable Transport

- 4.77 Twenty-two cycle parking spaces are proposed to be provided to the rear of the property for the prospective occupiers. Although it has not been confirmed, it is assumed that the proposed cycle store would be used from both the future occupiers of the residential units and the staff of the commercial/leisure uses. It is noted that the Development Management standards for cycle parking is as follows:
 - C3 (flats) 1 secure covered space per dwelling. A minimum of 18 cycle spaces.
 - A3 (Restaurants & Cafes) 1 space per 100sq.m for staff & 1 space per 100sq.m for customers. A minimum of 8 cycle spaces.
 - A4 (Drinking Establishments) 1 space per 100sq.m for staff & 1 space per 100sq.m for customers. A minimum of 6 cycle spaces.
 - Health club 10 spaces plus 1 space per 10 vehicle space. A minimum of 10 cycle spaces.
 - Function room there are no set standards for this particular use.
- 4.78 22 cycle parking spaces would be provided and therefore, the proposal would not accord with the minimum cycle parking standards and there is a concern that the cycle store as proposed is shared between the commercial and residential uses and this is not considered to be acceptable. Furthermore, there is no provision for cycle parking for visitors. However, it is considered that this issue could be dealt with via a planning condition. It is also noted that Travel Information Packs and "how to get here" information would be provided to first residents, staff and visitors of other uses which is welcomed.
- 4.79 In light of all the above, it is considered that on balance the impacts of the proposed development on the highways network, vehicle and pedestrian safety and parking provision would not be such that to warrant refusal of the application on these grounds with the controls recommended.

Use of on Site Renewable Energy Resources and SUDs

National Planning Policy Framework 2012, Core Strategy Policy KP2 and SPD1; Policy DM2 of the emerging Development Management DPD

- 4.80 Policy KP2 of the Core Strategy requires that "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, wherever feasible. How the development will provide for the collection of re-usable and recyclable waste will also be a consideration". Policy DM2 of the Development Management DPD also states that "to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions"
- 4.81 As noted above 34 PV panels are proposed to be installed on the roof of the building. No information has been provided to determine what percentage of energy needs this will provide but there is no objection to the PVs in this location and it is noted that if a lesser amount can be justified in terms of impact on the building and viability a lesser percentage could be accepted. It is therefore considered that as the principle of this is agreed, the details in relation to renewable energy provision can be dealt with via a condition.
- 4.82 The applicant has submitted a Sustainable Strategy Report stating that the water would be disposed from the site via a gravity drain connected to public sewer system, as existing. Surface water runoff would be restricted to below predevelopment discharge and use of SuDS techniques would be introduced on site to reduce potential increase of flooding. Permeable paving would be used to the hard surfaced areas. Anglia Water has been consulted and they have raised no objection however they have requested that a condition requiring a sustainable drainage strategy to be agreed be imposed.
- 4.83 Policy DM2 (iv) of the Development Management Document requires all new development to provide "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, officers are satisfied this matter can be dealt with by condition.

Developer Contributions

CIL Charging Schedule 2015

4.84 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 1251 sqm of commercial uses and 1853 sqm of residential use, which may equate to a CIL charge of approximately £136,059.00 (subject to confirmation).

It is noted that any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount, however, in this case the building has been vacant for many years so this is unlikely to be applicable.

Planning Obligations

NPPF; DPD1 (Core Strategy) policies KP3, CP6 and CP8; SPD1 Design and Townscape Guide

- 4.85 The Community Infrastructure Levy Regulations 2010 came into force on 6 April 2010. The planning obligation discussed above and as outlined in the recommendation below has been fully considered in the context of Part 11 Section 122 (2) of the Regulations, namely that planning obligations are:
 - a) necessary to make the development acceptable in planning terms; and
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development
- 4.86 The Core Strategy Police KP3 requires that:

"In order to help the delivery of the Plan's provisions the Borough Council will:

2. Enter into planning obligations with developers to ensure the provision of infrastructure and transportation measures required as a consequence of the development proposed."

This includes the provision of affordable housing and contribution to education.

Affordable housing

- 4.87 The Council and the applicant undertook lengthy discussions during the course of the previously refused application in relation to the schemes ability to provide affordable housing. There were initially a number of concerns regarding the approach taken by the applicant, given that the viability assessment and in particular the Benchmark Land Value (BLV) of the scheme which was based on an unviable development (previously approved hotel and restaurant), that the construction costs were not based on a market value but on the personal specifications of the applicant and that the finance of the scheme was based on the personal circumstances of the applicant. Viability best practice directs that finance should reflect a 'market-based approach' and finance costs are not developer specific as the planning permission is attached to the site and not the developer. Similarly, construction costs for the commercial and leisure uses should the based on a shell and core standards and should not be developer specific.
- 4.88 Following negotiations, the approach taken by the applicant in terms of the viability of the scheme was amended and a new viability report submitted which, in addition to the amended methodology, also included a revision to sales values based on the potential impact from the development of 114-120 Broadway. This second report also concluded that the proposal would result in a deficit and thus, the proposal would be unable to support the provision of affordable housing.

- 4.89 An independent assessment of the viability of the original scheme was undertaken by the Council. This included a contingency for unforeseen works relating to the historic renovations and some consideration for the potential impact of the development of the neighbouring site. This also concluded that the development was indeed not able to support the provision of affordable housing.
- 4.90 A revised viability appraisal has been submitted with the current proposal. This too concludes that affordable housing is unviable; however, this is not unexpected given that the previous scheme for a larger development, which included the penthouse (now omitted), was also unable to support affordable housing. It is considered that the absence of a contribution to affordable housing has been successfully demonstrated in this instance. However, this is not found to be a positive element of the scheme.

Education Contribution

4.91 The second reason for refusal for the previous application related to the lack of any formal agreement to secure a financial contribution towards the provision of education facilities in the Borough to mitigate for the impact of the proposed development. The applicant has now agreed to undertake a \$106 agreement to cover this. The education contribution calculated as £9607.57.

Highways Contribution

- 4.92 As noted above there are two items relating to highways and transport which also need to be included in the S106 agreement which are:
 - Costs in relation to the amendment of the Traffic Regulation Order for the installation of the vehicular access estimated at £2500
 - The provisions of Travel Packs for the commercial uses
- 4.93 A draft S106 is being progressed on this basis and it will be implemented should permission be granted.

5 Conclusion

5.1 Having taken into consideration the particular circumstances of this case, including the condition of the building, the length of time it has been derelict and its importance to the character and significance of Leigh Cliff Conservation Area, it is considered that, on balance, the current proposal, which still includes the large rear extension but which as omitted the penthouse addition and reduced the scale of the mansard, which were previously found to be unacceptable under application ref 16/01475/FULM, will bring this important historic building back into use and is now found to be acceptable in terms of its design and impact on Leigh Cliff Conservation Area. The proposal has also addressed the second reason for refusal relating to the failure to agree the education contribution. In relation to other matters it is considered that the proposal would have an acceptable impact on the amenities of neighbours, the highways and transportation network and create a satisfactory quality of accommodation for future occupiers. Members are therefore recommended to grant planning permission for this proposal subject to conditions and the completion of a suitable S106 agreement in accordance with the recommendation set out in Section 9 of this report.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework (2012): Section 4 (Promoting sustainable transport), Section 6 (Delivering a wide choice of high quality homes), Section 7 (Requiring good design) and 12 (Conserving and enhancing the historic environment)
- 6.2 Development Plan Document 1: Core Strategy Policies KP1 (Spatial Strategy); KP2 (Development Principles); KP3 (Implementation and Resources); CP1 (Employment Generating Development); CP2 (Town Centre and Retail Development) CP3 (Transport and Accessibility); CP4 (The Environment and Urban Renaissance); CP6 (Community Infrastructure); CP8 (Dwelling Provision)
- 6.3 Development Management DPD 2015: Policies DM1(Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM5 (Southend-on-Sea's Historic Environment), Policy DM7 (Dwelling Mix, Size and Type), DM8 (Residential Standards), DM10 (Employment Sectors), Policy DM12 (Visitor Accommodation), Policy DM13 (Shopping Frontage Management outside the Town Centre) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide, 2009.
- 6.5 CIL Charging Schedule 2015
- 6.6 National Technical Housing Standards 2015
- 6.7 Leigh Cliff Conservation Area Appraisal 2010.

7 Representation Summary

The Leigh Society

7.1 No objections, this proposal seems to have addressed the previous concerns.

Leigh Town Council

7.2 No objections

The Airport Director

Our calculations show that, at the given position and height, the proposal will have no effect upon out operations. We therefore have no safeguarding objections

Suggested informative

'Please note that if you require crane of piling rig to construct the proposal, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.'

7.3 Anglia Water

7.4 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

Wastewater Treatment - The foul drainage from this development is in the catchment of Southend Water Recycling Centre that will have available capacity for these flows.

Foul Sewerage Network - The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA). We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Recommended condition

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason

To prevent environmental and amenity problems arising from flooding.

Trade Effluent - The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent. It is an offence under section 118 of the Water Industry Act 1991 to discharge trade effluent to sewer without consent. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Recommended informative

An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments.

Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

Housing Strategy and Affordable Housing

7.5 There is no affordable housing on site we have no comment to make.

Environmental Protection

7.6 The acoustic report prepared by SRL Technical Services Ltd. and dated 20/7/16 (rev. 22/7/16) refers to the assessment and control of noise from fixed plant, the outdoor terrace and traffic. No reference has been made to the generation of noise from other sources, most notably the function room and the health club.

Assumptions have been made with regard to the likely containment of noise from the terminals of the air extract ducts by virtue of being located in semi-closed areas. The location of the (24 hour) refrigeration plant seems yet to be finally determined.

The report indicated that noise levels arising from the use of the terrace were based on an occupancy of 40 persons, yet the plan reveals that 72 covers are to be provided in that area. Whilst the report states that diners generally generate less noise than drinkers, which may be true, numbers on the terrace, and adjacent outside areas, will inevitably be swelled by smokers from within the building and drinkers from the brasserie and, possibly, the wine bar. It might be assumed that the number of people resorting to the front external area could approach 100. Breakout of noise from this area beyond the site boundary could, therefore, be significant. I therefore recommend a condition restricting the use of the terrace by diners and drinkers (to end at 21:00). Whilst smokers may, inevitably, continue to use the terrace after that time, the prohibition of drinking after 21:00 should significantly reduce the dwell time of patrons in that area.

Measures are proposed to control noise (from the terrace) affecting the flats fronting the south elevation. The provision of 10/12/6.8 acoustic glazing and acoustic vents may serve to prevent noise ingress into the first floor flats. However, use of the balconies serving those flats may be compromised due to noise arising from use of the terrace.

With perhaps the exception of the suggested possibility of providing glass screening, the Complaint Management Plan in respect of behavioural noise arising from use of the terrace generally fails to show effective controls. The installation of monitoring equipment would serve solely to assess the degree of any problems without providing any resolution.

The report's author states his understanding that no amplified music is to be played in the restaurant or brasserie, yet later mentions that no loud music is to be played in those areas. I assume the latter statement to be indicative of an intention to give performances of live, unamplified music within those areas.

I am concerned that smokers and drinkers from the basement wine bar may gather in the external area adjacent to the wine bar entrance located in Leighton Avenue, thereby giving rise to noise complaints from residents of opposite premises. Noise breakout from the (open) kitchen, restaurant and health club doors which also front onto Leighton Avenue could also give rise to complaint.

Reference is made to the quiet collection of glasses and bottles from the terrace, but none to the disposal of bottles in the bin store area fronting onto Leighton Avenue.

It is recommended that that details of how the acoustic transmission beyond the envelope of the function room, particularly through the ceiling and into the first floor flat located above, is to be prevented. A condition prohibiting the opening of external doors and windows whilst the function room is in use should also be imposed and unless an undertaking can be obtained to the effect that music shall not be played in the health club, similar information to that regarding the function room should also be sought.

I'm as satisfied as maybe that, subject to the attachment of the recommended condition to any consent, and the enforcement thereof, the applicants suggested closing times in relation to the commercial uses are acceptable.

[Officer comment: Consideration has been given to the above comments from the Environmental Health Officer; however, as noted in the relevant section, it is considered that the principle of the proposed ground floor and basement uses and the external seating area were previously accepted until 11pm and thus, no objection is considered reasonable to be raised for the current uses in principle. The impacts that the development would have to the nearby occupants can be minimised by the imposition of time limits and acoustic conditions. It is also noted that the Councils Environmental Health Officer has requested that the use of the terrace be limited to 21.00 hrs, however, it is noted that a proposal for the same scale and use of terrace has been previously consented until 23.00hrs under refs 10/01447/FUL and 13/00477/EXT so it is considered that it would be unreasonable to now restrict this to 21.00hrs.]

Waste Management

7.7 No comments received.

Education

7.8 This application sites with the catchment areas of Leigh North Street Primary School and Belfairs Academy (Secondary). Whilst Leigh North Street Primary School is full there are places at Darlinghurst Primary that is within acceptable travel distances, Belfairs Academy is full. At this time places are only available for secondary at Futures Community College (changing name to Southchurch School) for secondary which is approx. 4 miles away and over the DfE recommended travel distance. A contribution for the secondary impact at Belfairs Academy would therefore be expected. On the breakdown of the number of bedroom per unit this would be £9,607.57

Transport and Highways

7.9 Residential Element

18 dwellings are proposed each benefiting from 1 car parking space the layout of the car park allows vehicles to manoeuvre effectively; cycle parking has also been provided which is policy compliant. Access to the residential parking is via The Broadway a traffic regulation order will require amending to create the entrance/exit. This is the same location as previous application therefore no highway objections are raised to this proposal. Refuse storage that has been proposed is acceptable.

The applicant is advised to provide travel packs to future occupiers which details sustainable travel choices within the local area. It is not considered that the proposed residential properties will have a detrimental impact upon the public highway.

Commercial Element

Servicing

Serving will be undertaken from the car parking area to the front of the site, this is to ensure that local on street parking is not affected by the need to introduce a loading bay on Leighton Avenue. There are no highway objections to this approach.

Refuse Collection

This will be undertaken from Leighton Avenue this is as the previous use and as such no objections are raised. Refuse storage has been provided and is acceptable.

Parking Provision

The site provides 9 car parking spaces for the commercial use which includes 2 disabled spaces. This fails to meet the required policy standard however the applicant has provided a detailed transport statement in support of the application. It should be noted that in terms of vehicle parking this is the same amount as the previous use of the site which had a similar commercial offer in terms of floor area.

Traffic Generation

The applicant has provided a detailed transport statement for the residential/commercial element and has undertaken a TRICS database review relating to all proposed uses associated with the site. This is considered to be an extremely robust approach.

The applicant has previously supplied a detailed parking survey in the following roads from 6pm - 22.00pm this time frame is considered to be within the worst case scenario for on street parking availability The Broadway, Leighton Avenue, Ashleigh Drive, Redcliff Drive and Grand Drive this concluded that on street parking is available within the vicinity of the site. It is considered that the numbers of additional vehicle movements are unlikely to have an adverse impact upon the public highway network.

Consideration has also been given to the previous use of the site in relation to trip generation and also to the more recent approved applications.

Highways Conclusion

The applicant has provided detailed highway information relating to the proposed use of the site which has demonstrated that the site is in a sustainable location with regard to public transport with good links in close proximity which include rail and bus services. A previously submitted parking survey concluded that short term on street parking is available within the vicinity of the site and also benefits from a public car park in North Street. The applicant has used the TRICS database when predicting vehicle trip rates this is a nationally recognised approach and is considered to be a robust evaluation. Given the information provided by the applicant there are no highway objections to the proposal.

The applicant will be required to enter into the appropriate highway agreement to construct the vehicle crossover in the Broadway and to remove and any redundant vehicle crossovers and return them to public footway.

Drainage Engineer

7.10 No comments received.

Parks

7.11 No comments received.

Asset Management

7.12 An application has been made by a local community group for the building to be designated as an Asset of Community Value under the 2012 Regulations. This has been refused because the existing use of the building as a hotel does not qualify for consideration under this legislation.

Public Notification

7.13 Sixty-eight neighbours have been consulted and site notices posted on site and 6 letters have been received. 6 in support of the application and 41 representations objecting to the application making the following comments:

Comments made in support (6 received):

- Wish to see restoration of the historic building
- The reasons for refusal have been addressed
- The proposal will also provide facilities for local residents and have an economic benefit for the area
- Housing is in short supply
- This is a sustainable location
- Regeneration of the building will be good for local traders

In addition to the letters of support a petition of 523 names has been submitted in support of the application.

Comments made in objection (40 received):

- Flats not needed in Leigh
- · Impact on historic building and local character
- Loss of garden
- Insufficient Parking
- Impact on 'on-street' parking
- Noise and disturbance
- Loss of outlook
- Density too high
- Over development
- Design
- The building should be retained for community use
- Lack of school places
- Loss of pub
- Increased traffic
- Burden on local facilities
- Loss of hotel
- Extension over scaled
- Loss of openness
- Loss of employment use (hotel)
- The condition of the building is not a justification for over development
- Unacceptable impact on residential amenity
- Impact of night time uses on residents
- Traffic and parking

[Officer comment – all the issues raised by residents in objection to the application are addressed in Section 4 above]

7.14 A public information leaflet has also been received from the Grand Again Campaign highlighting there concerns with the proposal. This is can be found the appendix to this report.

[Officer comment – all the issues raised in this leaflet in objection to the application are addressed in Section 4 above]

8 Relevant Planning History

- 8.1 16/01475/FULM Convert existing hotel into mixed use comprising of basement wine bar and health club, ground floor restaurants and terrace, 19 self-contained flats on three floors, form new mansard roof and penthouse roof extension and three storey rear extension with mansard roof, external alterations, install extract/ventilation equipment and solar PV panels, layout parking, associated landscaping and form new vehicular access onto Broadway refused
- 8.2 15/01696/AD Application for Approval of Details pursuant to condition 04 (samples of materials) condition 05 (details of panel of pointing profile, copings, mortar mix, bricks, brick bond) and condition 07 (detailed drawings of pediment feature, materials of windows, doors and glazed lantern) of planning permission 12/01439/FUL dated 12/12/2012. Details approved.

- 8.3 14/01033/AD Application for approval of details pursuant to condition 3 (Brick Samples), 4 (Materials), 5 (Pointing) and 6 (Terrace) of planning permission 10/00421/FUL dated 04/05/2010. Details approved.
- 8.4 13/00477/EXT Alterations to elevations, form disabled access ramp to side elevation, form terrace with seating areas and form additional vehicular access onto Leighton Avenue (application to extend the time limit for implementation following planning permission 10/00421/FUL dated 04/05/2010 and 10/0144/FUL dated 23/09/2010). Permission granted.
- 8.5 12/01439/FUL Erect three-storey rear extension to form 3 additional bedrooms, enlarged kitchen facilities, form basement spa, alter car parking at rear and form new vehicular accesses (Amended proposals). Permission granted.
- 8.6 12/00719/FUL Erect two storey rear extension to form 2 additional bedrooms and enlarged kitchen facilities, form basement spa, alter car parking at rear and form new vehicular accesses (amended proposal). Permission granted.
- 8.7 12/00069/FUL Create Basement Spa, erect single storey rear extension, alter car parking at rear, lay out car parking spaces and form new vehicular access onto Broadway. Permission granted.
- 8.8 11/01723/NON Enlarge first floor extension at rear (Non Material Amendment following planning permission 10/00741/FUL dated 17/06/10). Allowed.
- 8.9 10/01447/FUL Variation of condition 02 of planning permission 10/00421/FUL to allow use of the outdoor terrace area at front until 23:00 hours Monday to Sunday and Bank Holidays. Permission granted.
- 8.10 10/00741/FUL Erect single storey rear extension, alterations to fenestration at rear, three storey infill extension and external staircase to western elevation from basement to ground floor level. Permission granted.
- 8.11 10/00421/FUL Alterations to elevations, form disabled access ramp to side elevation, form terrace with seating areas and form additional vehicular access onto Leighton Avenue. Permission granted.

9 Recommendation

- 9.1 (a) DELEGATE to the Director of Planning and Transport or Group Manager of Planning & Building Control to GRANT PLANNING PERMISSION subject to completion of an AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all of the appropriate legislation to secure the provision of:
 - A financial contribution towards secondary education provision of £9,607.57 (index-linked), specifically providing increased capacity at Belfairs Academy which is payable prior to commencement.
 - A financial contribution of £2500 to cover the cost of amending the Traffic Regulation Order to accommodate the new vehicular access
 - The provision of Travel Packs for the commercial uses

(b) The Director of Planning and Transport or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

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: 1391-14A, 1622-01; 1622-02G; 1622-03J; 1622-04K; 1622-05L; 1622-06H; 1622-07E; 1622-08D; 1622-09D; 1622-11B; 1622-12A; 1622-25, Soft Landscape Plan; Location Plan

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

03 Prior to the commencement of development samples and / or product details of the materials to be used in the construction / alteration of the external elevations of the development hereby permitted, including bricks (sample required), tiles (sample required), roof materials, stonework (sample required) cladding (sample required) balconies and balustrades, windows and doors including doors and gates to storage areas, dormers, hardstanding and terrace paving, steps and ramp, boundary railings and boundary wall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

04 Prior to the commencement of development, a sample panel showing the pointing profile, copings, mortar mix, bricks and brick bond to be used on the extension and brick wall shall be submitted to and agreed in writing by the local planning authority. The works shall be carried out only in accordance with the agreed details unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

05 Prior to the commencement of development, detailed drawings, including all styles of doors and windows, balustrades, balconies and railings, dormers, mansard ridge detail, stonework (window surrounds and boundary wall copings), dormer details including decorative pediments, chimney and parapet detail for the extension and details of the staircase access/lift shaft at roof level at scales of 1:20, 1:10 or 1:1 as appropriate shall be submitted to and agreed in writing by the local planning authority. The development shall only be carried out and in accordance with the approved details.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

06 Prior to the commencement of development of the front terrace hereby approved, details of the junction between the existing building and the proposed terrace, the ramp and the terrace wall/balustrade shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out only in accordance with the approved details.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

07 No electricity, gas or water meter boxes, soil ventilation pipes, air extraction pipes, air conditioning units, boiler flues, ventilation grills or ducting shall be fixed to the exterior of the building other than in accordance with details that have been submitted to and approved in writing by the local planning authority.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

08 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above a lower ground floor slab level shall take place until full details of both hard and soft landscape works and proposed boundary treatment have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; means of enclosure, car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting etc.) Details for the soft landscape works shall include the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and the initial tree planting and tree staking details.

The hard landscaping shall be implemented in full accordance with the approved details before the development is occupied or brought into use. The soft landscaping shall be completed before the end of the first planting season following first occupation of the building.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

09 No construction works above a lower ground floor slab level shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, has been be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The landscaping of the site shall be managed in accordance with the approved plan from occupation in perpetuity.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

10 Prior to the commencement of the development details of tree protection measures, in relation to the cedar tree to the front, shall be submitted to and approved by the local planning authority. The approved tree protection measures shall be implemented in full prior to commencement of the development and be retained throughout construction unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the cedar tree to the front of the site is adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

11 The development shall not be occupied or brought into use until space has been laid out within the site in accordance with drawing No. 1622-02G for 28 cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear. The parking spaces shown in the approved plans shall be permanently retained only thereafter for the parking of occupiers, staff and visitors to the development.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management (2015).

12 The development shall not be occupied or brought into use until the refuse and recycling storage facilities are provided in full within the details shown on approved site in accordance with drawing No. 1622-02G. The refuse and recycling facilities shall be permanently retained as such thereafter.

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

13 The development shall not be occupied or brought into use until a waste management plan and service plan has been submitted to and agreed in writing by the Local Planning Authority. The waste management and servicing of the development shall thereafter only be carried out in accordance with the approved details.

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

14 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development and implemented in full prior to the first occupation of the development. 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 (2007) and Development Management Document (2015) policy DM2.

15 Prior to the commencement of the development details of any extraction and ventilation equipment to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented before the basement and ground floor commercial space is brought into use. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

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

16 With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment installed at the site shall be at least 5dB(A) below the prevailing background at 3.5 metres from ground floor façades of the nearest noise sensitive property and 1 metre from all other façades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: In order to protect the amenities of occupiers of the development and surrounding residents in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document 2015.

17 A Noise Management Plan in respect of the non-residential uses hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the first use of non- residential uses herby approved. The Noise Management Plan shall include measures to reduce noise transmission from the outdoor terrace area which may cause a nuisance to neighbouring properties including a prohibition on amplified music being played within this terrace area. The non-residential uses at the site shall be managed and operated in full accordance with the measures in the approved Noise Management Plan from them being first brought into use and in perpetuity thereafter.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document 2015.

18 There shall be no new orders for dining on the front terrace from 22:30 until the close of business that day and the entire front terrace area cleared of all customers by 23:00 until the close of business that day. Additionally all doors accessing the terrace shall be closed, except temporarily for access and egress, from 23:00 to 08:30.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document (2015).

19 Notwithstanding the details specified in the submitted acoustic report by SRL dated 20th July 2016, prior to the commencement of the development, an amended acoustic report that also includes an assessment of the noise potential of the function room and health club and which includes recommendations for mitigation measures for these areas shall be submitted and agreed in writing with the local planning authority. These uses in the scheme shall be managed and operated in full accordance with the measures in the approved report from them being first brought into use and in perpetuity thereafter.

Reason: In order to protect the amenities of the first floor flat occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document 2015.

20 The class A4 (wine bar) use hereby permitted in the basement shall not be open to customers outside the following times: 09:00 to 01:00 on Monday to Saturdays and 09:00 to 23:00 on Sundays and Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development and surrounding residential area from noise associated with patrons leaving the establishment and smokers congregating outside during opening times in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

21 The restaurant, brasserie and function room use hereby permitted at ground floor shall not be open to customers outside the following times: 09:00 to 01:00 on Mondays to Saturdays and 09:00 to 23:00 on Sundays and bank holidays and the French doors to access these areas shall be kept closed from 23:00 to 09:00.

Reason: In order to protect the amenities of occupiers of the development and surrounding residential area from noise associated with patrons leaving the establishment and smokers congregating outside during opening times in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or adaptation of this legislation of for the time being maybe in force, the basement floorspace hereby approved and identified as the Health Club area, as shown on plan No 1662-.9D, shall only be used as a health club (class D2) and for no other purpose whatsoever.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document (2015).

23 The basement floorspace hereby approved and identified as the Health Club, as shown on plan No 1662-.9D shall not be used outside of the following hours: 07:00 to 23:00 Mondays to Sundays.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (207) and Policies DM1 and DM3 of the Development Management Document (2015).

24 No deliveries or refuse collection shall be taken at or despatched from the non-residential uses herby approved outside the hours of 07:00 to19:00hours Mondays to Fridays and 08:00 to 13:00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character and amenities of the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

25 No external lighting shall be installed on the building other than in accordance with details that have previously been submitted to and approved in writing by the local planning authority. No additional external lighting shall be installed on the building or within the site without the prior written consent of the Local Planning Authority.

Reason: In the interest of the visual amenities and character of the conservation area, and to protect the amenities of surrounding occupiers in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM5 of the Development Management Document (2015).

26 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development shall not be occupied until details of the secure, covered cycle parking spaces to serve the residential development and separate secure covered cycle parking spaces to serve the commercial uses and additional external visitor cycle parking have been submitted to and agreed in writing by the local planning authority. The approved cycle parking shall be implemented in full prior to first occupation of the development and shall be permanently retained thereafter for the storage of cycles.

Reason: To ensure that adequate cycle parking is provided and retained to serve the development in accordance with Policies CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

27 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to in full throughout the construction period. The Statement shall provide, amongst other things, for:

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

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

28 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time Sundays or Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

29 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be installed within the development or on the buildings hereby approved unless otherwise previously agreed in writing by the Local Planning Authority.

Reason: In order to protect the character and visual amenities of the locally listed building and surrounding conservation area and airport safety in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

- 30 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles) have been submitted to and approved by the local planning authority. The approved scheme shall be implemented, in accordance with the approved details before the development is occupied or brought into use and be maintained as such thereafter in perpetuity. Those details shall include:
 - i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow:
 - ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features:
 - iii) a timetable for its implementation; and
 - vii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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

31 Prior to occupation of the flats hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to not more than 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the development and thereafter retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

32 Prior to the commencement of the development details shall be submitted to the local planning authority and approved in writing specifying the measure that shall be put in place to ensure that the chimneys on the existing building shall be able to be retained in full. The development shall be implemented only in accordance with the details approved under this condition.

Reason: To safeguard character and appearance of the locally listed building surrounding Leigh Cliff Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and advise contained within the Southend Design and Townscape Guide (2009).

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.

Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. 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.

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

03 The applicant is advised that an application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991

04 Please note that if you require crane of piling rig to construct the proposal, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.

05 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to a financial contribution towards affordable housing and secondary education.

06 In the event that the planning obligation referred to in part (a) above has not been completed by 16th November or an extension of this time as may be agreed the Director of Planning and Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development will not provide for education provision. As such, the proposal would be contrary to Policies KP2, KP3 and CP6

07 The applicant is advised that 18 cycle spaces are required for the residential cycle store and 1 space per 100 sqm for the staff of the A3 and A4 uses (which equates to 6 spaces) as well as 10 spaces for the staff of the D2 use which need to be provided within a segregated secure store. In addition to this there is also a requirement for 1 space per 100 sqm for visitors of A3 and A4 uses which may be located in the external area.

Grand again

The Grand Again

Working within the community to give the truth.

Don't believe the hype!

The Unbelievable Truth about The Grand.



This *new* extension nearly doubles the size of the building.

It's also worth noting that this image is misleading, as it is impossible to match a new build with the existing 118 year old historic fabric of the Grand – it will not match – and will be painfully obvious between new and old. Look at the Bell Hotel for what a new build looks like – it's not good!!

Grand Facts: Not Grand distortion! If the current plans are approved the Grand IS no more!

The aim of writing this is to debunk the myths surrounding the redevelopment of The Grand and give some perspective on the facts, and to counter the scaremongering that is going around. The new basement excavation alone puts this building at risk!

Continue to learn more facts about the Grand Hotel redevelopment:

FALSE: There is no alternative – let him get on with it.....

The debate goes along the lines that we have to accept the current owners plans as he is a nice guy with deep pockets and there is no alternative other than to loose the building altogether. We are lucky to have him step in.

Only 1 of the above facts is true: Mr Norcross is a nice guy.

TRUTH: There are alternatives to be explored. 99% of the local community canvased say they would much rather the Grand be refurbished to a community pub/hotel as this would better serve the community and not just out-of-town customers.

FALSE: They're only building flats on the upper part of the existing building - **TRUTH**: They are planning to virtually double the size of the building. Many people believe that only the existing building is being renovated into flats – the current proposals are to almost double the size of the building, to excavate a large basement and pave over the existing garden. The excavation alone could damage the existing structure.

FALSE: It will cost £9.5m to "do" the Grand. - Not even close.

TRUTH: Short of gold plated taps, the cost to refurbish the existing building will be nearer £1.7m. Add £250,000 for the landscaping and a little for externals and your up to around £2m. This figure is based on professional RICS Business Construction Information Service (BCIS) databases that captures data on over 160,000 real building costs from across the UK from every project type, including Pub, Restaurant and Hotel refurbishment.

FALSE: You'll need £5m just to buy it –

TRUTH: The figure is closer to £1.8m - we know how much was paid for the premises and it is nowhere near the figures being quoted. If a purchase opportunity were to present itself then the building would be independently valued and a price negotiated with the vendor.

FALSE: Allowing the flats development will be saving the Grand.

TRUTH: Allowing the flats development will decimate the integrity of this locally listed historic asset, and cause significant harm to it's original scale, proportions and its intended design use as a pub/hotel. It will become an architectural pastiche and a monument to one celebrity developer and his bank balance. It will begin the Disneyfication of Leigh-on-Sea's heritage assets.

FALSE: *The proposed design will still be a pub and have bars* – No it won't. **TRUTH:** There will be a private members basement club and Restaurants on the ground floor – apart from a private function room, and the flats, that will be it. NO PUB!

FALSE: The building is crumbling and will not survive another winter.

TRUTH: The building has survived 118 winters and whatever happens construction won't start for at least several months; which means after another winter. The general condition of the building is relatively stable with no external signs of subsidence. The building is falling into further disrepair due to the current owners lack of progress over the past 5 years – 5 years of lost revenue and racking up losses.

FALSE: A Pub and Hotel is not financially viable.

TRUTH: Nobody has proved otherwise. Before it closed the Grand was a very profitable Pub – it went down with the failing pub company that owned it. It was their most profitable in all their 300 pub portfolio, but it was not enough to save the parent firm. Based on research, a more moderate refurbishment of the existing spaces, plus with a ground floor rear extension, a Pub/Hotel could be commercially viable and is what the vast majority of local people actually want and will see the Grand restored to it's former glory. Not only will the pub be retained in it's current form, the plan B long-term aim will see the Grand become a community benefit trust and contributor to local causes. We have done some financial planning and have a base plan of how this will work, with a contingency plan.

FALSE: There is no financial backing for an alternative.

TRUTH: There is a viable plan B with two options to raise capital from various means to both purchase and refurbish the Grand – the current owners could be part of this plan.

FALSE: A hotel would create more traffic than flats.

TRUTH: It's Hypothesis that a hotel would create more traffic – plan B proposes a hotel/work-hub, which would not be fully let throughout the year – we think they are about equal, however, further analysis would be needed.

The Grand Again financial situation:

Our financial strategy is mapped out. To say we won't get the finance is conjecture. We aim to raise funds as any investor/developer would do. Our business model works and we are confident we can make a success of it.



Grand Refurbishment based on professional RICS real time data:

| TOTAL | 4,099,000 |) |
|----------------------|--------------------------------------|--------------|
| Purchase of asset | na = 2,000,000 | \mathbf{c} |
| Landscaping | £0,500 m2 - \times 500m2 = 250,000 |) |
| Hall, and flat | £1,000 m2 – x $195m2 = 195,000$ |) |
| Hotel | £1,750 m2 – x $520m2 = 910,000$ |) |
| Single storey rear | £1,600 m2 – x $90m2 = 144,000$ | 0 |
| Restaurant and Pub – | £2,000 m2 - x $300m2 = 600,000$ | |

National Planning Policy Framework:

12. Conserving and enhancing the historic environment

126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment,29 including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account: • the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

127. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

129. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

130. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Local Listing:

The Grand is locally listed, making it of local Historic value and is featured in the Leighon-Sea Wikipedia photo slides. It is also mentioned in the Architectural writings of the Art and Architectural historian Nicholas Pevsner. Both listings are for a reason – the Grand is of historic architectural value and these types of pub buildings have become rare since the end of the great war. The Grand sits as the anchor between Leigh Road and the Broadway

Southend Planning Control for Locally Listed Buildings

Policies for Locally Listed Buildings are in the Southend-on-Sea Borough Local Plan, 1994 which can be inspected at the Civic Centre and local libraries.

The Local List is advisory only, and does not provide the Council with additional powers. Existing powers are used as far as possible to preserve Locally Listed Buildings, especially when considering applications for planning permission. Most developments - external alterations, extensions and changes of use - need planning permission from the Council and proposals should to pay special regard to: preserving or restoring features which contribute to their character maintaining their scale and proportions preserving their setting using appropriate materials

This does not mean Internal alterations and some minor types of external development, especially to houses, do not need planning permission from the Council. If this threatens the character of a Locally Listed Building, however, consideration will be given to making an Article 4 Direction. This removes the automatic right to carry out the development and will require planning permission to be obtained from the Council. Consideration will also be given to the possibility of adding the building to the statutory list and thereby make it subject to more stringent controls. the building has to be preserved exactly as it is, but that any alterations should be carried out in a sympathetic manner.



Front Elevation



Rear Elevation



Side Elevation - Broadway



Side Elevation - Leighton Avenue

dimensions, levels, and sewer invert levels at connection points before work starts.

The contractor is to check and verify all building and site

This drawing must be read with and checked against any structural or other specialist drawings provided.

The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundations or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE ME! DESIGN LTD specifications and documentation

This drawing remains the copyright of STONE ME! DESIGN LTD and cannot be reproduced without prior permission.

STONE ME! DESIGN LTD reserves the right to withdraw any drawings from any applications or third parties should disputes arise between the client and STONE ME! DESIGN LTD

A 22.08.2012 CHIMNEY STACKS ADDED
REV: DATE: AMENDMENT:



The Studio, 8 The Canters, Thundersley,
Benfleet, Essex. SS7 3DJ
Tel: 01702 555411 / Fax: 01702 555411
E: info@stoneme.com W: www.stoneme.com

Client: THE GRAND BOUTIQUE HOTEL,
RESTAURANT AND BAR

Project: THE GRAND HOTEL

BROADWAY, LEIGH-ON-SEA, ESSEX, SS9 1PJ

awing:

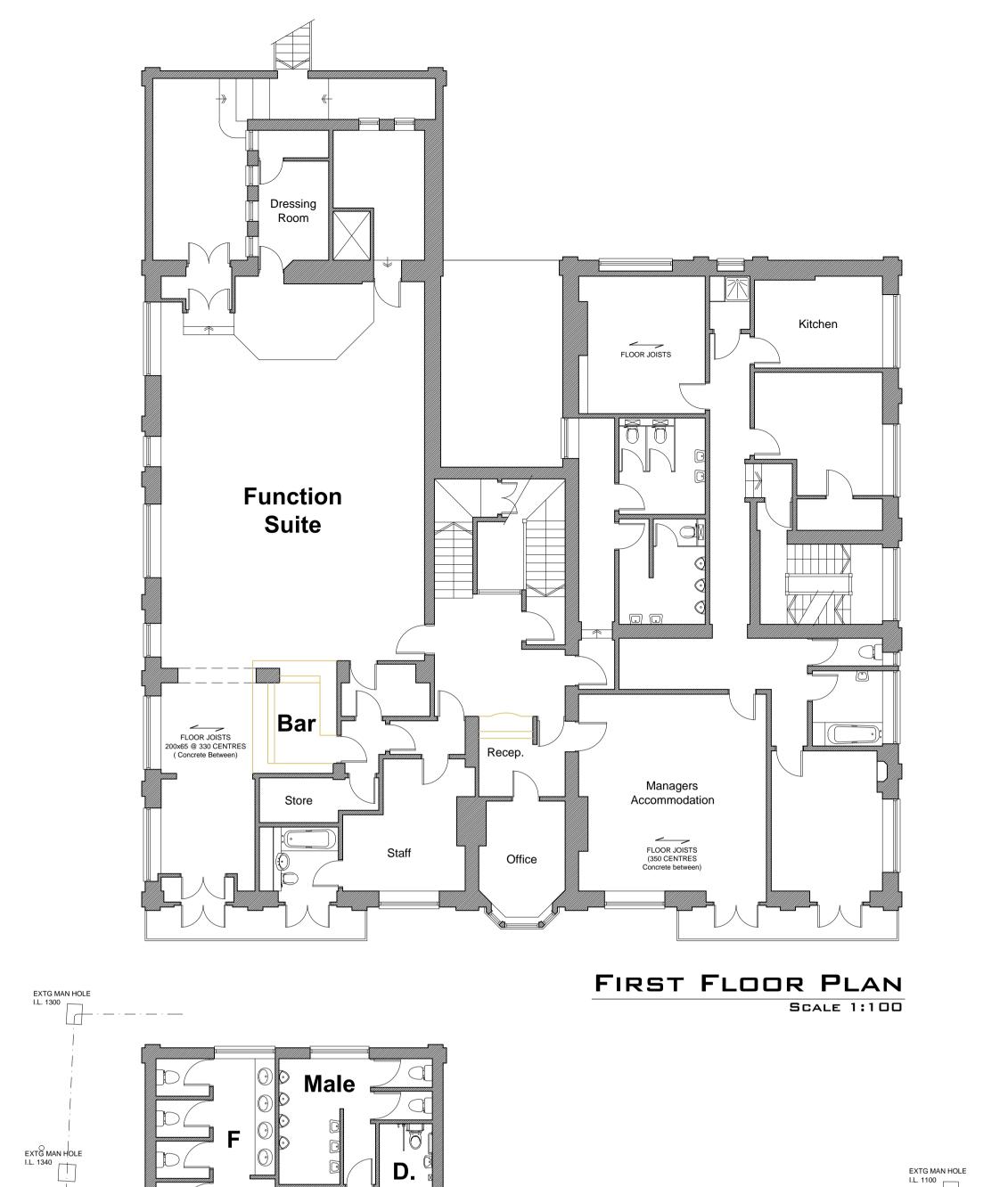
EXISTING ELEVATIONS

14.11.2011 1:100 @ A1

1391

14A

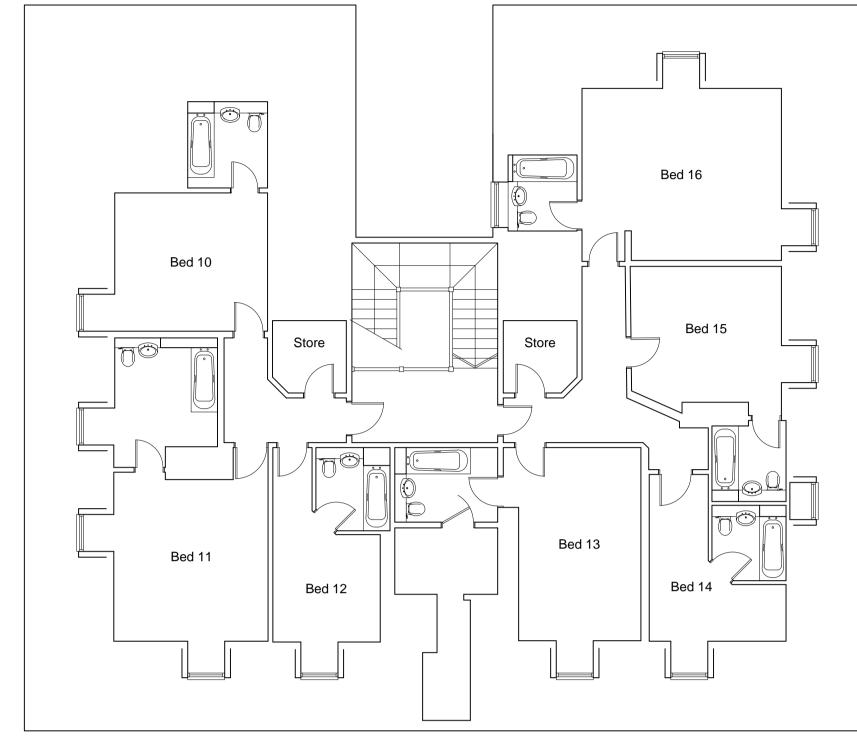
THE GRAND BOUTIQUE HOTEL, RESTAURANT & BAR

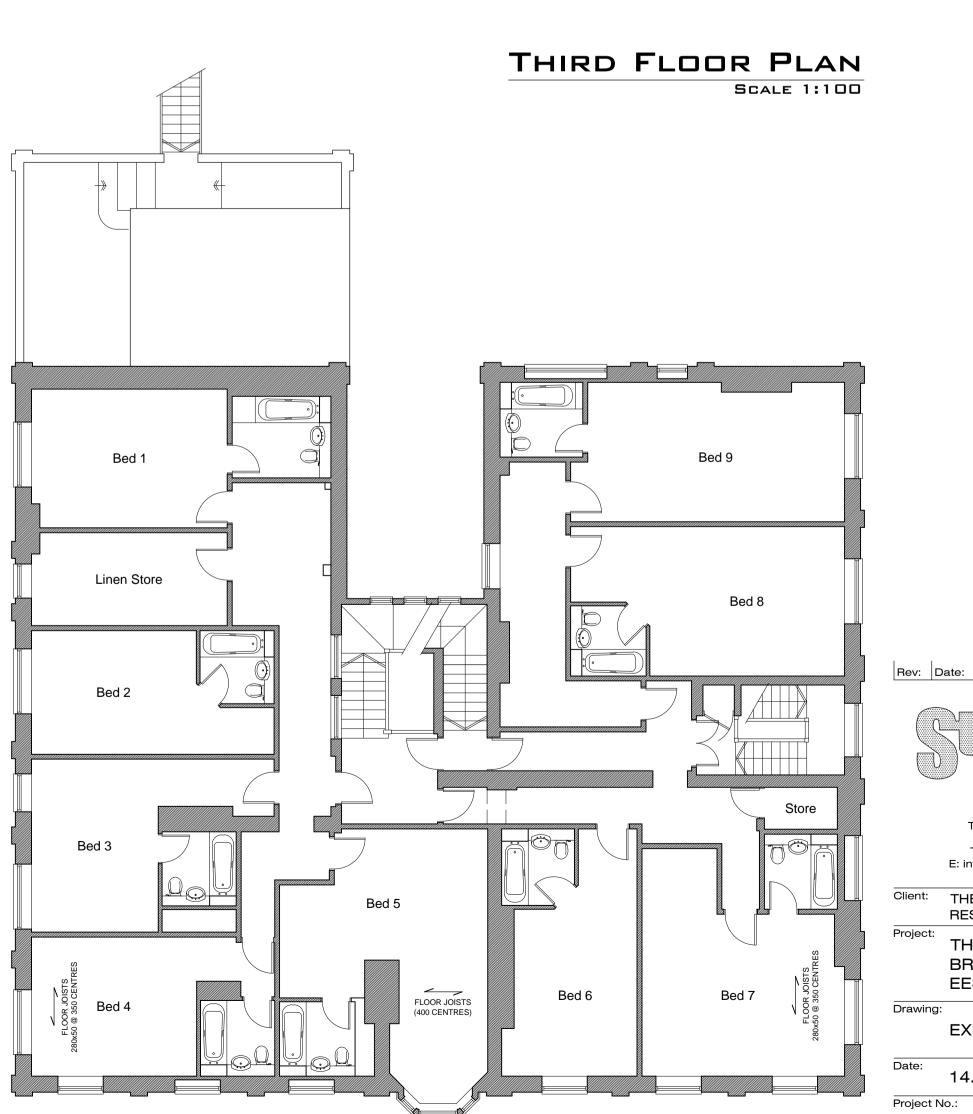


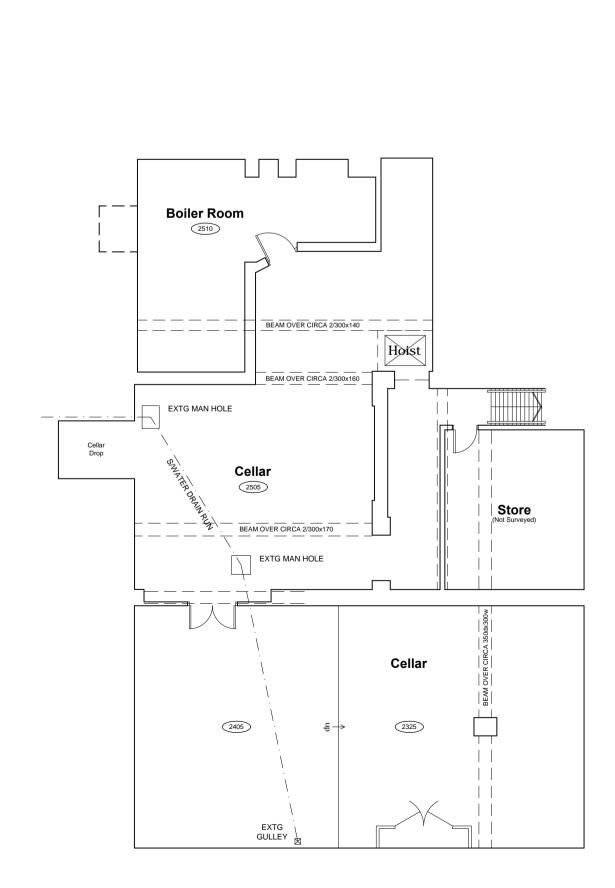
Kitchen

Main Entrance

Bar







BASEMENT PLAN
SCALE 1:100

EXTG MAN HOLE
I.L. 1480

S/WATER DRAIN RUN

∠′Ćellar` <

\ Drop /

GROUND FLOOR
SCALE 1:100

Bar

EXTG MAN HOLE I.L. 530

EXTG MAN HOLE I.L. 580

Amendment:



The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundations or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE ME! DESIGN LTD specifications and documentation

This drawing remains the copyright of STONE ME! DESIGN LTD and cannot be reproduced without prior permission.

STONE ME! DESIGN LTD reserves the right to withdraw any drawings from any applications or third parties should disputes

arise between the client and STONE ME! DESIGN LTD

The Studio, 8 The Canters, Thundersley,
Benfleet, Essex. SS7 3DJ
Tel: 01702 555411 / Fax: 01702 555411
E: info@stoneme.com W: www.stoneme.com

THE GRAND BOUTIQUE HOTEL,
RESTAURANT AND BAR

Dject:

THE GRAND HOTEL
BROADWAY, LEIGH-ON-SEA,
EESEX, SS9 1PJ

wing:
EXISTING LAYOUT PLANS

Date: 14.11.2011 Scale: 1:100 @ A1

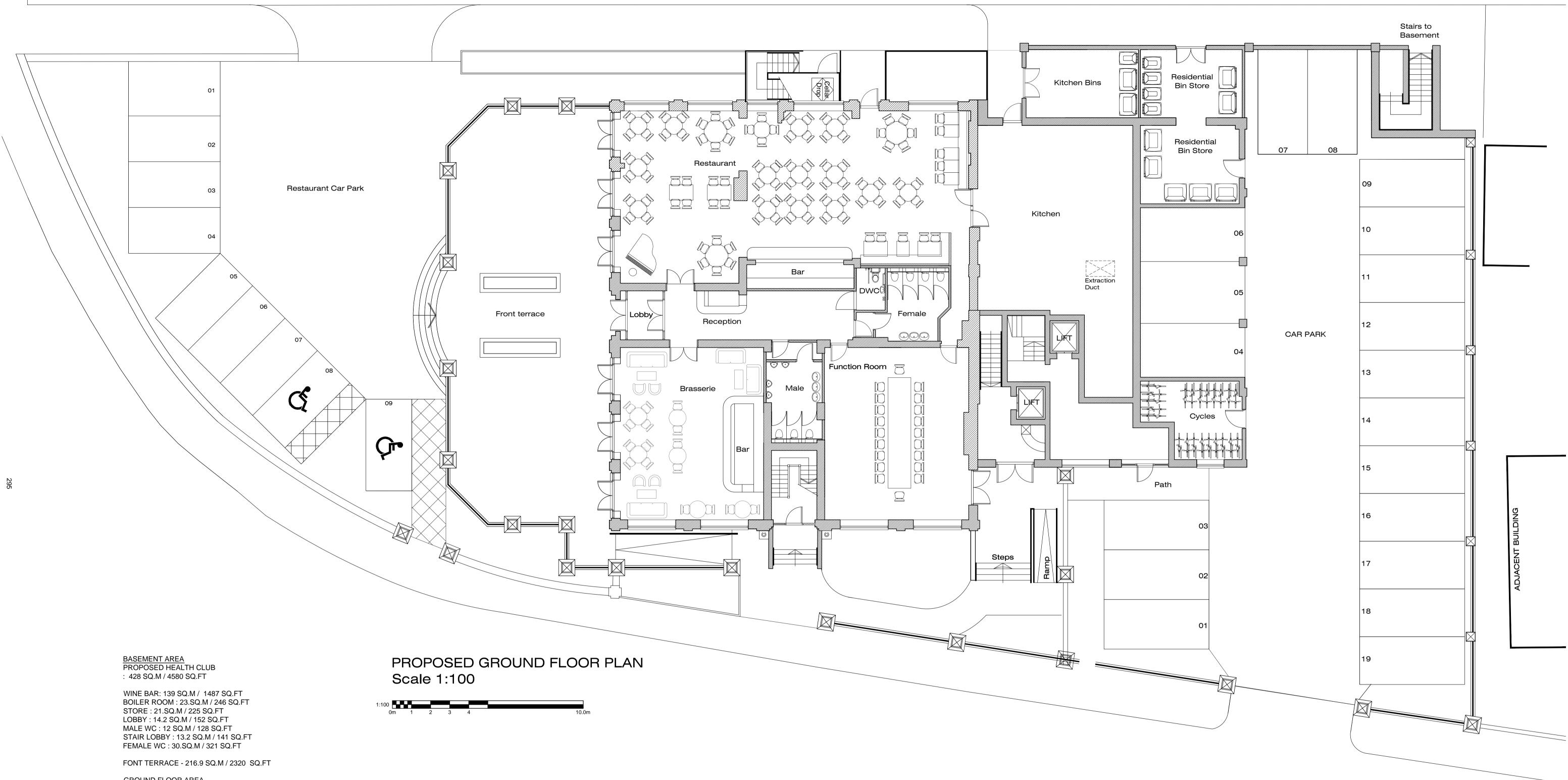
Project No.: Drawing No.:

SECOND FLOOR PLAN

SCALE 1:100

1622

01



GROUND FLOOR AREA

FUNCTION ROOM: 69 SQ.M / 738 SQ.FT BRASSERIE: 69 SQ.M / 738 SQ.FT KITCHEN: 90 SQ.M/963 SQ.FT RESTAURANT / BAR : 166 SQ.M / 1776 SQ.FT MALE WC: 14 SQ.M / 149 SQ.FT FEMALE WC: 13.5 SQ.M / 144 SQ.FT DWC: 3.4 SQ.M / S6 SQ.FT HC BAR & RECEPTION: 17 SQ.M / 182 SQ.FT APARTMENT RECEPTION: 29 SQ.M / 310 SQ.FT KITCHEN BIN STORE : 21 SQ.M / 225 SQ.FT RESIDENTIAL BIN STORE: 40 SQ.M / 428 SQ.FT UNDERCROFT PARKING: 48.5 SQ.M / 519 SQ.FT CYCLE STORE: 18.2 SQ.M / 195 SQ.FT CAR PARK : 450 SQ.M / 4815 SQ.FT SIDE LANDSCAPING: 136.6 SQ.M / 1461 SQ.FT FRONT LANDSCAPING: 94.6 SQ.M / 1012 SQ.FT RESTAURANT CAR PARK 288 SQ.M / 3081 SQ.FT 8 PARKING SPACES + 1 DISABLED SPACE. SIDE LANDSCAPING: 41.7 SQ.M / 446 SQ.FT SIDE LANDSCAPING: 13 SQ.M / 139SQ.FT

G 15.09.17 DOOR TO BIN STORE AMENDED

Rev: Date: Amendment:



The Studio, 8 The Canters, Thundersley,
Benfleet, Essex. SS7 3DJ
Tel: 01702 555411 / Fax: 01702 555411
E: info@stoneme.com W: www.stoneme.com

Client: MR M NORCROSS

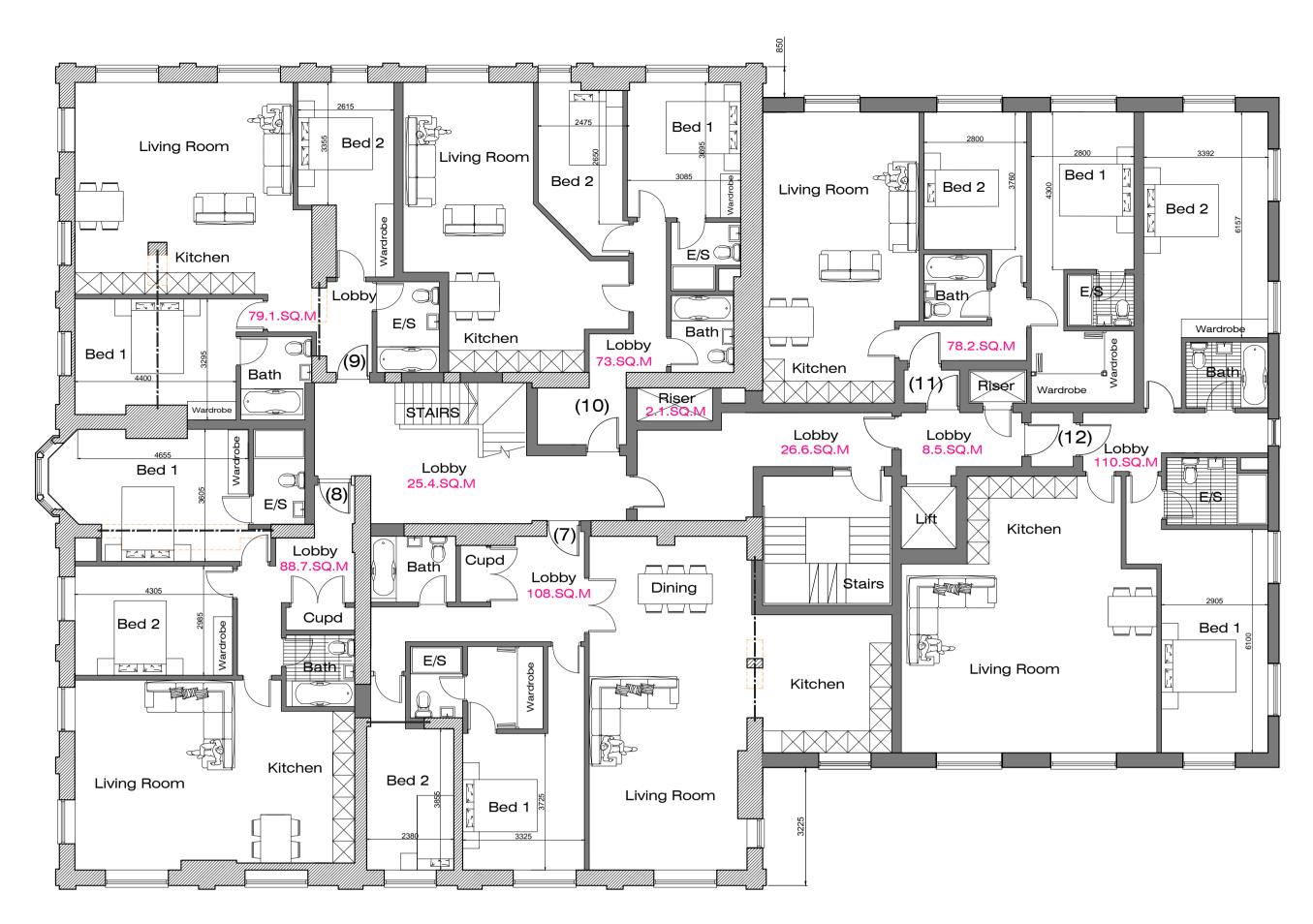
Project: THE GRAND HOTEL LEIGH-ON-SEA **ESSEX**

PROPOSED GROUND FLOOR PROPOSED BASEMENT PLAN

16.11.2015

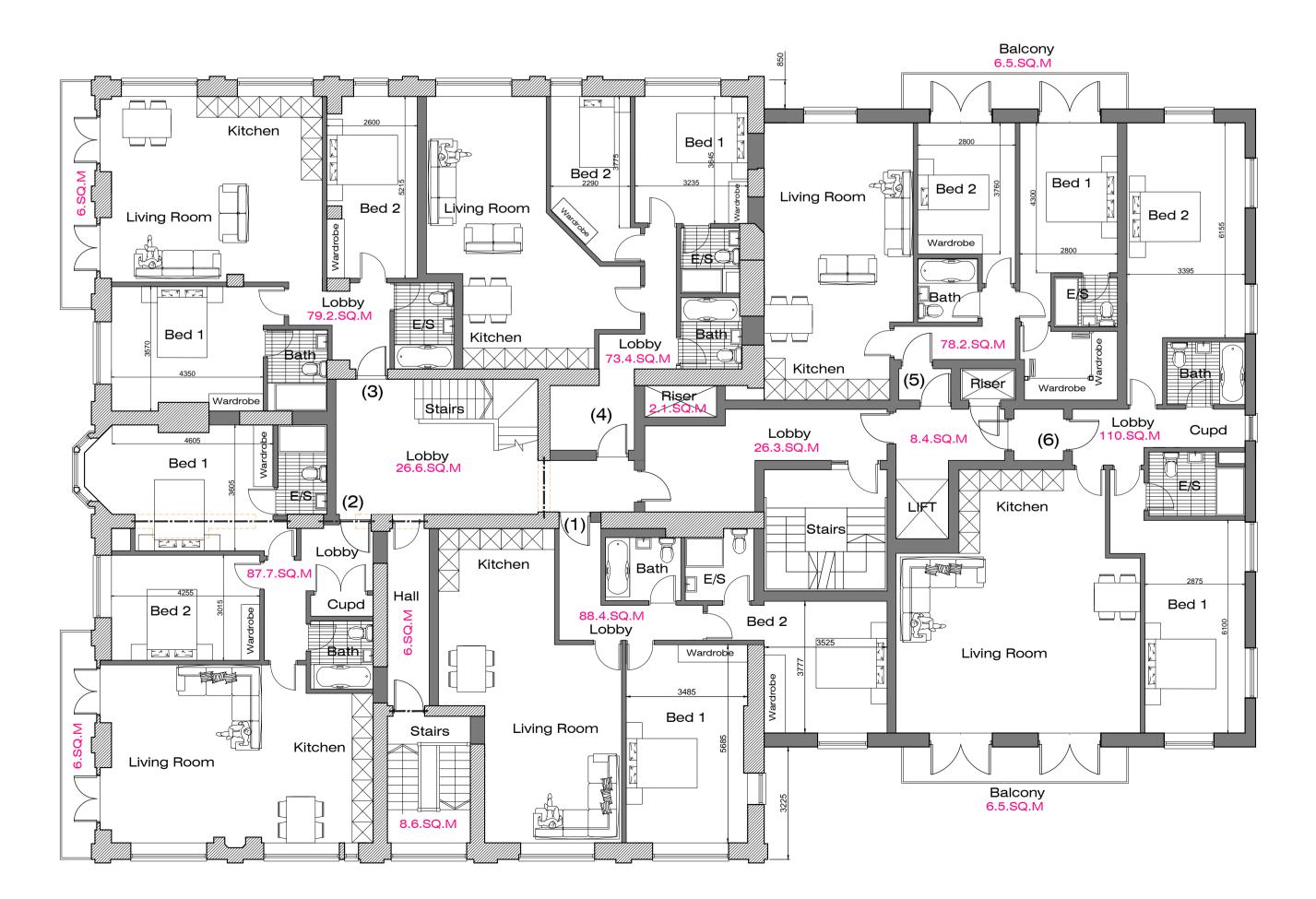
1:100 @ A1

1622 - 02G



FLAT 1:88.4 SQ.M + 1 PARKING SPACE FLAT 2: 87.7 SQ.M + 1 PARKING SPACE FLAT 3: 79.2 SQ.M + 1 PARKING SPACE FLAT 4:73.4 SQ.M + 1 PARKING SPACE FLAT 5: 78.2 SQ.M + 1 PARKING SPACE FLAT 6: 110 SQ.M + 1 PARKING SPACE FLAT 7: 108 SQ.M + 1 PARKING SPACE FLAT 8: 88.7 SQ.M + 1 PARKING SPACE FLAT 9: 79.1 SQ.M + 1 PARKING SPACE FLAT 10:73 SQ.M + 1 PARKING SPACE FLAT 11: 78.2 SQ.M + 1 PARKING SPACE FLAT 12: 110 SQ.M + 1 PARKING SPACE FLAT 13: 77 SQ.M + 1 PARKING SPACE FLAT 14: 79 SQ.M + 1 PARKING SPACE FLAT 15: 79 SQ.M + 1 PARKING SPACE FLAT 16: 69 SQ.M + 1 PARKING SPACE FLAT 17:50 SQ.M + 1 PARKING SPACE FLAT 18: 57 SQ.M + 1 PARKING SPACE 231 SQ.M COMMUNAL ROOF TERRACE

PROPOSED SECOND FLOOR PLAN Scale 1:100



PROPOSED FIRST FLOOR PLAN Scale 1:100



The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The contractor is to comply in all respects with the current Building

This drawing is not intended to show details of foundations or

ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and

suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE ME! DESIGN LTD specifications and documentation

This drawing remains the copyright of STONE ME! DESIGN LTD

and cannot be reproduced without prior permission.

STONE ME! DESIGN LTD reserves the right to withdraw any

drawings from any applications or third parties should disputes

arise between the client and STONE ME! DESIGN LTD

Regulations whether or not specifically stated on these drawings.



The Studio, 8 The Canters, Thundersley,
Benfleet, Essex. SS7 3DJ
Tel: 01702 555411 / Fax: 01702 555411
E: info@stoneme.com W: www.stoneme.com

Client: MR M NORCROSS

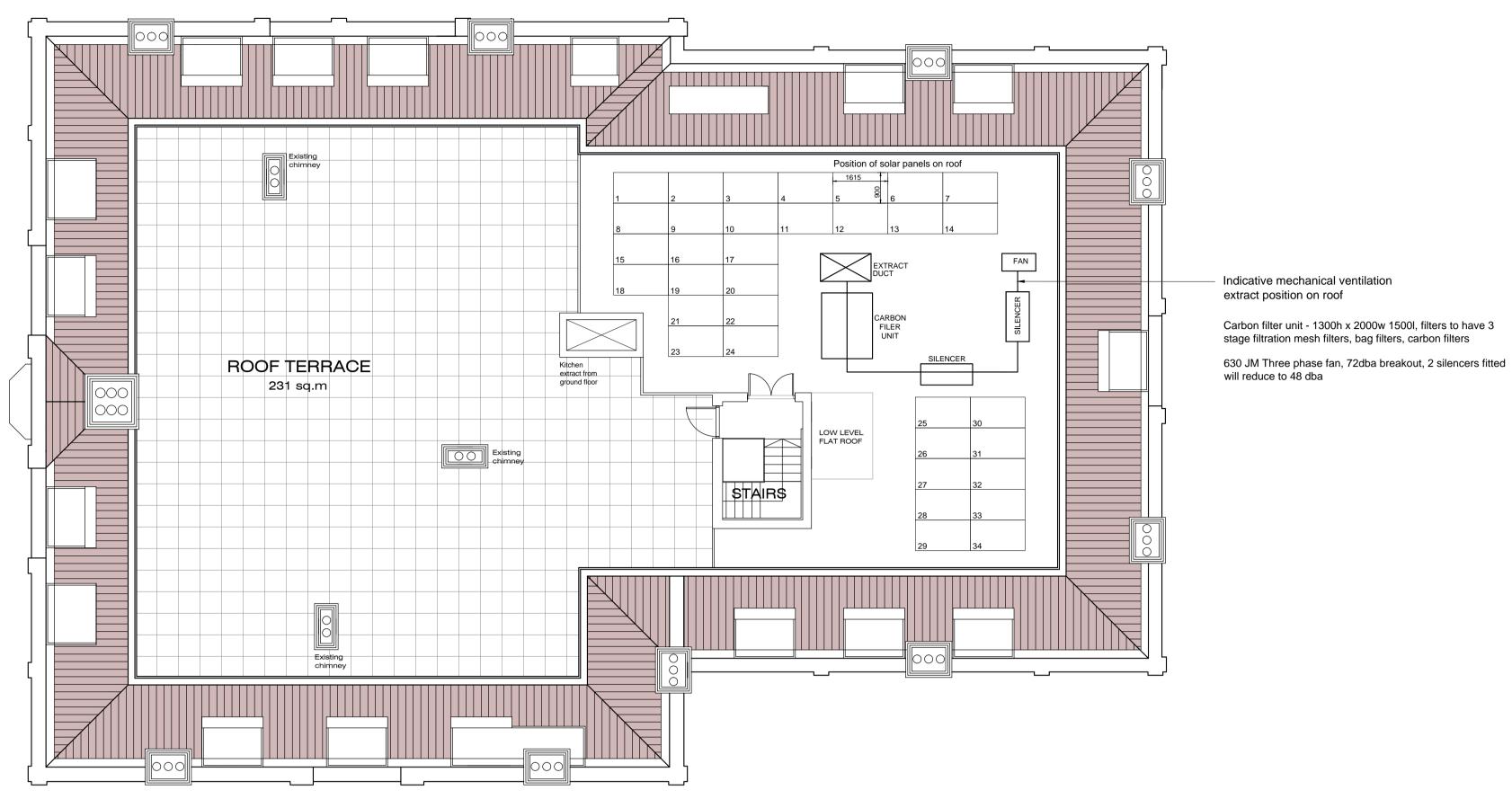
THE GRAND HOTEL LEIGH-ON-SEA ESSEX

PROPOSED FIRST FLOOR
PROPOSED SECOND FLOOR

16.11.2015 Scale: 1:100 @ A1

Drawing No.:

Project No.:



PROPOSED ROOF PLAN Scale 1:100



PROPOSED THIRD FLOOR PLAN Scale 1:100 FLAT 1:88.4 SQ.M + 1 PARKING SPACE FLAT 2:87.7 SQ.M + 1 PARKING SPACE FLAT 3: 79.2 SQ.M + 1 PARKING SPACE FLAT 4: 73.4 SQ.M + 1 PARKING SPACE FLAT 5: 78.2 SQ.M + 1 PARKING SPACE FLAT 6: 110 SQ.M + 1 PARKING SPACE FLAT 7: 108 SQ.M + 1 PARKING SPACE FLAT 8:88.7 SQ.M + 1 PARKING SPACE FLAT 9:79.1 SQ.M + 1 PARKING SPACE FLAT 10: 73 SQ.M + 1 PARKING SPACE FLAT 11: 78.2 SQ.M + 1 PARKING SPACE FLAT 12: 110 SQ.M + 1 PARKING SPACE FLAT 13: 77 SQ.M + 1 PARKING SPACE FLAT 14: 79 SQ.M + 1 PARKING SPACE FLAT 15: 79 SQ.M + 1 PARKING SPACE FLAT 16: 69 SQ.M + 1 PARKING SPACE FLAT 17:50 SQ.M + 1 PARKING SPACE FLAT 18: 57 SQ.M + 1 PARKING SPACE 231 SQ.M COMMUNAL ROOF TERRACE

The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural

or other specialist drawings provided.

The contractor is to comply in all respects with the current Building

Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundations or

ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE ME! DESIGN LTD specifications and documentation

This drawing remains the copyright of STONE ME! DESIGN LTD and cannot be reproduced without prior permission.

STONE ME! DESIGN LTD reserves the right to withdraw any drawings from any applications or third parties should disputes arise between the client and STONE ME! DESIGN LTD



K 11.10.17 BEDROOM LAYOUTS AMENDED

Amendment:





PROPOSED SIDE ELEVATION Scale 1:100

Existing chimney_ Metal balustrade to match existing Pitch of roof changed to 55° as per officers report Red clay roof tiles to sloping roof to match existing

> PROPOSED FRONT ELEVATION Scale 1:100



The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundations or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE ME! DESIGN LTD specifications and documentation

This drawing remains the copyright of STONE ME! DESIGN LTD and cannot be reproduced without prior permission.

STONE ME! DESIGN LTD reserves the right to withdraw any drawings from any applications or third parties should disputes arise between the client and STONE ME! DESIGN LTD



EXISTING PHOTO

L 10.10.17 WINDOW TO FRONT ELEVATION AMENDED



The Studio, 8 The Canters, Thundersley, Benfleet, Essex. SS7 3DJ Tel: 01702 555411 / Fax: 01702 555411 E: info@stoneme.com W: www.stoneme.com

MR M NORCROSS

Project: THE GRAND HOTEL LEIGH-ON-SEA **ESSEX**

PROPOSED ELEVATIONS

SHEET 1

Date:

Scale: 1:100 @ A1 16.11.2015 Project No.: Drawing No.:

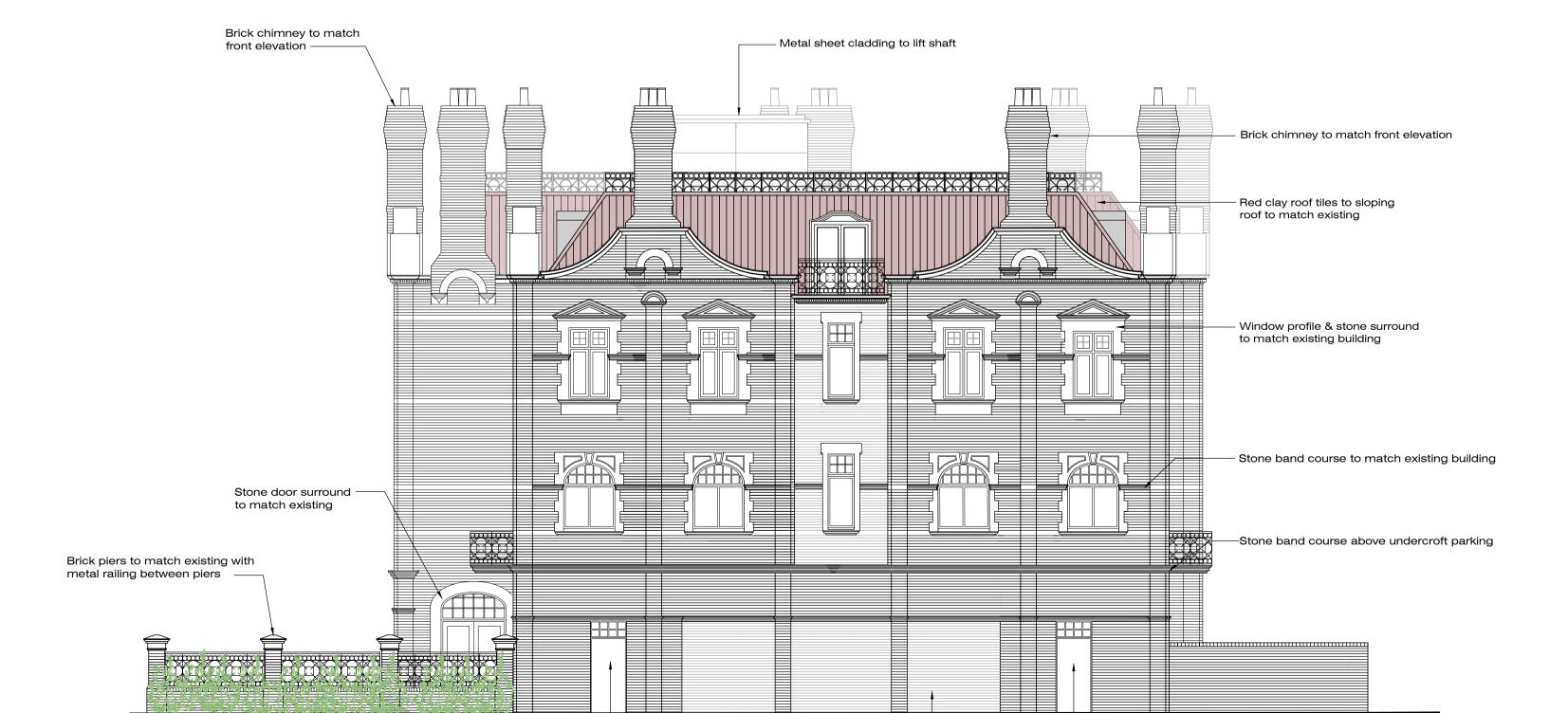
1622 - 05L



— Timber door to bin store

Undercroft Parking

303



Timber door to cycle store

PROPOSED REAR ELEVATION

Scale 1:100

The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundations or

ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE ME! DESIGN LTD specifications and documentation

This drawing remains the copyright of STONE ME! DESIGN LTD

and cannot be reproduced without prior permission.

STONE ME! DESIGN LTD reserves the right to withdraw any

drawings from any applications or third parties should disputes

arise between the client and STONE ME! DESIGN LTD

Rev: Date: Amendment



The Studio, 8 The Canters, Thundersley,
Benfleet, Essex. SS7 3DJ
Tel: 01702 555411 / Fax: 01702 555411
E: info@stoneme.com W: www.stoneme.com

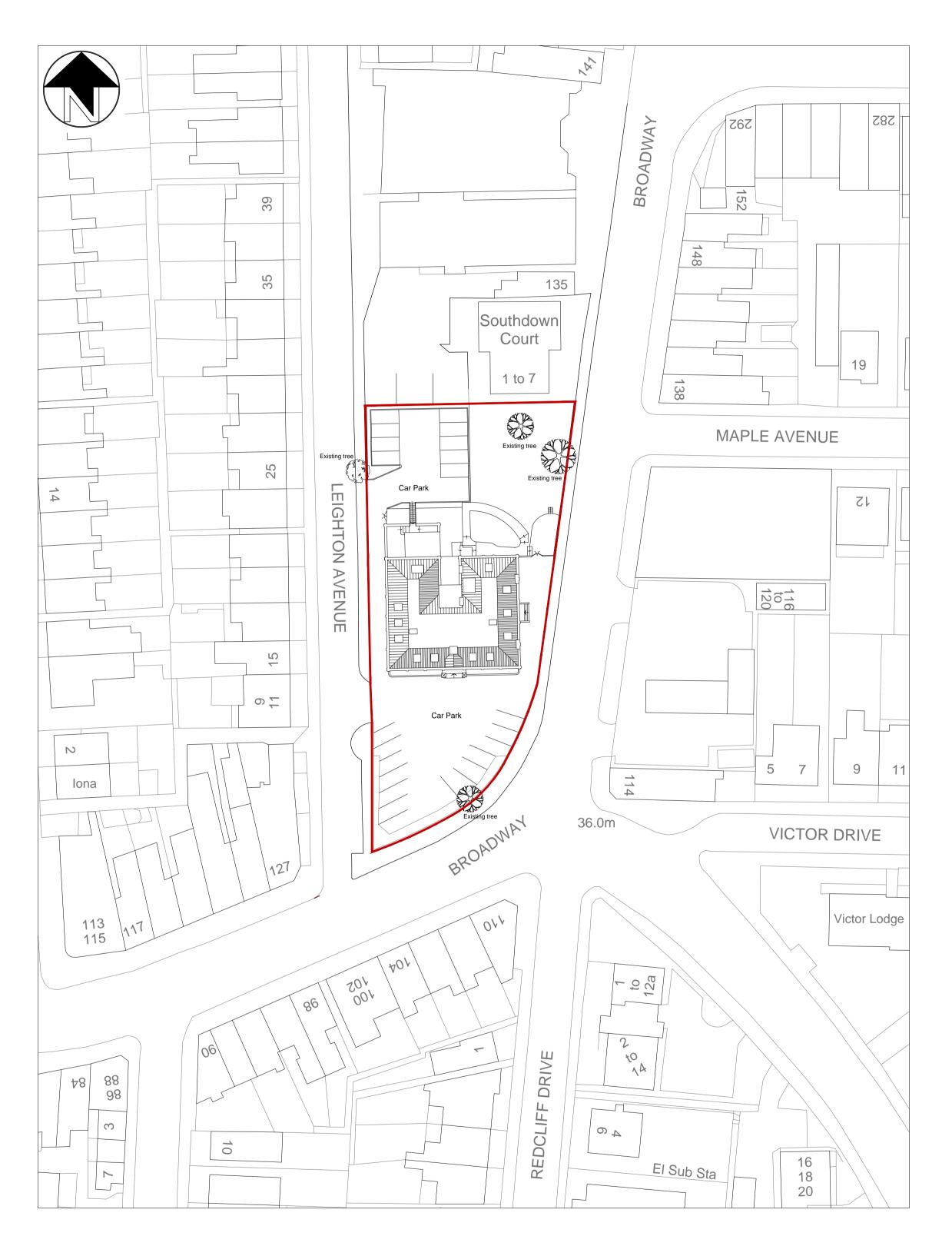
Olient: MR M NORCROSS

THE GRAND HOTEL LEIGH-ON-SEA ESSEX

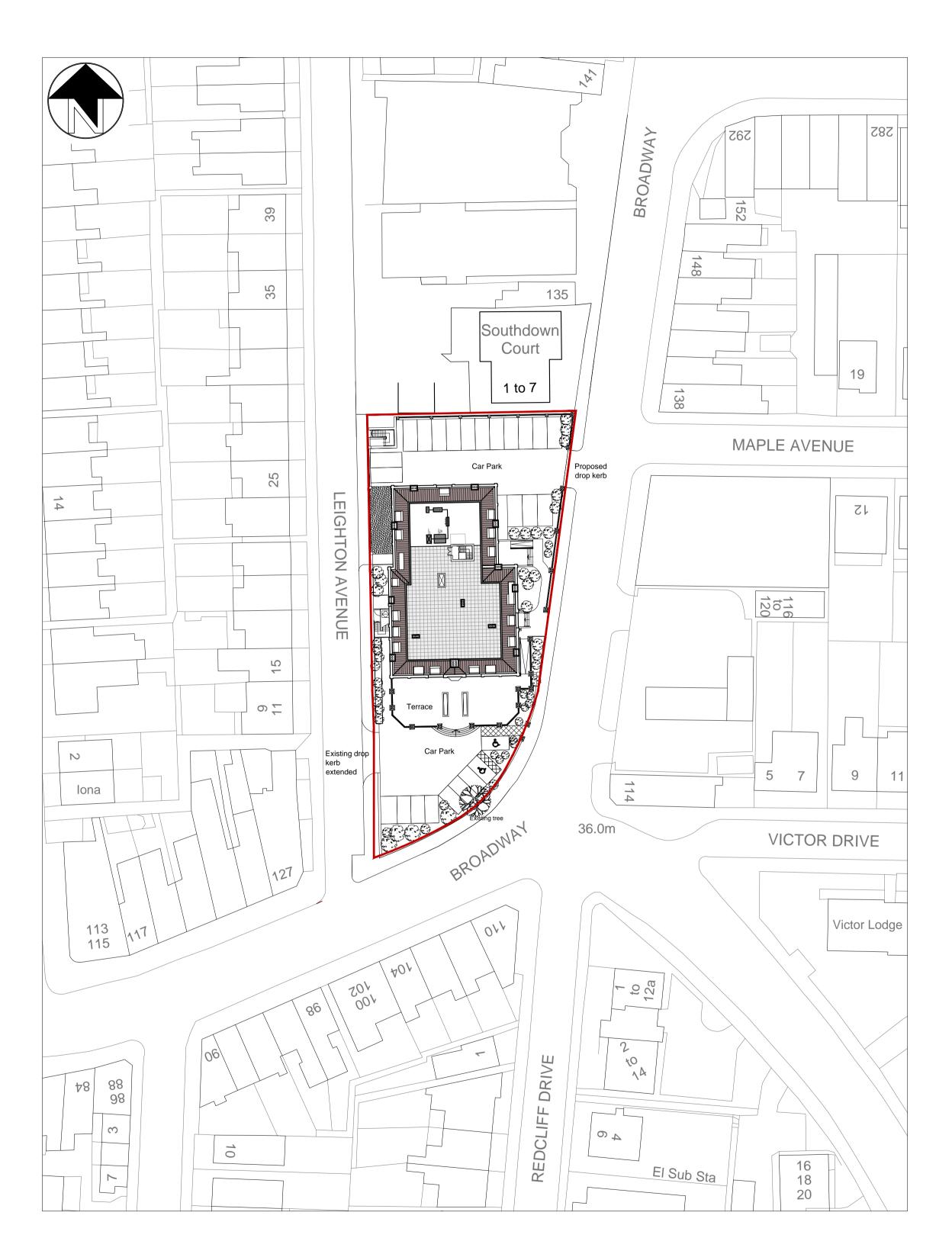
PROPOSED ELEVATIONS
SHEET 2

16.11.2015 1:100 @ A1

Project No.: Drawing No.:



Existing Block Plan
Scale 1:500



Proposed Block Plan
Scale 1:500

The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

The contractor is to comply in all respects with the current Building Regulations whether or not specifically stated on these drawings.

This drawing is not intended to show details of foundations or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE ME! DESIGN LTD specifications and documentation

This drawing remains the copyright of STONE ME! DESIGN LTD and cannot be reproduced without prior permission.

STONE ME! DESIGN LTD reserves the right to withdraw any drawings from any applications or third parties should disputes arise between the client and STONE ME! DESIGN LTD

E 20.07.17 PROPOSED BLOCK PLAN AMENDED

Rev: Date: Amendment:



The Studio, 8 The Canters, Thundersley,
Benfleet, Essex. SS7 3DJ
Tel: 01702 555411 / Fax: 01702 555411
E: info@stoneme.com W: www.stoneme.com

Client: MR M NORCROSS

Project: THE GRAND HOTEL LEIGH-ON-SEA

ESSEX

Drawing: EXISTING PROPOSED BLOCK PLANS

16.11.2015
Project No.:

1:500 @ A1

Drawing No.:

1622 - 07E

PLANNING SECTION A-A Scale 1:100

The contractor is to check and verify all building and site dimensions, levels, and sewer invert levels at connection points before work starts.

This drawing must be read with and checked against any structural or other specialist drawings provided.

Regulations whether or not specifically stated on these drawings.

The contractor is to comply in all respects with the current Building

This drawing is not intended to show details of foundations or ground conditions. Each area of ground relied upon to support the structure depicted must be investigated by the contractor and suitable methods of foundations provided.

This drawing is to be read in conjunction with all other standard STONE ME! DESIGN LTD specifications and documentation

This drawing remains the copyright of STONE ME! DESIGN LTD and cannot be reproduced without prior permission.

STONE ME! DESIGN LTD reserves the right to withdraw any drawings from any applications or third parties should disputes arise between the client and STONE ME! DESIGN LTD

D 16.08.17 PLANNING REVISIONS
Rev: Date: Amendment:



The Studio, 8 The Canters, Thundersley,
Benfleet, Essex. SS7 3DJ
Tel: 01702 555411 / Fax: 01702 555411
E: info@stoneme.com W: www.stoneme.com

Olient: MR M NORCROSS

Project: THE GRAND HOTEL LEIGH-ON-SEA **ESSEX**

PLANNING SECTION A-A

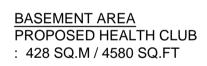
16.11.2015

Project No.:

Scale: 1:100 @ A1

Drawing No.:

1622 - 08D



WINE BAR: 139 SQ.M / 1487 SQ.FT BOILER ROOM: 23.SQ.M / 246 SQ.FT STORE: 21.SQ.M / 225 SQ.FT LOBBY: 14.2 SQ.M / 152 SQ.FT MALE WC: 12 SQ.M / 128 SQ.FT STAIR LOBBY: 13.2 SQ.M / 141 SQ.FT FEMALE WC: 30.SQ.M / 321 SQ.FT

FONT TERRACE - 216.9 SQ.M / 2320 SQ.FT

GROUND FLOOR AREA

FUNCTION ROOM: 69 SQ.M / 738 SQ.FT BRASSERIE: 69 SQ.M / 738 SQ.FT KITCHEN: 90 SQ.M/963 SQ.FT RESTAURANT / BAR : 166 SQ.M / 1776 SQ.FT MALE WC: 14 SQ.M / 149 SQ.FT FEMALE WC: 13.5 SQ.M / 144 SQ.FT DWC: 3.4 SQ.M / S6 SQ.FT HC BAR & RECEPTION: 17 SQ.M / 182 SQ.FT APARTMENT RECEPTION: 29 SQ.M / 310 SQ.FT KITCHEN BIN STORE: 21 SQ.M / 225 SQ.FT RESIDENTIAL BIN STORE: 40 SQ.M / 428 SQ.FT UNDERCROFT PARKING: 48.5 SQ.M / 519 SQ.FT CYCLE STORE: 18.2 SQ.M / 195 SQ.FT CAR PARK: 450 SQ.M / 4815 SQ.FT SIDE LANDSCAPING: 136.6 SQ.M / 1461 SQ.FT FRONT LANDSCAPING: 94.6 SQ.M / 1012 SQ.FT RESTAURANT CAR PARK 288 SQ.M / 3081 SQ.FT 8 PARKING SPACES + 1 DISABLED SPACE. SIDE LANDSCAPING: 41.7 SQ.M / 446 SQ.FT SIDE LANDSCAPING: 13 SQ.M / 139SQ.FT

PROPOSED BASEMENT PLAN Scale 1:100

1:100 0m 1 2 3 4 10.0m

Architectural & interior design

The Studio, 8 The Canters, Thundersley,
Benfleet, Essex. SS7 3DJ
Tel: 01702 555411 / Fax: 01702 555411
E: info@stoneme.com W: www.stoneme.com

Client: MR M NORCROSS

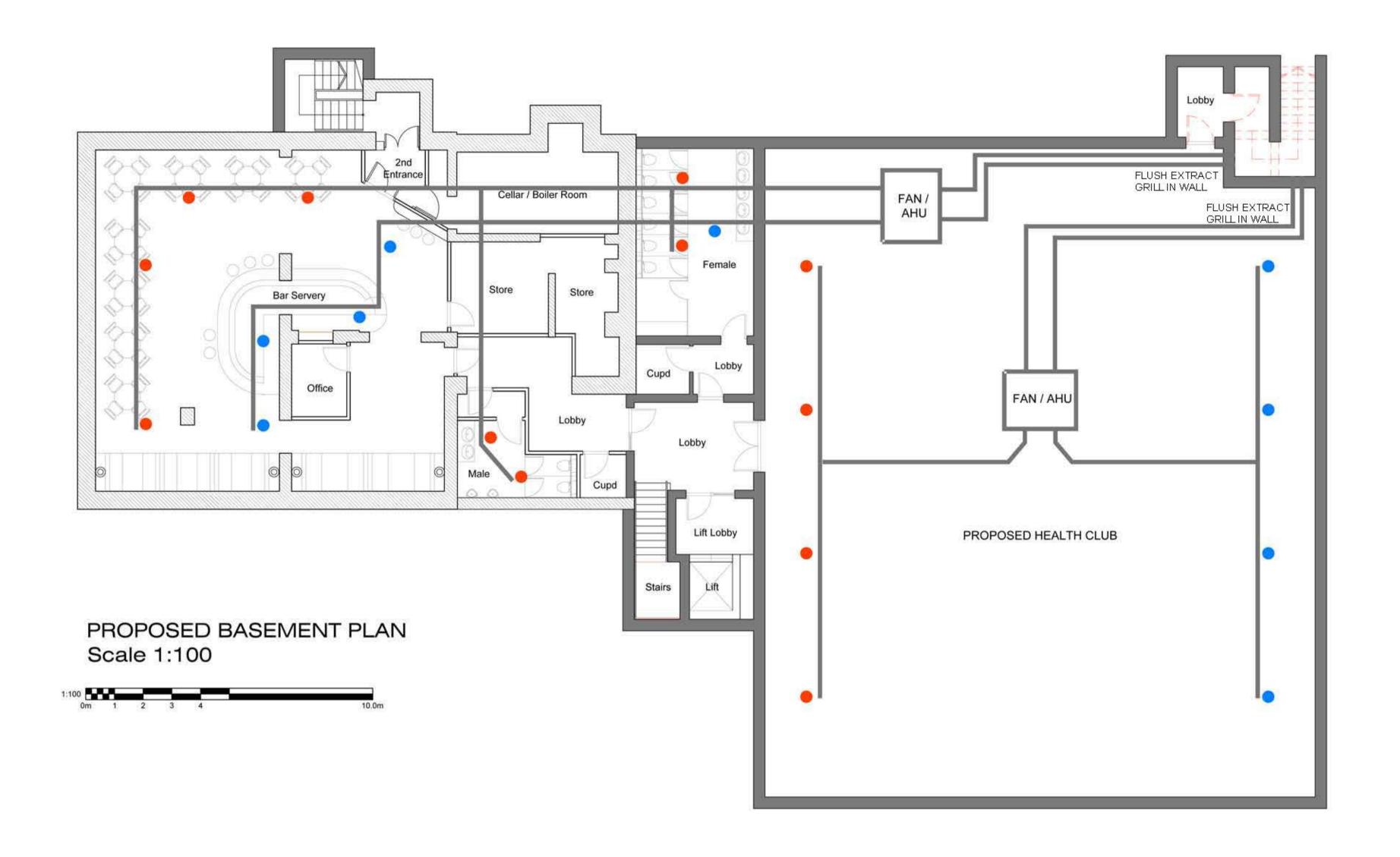
Project: THE GRAND HOTEL
LEIGH-ON-SEA
ESSEX

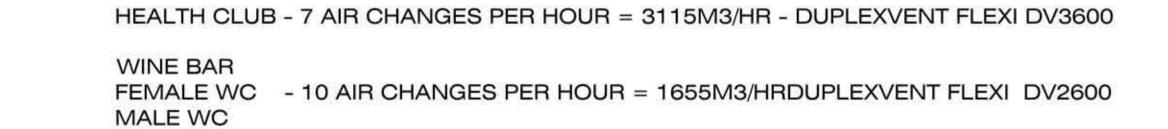
Drawing: PROPOSED BASEMENT PLAN

Date: 16.11.2015 Scale: 1:100 @ A1

Project No.: Drawing No.:

D 21.07.2016 PLANNING SUBMISSION

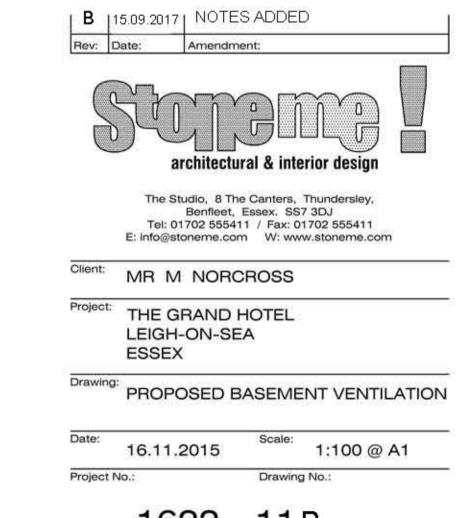




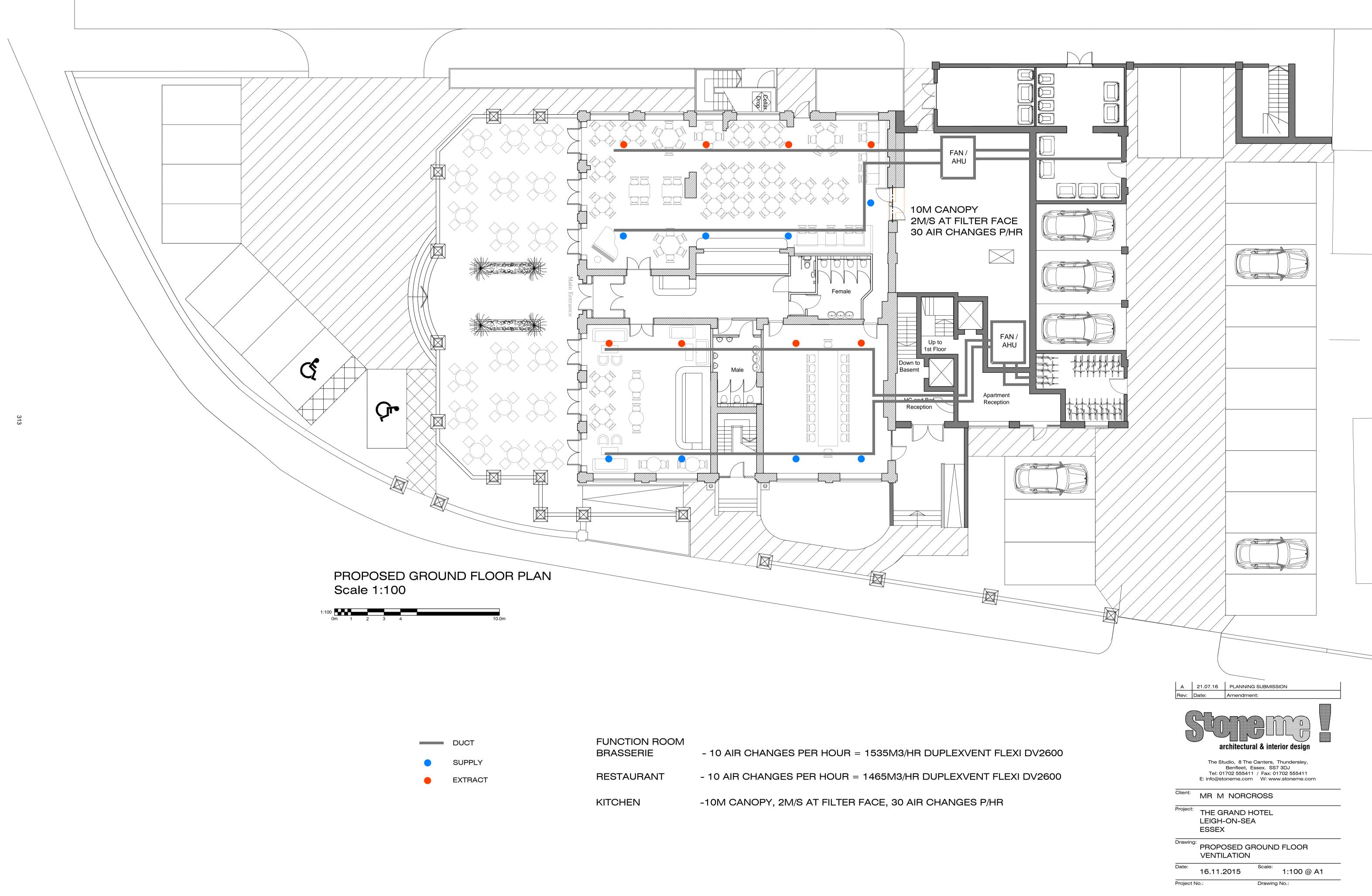
DUCT

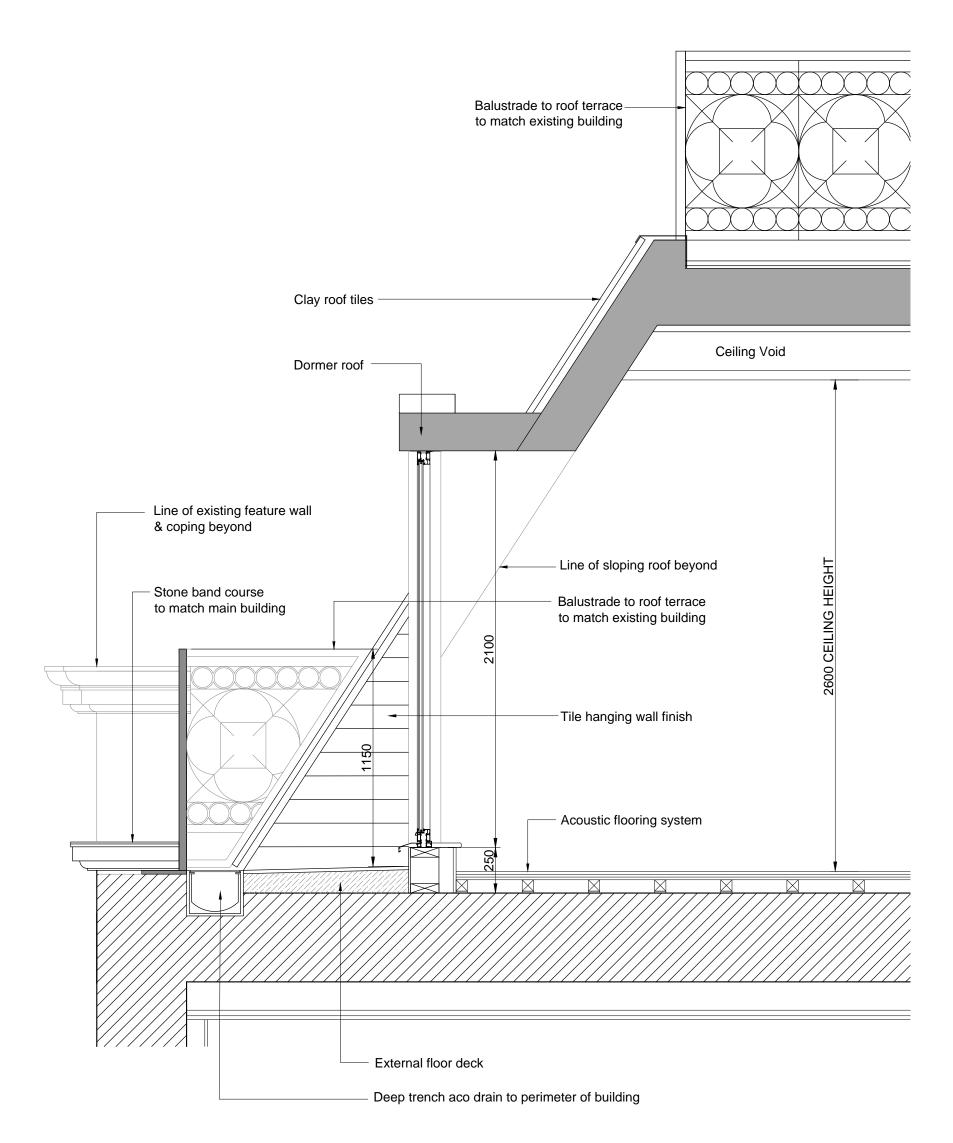
SUPPLY

EXTRACT



1622 - 11B





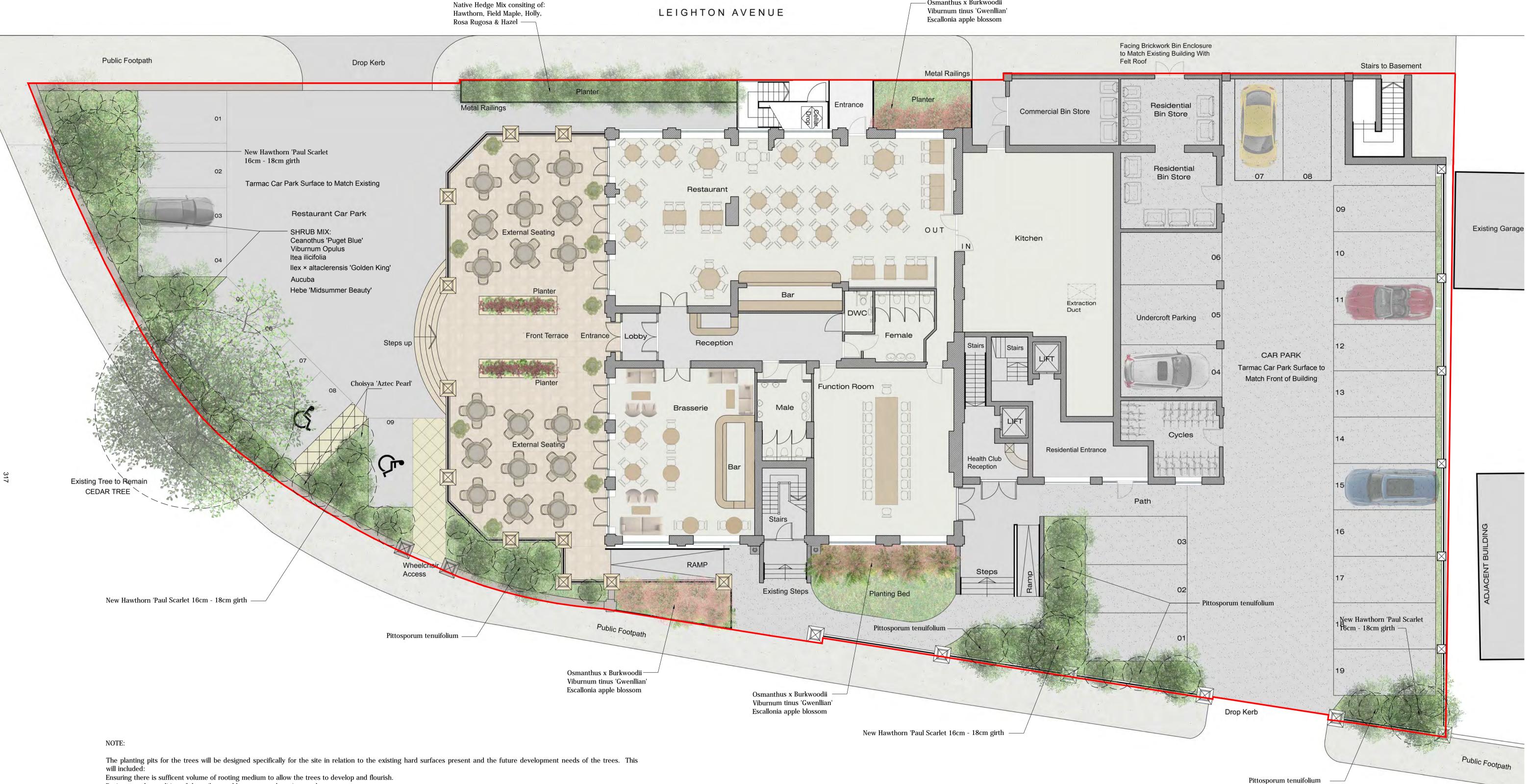
PROPOSED THIRD FLOOR GUTTER DETAIL 1622 - 25

Project: THE GRAND HOTEL LEIGH-ON-SEA ESSEX



5 Fountain Lane, Hockley, Essex Tel: 01702 203333 E: info@stoneme.com W: www.stoneme.com





– Osmanthus x Burkwoodii

SOFT LANDSCAPE PLAN

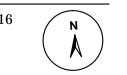
CLIENT: Stone Me

Architectural & Interior design

Project: THE GRAND HOTEL, BROADWAY LEIGH-ON-SEA, ESSEX, SS9 1PJ

DATE: 21st January 2016

SCALE: 1:100



ANDREW DAY ARBORICULTURALCONSULTANCY LTD

CREG NA BAA BROOK ROAD TILLINGHAM **ESSEX**

CM0 7SG

TEL: 01621 779811 MoB: 0777 231 7770

EMAIL: andrewdayconsultancy@ajday.plus.com

Drainage and ventalition of the soil to enable gasous and nutrient exchange.

Under ground anchorage of root ball if required.

Water filtration system to ensure watering when required reaches all parts of the root spread.

Geo textile lining to ensure future root growth does not cause damage to adjacent structures to ensure long term retention of the trees

All trees and shrub plants supplied shall comply with the requirements of British Standard 3936, Specification for nursery stock.

All pre planting site preparation, planting out and post planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

Shrubs to be of 5l - 10l size at time of planting., tree sizes as specified. All details relating to species number, size and specific variety to be confirmed and approved by council prior to work.

The aim of this scheme is to provide plants that will complement the site and surrounds, by providing seasonal interest with a compination of colours and sented foliage / flowers to enhance and soften the built environment.

Attention has been made to ensuring the plants specified do not have associated characteristics that may present conflict with users of the site or surrounds, such has soft fruits that could cause slip hazards when fallen onto pavements etc.

Security has also been considered to the rear of the site in the form of a native hedge, to ensure access on this boundary is not desirable. The species used will aslo be of ecological benefit to local wildlife by providing habitat and food sources for a variety of insects and birds.

| Consultation Expiry: Expiry Date: | 05.10.2017 25.11.2017 |
|------------------------------------|---|
| Agent: | SKArchitects |
| Applicant: | Southend-on-Sea Borough Council |
| Address: | Futures Community College Lower College Building, Prospects College, Southchurch Boulevard, Southend-on-Sea |
| Proposal: | Erect building to be used as sports hall (Class D2) adjoining existing building |
| Ward: | Southchurch 13 |
| Reference: | 17/01524/BC3M |



1 The Proposal

- 1.1 Planning permission is sought for a 4 no. court sports hall with associated storage facilities and connecting link to changing facilities within the adjacent previous workshop building. The external treatment is proposed as a powder-coated aluminium composite cladding finished in grey horizontal sections and ebony black bricks. The internal space is a double height open space will allow for a range of sporting activities.
- 1.2 The proposed sports hall would have a width of 36 metres, a maximum depth of approximately 24.6 metres (including linking section from existing building) and a height of approximately 9 metres. The roof is proposed to be fitted with photovoltaic cells.
- 1.3 The proposed development would be attached to the rear of the existing Fraser Brown McKenna Futures building to the north and would be of a contemporary design with a flat wood and small
- 1.4 The proposed facility will allow a number of additional sports activities to be added to the sporting curriculum from Early Years Foundation Stage (EYFS) through to Key Stage 4 (KS4) and GCSE.
- 1.5 The application has been made by Southend Borough Council and is defined as major development based on site area (in excess of 1 hectare) and therefore falls under the jurisdiction of Development Control Committee.

2 Site and Surroundings

- 2.1 The building would be sited on an area of hardstanding which was previously used for construction activities to the rear of an existing school building to which the proposed development would be attached to. The proposed development would be located 199 metres from the main entrance to the north of the site, 17.4 metres from the western boundary and 155 metres to the rear of the site which contains a car park, outdoor playing courts and the Shoeburyness to London Fenchurch Street train line. An existing playing field is located to the west of the application site.
- 2.2 Futures Technical College occupied the new buildings to the west of the site to which the proposed development will be attached to for nearly a decade delivering construction trades training. Futures College has since ceased as an organisation due to low interest and the whole education complex is now known as Southchurch High School.
- 2.3 The school is located to the south of Southchurch Boulevard. The nearest residential properties are located approximately 225 metres to the south of the application site within Woodgrange Drive and approximately 215 metres to the east within Wansfell Gardens.

3 Planning Considerations

3.1 The main considerations are the principle of development, design and impact on the character of the area, traffic and transportation, impact on residential amenity, sustainable development and CIL contributions.

4 Appraisal

Principle of Development

National Planning Policy Framework; Core Strategy (2007) policies KP1, KP2, CP4, CP6, CP7; Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).

- 4.1 This proposal is considered in the context of the National Planning Policy Framework, Core Strategy, Development Management Document and the Design and Townscape Guide relating to community services.
- 4.2 Policy CP7 relates to sport, recreation and green space and states that the Borough Council will bring forward proposals that contribute to sports, recreation and green space facilities within the Borough for the benefit of local residents and visitors.
- 4.3 Policy CP6 of the Core Strategy (2007) relates to community infrastructure and states that new development should not jeopardise the Borough's ability to improve education attainment, health and well-being of local residents and visitors to Southend. This will be achieved by supporting improvements to existing, and the provision of new, facilities to support the needs of education, skills and lifelong learning strategies.
- 4.4 It should be noted that the proposed development would not result in the loss of any part of an existing playing field. Furthermore, Sport England supports the application; subject to an appropriate condition in relation to a community use agreement which is discussed in later sections of this report.
- 4.5 Therefore, the proposed development consisting of a new sports hall is acceptable in principle, subject to other material considerations discussed below.

Design and Impact on the Character of the Area

National Planning Policy Framework; Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) policies DM1 and DM3 and the Design and Townscape Guide (2009).

4.6 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (SPD1) also states that "the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."

- 4.7 Paragraph 56 of the NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." One of the core planning principles of stated in the NPPF requires "to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".
- 4.8 Policy DM1 of the Development Management DPD states that all 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".
- 4.9 According to Policy KP2 of the Core Strategy states that new development should; "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of the Core Strategy requires that development proposals should "maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development".
- 4.10 The proposed sports hall would be attached to the rear of the existing school building and will largely not be in view from a main public vista. Whilst the proposed building would measure approximately 1.5 higher than the existing building, due to its siting in line with the existing, its lesser depth and the presence of a single storey linking section, it is considered that the proposed development would appear in keeping with the existing built form and would not result in demonstrable harm to the character and appearance of the application site or the wider area.
- 4.11 The use of materials in grey and black will also assist in ensuring the building will appear in keeping with the existing buildings on site. The proposed development is of a contemporary design with a flat roof and only two openings (double doors) to the exterior, to the east and west of the side elevations. The roof form and scale of the proposed development directly references the existing complex of school buildings. Therefore, no objection is raised in relation to the siting, design, size, scale and bulk of the proposed development.

Traffic and Transportation

National Planning Policy Framework; Core Strategy (2007) policies KP2, CP3 and Development Management Document (2015) Policy DM15.

- 4.12 DM15 of the Development Management Document states that development will be allowed where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate traffic and parking demand generated in a safe and sustainable manner. The proposed development is described as being in association with the existing operations of the School and therefore would not result in additional parking demands.
- 4.13 However, reference is made within the application submission and in later sections of this report in relation to the use of the hall for the community, outside of school hours. Policy DM15 of the Development Management Document sets out a maximum parking standard of 1 space per 10sq.m of public area for sports halls.

- 4.14 Therefore, the proposed development may require up to 87 off-street parking spaces. This standard is presented as a maximum and development should prioritise and promote viable alternatives to private vehicle use. The existing car park to the rear of the application site contains 89 car parking spaces. Existing and proposed parking plans have been provided. The proposed development would not result in the loss of any existing car parking spaces. It is considered that the existing car park would provide suitable off-street parking on-site, outside of the school day where staff and visitors who normally use the car park will be absent.
- 4.15 Furthermore, the application site is well-served by a number of main bus routes providing sustainable public transport options in line with local and national policies which seek to avoid the use of a private car and existing cycle parking is available on site.

Impact on Residential Amenity

National Planning Policy Framework; Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

- 4.16 Policy DM1 of the Development Management Document ensures that development protects 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.
- 4.17 In terms of impact on nearby residential properties, the proposed development will be located within the existing school site and will be located over 200 metres to the nearest residential property. Due to separation distances and the presence of existing soft landscaping which surrounds the boundaries of the site and provides substantial screening it is not considered that the proposed development results in any demonstrable harm upon nearby residential occupiers from visual impacts. Furthermore, the proposed development would not result in any additional external lighting.
- 4.18 The sports hall activities will be contained within the building and are not considered to result in potential noise impacts upon neighbouring residential properties due to significant separation distances.
- 4.19 Therefore, it is not considered that the proposed development results in demonstrable harm upon the amenity of nearby residential occupiers in accordance with Policy DM1 of the Development Management Document, Core Strategy (2007) policies KP2, CP4 and guidance contained with the Design and Townscape Guide (2009).

Sustainable Development

National Planning Policy Framework; Core Strategy (2007) policies KP1, KP2 and CP4 and Development Management Document (2015) Policy DM2.

- 4.20 Paragraph 97 of the NPPF states that Local Authorities should promote energy from renewable sources. Policy KP2 of the Core Strategy states that all new development proposals should demonstrate how they will maximise the use of renewable and recycle energy, water and other resources. The policy states that at least 10% of the energy needs of new development should come from on-site renewable options. The roof of the proposed development would be fitted with photo-voltaic cells to deliver on site renewals to achieve the Councils Core Strategy requirements of 10% for new development.
- 4.21 The proposed development would not result in additional areas of hardstanding and therefore measures to reduce surface water run-off from the site. However, it is necessary for SuDS to be considered to promote sustainable methods of dealing with surface water from development. It is considered that this matter can be dealt with by way of a suitable condition attached to any positive decision.

Other Matters

Community Needs

- 4.22 Policy CP6 of the Core Strategy (2007) states that the Council will bring forward proposals that contribute to sports, recreation and green space facilities within the Borough for the benefit of local residents and visitors. In terms of community needs for sports hall provision in the Southend area, there is no up-to-date sports facilities strategy for the area available although the Council has recently commissioned a new indoor sports facility strategy that will assess current and future sports hall needs. Sport England's established Facilities Planning Model data shows that around 91% of sports hall demand from residents in Southend is satisfied by the existing supply but that the sports halls that are in dedicated community facilities such as leisure centres are being used well above levels that are considered to be comfortable.
- 4.23 Sports England, a statutory consultee, have discussed the proposed development with the England & Wales Cricket Board (ECB) and Badminton England who consider that the proposed development is likely to be well utilised by local clubs and members of the community in the area if the hall was accessible to the public outside of school hours.
- 4.24 The proposed development has been proposed principally to meet Southchurch High School's needs as set out in the planning submission, although reference is made in the design and access statement to the sports hall being designed for meeting community needs. However, no further detail is offered. It is considered that the proposed development, if available for use by the community outside of the operations of the school, would meet a currently unmet community need in the local area.
- 4.25 It is therefore considered that community access to the facility to be secured by way of a formal Community Use Agreement, secured through a planning condition, setting out policies and arrangements for community use of the sports facilities in relation to matters such as hours of use, types of bookings accepted, pricing policy, restrictions on community access.

Community Infrastructure Levy (CIL) Charging Schedule.

4.26 Although this application is CIL liable, in this instance the chargeable amount has been calculated as a zero rate as applicable to an educational and/or community use.

5 Planning Policy Summary

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Core Strategy (2007): KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport & Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP7 (Sport, Recreation and Green Space)
- 5.3 Development Plan Document (2015): DM1 (Design Quality), DM2 (Low Carbon and Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management)
- 5.4 The Design & Townscape Guide (2009)

6 Representation Summary

Public Consultation

6.1 A site notice was displayed at the site and 83 letters were sent to nearby occupiers. A total of 2 letters of representation have been received. Summary of comments received;

Objections

- Understood the site was for community centre but not a sports hall;
- Privacy concerns:
- Oppose this and any future applications at the site

Officer comment; Sections 4.8 to 4.11 of this report relate to the implications of the proposed development upon the amenities of local residents. The concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

Environmental Health

6.2 No objection. Suggests conditions in relation to contaminated land, hours of work, no burning of waste on site, mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the works.

Officer comment: Appropriate conditions and/or informative can be attached to any positive decision i.e. Construction Management Plan.

Sport England

6.3 Summary: The proposed development is supported subject to a condition being imposed requiring the submission and approval of a community use agreement for the sports hall as set out in the response. An informative is requested to be added to a decision notice in relation to the detailed design of the facility according with Sport England's design guidance.

Traffic and Transport

6.4 No comments received at time of writing

Education

6.5 No comments received at time of writing

7 Relevant Planning History

- 7.1 07/01672/FULM Erect two storey building for use as vocational training college, lay out sports pitches, recreational space, car and cycle parking and landscaping Approved 03.11.2008;
- 7.2 11/00089/AD Application for approval of details pursuant to conditions 23 (Hours of Opening) of planning permission 07/01672/FULM dated 24.10.2008 Approved 16.03.2011;
- 7.3 13/01152/FUL Erect single storey side extension and canopy Approved 07.10.2013;
- 7.4 13/01533/DOV Modification of planning obligation (Section 106 agreement) dated 24/10/2008 (as varied by agreement dated 15/11/2010) pursuant to application 07/01672/FULM (as revised by applications 10/01540/FULM and 10/01550/FULM) to vary the s.106 agreements in respect of the highway works contribution Approved 17.07.2014;
- 7.5 14/00631/BC4M Erect single storey extension to existing building Approved 08.07.2014.

8 Recommendation

8.1 GRANT PLANNING PERMISSION

1 The development hereby permitted shall begin no 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.

The development hereby permitted shall be carried out in accordance with the following approved plan: 453P01, 453P02

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

Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition and site clearance works, until samples of the materials to be used in the construction of the external elevations of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy 2007, Policy DM1 and DM3 of the Development Management Document 2015 and the Design and Townscape Guide 2009.

4 Other than the demolition and site clearance, no development shall take place until a site investigation of the nature and extent of any land contamination present 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 construction 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 before any construction begins. The site shall be remediated in accordance with the approved remediation measures before the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

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 and these shall be fully implemented before the site is occupied.

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 Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

- Prior to first occupation of the sports hall hereby permitted, a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Community Use Agreement submitted shall include, but not be limited to, details of the following:
 - (i) Hours of opening for the different sporting and community facilities provided at the site.
 - (ii) Pricing policy on charging for use of the facilities provided at the site.
 - (iii) Policy on access and availability to the sites facilities for nonschool users and non-members.
 - (iv) Management arrangements for the site and facilities provided, including a mechanism for review of the Community Use Agreement.
 - (v) Parking arrangements for users of the site, including cycle parking.
 - (vi) Code of conduct for users of the site.

The development shall be occupied in full accordance with the approved Community Use Agreement in perpetuity from the first occupation of the site.

Reason: To secure well managed access to the sports and community facilities provided by the scheme and to ensure sufficient benefit to the development of sport in accordance with the National Planning Policy Framework (NPPF) and policies CP6, CP7 of the Core Strategy (2007).

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

Reason: In the interests of providing sustainable development in accordance with the National Planning Policy Framework (NPPF) and Policy KP2 of the Core Strategy (2007).

No development shall take place until details of the implementation, adoption, maintenance and management of the drainage system to be used at the site have been submitted to and approved in writing by the local planning authority. This shall include full details of the sustainable urban drainage systems to be used and how these have been selected. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable urban drainage system throughout its lifetime.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (NPPF), Policies KP2 and CP4 of the Core Strategy (2007) and policy DM2 of the Development Management Document (2015)

- No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development:
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - wheel washing facilities;
 - measures to control noise and the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - hours of work.

Reason: To protect residential amenity and general environmental quality in accordance with the general principles of the National Planning Policy Framework (NPPF); Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) Policies DM1 and DM14.

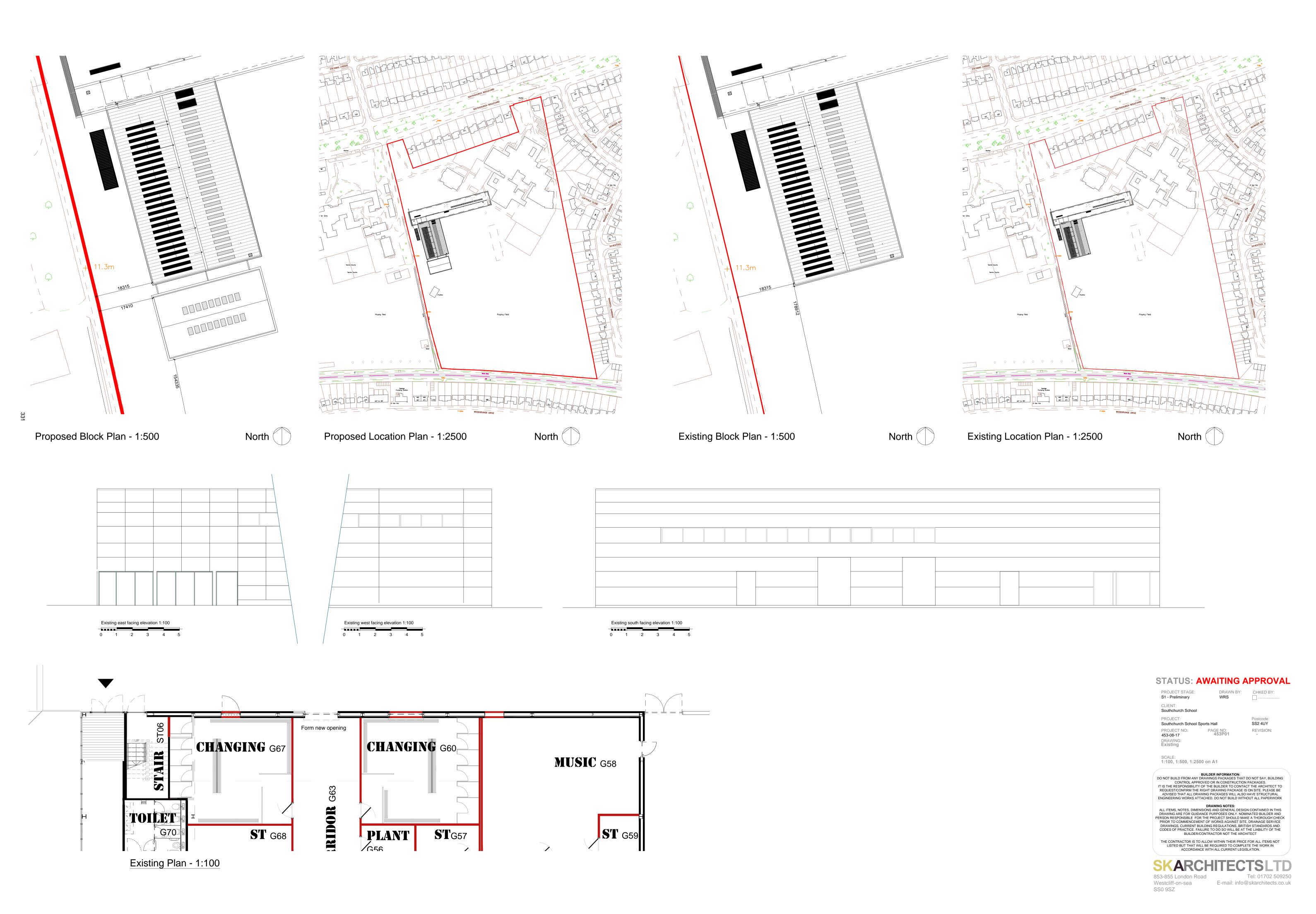
The use of the development hereby approved shall be used for no purposes other than for those falling within Use Class D1 or a D2 or combination thereof. Notwithstanding the content of the Town and Country Planning (General Permitted Development) Order 2015 (as a mended) or any order revoking of amending or re-enacting this order, the development shall be used for no other purposes falling outside Use Class D1 and/or D2 as defined by the Town and Country Planning (Use Classes) Order 1987.

Reason: In order to protect the impacts on community infrastructure in accordance with policy CP6 of the Core Strategy (2007).

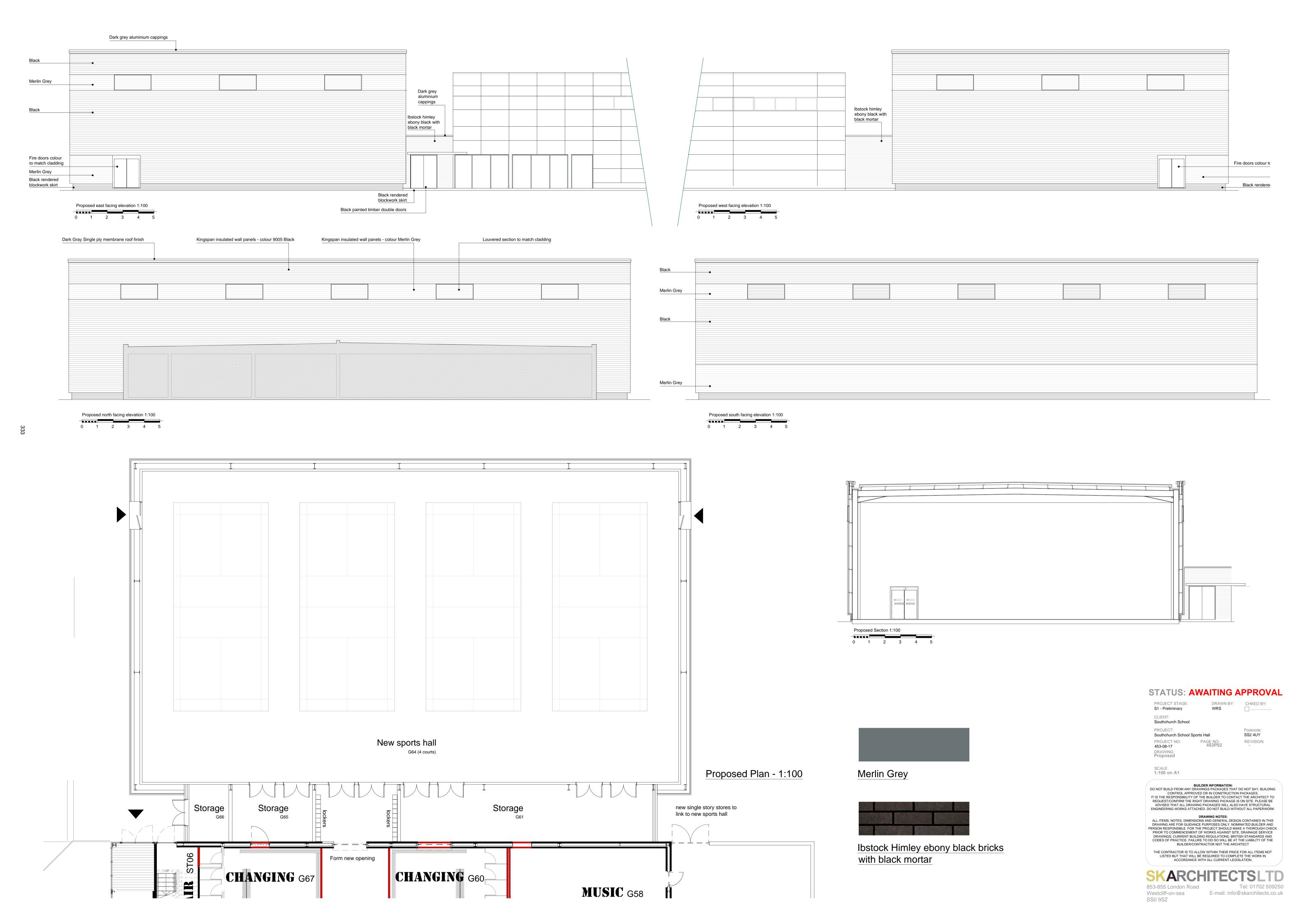
The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in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

Informatives

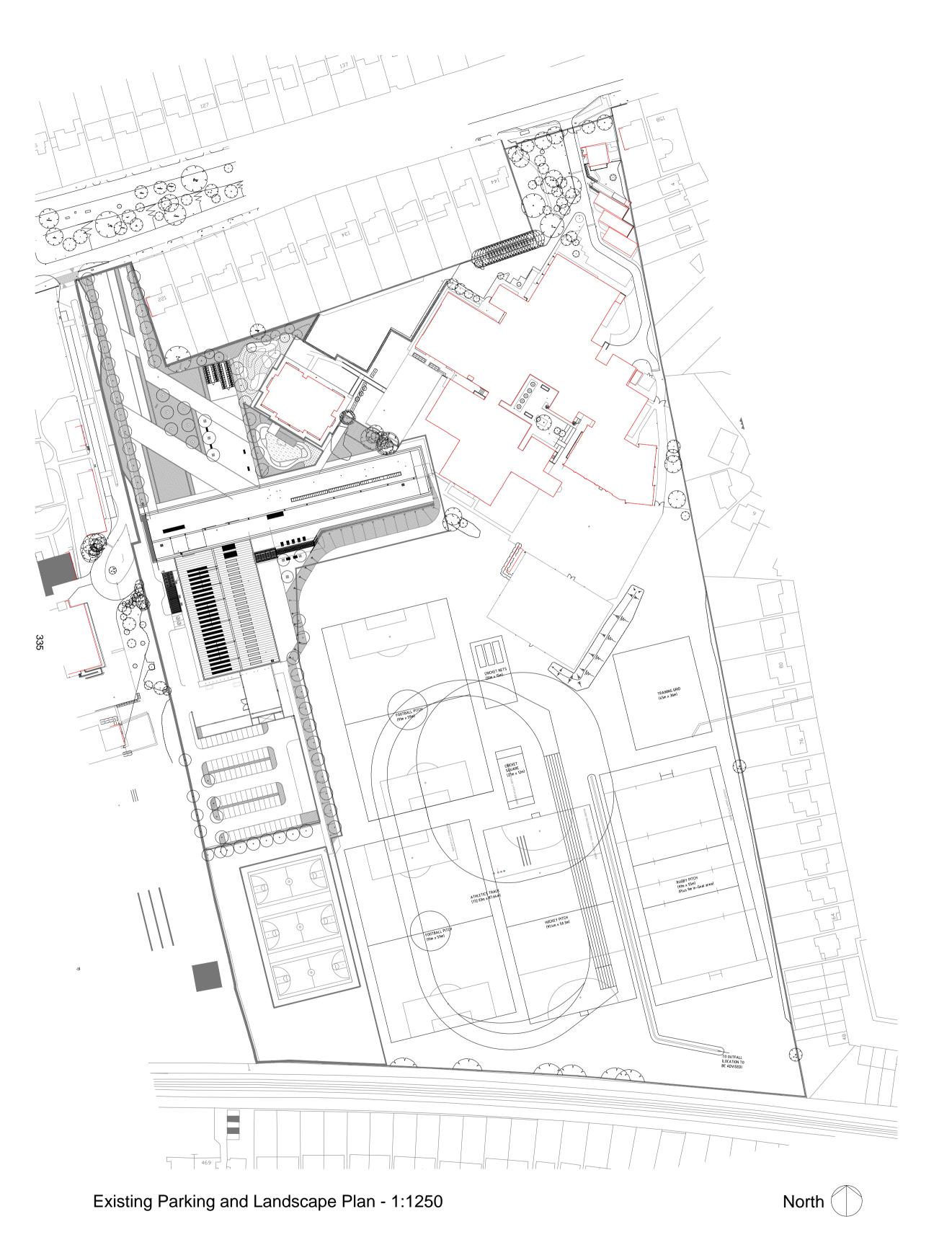
- You are advised that as the proposed development involves new buildings or floorspace in relation to educational or community facilities, the proposal is not CIL liable, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.
- The 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 developer should also consider control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". http://www.london.gov.uk/priorities/planning/supplementary-planning-guidance
- The applicant is advised that the design and layout of the sports hall should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to Sport England's "Sports Hall Design & Layouts" design guidance note; https://www.sportengland.org/facilities-planning/design-and-cost-guidance/.

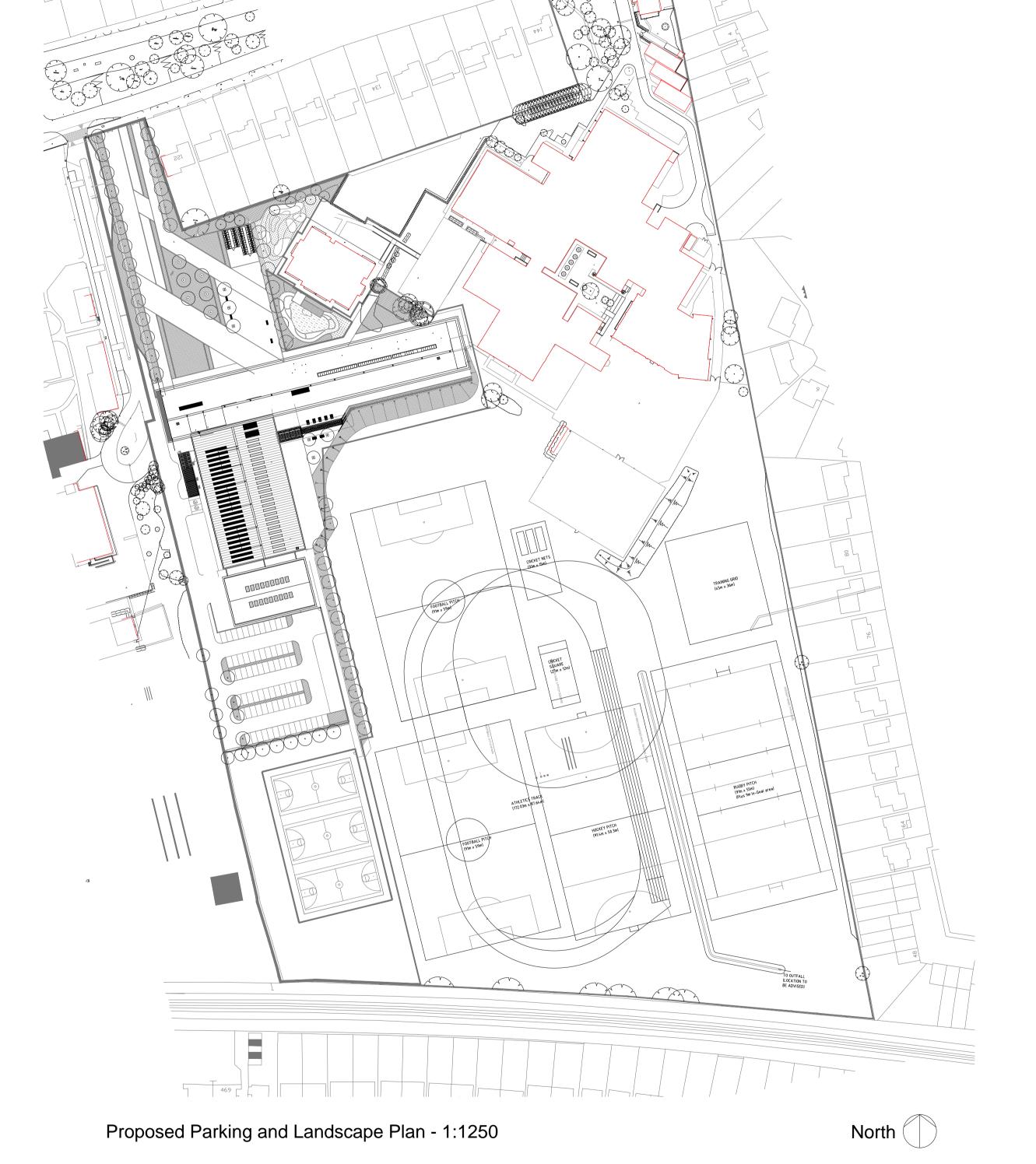


This page is intentionally left blank



This page is intentionally left blank





STATUS: AWAITING APPROVAL

PROJECT STAGE: S1 - Preliminary CLIENT: Southchurch School

PROJECT: Southchurch School Sports Hall

Postcode: SS2 4UY PROJECT NO: 453-08-17 REVISION: DRAWING: Landscape and Parking

SCALE: 1:1250 on A1

SS0 9SZ

BUILDER INFORMATION:

DO NOT BUILD FROM ANY DRAWINGS PACKAGES THAT DO NOT SAY, BUILDING CONTROL APPROVED OR IN CONSTRUCTION PACKAGES.

IT IS THE RESPONSIBILITY OF THE BUILDER TO CONTRACT THE ARCHITECT TO REQUEST/CONFIRM THE RIGHT DRAWING PACKAGE IS ON SITE. PLEASE BE ADVISED THAT ALL DRAWING PACKAGES WILL ALSO HAVE STRUCTURAL ENGINEERING WORKS ATTACHED. DO NOT BUILD WITHOUT ALL PAPERWORK

DRAWING NOTES:

ALL ITEMS, NOTES, DIMENSIONS AND GENERAL DESIGN CONTAINED IN THIS DRAWING ARE FOR GUIDANCE PURPOSES ONLY. NOMINATED BUILDER AND PERSON RESPONSIBLE FOR THE PROJECT SHOULD MAKE A THOROUGH CHECK PRIOR TO COMMENCEMENT OF WORKS AGAINST SITE, DRAINAGE SERVICE DRAWINGS, CURRENT BUILDING REGULATIONS, BRITISH STANDARDS AND CODES OF PRACTICE. FAILURE TO DO SO WILL BE AT THE LIABILITY OF THE BUILDER/CONTRACTOR NOT THE ARCHITECT

THE CONTRACTOR IS TO ALLOW WITHIN THEIR PRICE FOR ALL ITEMS NOT LISTED BUT THAT WILL BE REQUIRED TO COMPLETE THE WORK IN ACCORDANCE WITH ALL CURRENT LEGISLATION.



This page is intentionally left blank

| Applicant: | The Roslin Beach Hotel | |
|----------------------|--|----|
| Reference: | 17/00912/FUL | 14 |
| Ward: | Leigh | |
| Proposal: | Change of use of first floor self-contained flat (Class C3) to restaurant (Class A3) to be used with existing ground floor restaurant, external seating area and alter elevations. | |
| Address: | 109 - 111 Broadway, Leigh-On-Sea, Essex, SS9 1PE | |
| Agent: | APS Design Associates - Mr Paul Seager | |
| Consultation Expiry: | 30 th August 2017 | |
| Expiry Date: | 9 th November 2017 | |
| Case Officer: | Julie Ramsey | |
| Plan Nos: | 2565 01, 2565 02, 2565 03 Rev C | |
| Recommendation | GRANT PLANNING PERMISSION | |



1.0 The Proposal

- 1.1 The application proposes a change of use of the existing first floor self-contained flat to that of restaurant use (Class A3) to be used along with the existing restaurant at ground floor and to provide an external seating area fronting Broadway.
- 1.2 Externally the changes would be minimal and include a new window to the side elevation fronting Oakleigh Park Drive, which would replace the current boarded up window and the provision of a non-permanent seating area to the front on Broadway. The ground floor access and lobby would remain and no external alterations are proposed at first floor.
- 1.3 Internally at first floor the existing 2 bed flat to the front is to be removed and the area opened up to form a restaurant seating area, retaining the existing customer toilets. This creates approximately 154 sqm of additional restaurant related area. There are no internal changes to the ground floor proposed.
- 1.4 The proposed opening hours are 10am 1am Monday to Sundays including Bank Holidays.
- 1.5 A Design and Access Statement has been submitted in support of the application.
- 1.6 Amendments have been made to the scheme during the course of the application to remove formerly proposed bi-fold doors to the front and side, along with a glazed enclosed seating area. The application will be considered on the basis of the amended plans.

2.0 Site and Surroundings

- 2.1 The application site is located on the north side of Broadway, Leigh-on-Sea at the junction with Oakleigh Park Drive. The existing restaurant/bar element of the building is vacant and has been for some time, but was previously in use as a restaurant at ground floor with associated office, storage and toilets on part of the first floor. The first floor flat is currently vacant, however the residential flats on the second and third floors of the building are occupied.
- 2.2 Within the streetscene there is a mix of retail, cafe, restaurant and bar premises, some with residential use above. Broadway is the main thoroughfare in Leigh and is a vibrant and busy high street location. The properties to the rear of the site, onto Oakleigh Park Drive are residential in nature.
- 2.3 The site is located within the Leigh-on-Sea Conservation Area, a primary shopping frontage and the building is locally listed.

3.0 Planning Considerations

3.1 The main issues when considering this application are: the intensification of the restaurant (A3 use), loss of the dwelling, design and the impact on the character of the area, traffic and transport issues and the impact on the amenities of neighbouring occupiers.

4.0 Appraisal

Principle of development

National Planning Policy Framework (2012); Core Strategy (2007) Policies: KP1, KP2, CP1, CP2, CP3, CP4 and CP8, Development Management Document (2015) Policies DM1, DM3, DM5, DM13 and DM15 and Design and Townscape Guide (2009)

- 4.1 The site is located on Broadway, within the Primary Shopping Frontage of Leigh-on-Sea. Policy CP1 and KP1 identify the need for the generation of 6,500 new jobs within the area between 2001 and 2021. It is also stated that "Offices, retailing, leisure and other uses generating large number of people should be focussed in the town centre". The policies also emphasise the need to improve the vitality and viability of Town Centres.
- 4.2 Town Centre Primary Shopping Frontages, perform a vital role by managing the shopping function of the town centre to ensure its vitality and viability is not significantly harmed.
- 4.3 The site is currently vacant but has operated as a restaurant and bar for almost 20 years. Therefore there is no objection to the current use within this location. The principle of a commercial use in this part of the Borough is acceptable.
- 4.4 Core Strategy Policy CP8 resists development proposals which involve the loss of existing dwellings, supporting the need to safeguard an adequate stock of single family dwelling houses, and to protect the character of residential areas.
- 4.5 The existing flat is situated above the commercial unit as is commonplace in both Primary and Secondary shopping frontages and although the loss of the flat is regrettable, on balance, the impact of this loss is considered acceptable as it is above a commercial use and would facilitate bringing this ground floor unit back into use in a key location. The limited quality and nature of the existing residential use has also been taken into consideration in reaching this conclusion. The loss of the flat would not have any adverse impact on the character of the area as this is not a primarily residential area.
- 4.6 Therefore it is considered on balance, that the change of use from residential to a restaurant use and the subsequent loss of a residential unit would be acceptable in this location and it would allow the vacant building to be brought back into use in this prominent location within Leigh-on-Sea and add to the vitality of the area. Therefore, subject to the development having an acceptable impact on surrounding occupiers no objection is raised in principle to the proposed use.

Design and impact on the character of the area

National Planning Policy Framework (2012); Core Strategy (2007) Policies: KP2, CP4 and CP8, Development Management Document (2015) Policies DM1, DM3 and DM5, and Design and Townscape Guide (2009)

- 4.7 The key element within all relevant policies is that good design should be a fundamental requirement of new development in order to achieve high quality living environments. Its importance is reflected in the NPPF, in Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide (2009) also states that "the Borough Council is committed to good design and will seek to create attractive, high-quality living environments."
- 4.8 Paragraph 56 of the NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."
- 4.9 According to Policy KP2 of the Core Strategy (CS) new development should "respect the character and scale of the existing neighbourhood where appropriate". Policy CP4 of the Core Strategy requires that development proposals should "maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development".
- 4.10 Policy DM1 of the Development Management DPD states that all 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".
- 4.11 Paragraph 396 of The Design and Townscape Guide (2009) states that, "in conservation areas, development proposals for shopfronts will be carefully controlled in order to preserve and enhance the traditional character and appearance of these areas. The design should be compatible with the individual style of the building and with the local vernacular. It must seek to sympathetically incorporate or reinstate any original features such as fascia scrolls, and use traditional colours and materials."
- 4.12 This is also further supported by paragraphs 294 and 295 which consider the importance of locally listed buildings and state "The purpose of the Local List is to identify buildings, structures and monuments of local architectural or historic importance and to take action as far as possible to preserve them." In addition to the guidance elsewhere in this document (Design and Townscape Guide (2009), "development proposals affecting a locally listed building, including its setting, should respect its local interest and seek to preserve or reinstate architectural features and materials contributing to its interest."
- 4.13 Policy DM5 of the Local Plan sets out the protection to be given to Locally Listed Buildings.

Proposals should pay special regard to;

- Preserving or restoring features which contribute to their character.
- Maintaining their scale and proportions.
- Preserving their setting.
- Using appropriate materials.

- 4.14 Paragraph 399 of the Design and Townscape Guide (2009) states that "external seating for cafes, restaurants and bars brings vitality to the streetscene and will be encouraged where it does not cause obstruction or impede the flow of pedestrians. A minimum of 2 metre width of unobstructed pavement should be maintained although more may be appropriate in certain cases for example in the High Street and other pedestrianised areas."
- 4.15 Following consultation with the Councils' design and regeneration officer, the proposal has been amended to retain the existing shop front in its entirety, with minor alterations only to the external elevations to replace the boarded up window to the side elevation to match the existing window and to provide a non-permanent outside seating area. Therefore in design terms the proposal is considered acceptable.
- 4.16 Bin stores for the development are to be as existing and are situated at the rear of the building and would therefore have very limited visual impact.
- 4.17 Therefore it is concluded, the impact of the development on the character and appearance of the Locally Listed Building, Leigh Conservation Area and the surrounding area in general is acceptable in accordance with policies KP2 and CP4 of the Core Strategy, DM1, DM3 and DM5 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

Traffic and Transport issues

National Planning Policy Framework (2012); Core Strategy (2007) Policies: KP2 and CP3, Development Management Document (2015) Policies DM15 and Design and Townscape Guide (2009)

Parking

- 4.18 No parking provision has been included within the site or is available at the site.
- 4.19 The Council's Parking Standards maximum parking requirements for an A3 use are:
 - Vehicle parking 1 space per 5sqm.
 - Cycle parking 1 space per 100sqm for staff and 1 space per 100sqm for customers.
 - Disabled parking 3 bays or 6% of total capacity.

This would equate to a net increased requirement for the additional first floor restaurant area (154 sqm) of up to 30 spaces.

4.20 The site is considered to be accessible location within a main high street position. It is located within reasonable walking distance of Leigh station and is close to cycle routes and bus routes. The site is within the town centre and its associated amenities and is also close to the A13 and A127, Southend to London arterial roads. In these circumstances, there are no highways or parking objection raised to the proposal.

Servicing

- 4.21 Currently servicing and refuse collection for the site takes place on street, within Oakleigh Park Drive and there is formal bin storage to the rear of the premises. Given the layout of the site, the arrangements are considered to be acceptable. The application includes adequate space for waste storage within the accommodation at ground floor with access at the rear.
- 4.22 Therefore the proposed development is considered to meet with Policies CP3 of the Core Strategy and Development Management Document Policy DM15 with regard to parking and servicing.

Impact on residential amenity of both existing occupiers and neighbouring properties.

National Planning Policy Framework (2012); Core Strategy (2007) Policies: KP2, and CP4 Development Management Document (2015) Policies DM1, and DM3 and Design and Townscape Guide (2009)

- 4.23 The building has been operating as a bar/restaurant since 1999, and at the same time the first, second and third floors of the building were converted to 4 flats. In this case the intensification of the use of the A3 use in the building to include the first floor should not have a detrimental impact on the amenity of residents of the remaining flats.
- 4.24 It is considered on balance that, by the implementation of relevant conditions some of which have been recommended by Environmental Health, it is possible to mitigate against any increase in the noise and disturbance experienced by the occupiers of the remaining flats by appropriate soundproofing and limiting the use of the first floor and ground floor to that of restaurant only. Controls can also be implemented on the proposed opening hours of the restaurant. Therefore the proposal is considered to be acceptable and would not have a detrimental effect on the neighbouring resident's amenity.
- 4.25 The application site is located within a busy, relatively noisy, town centre location, an area that is part of the night time economy and as already stated has been in use as a restaurant for many years. There are commercial uses surrounding the development, including restaurant and pub uses. It is therefore not considered that the use of the first floor as a restaurant would significantly increase the impact on the residential neighbours, including those above the restaurant. However conditions can be added to any grant of planning permission to mitigate these as much as possible such as the installation of an acoustic lobby and limiting the hours that deliveries and collections can be undertaken.
- 4.26 The applicant proposes opening hours of 10am 1am Monday to Sunday, including Bank Holidays, however this is considered to be excessive for this area, therefore a condition can be imposed to restrict the opening hours on these days.

Community Infrastructure Levy (CIL)

Charging Schedule 2015.

4.27 This application is CIL liable and there will be a CIL charge payable. In accordance with Section 70 of the Town and Country Planning Act 1990 (as amended by Section 143 of the Localism Act 2011) and Section 155 of the Housing and Planning Act 2016, CIL is being reported as a material 'local finance consideration' for the purpose of planning decisions. The proposed development includes a gross internal area of 154 sqm, which may equate to a CIL charge of approximately £1694 (subject to confirmation). Any existing floor area that is being retained/demolished that satisfies the "in-use building" test, as set out in CIL Regulation 40, may be deducted from the chargeable area thus resulting in a reduction in the chargeable amount.

5.0 Conclusion

- There is no objection in principle to the loss of the vacant residential unit and the expanded use of the premises as a restaurant. The design of the external alterations is acceptable and will not cause material harm to the Locally Listed Building or the conservation area. The proposal would not cause any detrimental impact on the character of the area, amenities of neighbouring residents, parking conditions in the area or highway safety.
- Therefore having taken all material planning considerations into account, it is found, on balance, that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. This application is therefore recommended for approval subject to conditions.

6.0 Planning Policy Summary

- 6.1 National Planning Policy Framework (2012)
- 6.2 Core Strategy (2007) Policies: KP1: (Spatial Strategy); KP2: (Development Principles); CP1: (Employment Generating Development); CP2: (Town Centre and Retail Development); CP3: (Transport and Accessibility); CP4: (The Environment and Urban Renaissance) and CP8 (Dwelling Provision).
- Development Management Document (2015) Policies: DM1: (Design Quality); DM3: (Efficient and Effective Use of Land); DM5: (Southend-on-Sea's Historic Environment); DM13: (Shopping Frontage Management outside the Town Centre) DM15: (Sustainable Transport Management).
- 6.4 Design & Townscape Guide 2009.

7.0 Representation Summary

7.1 **Design and Regeneration**

Objections have been overcome by the retention of the original shop front both front and side and the replacement of the boarded up window is welcomed. The proposed fixed glazed balustrade has also been removed and there is no objection to the outside seating in principle subject to maintaining sufficient footway. Any changes to the windows and signage would be required to be approved separately.

7.2 Highways

No Objection

7.3 Leigh Town Council

No Objection

7.4 Environmental Health

It appears that the applicant proposes to retain all of the windows at 109-111 Broadway, Leigh-on-Sea. I also note a boarded up window to the flank wall to rear addition will be reinstated. There is no indication that the existing fixed glazed windows are acoustic windows. Controls must be in place to prevent noise escapes from the activities within the premises through these existing fixed glazed windows.

I noted the ground floor front entrance lobby will be retained. However, there is no detail on whether the lobby will be an acoustic lobbied entrance.

According to Section 1.3 of APS Design Associates Ltd.'s Design and Access Statement, there are stairs going up to a second residential unit on the second floor. There is no detail on the installation of acoustic ceiling between the proposed Class A3 first floor area and the second floor residential property nor on the acoustic treatment to the party wall where the stairs going up to the second floor residential unit.

The planning application indicated that the opening hours for the premises are Monday to Sunday (including Bank Holidays) 10am to 1am. Licensing conditions now exempt the need for a license specifically for live music 08:00-23:00hrs. This presents a concern that activities of this nature at the premises will no longer be controllable using the Licensing Act. I therefore have proposed a condition in respect of inaudibility of music from the premises to other noise sensitive premises.

The application of standard conditions regarding plant and music noise from the premises is proposed together with a restriction on structural borne noise.

Recommend the following conditions:

- The rating level of noise for all activities (including amplified and unamplified music and human voices) should be at least 10dB(A) below the background noise (with no tonal elements) to ensure inaudibility in noise sensitive premises. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The assessment should be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.
- Create an acoustic lobbied entrance to ground floor main entrance of an adequate size and to ensure that the outer door can be closed before the inner door is opened. Except for ingress and egress, both outer and inner doors to the front entrance lobby shall remain closed between 21:00 and 10:00 hours the following day whilst customers remain on the premises.
- All deliveries and collections to be between: 07:00-19:00 hours Monday to Friday and 08:00-13:00 hours Saturday; with no deliveries on Sundays or Bank Holidays.
- During the refurbishment of the premises, construction hours restricted to 08.00 and 18.00hrs Monday to Friday, 08.00 and 13.00hrs Saturday and not at all on Sundays or Bank Holidays.
- Activities at the site shall not give rise to structure borne noise to any noise sensitive premises.

Recommend informatives relating to: Compliance with other regulatory frameworks; need to comply with Food Safety Hygiene Regulations; and guidance relating to extract ducts.

- 7.5 The application has been referred to Development Control Committee by Councillor Arscott Member for Leigh Ward.
- 7.6 **Public Consultation –** 31 properties have been consulted, a site notice displayed at the site and a press advert was published.

3 letters of objection have been received on the following grounds:

- Noise extended hours during the day
- Public Order Problems
- Concern regarding the proposal (Unspecified)
- Problems experienced with previous uses, including noise, activity, antisocial behaviour, litter and obstruction of the highway.
- Noise and disturbance impacts will increase
- Parking and highway impacts will increase

These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

- 8.0 Relevant Planning History
- 8.1 **98/0513** Convert first second and third floor offices into four self-contained flats Refused and allowed on Appeal
- 8.2 **98/0450** Use vacant bank (Class A2) as licensed cafe/bar (Class A3) Refused and allowed on Appeal.

9.0 **RECOMMENDATION**

Members are recommended to:

GRANT PLANNING PERMISSION subject to the following conditions:

O1 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.

The development hereby permitted shall be carried out in accordance with the following approved plans: 2565 01, 2565 02, 2565 03 Rev C

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

O3 Prior to the commencement of the development hereby approved, details of any external materials to be used in the conversion of the building and the provision of the outside seating area must be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority and maintained thereafter.

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 and to preserve the character of the Locally Listed Building and Leigh Conservation Area. This is as set out in the National Planning Policy Framework (2012), Core Strategy (2007) Policy KP2 and CP4, Development Management Document (2015) Policy DM1 and DM5 and Design and Townscape Guide (2009).

The premises shall not be open for customers outside the following hours:

10am to 11pm Sundays to Thursdays (inclusive), including Public and Bank Holidays

10am to 1am Fridays and Saturdays.

Reason: To protect residential amenity and general environmental quality in accordance with, Core Strategy (2007) Policy KP2 and Development Management Document Policy DM1 and DM3 and Design and Townscape Guide (2009).

The proposed outside seating area to the front of the premises fronting Broadway and contained within the site boundary, hereby approved shall be removed between 22:00 and 10:00 hours on all days.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

06 Prior to the first operation of the restaurant, an assessment shall be carried out by a suitably qualified and experienced acoustic consultant (who would normally be a member of the Institute of Acoustics) and submitted to the Local Planning Authority and approved in writing. The assessment shall demonstrate how the rating level of noise for all activities taking place at the premises shall be managed and mitigated so that they are at least 10dB(A) below the background noise (with no tonal elements) level when measured at neighbouring noise sensitive properties. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The management and mitigation identified in the approved document shall be fully in place from first occupation of the first floor as a restaurant and the site shall be managed and maintained in accordance with the approved measure in perpetuity thereafter.

Reason: To ensure inaudibility in noise sensitive premises and to protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

Of Activities at the site shall be carried out so as to not give rise to structure borne noise to any noise sensitive premises including those within the building to which this application relates.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

Notwithstanding the details shown on the plans submitted and otherwise hereby approved, before the first floor restaurant area hereby approved, is first brought into use, an acoustic lobbied entrance to the ground floor main entrance of an adequate size shall be provided, in order to ensure that the outer door can be closed before the inner door is opened, in accordance with details that have previously been

submitted to and agreed in writing by the Local Planning Authority. Except for ingress and egress, both outer and inner doors to the front entrance lobby shall remain closed between 21:00 and 10:00 hours the following day whilst customers remain on the premises on all days.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

No deliveries and/or collections to the premises shall be undertaken except between: 07:00 to 19:00 hours Monday to Friday and 08:00 to 13:00 hours Saturdays, with no deliveries or collections at all on Sundays, Public or Bank Holidays.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

10 The construction works associate with this permission shall be restricted to between 08:00 and 18:00hrs Monday to Friday, 08:00 and 13:00hrs on Saturdays and not at all on Sundays, Public or Bank Holidays.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document Policy DM1 and Design and Townscape Guide (2009).

11 The development hereby approved shall be used for no purposes other than a restaurant (Use Class A3). The site shall be used for no other purposes falling within Use Class A3 as defined by the Town and Country Planning (Use Classes) Order 1987 as amended or any other use permitted under the Town and Country planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or re-enactment of these orders.

Reason: To enable future control to be retained in relation to the use of the building and to reflect the specific circumstances that has provided justification for the proposed use at the application site.

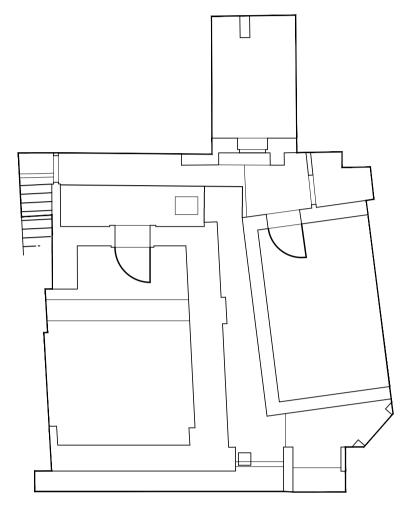
Informatives

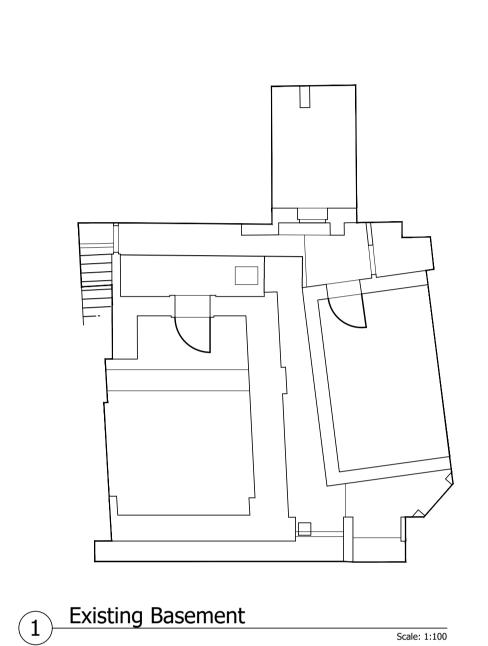
The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local 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.

- 01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. 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 www.southend.gov.uk/cil
- You will need to get separate planning permission for any alterations to the existing windows and may need advertisement consent if you wish to put up any signage at the property.
- O3 Compliance with this decision notice 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. Contact 01702 215005 for more information
- The applicant is reminded that this permission does not bestow compliance with the Food Safety and Hygiene (England) Regulations 2013 or any other provision so enacted, such as those located within the Food Safety Act 1990. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215005 or at Regulatory Services Department, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ZG

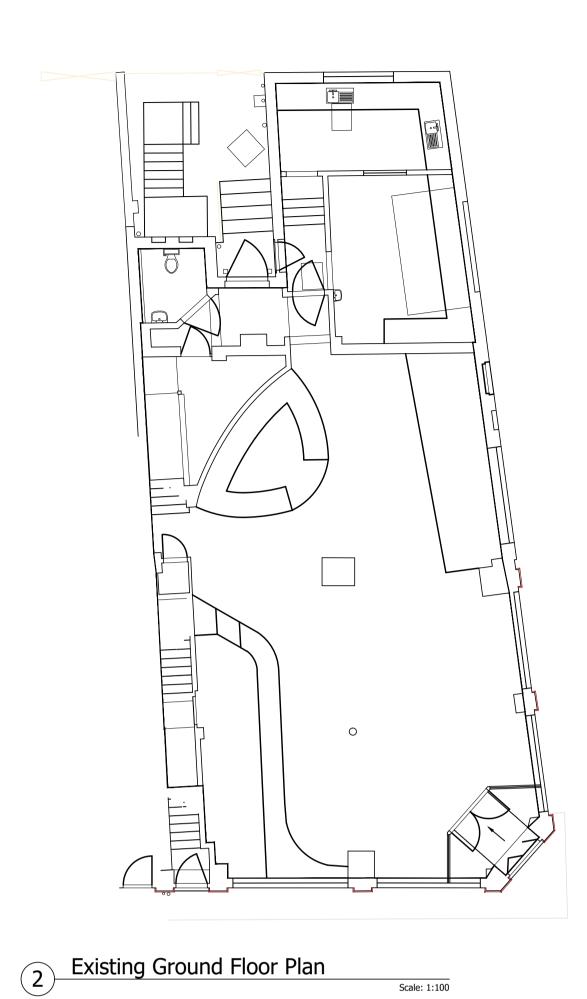
For further guidance on the control of odour and noise from ventilation systems you are advised to have regard to – Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems published by DEFRA. This can be downloaded free from www.DEFRA.Gov.UK

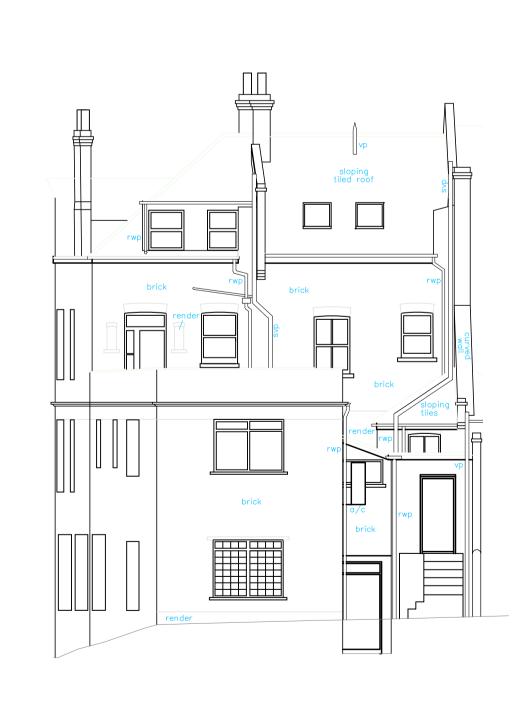


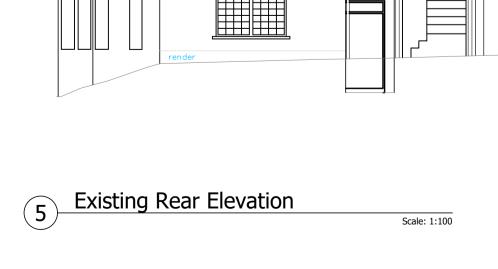


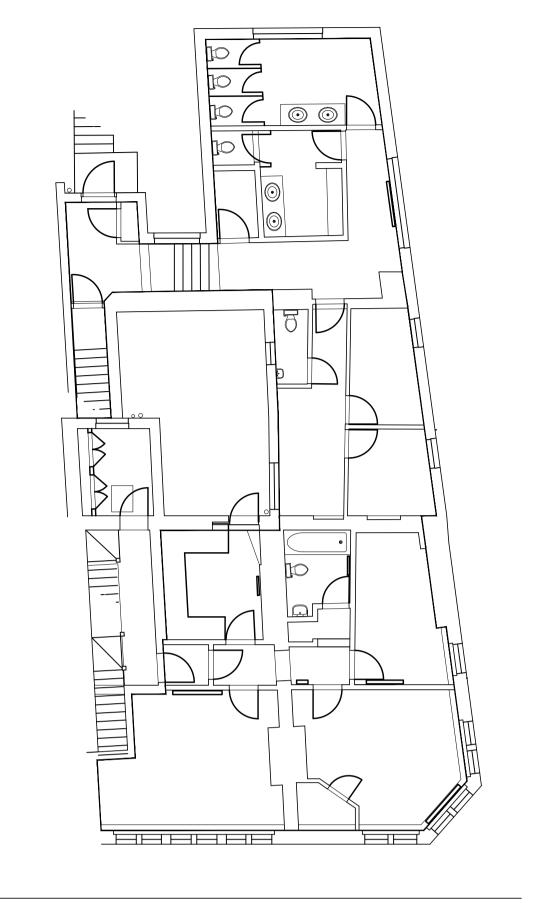
















6 Existing Side Elevation

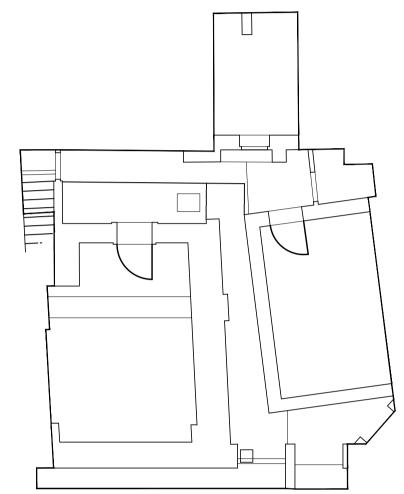


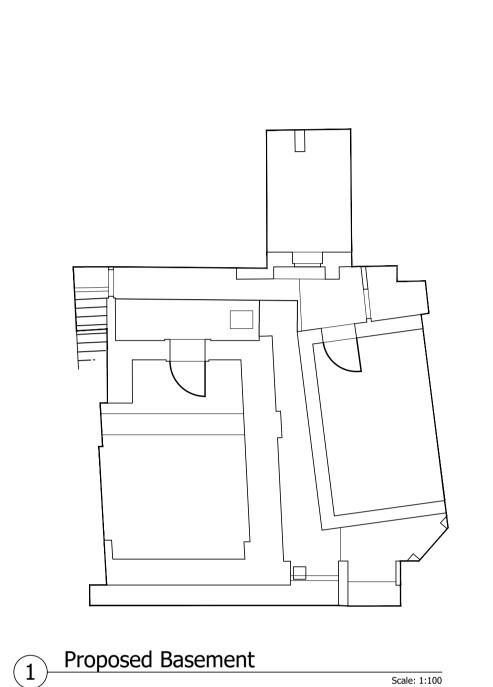
Website: www.apsdesignsuk.com

Southend-On-Sea

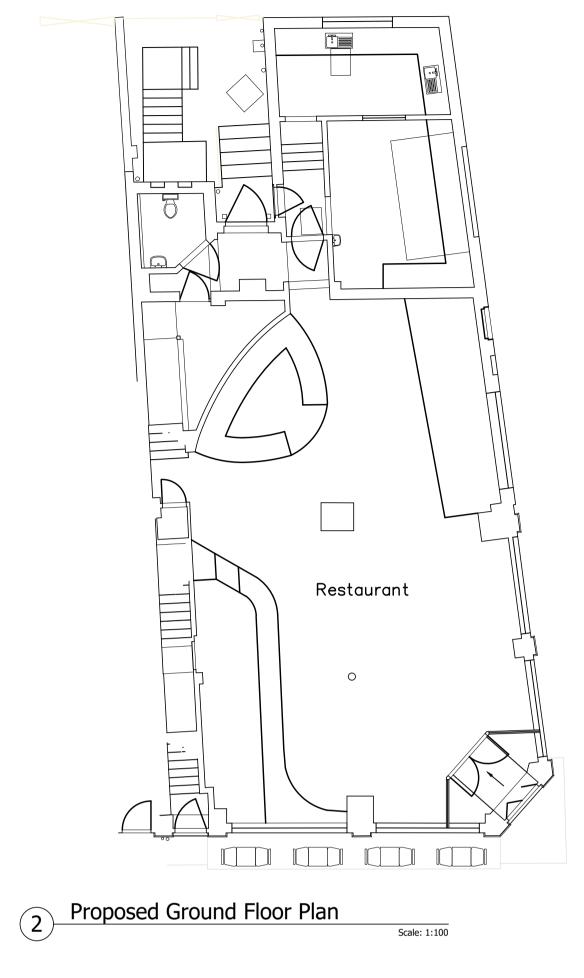
Essex SS1 1ET

This page is intentionally left blank

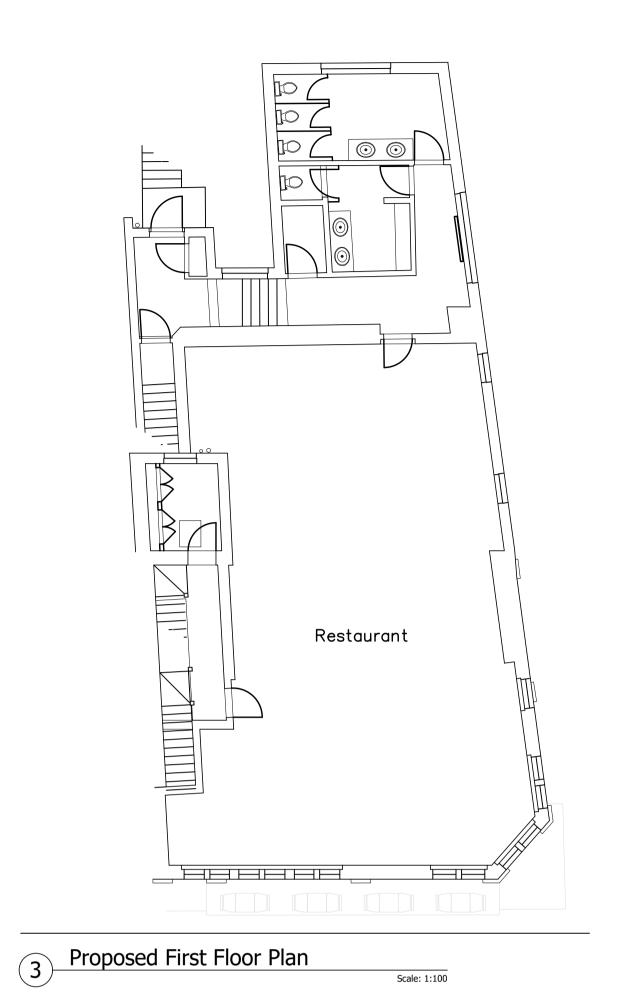














Scale: 1:100

5 Proposed Rear Elevation 6 Proposed Side Elevation Scale: 1:100

Replaced damaged existing side window Reduced alterations to exterior Rev B 18/09/2017 Rev A | 13/09/2017 Reduced alterations to exterior REVISION DATE AMENDMENT ARCHITECTURAL DESIGNERS AND PLANNING CONSULTANTS PROJECT STAGE: TOWN PLANNING DRAWN BY: MI DATE: October 2017 CLIENT: PROJECT: Rio Bar, Leigh, Essex JOB NO: 2565 DRAWING NO: 03 **REVISION:** DRAWING TITLE: Proposed Plans and Elevations SCALE: 1:100 @ A1 Tel: 01702 469 769 - 01702 337328
Email: admin@apsdesignsuk.com
designteam@apsdesignsuk.com
plannigesdesignsuk.com The Design Studio 1 Cambridge Road (Rear) Nelson Street Southend-On-Sea

Website: www.apsdesignsuk.com

02/10/2017

SS1 1ET

This page is intentionally left blank

| Reference: | 17/01460/FULH | | |
|----------------------|---|---------------|--|
| Ward: | Leigh | 15 | |
| Proposal: | Erect single storey side extension and extend existing balcony, install door to side elevation, removal of 2 Yew Trees (subject to tree preservation order) and erect detached outbuilding with decking area with associated landscaping and boundary treatment | | |
| Address: | 29 Hadleigh Road, Leigh-on-Sea, Essex, SS9 2DY | | |
| Applicant: | Mr & Mrs Jeremy and Amanda Holmes | | |
| Agent: | Mosley Thorold Architects | | |
| Consultation Expiry: | 24 th October 2017 | | |
| Expiry Date: | 13 th November 2017 | | |
| Case Officer: | Abbie Greenwood | | |
| Plan No's: | A1000C, A1001C, A1002C, A1010F, A1011C, A1020F, A1021C, A1022C, A1030C, A3000C, A3001D, A3002C, A3003E, A3010E, A3011E, PJC-0649-003 | | |
| Recommendation: | Members are recommended to GR PERMISSION subject to conditions | RANT PLANNING | |



1 The Proposal

- 1.1 Planning permission is sought to erect a single storey side extension with an extension to the existing balcony above, install a new door to the existing utility room and erect a detached outbuilding in the garden. The outbuilding will require the removal of 2 preserved yew trees which are proposed to be replaced with 3 new trees. The proposal also includes associated landscaping works including changing levels within the garden.
- 1.2 The proposed side extension is located on the northern side of the property. It is proposed as 2.7m wide; 12.3m deep; is 5.4m to the eaves and has a mono-pitched roof with a maximum height of 3.5m for the sloping section towards the front and 3.8m for the parapetted section towards the rear which forms the enclosure to the balcony extension. It is set back 1.1m from the front building line and 2.8m behind the line of the veranda. The extension will be white render with a slate roof to match the existing building and has a single timber sash window facing to the front and a large roof light to the side. Matching timber framed bi-fold doors are proposed to the rear elevation. The majority of the extension is set behind the boundary fence to the side.
- 1.3 The outbuilding is proposed in the lower section of the garden which is located to the rear of the neighbouring properties (21-27 Hadleigh Road) on an area of land facing onto Laurel Close. The land here is set at a higher level than Laurel Close with the land level being roughly in line with the top of the adjacent garages. The building is proposed as 4.5m wide and 9m deep with a shallow angled monopitched roof measuring 2.7m to its lowest eave and with a maximum roof height of 3.2m and a log burner flue of 3.7m. The building will be set a minimum of 1.6m to the rear boundaries of nearest neighbours in Hadleigh Road, is a minimum of 2.3m to the southern boundary facing Laurel Close and a minimum of 3.3m to the west boundary with the adjacent development site at 33 Hadleigh Road.
- 1.4 The proposed outbuilding will be clad with feather edged painted timber weatherboarding with a timber fascia and a wildflower blanket green roof. Windows are proposed to the south and west elevations only. The building will be set on a timber decked area which sits 160mm above the existing ground level on the western side of the building.
- 1.5 The outbuilding is sited such that it will require the removal of the two preserved yew trees in this location which are covered by TPO 1/2017. To mitigate for this loss the applicant is proposing to plant 3 new trees in the lower section of the garden including a Swedish whitebeam (Sorbus intermedia 'Brouwers') a Scots pine (pinus sylvestris) and a bird cherry (prunus padus). All the replacement trees are proposed as extra heavy standards to give instant impact. The works in the garden will also include some minor levelling and terracing of the land which forms part of the Leigh cliffs. The largest level change equates to an excavation in the lower section of around 800mm to facilitate a level area for the proposed outbuilding.

2 Site and Surroundings

- 2.1 The application property is an early twentieth century detached house set half way up the hillside on the west side of Hadleigh Road. It is an attractive well detailed property with a feature timbered gable, timber veranda and shaped chimney. The property has a parking area to the front which is screened by a tall laurel hedge. To the rear the property has an existing modern single storey extension and balcony which overlooks the estuary. The garden to the rear slopes sharply down the hillside, extends behind the rear gardens of the neighbouring properties and includes an area of land which is elevated above the garages in Laurel Close to the south.
- 2.2 Hadleigh Road is an eclectic mix of historic properties of various designs and eras. This variety of house design is part of its character. The area falls within Leigh Conservation Area and is subject to Leigh Conservation Area Article 4 Direction.
- 2.3 Adjacent to the site to the north is the large vacant site of 33 Hadleigh Road. This area includes a number of preserved trees mostly within the adjacent site but including a sycamore which is located within the boundary of the application site. There are also two preserved yew trees within the lower garden area of the application site adjacent to the rear boundary of 21-23 Hadleigh Road.
- 2.4 To the south of the lower garden are the garages within Laurel Close which are set at a lower level than the application site. Laurel Close is within the conservation area boundary but is characterised by 1960s two storey terraced apartments. The site for the outbuilding can clearly be seen from Laurel Close. At present the view of the site from Laurel Close includes long rows of utilitarian modern garage blocks and the sheds in the rear gardens of properties in Hadleigh Road, although the impact of these structures is mitigated by the trees within the adjacent site at 33 Hadleigh Road which provide some greening of the cliff in this location.
- 2.5 The wider area is residential in character and colonises the cliff between the old town and the commercial centre of Leigh-on-Sea.

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 conservation area, impact on neighbouring properties, any traffic and transport issues, impact on preserved trees and CIL.

4 Appraisal

Principle of Development

National Planning Policy Framework (2012); Core Strategy (2007) Policies KP2 and CP4 Policies DM1, DM3, DM5, and DM15 of the Development Management DPD (2015) and the Southend Design and Townscape Guide (2009)

4.1 This proposal is considered in the context of the Core Strategy DPD Policies KP2 and CP4 and Policies DM1, DM3 and DM5 of the Development Management Document. These policies and guidance support extensions and alterations to properties in most cases but require that they respect the existing character and appearance of the building, preserve and enhance the character of the wider conservation area and respect the amenity of neighbours. Although the principle of extensions in this location is acceptable, the detailed design considerations need to be carefully considered and are discussed in detail below.

Design and Impact on the Character of Leigh Conservation Area

National Planning Policy Framework (2012); Core Strategy (2007) Policies KP2 and CP4; Policies DM1, DM3 and DM5 of the Development Management DPD (2015) and the Southend Design and Townscape Guide (2009)

- 4.2 The National Planning Policy Framework (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 56 'Requiring good design').
- 4.3 Policy KP2 of the Core Strategy advocates the need for all new development to "respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design".
- 4.4 Policy CP4 of the Core Strategy 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 by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development."
- 4.5 Policy DM1 of the Development Management Document advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 4.6 Policy DM5 of the Development Management Document states that all development proposals that affect a heritage asset will be required to demonstrate the proposal will continue to conserve and enhance its historic and architectural character, setting and townscape value.
- 4.7 In relation to development within Conservation Areas in particular Policy DM5 (Historic Buildings) states that "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."

Proposed side extension and alterations to existing property

- 4.8 In relation to the design and impact of side extension the Design and Townscape Guide para 351 states that 'side extensions can easily become overbearing and dominate the original property. In order to avoid this, side extensions should be designed to appear subservient to the parent building. This can generally be achieved by ensuring the extension is set back behind the existing building frontage line and that its design, in particular the roof, is fully integrated with the existing property.'
- 4.9 The proposed single storey side extension is located to the north side of the house and will provide a utility area, shower room, and enlarged living area. This extension also incorporates an extension to the existing rear balcony on its roof to the rear. In addition to this extension it is also proposed to install a door to the existing southern utility room to facilitate access to the driveway.
- 4.10 The proposed side extension has a simple mono-pitched profile to the front section which is similar to the profile of the existing single storey addition on the southern side of the building. The proposed extension is set back behind the front building line and well behind the front veranda feature which should ensure that it appears as a subservient addition to the property. The design has been amended to include a timber sash window to the front to break up what was previously a blank frontage. This has added interest to the proposal and is welcomed. The matching window design, wall and roof materials help to integrate the extension with the existing dwelling.
- 4.11 The extension is currently screened behind a tall laurel hedge to the front boundary of the property so cannot be seen from the street, however, if this were to be removed it is considered that the design of the front section would appear subservient and complementary with the existing property and no objection is raised to this element of the proposal.
- 4.12 To the rear the roof profile of the extension changes from a mono-pitched design to a flat roof with tall parapet. This has been done to integrate the proposal with the existing rear extension which includes a tall parapet that forms the balustrade to a small balcony from the first floor bedroom. The proposal matches in with this existing addition and at roof level the extension includes an enlargement of the existing balcony with matching parapet balustrade detail. The transition between the two forms of the extension is relatively simply resolved and on balance is far enough to the rear of the site so that it will not be apparent from the street. At the rear the proposed extension integrates adequately with the design and profile of the existing addition and with the use of matching materials and glazing. Overall no objection is therefore raised to the design of the proposed side extension and balcony enlargement.
- 4.13 The only other alteration to the property itself is the proposal to add a new door to the existing single storey addition on the southern side of the property. This addition is visible from the street as it faces the driveway access. The front elevation is currently blank so the proposal to install a door here would add interest to the extension and is welcomed subject to the use of traditional materials such as painted timber.

Proposed outbuilding

- 4.14 A detached single storey outbuilding is proposed to the southern section of the site overlooking Laurel Close. This has an internal area of 35 sqm and will provide ancillary accommodation for the dwelling and shall be uses as a garden outbuilding. The outbuilding is proposed to be clad in timber feather edged boarding with a green roof and extended eave feature to the western side to provide a veranda.
- 4.15 The building will be set on a raised land level which roughly equates to the top of the existing garages in Laurel Close which are directly to the south of the site. This element of the proposal will therefore be visible from Laurel Close to the south but would not be visible from other parts of the conservation area. It was noted on the site visit there were a number of other outbuildings/shed in the rear gardens of the properties in Hadleigh Road which were also visible above the garage blocks in Laurel Close and therefore it is considered that the principle of a timber outbuilding in this location would not be out of character with the streetscene in this location.
- 4.16 The building itself appears to be well detailed and the use of traditional natural materials, feature windows and veranda add interest and help to break up the mass of the building. It is noted that the proposal will be larger than the neighbouring sheds but this is mitigated but the orientation of the building which has its narrow profile facing the public view. It is also proposed to install a vertical timber post screen, which consists of individual timber posts of 1.6m in height spaced at intervals of 300mm, and substantial planting along the southern boundary of the site which will offer some screening of the building and provide a more attractive boundary treatment than the usual timber fence seen on adjacent properties.
- 4.17 Overall it is considered that, given the character and context of Laurel Close and the existing outbuildings and garages in this area, the proposal would not appear out of character in this location or have a harmful impact on the historic character of the wider conservation area.

Impact on Preserved Trees

- 4.18 Whilst no objection is raised to the design detail of the proposed outbuilding it is noted that the applicant is seeking to remove the two preserved yew trees in this location to facilitate its construction. To mitigate for the loss of these trees the applicant is proposing to plant 3 replacement trees in this section of the site, one of which will be close to the position of the yews and two behind the proposed outbuilding but which will still be visible from Laurel Close given that the land rises up in this area. The proposed trees will be heavy standards (1 x whitebeam, 1 x scots pine and 1 x Cherry) and therefore be of 5-6m at the time of planting.
- 4.19 The applicant has submitted a tree report with the application which states that the yew trees are semi mature category C2 trees and describes them as low quality specimens because of their poor and unnatural form and lack of foliage on the east side which has arisen as the result of heavy unbalanced pruning. As such the report concludes that they make a very limited contribution to the landscape in this area.

- 4.20 It is noted that the Committee have previously objected to the removal of these trees and were instrumental in their protection with a tree preservation order, however, in this instance there is an opportunity to require they be replaced with new potentially better specimens which will ensure that the tree cover in this area, which is an important part of its character, is maintained. This has not been an option previously and this makes this proposal materially different to the previous application to fell these trees which had no mechanism to require replacements to be planted.
- 4.21 The Councils Arboricultural Officer has made another site visit to inspect these trees and comments that the assessment of the trees category as C is reasonable because the trees are poor examples of their species with misshapen crowns. He notes that they have limited public impact on the character of the conservation area although they do contribute to the general 'green' appearance of the area. He considered that the proposed replacement with 3 heavy standard trees of the species suggested would be a reasonable compensation for the loss of greenery in this location.
- 4.22 On balance therefore it is recommended that the loss of the yews be accepted provided their replacement with a heavy standard whitebeam, scots pine and cherry as proposed is secured by condition.
- 4.23 It is also noted that the applicants statements comment that heavy machinery will be required at the southern end of the site to facilitate piling to secure the southern boundary. This will require tree protection measures for the preserved sycamore tree at the top of the site adjacent to the street as the only access to the site is from Hadleigh Road adjacent to this tree. The Council's Arboricutural Officer has reviewed the protection measures as set out in the applicants Tree Report and considers them to be suitable for this purpose. It is therefore proposed that these measures be conditioned to be implemented prior and during construction.
- 4.24 It is also proposed to remove a bay laurel and pittosporum in the garden but these are noted by the Council's Arboricultural Officer as being insignificant specimens. Therefore no objection is raised to the loss of these trees, indeed it should be noted that no objection has been raised previously to the loss of the bay laurel tree in a previous application.
- 4.25 Overall therefore it is considered that the proposed replanting scheme, including the tree removals and their replacement with three new heavy standard trees, is acceptable

Landscaping

4.26 In addition to the tree planting the applicant is also proposing to re-landscape the garden area including the introduction of small terraces, an area of decking to the west of the proposed outbuilding and replacement boundary treatments. The boundary to the street will remain unchanged as a laurel hedge, a hedged boundary is also proposed to the neighbouring site 33 Hadleigh Road, the aforementioned timber posts are proposed to the southern boundary overlooking Laurel Close and a 1.8m timber boarded fence is proposed to the rear gardens of properties in Hadleigh Road

- 4.27 A large area of decking is proposed to the west of the outbuilding and the plans show that this will be raised out of the ground by up to 160mm to provide a level surface, however, this will not be visible from public areas and will have no impact on the streetscene or wider conservation area.
- 4.28 The landscape plan also shows that substantial planting is proposed to the edges of the site to soften the impact of the new development and the existing building. No objections are raised to the proposal for the landscaping and boundaries of the site.
- 4.30 Overall therefore it is considered that the scale, form, layout and detailed design of the proposed extensions, alterations and the proposed outbuilding and associated tree works is compatible with the character of the existing property and the surrounding conservation area and no objections are raised to this proposal in relation to design, character and impact on the conservation area.

Impact on Neighbouring Properties

NPPF; Core Strategy Policies KP2 and CP4; Development Management DPD Policies DM1 and DM3; SPD 1 (Design & Townscape Guide (2009))

4.31 The Design and Townscape Guide (SPD1) states 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." (Paragraph 343 - Alterations and Additions to Existing Residential Buildings). Policy DM1 of the Development Management DPD requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities "having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight."

Impact on properties to the south on Hadleigh Road (21-27 Hadleigh Road)

- 4.32 The proposed extension is set on the north side of the application property and the proposed balcony is an extension of an existing feature on the north western corner of the property furthest away from these neighbours so it is considered that this element of the proposal will have no material or detrimental impact on the properties in Hadleigh Road to the south. These properties do, however, back onto the lower garden area where the outbuilding is proposed. The outbuilding is set a minimum of 1.6m to their rear boundaries and is a minimum of 16.8m from the rear elevation of these properties. On this elevation the proposed outbuilding would measure 2.7m in height and is screened from the properties by a 1.8m fence.
- 4.33 Given the separation distance and its limited height it is considered that the proposed outbuilding would not have a detrimental impact on the amenities of these neighbours.

Impact on neighbour to the north / west (site of 33 Hadleigh Road)

- 4.34 The site is bounded on the northern and western sides by the land at 33 Hadleigh Road which is currently a vacant site. This area has planning permission until 2018 for 3 houses to be built on the site, one to the north of the application site and one to the west and one in the western section of the site which would not be impacted by the proposal (ref 15/01107/FUL) to a degree which would justify a refusal of planning permission. Although this consent has not been implemented, the dwelling could be built under the current permission therefore the impact on this proposal should be given consideration.
- 4.35 The proposed single storey side extension and balcony would be set a minimum of 4m from the boundary with this site, a minimum of 20.2m from the 'east house' and a minimum of 21.6m from the 'middle house'. The scale of the extension is such that it would not have an unacceptable impact on these properties if built. The proposed balcony extension is orientated towards the estuary, away from this area, however, views would be possible towards the north and north west over the adjacent site. It is noted that views in this direction are already possible from the existing balcony which has no screens and that the preserved trees on the adjacent site would and do offer significant screening in a northerly direction. It is therefore considered that the proposal would not result in a significantly harmful impact on any occupiers of this potential development.
- 4.36 It is noted that there is also a new application for this site which has been recently submitted and is pending consideration (ref 17/01737/FUL). This application is for a single house (2 storey plus basement) at the top of the site. There are windows proposed to the south facing number 29 but the proposed side extension and balcony would be at least 21m from the nearest part of this proposal and, as noted above, the existing balcony has unobstructed views in this direction which would not be made materially worse by the proposal. It is therefore considered that the proposed extension at number 29 Hadleigh Road would not have a detrimental impact on the development of the neighbouring site to a degree which would justify a refusal of planning permission.
- 4.37 There are no other properties affected by this proposal. The impact on neighbours is therefore considered to be acceptable.

Traffic and Transport Issues

National Planning Policy Framework (2012); Core Strategy (2007) Policy CP3; Policy DM15 of the Development Management DPD (2015); The Southend Design and Townscape Guide (2009)

4.38 The proposed developments would not impact on the current car parking arrangements or increase the requirements for car parking space in accordance with DM15. The proposal is therefore acceptable in terms of the impact on traffic, transportation and highway safety.

Community Infrastructure Levy

CIL Charging Schedule 2015

4.39 The proposal for the existing property equates to less than 100sqm of new floor space, the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable.

5 Conclusion

5.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The proposal, on balance, would have an acceptable impact on the amenities of neighbouring occupiers and the character and appearance of the application site, the streetscene and the conservation area more widely. Members are therefore recommended to approve this application.

6 Planning Policy Summary

- 6.1 National Planning Policy Framework (2012): Section 4 (Promoting sustainable transport), Section 7 (Requiring good design), 11 (Conserving and enhancing the natural environment) and 12 (Conserving and enhancing the historic environment)
- 6.2 Core Strategy (2007) Policies KP2 (Development Principles), (CP3 Transport and Accessibility), CP4 (Environment & Urban Renaissance)
- 6.3 Development Management DPD (2015) Policies DM1 (Design Quality), Policies DM3 (Efficient and Effective Use of Land), DM5 (Southend-on-Sea's Historic Environment) and DM15 (Sustainable Transport Management)
- 6.4 Supplementary Planning Document 1: Design & Townscape Guide (2009).
- 6.5 CIL Charging Schedule 2015
- 6.6 The Leigh Conservation Area Character Appraisal 2010

7 Representation Summary

Transport & Highways

7.1 No comments received.

Parks

7.2 There are 2 shrubs and 2 trees proposed for removal to facilitate the development. The shrubs proposed for removal are T3 Pittosporum and T4 bay laurel, these are insignificant specimens. The trees proposed for removal are T1 and T2 yews. These trees have been assigned as C category with regard to BS 5837; by the Arboricultural Consultant, see section 3.4 of Arboricultural Impact Assessment or appendix for explanatory terms. I would agree this category is reasonable. My own opinion is at present these trees are poor examples of their species with misshapen crowns due to past pruning. They have limited visibility to the public generally as they can only be seen from Laurel Close, but they do add to the general 'green' appearance of the area. The proposed replacement planting to mitigate the loss of the trees is a Scots pine, bird cherry and whitebeam. The whitebeam and cherry are extra heavy standard planting stock and the Scots pine is to be semi mature, the trees would be between 4-6 metres in height at planting. These are acceptable replacements in my opinion as they are species of a reasonable eventual mature size for the location. The proposed methodology to protect T5 during the development is acceptable as specified in the Tree Protection Plan. If planning permission is granted the trees should be protected as specified in the tree protection plan and replacement planting carried out as in the Detailed Landscape Plan. A suitable aftercare programme will be required to ensure the successful establishment of the new planting.

The Leigh Society

7.3 No comments received.

Leigh Town Council

7.4 No objection.

Public Consultation

7.5 22 neighbours were consulted and two site notices were posted. Three representations have been received supporting the proposal and one letter of objection from a neighbour concerned that the smoke from the log burner will cause a nuisance to their amenity area.

[Officer Comment: the concern regarding the log burner fumes is noted, however, the burner is located over 6m from the east boundary and over 21m from the rear elevation of the neighbouring property. It is also noted that as the log burner is for an outbuilding, it is only likely to be used intermittently. It is therefore considered that this should not cause a significant nuisance to neighbours and would not be sufficient grounds to refuse the application.]

7.6 Councillor Walker has requested that this planning application go before the Development Control Committee for consideration.

8 Relevant Planning History

- 8.1 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) objection raised and TPO served
- 8.2 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
- 8.3 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
- 8.4 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
- 8.5 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
- 8.6 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
- 8.7 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
- 8.8 09/01260/TPO Fell one Cypress tree (Works to a tree covered by a Tree Preservation Order) at 33 Hadleigh Road refused 2009
- 8.9 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
- 8.10 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
- 8.11 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
- 8.12 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

9 Recommendation

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

The development hereby permitted shall begin not later than three years from the date of this decision. (C01A)

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

The development hereby permitted shall be carried out in accordance with the following approved plans: A1000C, A1001C, A1002C, A1010F, A1011C, A1020F, A1021C, A1022C, A1030C, A3000C, A3001D, A3002C, A3003E, A3010E, A3011E, PJC-0649-003

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

The materials used for the external surfaces of the proposed side extension and balcony shall match those used on the existing dwelling unless differences are shown on the drawings hereby approved or are required by other conditions attached to this permission

Reason: To safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

The proposed door to the existing utility area on the southern side of the property shall be constructed from timber in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

The materials used for the external surfaces of the proposed outbuilding shall be painted timber featheredged weather board, timber fascia, painted timber or aluminium windows and doors and a wildflower green roof unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

The boundaries treatments and means of enclosure installed at the application site in association with this permission shall be as set out on approved drawing No. PJC-0649-003 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

07 Three replacement trees shall be planted at the site by the end of the first planting season following completion of the development (end of March). The replacement trees shall comprise 1 x Swedish whitebeam (Sorbus intermedia 'Brouwers'), 1 x Scots pine (pinus sylvestris) and 1 x bird cherry (prunus padus) and shall be heavy standard (5-6m in height and 18-20cm girth) at time of planting and be planted in the locations shown on approved plan No PJC-0649-003. The trees shall be supplied, planted and maintained in accordance with 'BS 8545 2014 Nursery to Independence in the Landscape Recommendations'. Any tree that fails within 3 years of planting shall be replaced with the same specification.

Reason: To mitigate for the loss of existing preserved trees and to safeguard the visual amenities of the Leigh Conservation Area, in accordance with policies. This is as set out in Core Strategy (2007) policies KP2 and CP4, Development Management DPD (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

No site clearance, preparatory work or development shall take place in association with this development until the protection measures set out in the submitted Arboricultural report titled 'Arboricultural Impact Assessment for 29 Hadleigh Road by PJC Consultancy dated 14th August 2017' have been implemented in full. These measures shall be maintained and the consent implemented in accordance with the approved protection measures for the extent construction period as associated with this consent.

Reason: To make sure that the trees on the site are adequately protected during building works in the interests of visual amenity and in accordance with the Core Strategy (2007) policies KP2 and CP4, policy DM1 of the Development Management Document (2015) and advice contained in the Design and Townscape Guide (2009).

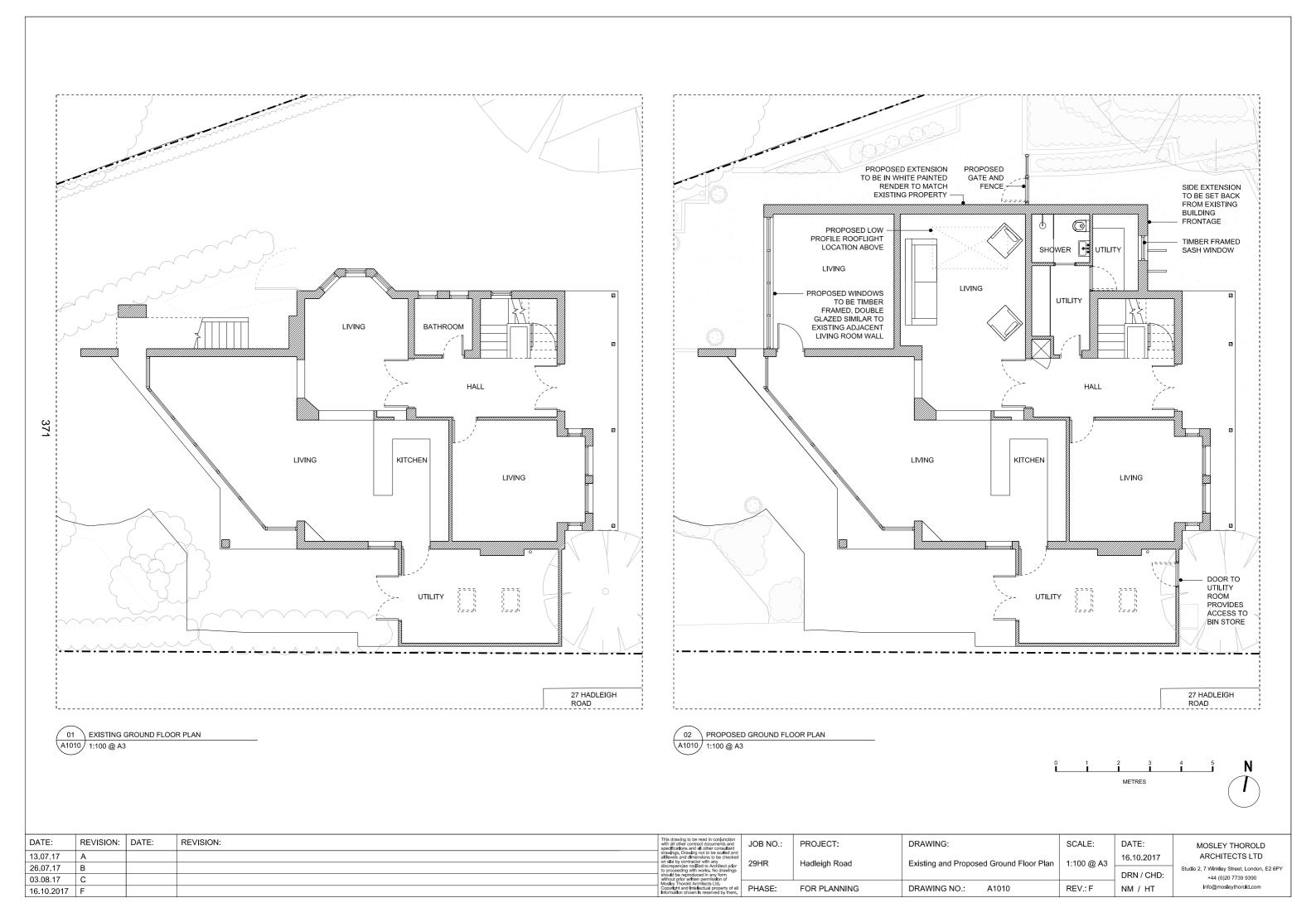
Informative

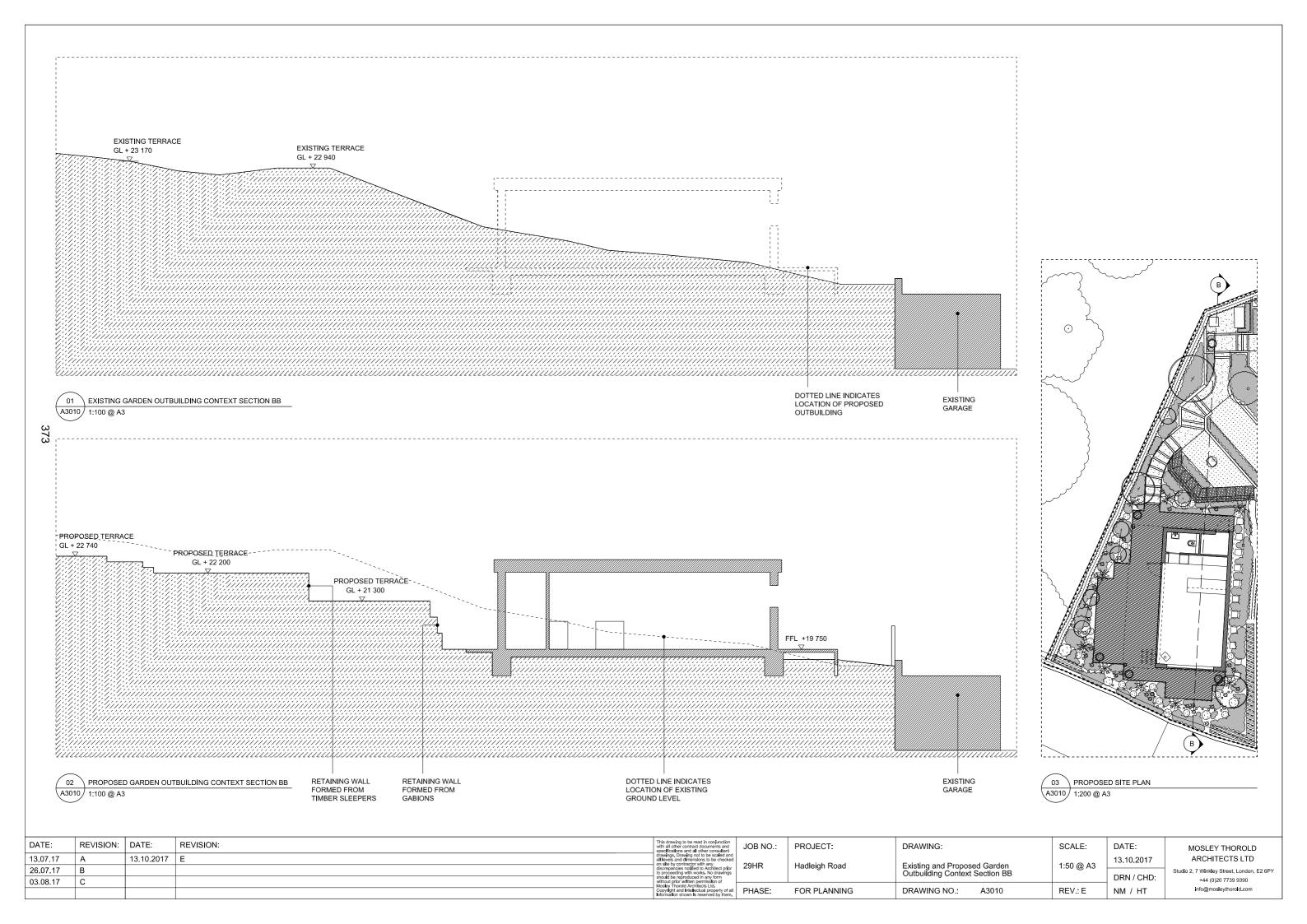
You are advised that as the proposed development equates to less than 100 sqm of additional floorspace so the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for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

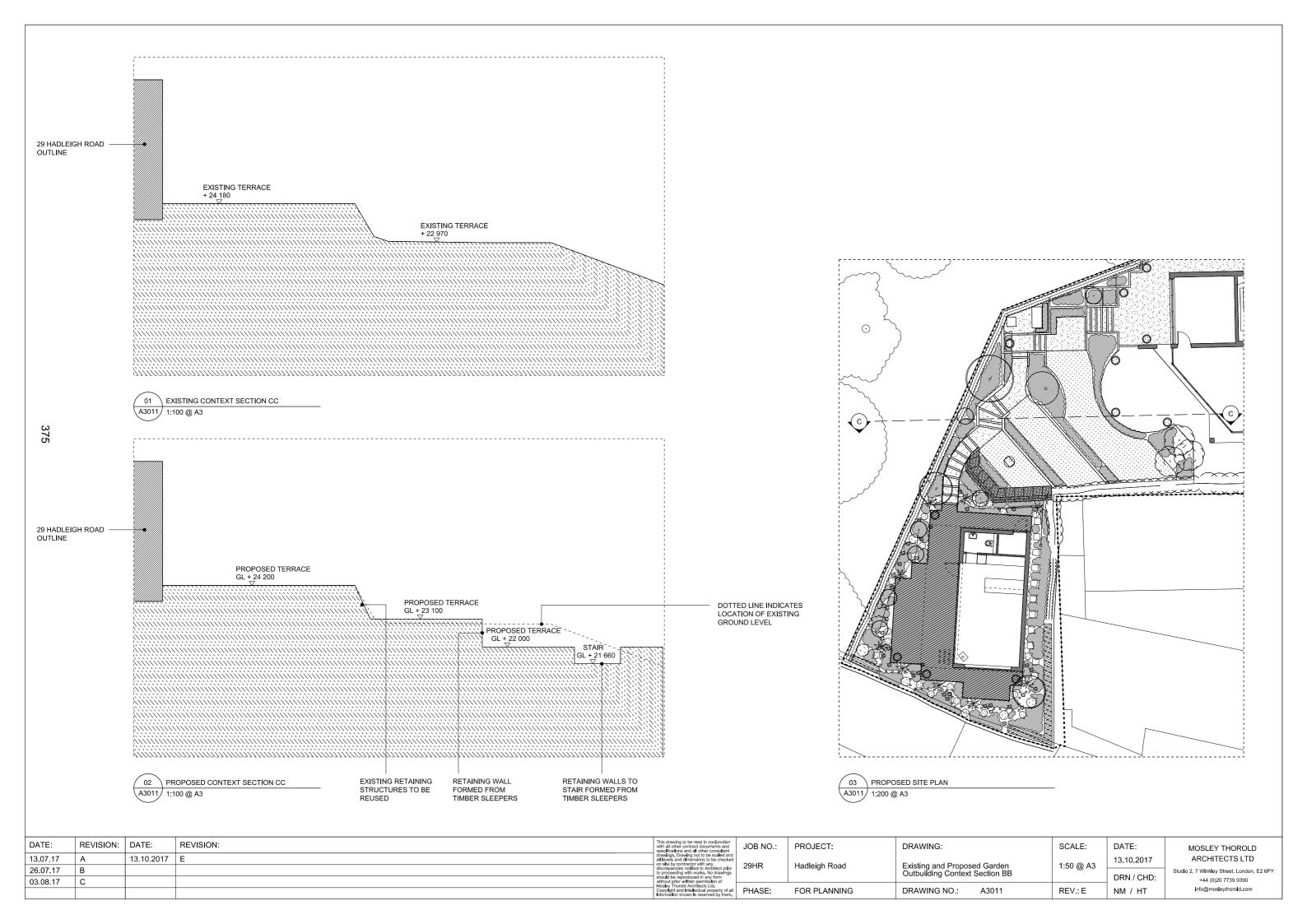




| DATE: | REVISION: DATE: REVISION: | This drawing to be read in conjunction with all other contract documents and specifications and all other consultant | JOB NO.: | PROJECT: | DRAWING: | SCALE: | DATE: | MOSLEY THOROLD |
|----------|---------------------------|--|----------|---------------|--------------------------------------|------------|------------|--|
| 13.07.17 | A | drawings. Drawing not to be scaled and all levels and dimensions to be checked on site by contractor with any | 2011 | Hadleigh Bood | Existing and Proposed East Elevation | 1:100 @ 42 | 16.10.2017 | ARCHITECTS LTD |
| 26.07.17 | В | discrepancies notified to Architect prior to proceeding with works. No drawings should be reproduced in any form | 29NK | Hadleigh Road | Existing and Proposed East Elevation | 1:100 @ A3 | DRN / CHD: | Studio 2, 7 Winkley Street, London, E2 6PY |
| 03.08.17 | C C | without prior written permission of Mosley Thorold Architects Ltd. | | | | | 1 | +44 (0)20 7739 9390 |
| 16.10.17 | F | Copyright and Intellectual property of all | PHASE: | FOR PLANNING | DRAWING NO.: A1020 | REV.: F | NM / HT | info@mosleythorold.com |











A1022 1:100 @ A3



02 PROPOSED EXTENSION SECTION A1030 1:100 @ A3



| DATE: | REVISION: | DATE: | REVISION: | This drawing to be read in conjunction with all other contract documents and specifications and all other consultant |
|----------|-----------|-------|-----------|--|
| 13.07.17 | A | | | drawings. Drawing not to be scaled and all levels and dimensions to be checked on site by contractor with any |
| 26.07.17 | В | | | discrepancies notified to Architect prior to proceeding with works. No drawings |
| 03.08.17 | С | | | should be reproduced in any form without prior written permission of Mosley Thorold Architects Ltd. |
| | | | | Copyright and intellectual property of all information shown is reserved by them. |

| JOB NO.: | PROJECT: | DRAWING: | SCALE: | DATE: |
|----------|--------------------|---|------------|------------|
| 29HR | Hadleigh Road | Existing and Proposed Extension Section | 1:100 @ A3 | 24.05.2017 |
| 20 | - nauroigii i toda | | | DRN / CHD: |
| PHASE: | FOR PLANNING | DRAWING NO.: A1030 | REV.: C | NM / HT |

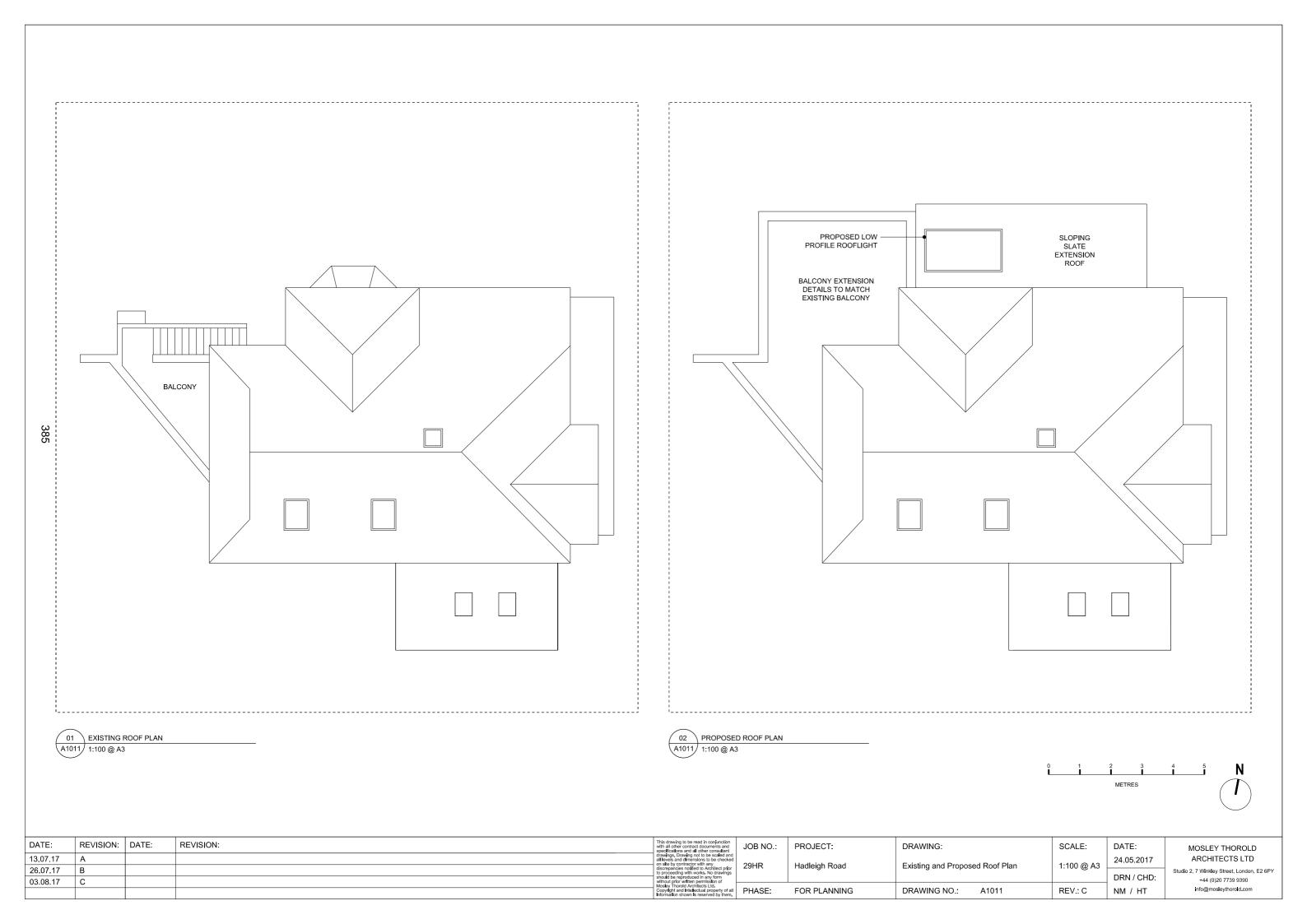
ARCHITECTS LTD Studio 2, 7 Winkley Street, London, E2 6PY +44 (0)20 7739 9390 info@mosleythorold.com

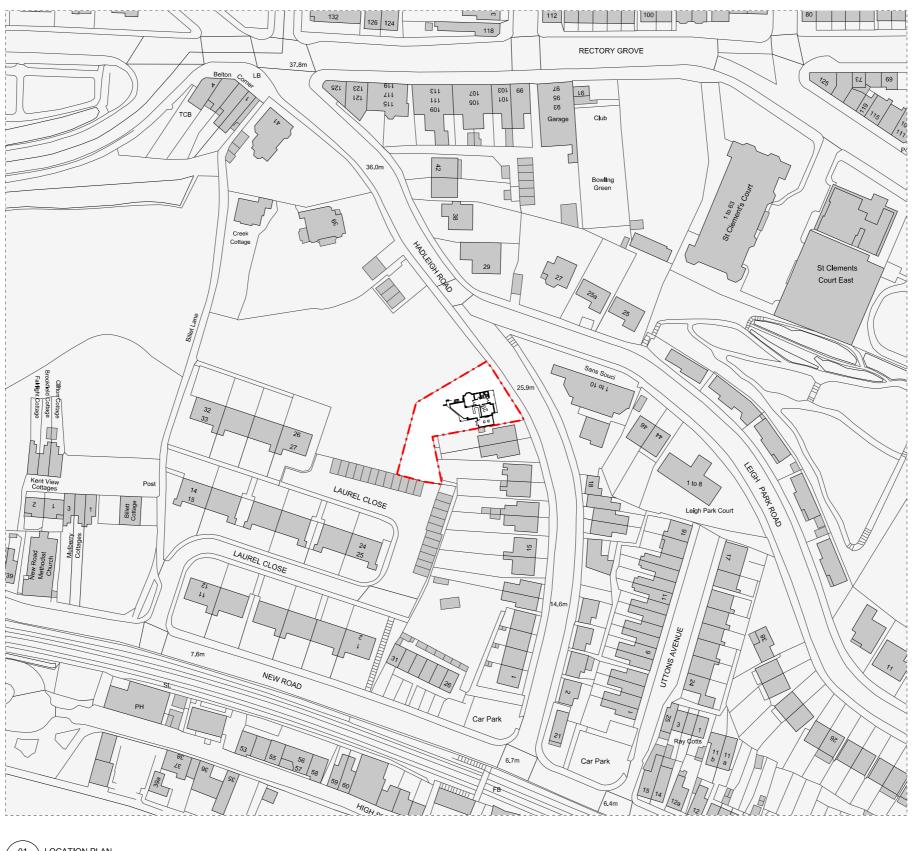
MOSLEY THOROLD

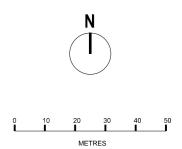




| DATE: | REVISION: DATE: REVISION: | This drawing to be read in conjunction with all other contract documents and specifications and all other consultant | JOB NO.: | PROJECT: | DRAWING: | SCALE: | DATE: | MOSLEY THOROLD |
|----------|---------------------------|---|----------|--------------------|--------------------------------------|------------|------------|---|
| 13.07.17 | A A | drawings. Drawing not to be scaled and all levels and dimensions to be checked on site by contractor with any | 29HR | Hadleigh Road | Existing and Proposed West Elevation | 1:100 @ A3 | 24.05.2017 | ARCHITECTS LTD |
| 26.07.17 | B C | discrepancies notified to Architect prior to proceeding with works. No drawings should be reproduced in any form without prior written permission of | 231113 | i ladicigii i toad | Existing and Froposed West Lievation | 1.100 @ A3 | DRN / CHD: | Studio 2, 7 Winkley Street, London, E2 6PY +44 (0)20 7739 9390 |
| 03.08.17 | | Mosley Thorold Architects Ltd. | PHASE: | FOR PLANNING | DRAWING NO.: A1022 | REV.: C | NM / HT | info@mosleythorold.com |





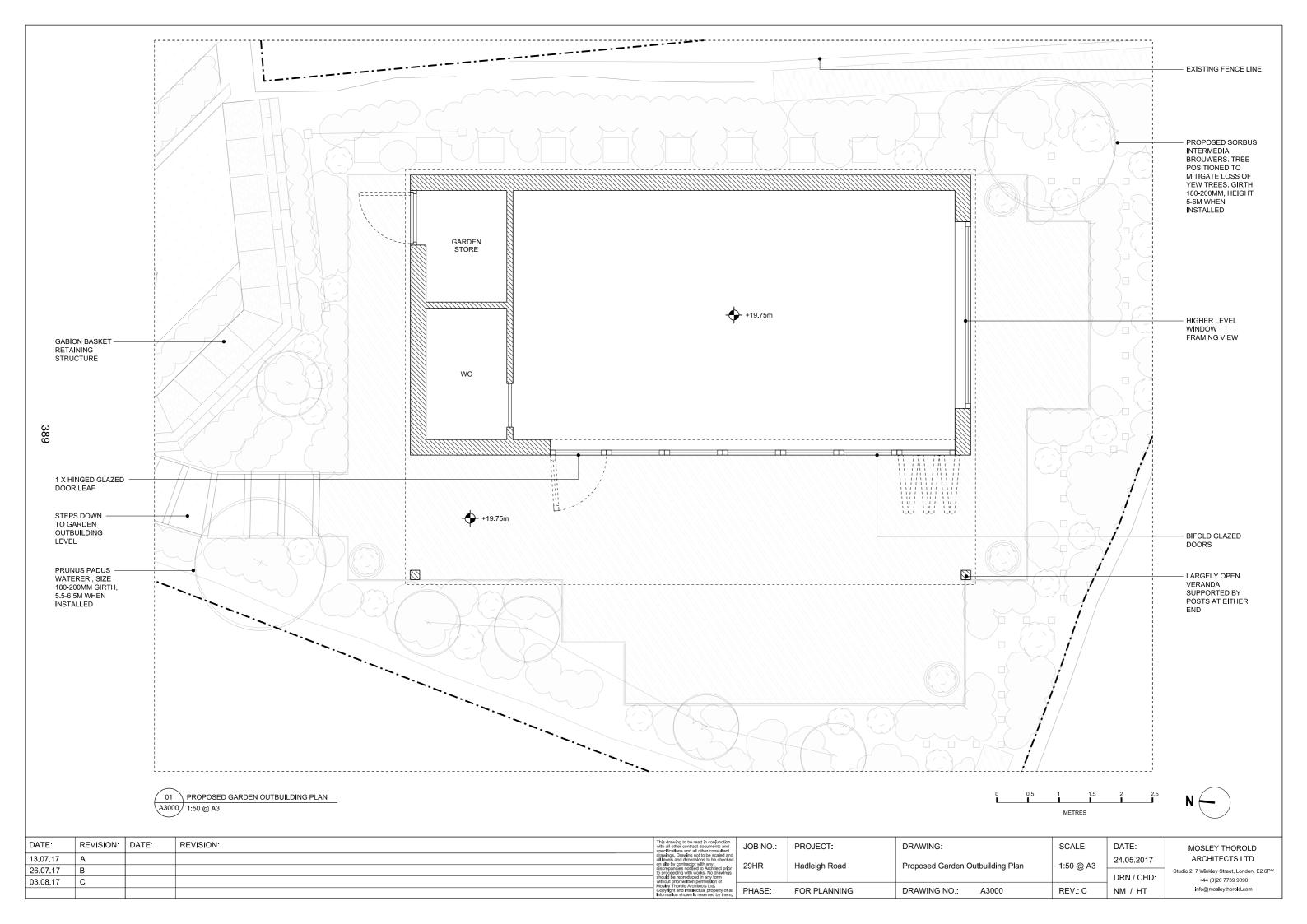


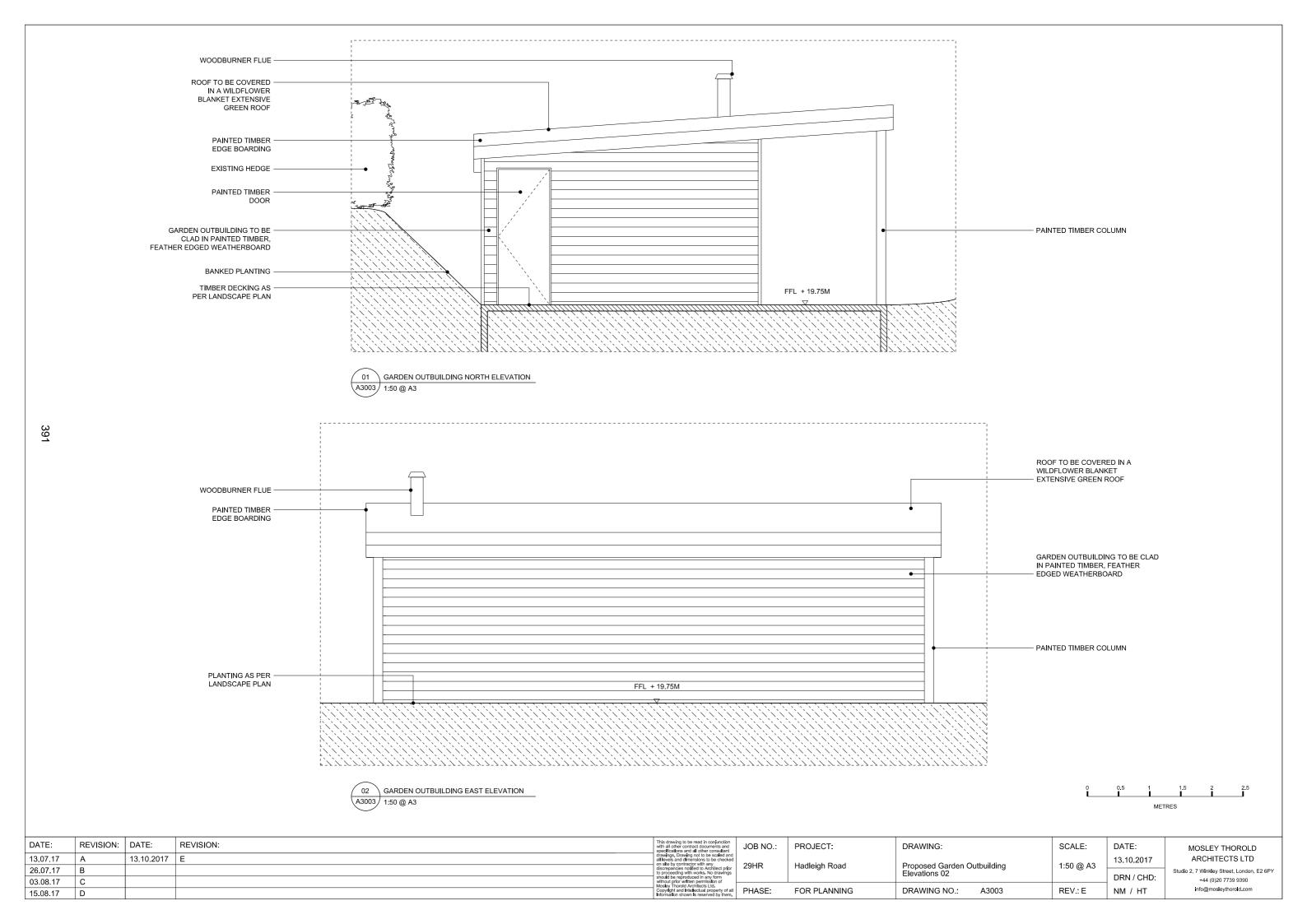
01 LOCATION PLAN A1000 1:1250@ A3

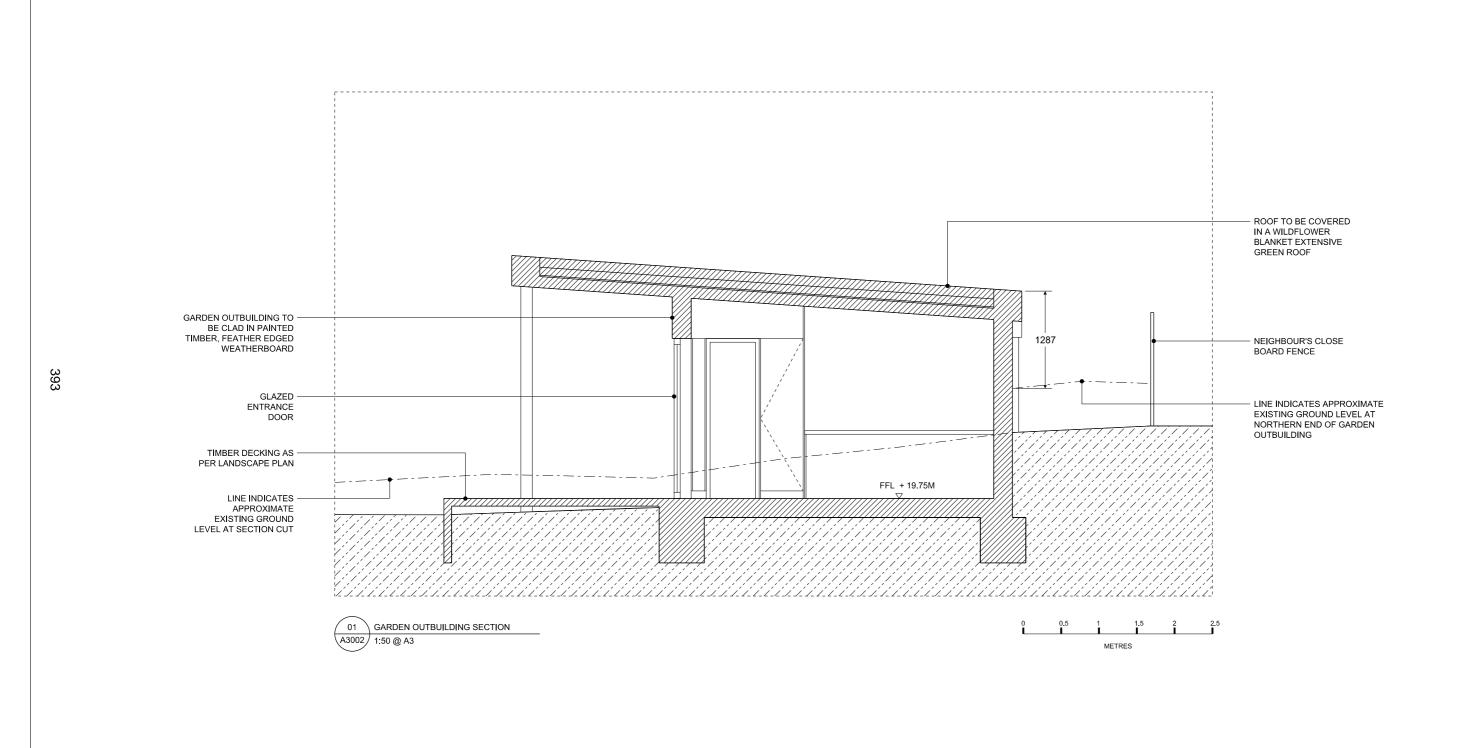
| DATE: | REVISION: | DATE: | REVISION: | This drawing to be read in conjunction with all other contract documents and specifications and all other consultant |
|----------------------|-----------|-------|-----------|--|
| 13.07.17 26.07.17 | A B | | | drawings. Drawing not to be scaled and all levels and dimensions to be checked on site by contractor with any discrepancies notified to Architect prior |
| 03.08.17 | С | | | to proceeding with works. No drawings should be reproduced in any form without prior written permission of Mosley Thorold Architects Ltd. |
| | | | | Copyright and Intellectual property of all Information shown is reserved by them. |

| tion and ant | JOB NO.: | PROJECT: | DRAWING: | SCALE: | DATE: |
|-------------------------|----------|---------------|--------------------|-------------|------------|
| d and ecked prior | 29HR | Hadleigh Road | Location Plan | 1:1250 @ A3 | 24.05.2017 |
| ings | | | | | DRN / CHD: |
| of all hem. | PHASE: | FOR PLANNING | DRAWING NO.: A1000 | REV.: C | NM / HT |

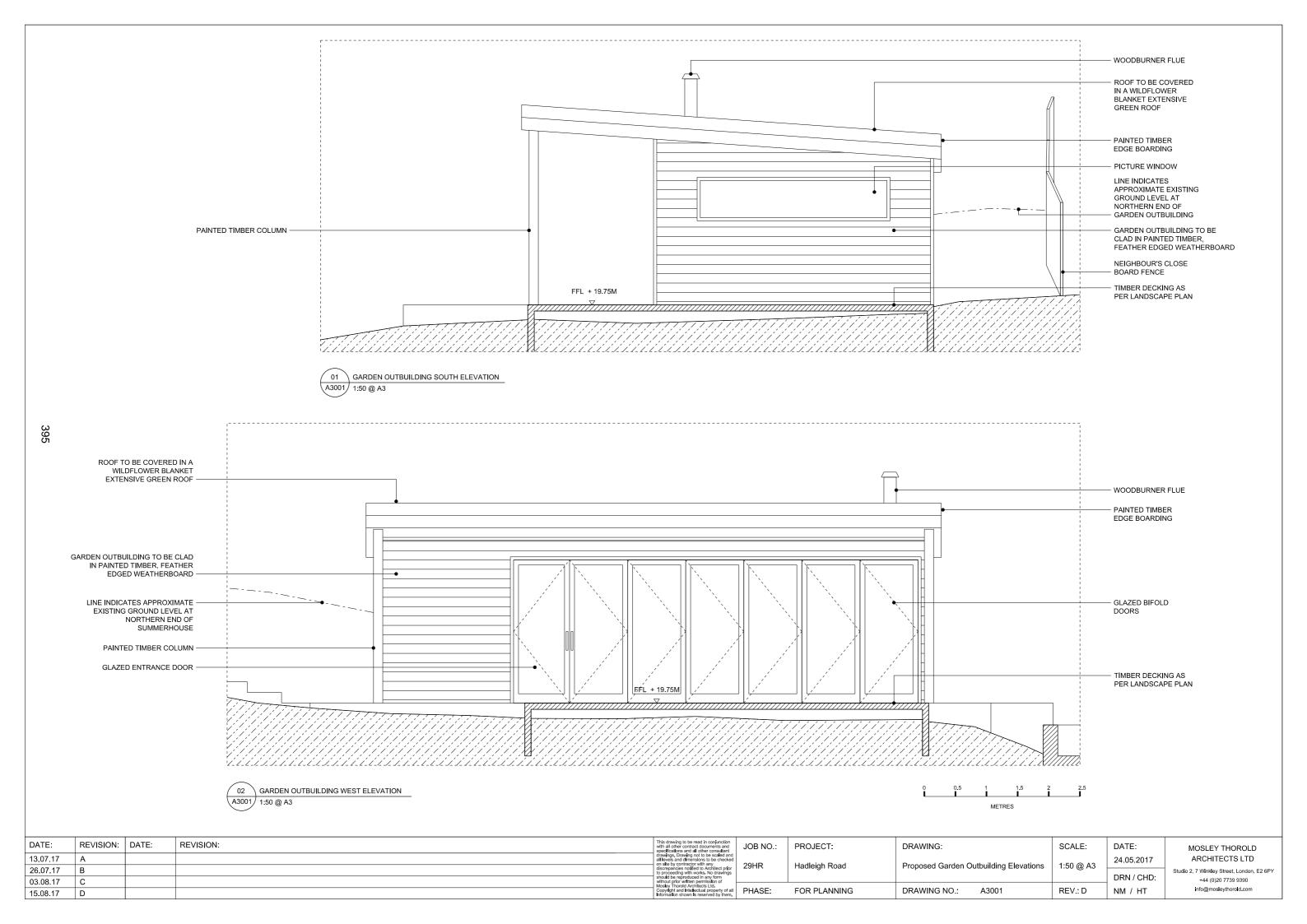
MOSLEY THOROLD ARCHITECTS LTD Studio 2, 7 Winkley Street, London, E2 6PY +44 (0)20 7739 9390 info@mosleythorold.com







| DATE: | REVISION: DATE: REVISION: | This drawing to be read in conjunction with all other contract documents and specifications and all other consultant | JOB NO.: | PROJECT: | DRAWING: | SCALE: | DATE: | MOSLEY THOROLD |
|----------|---------------------------|--|--------------------|-------------------------------------|-------------------------------------|-----------|--|------------------------|
| 13.07.17 | A A | drawings. Drawing not to be scaled and all levels and dimensions to be checked on site by contractor with any | 2011 | Hadlaigh Bood | Proposed Garden Outbuilding Section | 1.50 @ 42 | 24.05.2017 | ARCHITECTS LTD |
| 26.07.17 | В | discrepancies notified to Architect prior to proceeding with works. No drawings | 29HR Hadleigh Road | Proposed Garden Outbuilding Section | 1:50 @ A3 | DDN / OUD | Studio 2, 7 Winkley Street, London, E2 6PY | |
| 03.08.17 | c | should be reproduced in any form without prior written permission of | | | | | DRN / CHD: | +44 (0)20 7739 9390 |
| | | Mosley Thorold Architects Ltd. Copyright and Intellectual property of all Information shown is reserved by them. | PHASE: | FOR PLANNING | DRAWING NO.: A3002 | REV.: C | NM / HT | info@mosleythorold.com |



REVISION: DATE:

Α

В

С

DATE:

13.07.17

26.07.17

03.08.17

