

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 6th June, 2018

Place: Committee Room 1 - Civic Suite

Present: Councillor D Garston (Chair)
Councillors B Arscott (Vice-Chair), B Ayling*, M Borton, S Buckley, A Chalk, A Dear, D Garne, J Garston, S Habermel, R Hadley, H McDonald, D Norman MBE, C Walker, N Ward and P Wexham*
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor D Nelson
J K Williams, P Geraghty, K Waters, C Galforg, P Keyes, J Rowley, M Warren, A Rogers and T Row

Start/End Time: 2.00 p.m. - 5.35 p.m.

17 Apologies for Absence

Apologies for absence were received from Councillors Evans (no substitute), Mulroney (Substitute: Councillor Wexham) and Van Looy (Substitute: Councillor Ayling).

18 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Arscott – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: Personnel/volunteers of Age Concern are known to him;

(b) Councillor Arscott – Agenda Item No. 27 (18/00579/FULH – 27 Glenbervie Drive, Leigh on Sea) – Disqualifying non-pecuniary interest: Lives in Glenbervie Drive (withdrew);

(c) Councillor Ayling – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: Council representative on Age Concern a few years ago;

(d) Councillor Chalk – Agenda Item No. 8 (18/00669/FULM - St Bernard's High School, Milton Road, Westcliff on Sea) – Non-pecuniary interest: Had previously worked at the school for 11 years;

(e) Councillor Dear – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: Council appointed representative to Age Concern but has no involvement to date;

(f) Councillor J Garston – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: People involved with the application are known to him;

(g) Councillor J Garston – Agenda Item No. 18 (16/01723/DOV5 - Marine Plaza, Land between Southchurch Avenue and Pleasant Road fronting Marine Parade, Southend on Sea) – Non-pecuniary interest: Owns a property in the vicinity;

(h) Councillor D Garston – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: People involved with the application are known to him;

(i) Councillor D Garston – Agenda Item No. 19 (18/00254/FUL - W5, The Shore, 22 - 23 The Leas, Westcliff on Sea) – Non-pecuniary interest: One of the objectors (public speaker) is known to him;

(j) Councillor Habermel – Agenda Item Nos. 19 (18/00254/FUL - W5, The Shore, 22 - 23 The Leas, Westcliff on Sea), 20 (17/01574/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea) and 21 (17/01716/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea) – Non-pecuniary interest: Knows the architect/agent who has undertaken some work for him in the past;

(k) Councillor Walker – Agenda Item Nos. 10 and 11 (17/02074/FUL and 17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea) – Non-pecuniary interest: Personnel/volunteers of Age Concern are known to him;

(l) Councillor Wexham – Agenda Item Nos. 19 (18/00254/FUL - W5, The Shore, 22 - 23 The Leas, Westcliff on Sea), 20 (17/01574/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea) and 21 (17/01716/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea) – Non-pecuniary interest: Knows the architect/agent as a former officer of the Council.

(Note: In view of the comments made when calling application no. 16/01723/DOV5 - Marine Plaza, Land between Southchurch Avenue and Pleasant Road fronting Marine Parade, Southend on Sea (Agenda item No. 18), Councillor Walker withdrew from the meeting whilst the application was considered on the basis of pre-determination.

19 Minutes of the Meeting held on Wednesday 7th March 2018

Resolved:

That the Minutes of the meeting held on Wednesday 7th March 2018 be received, confirmed as a correct record and signed.

20 Minutes of the Meeting held on Wednesday 4th April 2018

Resolved:-

That the Minutes of the Meeting held on Wednesday 4th April 2018 be received, confirmed as a correct record and signed.

21 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.

22 18/00634/BC3M - Land at Former Esplanade House (Kursaal Ward)
Proposal: Use vacant site as temporary car park (for a period of five years) and widen existing entrance onto Eastern Esplanade, changes to hard and soft landscaping, boundary treatments and associated works
Applicant: Southend Borough Council
Agent: Southend Borough Council

Resolved: That TEMPORARY 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 permission hereby approved is for a temporary period of 5 years from the date of the permission only. After 5 years from the date of the granting of this permission, the use hereby approved shall permanently cease.

Reason: For the avoidance of doubt and in accordance with the National Planning Policy Framework and Policies KP1 and KP2 of the Core Strategy (2007).

03 The development hereby permitted shall be carried out in accordance with the following approved plans: C10913/17/P/008, C10913/3000/39/001, C10913/SUR01-1/B, SWEPT PATH PLAN.

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

04 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until full details of the 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. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the approved hard and soft landscaping works have been implemented in full in accordance with the approved details. The details submitted shall include:

- i. proposed finished levels or contours;
- ii. hard surfacing materials and means of enclosing the site (including elevations of all boundary treatments);
- iii. details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification and details of the management of the landscaping site.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of neighbouring occupiers in accordance with Policies DM1, DM3 and DM5 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

05 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until full details of the pay and display machines, electric charging equipment and 'variable message sign' to be installed have been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the pay and display machines, electric charging equipment and variable message sign have been provided on site in full accordance with the approved details.

Reason: To safeguard the character and appearance of the surrounding area and to ensure suitable facilities are provided in accordance with Policies DM1, DM3 and DM15 of the Development Management Document (2015) and Policies KP2, CP3 and CP4 of the Core Strategy (2007)

06 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until full details of the drainage infrastructure to be provided at the site have been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the approved drainage works have been undertaken in accordance with the approved details.

Reason: To ensure satisfactory drainage of the site in accordance with Policy KP2 of the Core Strategy (2007) and Development Management Document (2015) Policy DM14.

07 The development hereby permitted shall not be carried out except in complete accordance with the approved Flood Risk Assessment undertaken by BdR, reference 18-0073 dated 28th February 2018, unless otherwise previously agreed in writing by the local planning authority.

Reason: To ensure the development is safe and to ensure compliance with the National Planning Policy Framework (NPPF) and Core Strategy Policies KP1 and KP2.

08 The development hereby permitted shall not be carried out except in complete accordance with the approved Geo-environmental Investigations undertaken by Ground and Environmental Services Limited, reference 11691-1 dated January 2018 unless otherwise previously 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, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009)

09 Prior to the installation of any geotextile membrane on the site, details of the material to be used, including full manufacturer's specifications shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details only and thereafter permanently retained as such in perpetuity.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009)

10 Any external lighting installed shall be directed, sited and screened away from the adjoining and nearby residential properties and retained as such in perpetuity.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and The Design and Townscape Guide (2009).

11 The development hereby approved shall only be undertaken between 8am and 6pm Monday to Friday and 8am to 1pm Saturdays and at no other time whatsoever.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Design and Townscape Guide (2009).

12 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 a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented in full as approved before further development is carried out.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009)

13 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site and no development involving the breaking of ground shall be undertaken until a scheme that includes the following components to deal with

the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

(1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

(2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The approved scheme shall be implemented in full as approved.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009).

14 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until a verification report demonstrating completion of works set out in the approved remediation strategy under condition 13 of this consent and the effectiveness of the remediation has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM3 and DM14, Design and Townscape Guide (2009).

15 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and provision of reports to the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved 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, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, to ensure compliance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2, CP4 and CP8, Development Management Document (2015) Policies DM1, DM3 and DM8, Design and Townscape Guide (2009).

16 No closed circuit television (CCTV) shall be installed until full details of the CCTV have been submitted to and approved in writing by the local planning authority. The CCTV shall be implemented in accordance with the approved details.

Reason: In the interests of the visual amenity of the surrounding area and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and The Design and Townscape Guide (2009).

17 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until a plan setting out in full the management arrangements for the car park hereby approved, including the hours of operation, has been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the approved management plan is implemented in accordance with the approved details.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and The Design and Townscape Guide (2009).

18 No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until full details of the Eastern Esplanade access alterations have been submitted to and approved in writing by the local planning authority. No more than 120 cars or 70 cars and 29 coaches shall be permitted to park on the site until the approved access alterations have been undertaken in accordance with the approved details.

Reason: In the interests of highway safety and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policy CP3, Development Management Document (2015) policy DM15 and The Design and Townscape Guide (2009).

19 The rear access gate on Burnaby Road shall only be use in an emergency and at no other times whatsoever.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and The Design and Townscape Guide (2009).

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

Informatives

01 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.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

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

- 23 **17/02196/FULM - Tylers Avenue, Southend on Sea (Milton Ward)**
Proposal: Erect seven storey building comprising 21 self-contained flats with balconies and terraces and retain ground floor commercial unit (Flexible use Classes A1/A2/A3)
Applicant: Sky Eagle Properties Limited
Agent: Phase 2 Planning

WITHDRAWN

24 17/01319/FULM - Empire Theatre, Alexandra Street, Southend on Sea (Milton Ward)

Proposal: Erect four storey building comprising 24 self-contained flats with balconies and terraces, associated amenity space, form parking, form commercial units (Use Classes A1, A2 and A3) and a non-residential institution unit (Class D1) fronting Clarence Street at ground floor level

Applicant: Sky Eagle Properties Limited

Agent: Phase 2 Planning

Resolved:

(a) That the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager of Planning & Building Control be 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 secure the provision of:

- 5 affordable units comprising 3 affordable rent units and 2 shared ownership units. The mix to include 3 x 1 bedroom and 2 x 2 bedroom flats.
- a financial contribution towards secondary education provision of £9042.42 (index-linked), specifically for Eastwood Academy, which is payable prior commencement to the development

(b) 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:

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: 1267-01 Revision B; 1267-09; 1267-10 Revision J; 1267-11; 1267-12; 1267-13; 1267-14; 1267-15; 1267-24 Revision H; 1267-25 Revision G; 1267-03 Revision M; 1267-04 Revision L; 1267-05 Revision H; 1267-06 Revision H; 1267-27 Revision A; 1267-50 Revision C.

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

03 Notwithstanding the details shown on the plans submitted and 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 including facing materials, roof detail, windows, doors, including fire doors to the stairwells and commercial units, balustrading, fascia, soffits, balconies, balustrades, screening, fascia's, shopfronts and forecourt area have been submitted to and approved in writing by

the local planning authority. The works must then be carried out in full accordance with the approved materials, details and specifications before the dwellings or non-residential units hereby approved are first occupied.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009). Given the nature of the development propose, the details sought and the objectives of the condition it is fundamental that information required is provided prior to the commencement of any development.

04 Notwithstanding the details shown on the plans hereby approved no development shall take place, other than demolition ground and site preparation works, until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping for the site. This shall include details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of measures to enhance biodiversity within the site; details of the treatment of all hard and soft surfaces (including any earthworks to be carried out) and all means of enclosing and subdividing the site and/or any amenity areas.

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, Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

05 All planting in the approved landscaping scheme shall be carried out within the first available planting season following first occupation of any of the residential or commercial units within the development. Any 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. Hard landscaping and means of enclosure shall be implemented in full accordance with the approved scheme prior to occupation of any part of the development hereby approved.

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

06 The development shall not be occupied until 8 on site car parking spaces have been provided and made available for use in full accordance with drawing 1267-03 Revision M, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently maintained thereafter solely 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 DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

07 The development shall not be occupied until the secure, covered cycle parking spaces to serve the development as shown on drawing 1267-03 Revision

M have been provided at the site and made available for use for occupiers of the development in full accordance with the approved plans. The approved facility shall be permanently maintained thereafter.

Reason: To ensure the provision of adequate cycle parking and refuse storage in accordance with Policy CP3 of the Core Strategy (2007) and Policies DM3, DM8 and DM15 of Development Management Document (2015).

08 Prior to the occupation of any of the residential units within the development hereby approved, each dwelling shall be provided with a Residential Travel Information Pack, containing information on public transport services within the area, which has been previously submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainability and highways efficiency in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP1, KP2, KP3 and CP3 and Development Management Document (2015) Policy DM15.

09 No part of the mixed use development hereby approved shall be occupied until a waste management 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 solely in accordance with the approved details which shall include details of refuse storage facilities and waste servicing arrangements.

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).

10 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the building hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify all windows in the proposed buildings that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight opening and the manner and design in which these windows are to be implemented. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

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).

11 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the building hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design,

materials and location of all privacy screens to be fixed to the proposed buildings. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

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).

12 No extraction and ventilation equipment for the proposed non-residential uses shall be installed until and unless full details of its location, design and technical specifications and a report detailing any mitigation measures proposed in respect of noise and odour impacts has been submitted to, and approved in writing by, the Local Planning Authority. The installation of extraction equipment shall be carried out in full accordance with the approved details and specifications and any noise and odour mitigation measures undertaken in association with the agreed details before the extraction and ventilation equipment is brought into use. With reference to British Standards 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 facades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

13 The noise mitigation measures outlined in the Environmental Noise Assessment Report No. dB/Phase2/91064Noise/ML/001 dated 26th June 2017 to protect future residents of the building from the impact of vehicular noise along Alexandra Street and Clarence Street and noise from surrounding commercial activity including glazing and ventilation measures shall be implemented in their entirety prior to occupation of the dwellings hereby approved and shall be maintained in perpetuity thereafter.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

14 The non-residential units hereby approved shall not be open for customers outside the following hours: - 0700 hours to 2300 hours on any day.

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 (2015).

15 The development shall not be occupied until a waste management plan and service delivery 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: 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).

16 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 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, development shall stop and 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 Core Strategy (2007) Policies KP2 and CP4 and Policies DM1 and DM14 of the Development Management Document (2015).

17 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 the building regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 22 flats comply with building regulation part M4(2) 'accessible and adaptable dwellings' standard.

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, (2012), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1, DM8 and Design and Townscape Guide (2009).

18 Details of the external lighting to be installed in the development hereby approved including for the public right of way within the application site shall be submitted to and approved in writing by the local planning authority before any part of the development is first occupied or brought into use. Development shall

be carried out in accordance with those approved details before the development is occupied or brought into use.

Reason: In the interest of the safety and amenities of the 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 DM3 of the Development Management Document (2015).

19 Prior to occupation of the development hereby approved 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 any part 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 the Design and Townscape Guide (2009).

20 Prior to occupation any part 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 shall 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 (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Councils Design and Townscape Guide (2009).

21 The drainage infrastructure associated with the development hereby approved shall be carried out in accordance with the Sustainable Urban Assessment carried out by Cannon Consulting Engineers reference CCE/U641/SWA-01 dated June 2017 before it is occupied. The sustainable drainage system shall be installed before occupation of the building and managed and maintained thereafter in perpetuity in accordance with the agreed drainage measures contained within the assessment.

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).

22 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 construction works that does not allow for the burning of waste on site.

Reason: A pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

23 The outdoor seating area for the non-residential uses as shown on drawing 1267-03 Revision M hereby approved shall not be open for customers outside the following hours: - 0700 hours to 1900 hours on any day.

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 (2015).

24 Prior to occupation of the residential development hereby approved the D1 (community use) unit fronting Clarence Street as shown on drawing 1267-03 Revision M shall be fitted out and made fully available for future occupiers in accordance with details which shall have been previously submitted to the Local Planning Authority and agreed in writing.

Reason: To safeguard the character and amenities of the area and in particular to protect the amenities of nearby residential properties and the community use within the Borough, in accordance with Policy PA6 of the Southend Central Area Action Plan (2018), Policies KP2, CP4 and CP6 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015).

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

Reason: In order to protect the amenities of 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).

26 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any revocation, amendment or adaptation of these orders which for the time being maybe in force, the use class D1 unit hereby approved fronting Clarence Street designed for occupation for Class D1 Community purposes, as shown on drawing 1267-03 Revision M shall solely be used for purposes as an art gallery, museum or hall and for no other purpose without the receipt of express planning permission from the Local Planning Authority.

Reason: To ensure the unit is maintained in community uses to comply with Policy CP6 of the Core Strategy (2007) and Policy PA6 of the Southend Central Area Action Plan (2018).

27 The rating level of noise for internal activities (including amplified and unamplified music and human voices) at the site shall be at least 10dB(A) below the background noise level (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 shall be carried out by a suitably qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.

Reason: To protect the amenities of the occupiers from undue noise and disturbance in order to protect their amenities in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 29th June 2018 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 would not provide for affordable housing or education provision and that as such the proposal would be unacceptable and contrary to Policies KP2, KP3, CP6 and CP8 of the Core Strategy (2007).

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.

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

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 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

04 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.

05 As part of the Residential Information Pack required under condition 8 future occupiers' attention should be drawn to the low level of on-site car parking included within the development.

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.

25 18/00669/FULM - St Bernards High School, Milton Road, Westcliff on Sea (Milton Ward)

Proposal: Demolish existing temporary classroom and garage/store, erect three storey extension to form 8 additional classrooms, erect lean to store, form hardstanding, layout parking and install new boundary gate

Applicant: St. Bernard's High School

Agent: Ingleton Wood LLP

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 hereby permitted shall be carried out in accordance with the approved plans SBHSCE-IW-XX-00-DR-A-1000 Revision P2; 1/001 Topographical Survey; SBHSCE-IW-XX-00-DR-A-1200; SBHSCE-IW-XX-00-DR-A-1100; SBHSCE-IW-XX-00-DR-A-2400_D5 Revision P3; SBHSCE-IW-XX-01-DR-A-2401_D5 Revision P3; SBHSCE-IW-XX-00-DR-A-2500_D5 Revision P2; SBHSCE-IW-XX-00-DR-A-2501_D5 Revision P1; SBHSCE-IW-XX-01-DR-A-2502_D5_P1.

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

03 The development shall only be carried out in accordance with the details of materials as detailed on the materials schedule and supporting information entitled "Ingleton Wood St Bernard's High School" dated 30th April 2018 and drawing SBHSCE-IW-XX-00-DR-A-2500_D5 Revision P2 and SBHSCE-IW-XX-XX-DR-A-2502_D5 Revision P1 including Bower Buff Multi brickwork to the external elevations, aluminium windows and doors Comar Architectural Aluminium Systems, Marley Eternit Slate Tiles to the roof, Canopy-Aluminium frame, concrete flagstones and parking areas to be porous tarmac, Harling Security Gates black 4.1m, Bower Buff Multi brickwork boundary wall detail to match existing received 10th May 2018.

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.

04 Planting of a Virginia Creeper Plant and two Crataegus Prunifolia Trees in accordance with the approved drawing SBHSCE-IW-XX-00-DR-A-2400_D5 Revision P3 shall be carried out within the first planting season following first occupation of the development.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

05 Prior to first occupation of the development hereby approved, a Travel Plan including a comprehensive survey of all users, targets to reduce car journeys to school, details of local resident involvement in the adoption and implementation of the travel plan, identifying sustainable transport modes including cycling and modes of public transport and measures to reduce car usage shall be submitted to and agreed in writing by the local planning authority. The approved Travel Plan shall be fully implemented prior to first use of the development hereby approved and be maintained thereafter in perpetuity. For the first three years at the end of each academic year a document setting out the monitoring of the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified issues and timescales for doing so must be submitted to and approved in writing by the local planning authority. The agreed adjustments shall be implemented in accordance with the agreed conclusions and recommendations.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policy DM15, and Design and Townscape Guide (2009).

06 The 50 cycle spaces to serve the development shall be implemented in accordance with drawings SBHSCE-IW-XX-00-DR-A-2400_D5 Revision P3, Bike Dock Solutions Two Tier Customer Drawing and Hammersmith Shelter Customer Drawing received 14th May 2018 prior to first occupation of the development hereby approved and shall be permanently maintained thereafter.

Reason: To ensure that adequate cycle parking and waste storage 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).

07 On site renewable energy provision shall be implemented at the development in accordance with the Energy Strategy Statement dated 10th May 2018 carried out by Ingleton Wood and drawing SBHSCE-IW-XX-01-DR-A-2401_D5 Revision P3, shall be prior to occupation of the development hereby approved. This provision shall be made for the lifetime of the development.

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 (2012), Policy KP2 of the Core Strategy (2007) and the Design and Townscape Guide (2009).

Development shall be implemented in full accordance with the mitigation measures and recommendations as set out in the Archaeological Desk Based Assessment carried out by Allen Archaeology dated April 2018. If during the course of the development, any archaeological remains are found which have not been identified previously, the developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority.

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

09 Construction and demolition shall only take place between 0800 and 1800 Monday to Friday 0800 and 1300 Saturday 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), Core Strategy (2007) Policies KP2 and CP4, and Policies DM1 and DM3 of the Development Management Document (2015).

10 No plant or equipment shall be installed on the external elevations or roof of the approved development unless and until details of its location, design and specifications have first been agreed in writing with the Local Planning Authority.

Reason: To control the visual and noise impact and the consequent effect on local amenity in accordance with Core Strategy (2007) policies KP2 and CP4, Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Design and Townscape Guide (2009).

11 The development shall not be occupied until 7 on site car parking spaces have been provided and made available for use in full accordance with drawing SBHSCE-IW-XX-00-DR-A-2400_D5 Revision P3, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently maintained thereafter solely for the users 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 DM15 of the Council's Development Management Document (2015) and Policy CP3 of the Core Strategy (2007).

Informative

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

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

03 You are recommended to contact Cadent's Gas Plant Protection Team for approval before carrying out any works on site email plantprotection@cadentgas.com or telephone 0800688588

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.

- 26 **18/00480/FUL - 241 Carlton Avenue, Westcliff on Sea (Prittlewell Ward)**
Proposal: Change of use from existing dwellinghouse (Class C3) to a seven bedroom HMO (Sui Generis), erect single storey rear extension, dormers to front and rear and convert loft into habitable accommodation, alterations to front and side elevations, layout parking, cycle and bin stores to rear and install wheelchair ramps to front, side and rear.
Applicant: Mr Hughes
Agent: RD architecture Ltd.

WITHDRAWN

27 **17/02074/FUL - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea (Milton Ward)**

Proposal: Change of use of ground floor shop (Class A1) to community hub for age concern (Class D1), change of use of first floor from shop (Class A1) to Assembly and Leisure use (Class D2) and replace external staircase to rear, infill window to rear, install 2 rooflights and 2 roof lanterns to single storey flat roof to rear.

Applicant: Age Concern Southend CIO

Agent: Metson Architects Ltd

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

01 The development hereby permitted shall begin not later than three years of 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 TP-X01B, TP-X02, TP-01D, TP-02, TP-03

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

03 The proposed roof lights; lantern and replacement external staircase to the rear roof shall be constructed of glass and black painted metal.

Reason: To safeguard the significance of the listed building 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 The infilling of the window to the first floor rear shall only be carried out using reclaimed brick and lime mortar to match the existing building.

Reason: To safeguard the significance of the listed building 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 The development hereby approved shall not be occupied or brought into use until refuse and recycling storage facilities are provided in full at the site in accordance with those shown on approved drawing reference TP-03. The refuse and recycling facilities shall be permanently maintained 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 (2007) and Policy DM15 of the Development Management Document (2015) 2015.

06 The development hereby approved 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 and shall be maintained 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).

07 Details of all extraction and ventilation equipment to be installed at the site together with a noise assessment including any necessary mitigation measures shall be submitted to, and approved by, the Local Planning Authority before the use hereby approved is commenced. The installation of extraction equipment shall then be carried out in accordance with the approved details before the use hereby approved is commenced. With reference to British Standard 4142 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 facades and 1m from all other facades 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 (2007) and Policies DM1 and DM3 of the Development Management Document 2015.

08 The uses hereby permitted shall not be open to customers outside the following times: 09:00 to 20:00 on Mondays to Sundays including bank holidays.

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

09 No deliveries or refuse collection shall be taken at or despatched from the uses hereby approved outside the hours of 08:00 to 19:00 hours 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 the 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).

10 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 surrounding occupiers and to protect the character 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).

11 Before the development hereby permitted is brought into use a scheme detailing the provisions to be made to achieve inclusive access for all members of the community into and around the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the scheme approved under this condition prior to the first occupation of the development and thereafter be maintained and managed in accordance with the approved scheme.

Reason: To ensure that the development is accessible for all members of the community and to comply with development plan policy.

12 The only toilets to be installed in the development hereby approved shall be dual flush (6 to 4 litres) toilets and all taps fitted in the development shall be spray or flow restricted taps.

Reason: To encourage the efficient use of water in accordance with development plan policy.

Informatives

01 The applicant is advised that any new signage is also likely to require Advertisement Consent and Listed Building Consent.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

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.

28 **17/02075/LBC - Havens, 138 - 140 Hamlet Court Road, Westcliff on Sea (Milton Ward)**

Proposal: Change of use of ground floor shop (Class A1) to community hub for age concern (Class D1), change of use of first floor from shop (Class A1) to Assembly and Leisure use (Class D2) and replace external staircase to rear, infill window to rear, install 2 rooflights and 2 roof lanterns to single storey flat roof to rear.

Applicant: Age Concern Southend CIO

Agent: Metson Architects Ltd

Resolved: That listed building consent be GRANTED subject to the following conditions:

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

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

02 The development hereby permitted shall be carried out in accordance with the following approved plans TP-X01B, TP-X02, TP-01D, TP-02, TP-03, TP-04, TP-05D, TP-07, TP-08, TP-09, TP-10A, TP-11A, TP-12A, TP-13, TP-14, TP-15A

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

03 The proposed roof lights, lantern and replacement external staircase to the rear roof shall be constructed of glass and black painted metal.

Reason: To safeguard the significance of the listed building 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 The infilling of the window to the first floor rear shall only be carried out using reclaimed brick and lime mortar to match the existing building.

Reason: To safeguard the significance of the listed building 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 No works approved by this consent shall take place until detailed drawings and details of materials to be used for the ground floor reception counter and the server counters at ground and first floor levels at scales of 1:20, 1:10 or 1:1 as appropriate have been submitted to and agreed in writing by the local planning authority. The works shall only be carried out in accordance with the approved details.

Reason: To safeguard significance of the listed building 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 No works approved by this consent shall take place until detailed drawings and details of materials, including ironmongery, for the new internal door and door surrounds to the ground floor access to single storey section, all the doors to the first floor office/computer/darts area and the new door to the 2nd floor staircase lobby area at scales of 1:20, 1:10 or 1:1 as appropriate have been submitted to and agreed in writing by the local planning authority. The works shall only be carried out and in accordance with the approved details.

Reason: To safeguard significance of the listed building 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 advice contained within the Southend Design and Townscape Guide (2009).

07 No works approved by this consent shall take place until details of the proposed air conditioning units within the new ground floor partitioned space and any ventilation and extraction equipment to be installed at the site have been 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 significance of the listed building 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 advice contained within the Southend Design and Townscape Guide (2009).

08 No works approved by this consent shall take place until details of the proposed water connections and light fittings for the new ground floor facilities within the partitioned space including public health, hairdressing, meeting rooms, bereavement, advocacy, and chiropody, have been submitted to and agreed in writing by the local planning authority. The works shall only be carried out and in accordance with the approved details.

Reason: To safeguard significance of the listed building 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 advice contained within the Southend Design and Townscape Guide (2009).

Informatives

01 The applicant is advised that it will be required to reuse the existing doors and ironmongery at first floor as appropriate.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

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.

29 18/00382/FUL - 117 -119 Hamstel Road, Southend on Sea (Southchurch Ward)

Proposal: Convert ground floor shop (Class A1) and vacant first floor accommodation into a 10 bedroom HMO (Sui Generis), erect two storey rear extension, alter front and side elevations and layout parking to rear (amended proposal)

Applicant: Higgins Property Investments Limited

Agent: BGA Architects

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

01 The proposed development by reason of its design, scale and the proposed intensity of the use with 10 bedrooms, 5 car parking spaces and up to 18 residents living in the building, would result in material harm to the residential amenity of the adjoining residents in terms of noise and disturbance. The development is therefore unacceptable and contrary to 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).

02 The proposed development by reason of the extremely limited internal communal living accommodation being provided, the limited size and poor quality of the external amenity space provided, the inconveniently located refuse facilities and as a result of the ground floor rooms being materially overlooked and providing lack of privacy, would provide substandard living conditions for the future occupiers of the site and a poor quality residential environment. The proposal is therefore unacceptable and contrary to the 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 advice contained within the Design and Townscape Guide (2009).

03 The proposal would provide insufficient parking facilities to meet the needs of the development, resulting in an increase in on-street parking to the material detriment of highway safety and the free flow of traffic. The development is therefore unacceptable and contrary to the National Planning Policy Framework, Policy CP3 of the Core Strategy (2007) and Policy DM15 of the 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. 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

Informatives

01 A large HMO falls outside of Use Classes C3 and C4 and constitutes a sui generis use. However, the use is residential in character and therefore the change of use from a dwellinghouse to a large HMO would not represent a CIL liable change of use.

- 30 18/00341/OUTM - 9 Elmer Approach, Southend on Sea (Milton Ward)**
Proposal: Erect additional three floors forming 108 room hotel on top of an existing 10-storey building, alterations to elevations and extension to lift shaft and staircase (outline)
Applicant: Southend Point Ltd
Agent: Mr Patel

Resolved: That outline planning permission be GRANTED subject to the following conditions:

01 In as far as they relate to the scale, layout and appearance of the development hereby approved, the development shall be carried out in accordance with the approved plans: 01 (22.09.2017), 02 (29.04.2018), 08 (18.03.2018), 09 (18.03.2018), 10 (02.08.2017), 11 (18.03.2018), 12 (09.05.2018), 13 (09.05.2018), 14 (09.05.2018), 15 (09.05.2018), 17 (09.05.2018).

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

02 Details of the landscaping and access (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved under the reserved matters. 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.

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved no development shall be undertaken until samples and full details of all materials to be used on the external elevations including full details of the cladding (including exact colours specifications), windows, box features and window reveals 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 first brought into use.

Reason: This pre-commencement condition is required 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), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved no development shall be undertaken until full details of the secure, covered cycle parking for no less than 140 cycles and the refuse and recycling storage for the development have been submitted to and approved in writing by the local planning authority. The approved cycle parking and refuse storage facilities shall be provided in full and made available for use for the development prior to the first use of the development hereby approved and be retained as such in perpetuity.

Reason: This pre-commencement condition is required to ensure that satisfactory secure off-street bicycle parking is provided and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and the guidance contained in the Design and Townscape Guide (2009).

05 The development hereby approved shall not be brought into use until a scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the hotel 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 Design and Townscape Guide (2009).

06 The development hereby approved shall not be first used until full details of the water efficient design measures including for taps, toilets and showers have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the hotel. 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, Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and the Design and Townscape Guide (2009).

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved the overall height of the building as extended, including any aerials, plant or other structures must not exceed 56.45 Above Ordnance Datum.

Reason: In the interests of aircraft safety and the safe operation of London Southend Airport in accordance with the National Planning Policy Framework and Policy DM4 of the Development Management Document (2015).

08 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 including but not limited to plant,

satellite, radio antennae or telecommunications equipment shall be installed on the building or on the external elevations or roof of the development hereby approved unless and until express permission has been obtained beforehand from 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 (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

09 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).

10 The development hereby approved shall not be first used until a travel plan which promotes sustainable transport for all staff has been submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented in full prior to the first use of the development hereby approved and shall thereafter be maintained in perpetuity.

Reason: In the interests of sustainable travel in accordance with the National Planning Policy Framework, Policy CP3 of the Core Strategy (2007) and Policy DM15 of the Development management Document (2015).

11 The development hereby approved shall not be first used until a waste management plan has been submitted to and approved in writing by the Local Planning Authority. The waste management plan for the site shall be carried out in accordance with the approved details from the first commencement of the use.

Reason: To ensure 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).

12 Notwithstanding the details shown on the plans submitted and otherwise hereby approved no development shall be undertaken until noise mitigation measures have been submitted to an approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details before the development is brought into first use.

Reason: This pre-commencement condition is required in the interests of the amenity of nearby residents. This is as set out in the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the Design and Townscape Guide (2009).

13 No development shall take place, 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 construction works that does not allow for the burning of waste on site.

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

14 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), the use of the 10th, 11th and 12th floors hereby approved shall be used as a hotel only and for no other purposes.

Reason: Required in the interests of the amenity of nearby residents as set out in the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3, and the guidance contained within the 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 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 Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded by London Southend Airport separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority. Any crane application should be directed to sam.petrie@southendairport.com / 01702 538521.

03 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

04 For the avoidance of doubt this permission does not provide any consent for the advertisements shown on the approved plans. Separate advertisement consent is required for the advertisements shown on the approved plans.

05 In relation to condition 3 and for the avoidance of doubt the applicant is hereby advised that the garish brand colouring shown on the submitted plans is unacceptable and must be reconsidered in any applications for future approval of details to discharge condition 3.

- 31 18/00579/FULH - 27 Glenbervie Drive, Leigh on Sea (Blenheim Park Ward)**
Proposal: Erect first floor extension to form two storey dwellinghouse, first floor extension to existing rear extension and alter elevations
Applicant: Mr and Mrs Kantor
Agent: A9 Architecture

Resolved: That planning permission be GRANTED subject tot 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 – 1097 00, 01A, 06F, 07F, 08F, 011F

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

Reason: To safeguard the visual amenities of the area, in accordance with National Planning Policy Framework (2012), Core Strategy (2007) Policy CP4, Policy DM1 of Development Management Document (2015) and Design and Townscape Guide (2009).

04 The proposed windows at first and second floor to the western 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 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 finished 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.

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

Informatives

01 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.

02 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.

You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

32 17/00009/UNAC_B - 74 Undercliff Gardens, Leigh on Sea (Leigh Ward)
Breach of Control: The installation of clear glazed side panels to balconies & non installation of obscure glazed panels to ground floor north aspect in breach of condition 3 of planning approval 15/01606/AMDT granted under appeal Ref APP/D1590/W/16/3144896

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the installation of permanent obscure glazing to the north and south balconies in accordance with approved plan b500 and condition 3 of appeal decision APP/D1590/W/16/3144896 dated 18th May 2016.

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

When serving an Enforcement or Breach of Condition Notice the local planning authority must ensure a reasonable time for compliance. In this case a

compliance period of 8 weeks is considered reasonable for the installation of suitable obscured glass.

Taking enforcement action in this case may amount to an interference with the owners' and/or occupiers' Human Rights. However, it is necessary for the local planning authority to balance the rights of the owners and/or occupiers against its legitimate aims 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 on the grounds set out in the formal recommendation.

- 33 18/00484/FULM - Riley's, 258 Leigh Road, Leigh on Sea (Leigh Ward)**
Proposal: Demolish existing building and erect 5 storey building incorporating 21 self-contained flats with balconies/terraces, layout parking and cycle stores at basement level, refuse store and amenity space (Amended Proposal)
Applicant: Property Generation Services Limited
Agent: Pomery Planning Consultants

Resolved:

(a) That the Deputy Chief Executive (Place), Director of Planning and Transport or Group Manager of Planning & 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 secure the provision of:

- a financial contribution for affordable housing of £192,760.61 (index-linked) in lieu of on-site provision, which is payable prior to occupation of the 7th dwelling
- a financial contribution towards secondary education provision of £35,039.39 (index-linked), to be used towards the expansion of St Bernard's High School which is payable prior to occupation of the 7th dwelling

(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: 2408 01, 2408 02, 24087 03, 2408 04, 05, 06, 07, 08, 09, 10, 2408Doc 01, 2408DoC 02

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

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the lower 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 balconies, balustrades, screening and fenestration, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above the lower ground floor (parking) floor slab level shall take place until full details of both hard and soft landscape works proposed for the site, including any green walls or green roof, 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 (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, 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 approved hard landscaping works shall be carried out prior to first occupation of the development hereby approved and the soft landscaping works within the first planting season following first occupation of the development.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the proposed development in accordance with Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

05 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development. The landscaping of the site shall be managed in accordance with the approved plan in perpetuity.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the proposed development in accordance with Policies DM1, DM3 and DM8 of the Development Management Document (2015) and Policies KP2 and CP4 of the Core Strategy (2007).

06 The development shall not be occupied until space has been laid out within the site in accordance with drawing No. 2408 03 for 22 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 shall be permanently retained thereafter solely for the parking of occupiers and visitors to the development.

Reason: To ensure the adequate provision of parking at the site in accordance with policy DM15 of the Development Management Document (2015).

07 Notwithstanding the details shown in the plans submitted and otherwise hereby approved none of the building hereby granted consent shall be occupied unless and until plans and other appropriate details are submitted to the Local Planning Authority and approved in writing which specify the size, design, materials and location of all privacy screens to be fixed to the proposed buildings. Before the buildings hereby approved are occupied the development shall be implemented in full accordance with the details and specifications approved under this condition and shall be permanently retained as such thereafter.

Reason: In the interests of the residential amenity of the adjoining residents and to ensure that the development complies with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and The Design and Townscape Guide (2009).

08 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).

09 Prior to the first occupation of the dwellings hereby approved, the cycle parking facilities shall be provided as shown in drawing numbers 2408 03 and 2408DoC 01 and thereafter be permanently retained for cycle parking to serve the occupiers of the development.

Reason: To ensure that satisfactory cycle parking facilities are provided at the site in the interest of sustainability and amenity in accordance with the National Planning Policy Framework (NPPF), Core Strategy (2007) Policy KP2, Policies DM1 and DM8 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

10 The development hereby approved shall be undertaken in strict accordance with the approved Health and Safety Plan undertaken by Franklin Demolition Ltd dated 6/11/17.

Reason: In the interests of the amenities of the adjoining occupiers and to ensure highway safety pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

11 Prior to occupation of the development hereby approved water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lppd) (110 lppd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such

as grey water and rainwater harvesting shall be installed in the development hereby approved and be retained in perpetuity thereafter.

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 the Councils Design and Townscape Guide (2009).

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 first occupied. The development shall be carried out in accordance with the approved details before the development is occupied or brought into first use. No additional external lighting shall be installed on the building without the prior written consent of the local planning authority.

Reason: In the interests 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 (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

13 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).

14 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 development and surrounding area and airport safety in accordance with policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

15 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 comply with building regulation M4 (3) 'wheelchair user dwellings' standard and the remaining 19 flats comply with building regulation part M4(2) 'accessible and adaptable dwellings' standard.

Reason: To ensure the residential units hereby approved provide 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, and Development Management Document (2015) Policy DM2 and the Design and Townscape Guide (2009).

16 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 first occupation of the development. This provision shall be made for the lifetime of the development and in accordance with the agreed details.

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 Design and Townscape Guide (2009).

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 4th July 2018 or an extension of this time as may be agreed by 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 affordable housing or education provision. As such, the proposal would be unacceptable and contrary to Policies KP1, KP2, KP3, CP6 and CP8.

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 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 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.

04 Please note that if you require a crane or piling rig to construct the proposed development, this will need to be safeguarded by London Southend Airport separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority. Any crane application should be directed to sam.petrie@southendairport.com / 01702 538521.

05 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

06 For the avoidance of doubt the artificial green wall proposed is unacceptable and is not permitted by this approval.

- 34 17/02183/RESM - 939 London Road, Leigh on Sea (Blenheim Park Ward)**
Proposal: Approval of reserved matters including details of appearance, landscaping pursuant to outline planning permission 17/00563/OUTM dated 26.10.2017 to 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
Applicant: Emex International
Agent: Third Dimension Arch. Design Ltd

Resolved: That the reserved matters be APPROVED subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with plans 100, 200A, 201C, 250B, 251B, 252A First Floor, 252B Second Floor, 254 Third Floor, 255B, 256B; 257B, 258, 259, 601A, 262A, 260, 261, 263, 264, 265, 266.

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

02 The development shall be carried out solely in accordance with the material schedule received on the 2nd May 2018, drawings 201c, 260, 261, 262a, 263, 264, 265 and 601A including Sika-Trocal to the roof; Marley Equitone (natura) Cladding in Classic Grey, Soft Grey, Chalk Grey and Pale Mist; Facing brickwork- Ibstock Arden Red (main façade), Ibstock Arden Grey (recessed areas); windows and doors SAPA Aluminium windows and doors (Grey RAL 7012), Balustrades and Balconies Q Railing (Stainless Steel); Parapet Capping- Metal capping (RAL 7012), Tarmacadam, 'Silver Grey' concrete setts, timber decking, Marshalls 600mm x 600mm 'Monopave', Marshalls 145mm x 255mm conservation kerb in 'Silver Grey' and 50mm blue slate chippings (nominal grade

30mm-50mm) to finish front planting beds prior to occupation of any development hereby approved.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the Design and Townscape Guide (2009). Given the nature of the development propose, the details sought and the objectives of the condition it is fundamental that information required is provided prior to the commencement of any development.

03 The hard and soft landscaping shall be undertaken in accordance with the approved details as shown on drawing 601a. The approved hard landscaping works shall be fully completed prior to first occupation of the development hereby approved and the soft landscaping works shall be completed within the first planting season following first occupation of the development and maintained in perpetuity thereafter.

Reason: To safeguard the character and appearance of the surrounding area and the amenities of the occupants of the proposed development in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3, DM5 and DM8 of the Development Management Document (2015).

04 A 1.5m high obscure glazed privacy screen to the edge of the communal terrace as shown on drawing 252B adjacent to number 24 Darlington Grove shall be installed prior to the first occupation of the residential flats hereby approved, unless otherwise agreed in writing by the local planning authority. The privacy screen shall be permanently retained 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).

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.

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

02 The applicant is reminded the outline permission 17/00563/OUTM is governed by a legal agreement between the applicant and Southend Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to: 1. Affordable housing, 2. Education, together with the conditions detailed on the decision notice.

03 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

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.

- 35 16/01723/DOV5 - Marine Plaza, Land between Southchurch Avenue and Pleasant Road fronting Marine Parade, Southend on Sea (Kursaal Ward)**
Proposal: Modification of planning obligation (Section 106 agreement) dated 22nd July 2015 pursuant to application 14/01462/FULM to reduce the requirement to provide affordable housing
Applicant: Inner London Group
Agent: Christopher Wickham of Christopher Wickham Associates

Resolved: That the MODIFICATION OF THE PLANNING OBLIGATION dated 22nd July 2015, pursuant to planning application 14/01462/FULM to provide a financial contribution for affordable housing of £300,000 (index-linked) in lieu of on-site provision, be REFUSED for the following reason:

01 Council policies require residential development proposals to make sustainable use of land and resources, and are expected to contribute to local housing needs including affordable housing provision. The proposed modification fails to make optimum and sustainable use of the land, which would have a significantly detrimental effect in terms of the delivery of affordable housing, for which there is a recognised need in the Borough. This is unacceptable and contrary to the National Planning Policy Framework (March 2012) and the objectives of policy KP2, KP3, and CP8 of the Council's Core Strategy (December 2007).

36 18/00254/FUL - W5, The Shore, 22 - 23 The Leas, Westcliff on Sea (Chalkwell Ward)
Proposal: Form new vehicular access onto The Leas
Applicant: Westbrook Properties
Agent: SKArchitects

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

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 With the exception of the overall width of the crossover which shall not exceed 4.8m, the development hereby permitted shall be carried out in accordance with the approved plan 411-01-17-L01A.

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan and to ensure that the development is completed in the interests of highway safety, in accordance with policies CP3 and CP4 of the Core Strategy (2007), policy DM1 and DM15 of the Development Management Document (2015) and guidance contained within the Vehicle Crossing Policy & Application Guidance (2014).

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

Informatives

01 You are advised that as the proposed alterations to your property do not result in new floorspace and the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

02 It should be noted that the applicant will be required to contribute to the traffic regulation order to amend the parking spaces to the front of the site to ensure that on-street parking is not lost as a result of the proposal. For more information please contact Southend Borough Council's Highways Department on 01702 215003.

03 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party

responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

37 17/01574/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea (Chalkwell Ward)

Proposal: Form additional self-contained flat to sixth floor with terrace

Applicant: Westbrook Properties

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: 411-01-17 P10, 411-01-17 P11/A, SK100 revision 1, 411-01-17 P20, 411-01-17 P21, 411-01-17 P30, 411-01-17 P40, 411-01-17 P41, 411-01-17 P50, 411-01-17 P51, 411-01-17 P60, 411-01-17 P70, 411-01-17 P71

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), (Core Strategy) 2007 policy KP2 and CP4, Development Management Document (2015) policy DM1, and Design and Townscape Guide) (2009).

04 Prior to occupation of the development hereby approved details of energy efficiency and other sustainability measures to be included in the scheme, including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

05 Before the dwelling hereby approved is occupied, one parking space identified as currently unallocated within the existing on site car park as shown on drawing SK100 revision 1 shall be allocated to the occupier/s of the development hereby approved. The parking space identified shall be permanently retained thereafter for occupiers and visitors to that dwelling only.

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

06 Prior to commencement of development, details of the terrace privacy screen shall be submitted to and approved by the Local Planning Authority. The screen shall be installed in accordance with the approved details prior to first use of the balcony and shall be permanently retained thereafter.

Reason: To safeguard character and appearance of surrounding area and the amenities of neighbouring occupiers 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.

07 Prior to occupation of the development hereby approved, details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting 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 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 the guidance within the Design and Townscape Guide (2009).

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

Informatives

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. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

38 17/01716/FUL - The Shore, 22 - 23 The Leas, Westcliff on Sea (Chalkwell Ward)

Proposal: Form additional self-contained flat to eighth floor with terrace

Applicant: Westbrook Properties

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: 411-01-17 P10, 411-01-17 P11/A, SK100 Rev 1, 411-01-17 P21, 411-01-17 P22, 411-01-17 P30, 411-01-17 P41, 411-01-17 P42, 411-01-17 P52, 411-01-17 P53, 411-01-17 P61, 411-01-17 P72, 411-01-17 P73

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 Design and Townscape Guide) (2009).

04 Prior to occupation of the development hereby approved details of energy efficiency and other sustainability measures to be included in the scheme,

including the provision of at least 10% of the energy needs of the development hereby approved being provided from onsite renewable sources, shall be submitted to, agreed in writing by the Local Planning Authority and implemented on site in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

05 Before the dwelling hereby approved is occupied, one parking space identified as currently unallocated within the existing on site car park as shown on drawing SK100 revision 1 shall be allocated to the occupier/s of the development hereby approved. The parking space identified shall be permanently retained thereafter for occupiers and visitors to that dwelling only.

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

06 Prior to commencement of development, details of the terrace privacy screen shall be submitted to and approved by the Local Planning Authority. The screen shall be installed in accordance with the approved details prior to first use of the balcony and shall be permanently retained thereafter.

Reason: To safeguard character and appearance of surrounding area and the amenities of neighbouring occupiers 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.

07 Prior to occupation of the development hereby approved, details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting 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 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 the guidance within the Design and Townscape Guide (2009).

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

Informatives

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. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

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.

- 39 18/00329/ADV - Street Record, London Road, Southend on Sea (Victoria Ward)**
Proposal: Install non illuminated fascia signs to seven existing highways planters on London Road between Ashburnham Road and Brighton Road
Applicant: Southend Borough Council

Resolved: That advertisement consent be GRANTED subject to the following conditions:

01 This consent is granted for a period of 5 years beginning from the date of this consent.

Reason: To comply with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

02 The advertisements shall be displayed in accordance with the approved plans: Location Plan, Proposed Planter Sign Plan and Elevations, Sign Detail

Reason: To ensure that the advertisements are displayed in accordance with the policies in the Development Plan.

03 (a) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

(c) Where any advertisement is required under the Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including coastal waters) or aerodrome (civil or military).

Reason: Required to be imposed to comply with Regulation 14 of the Town and Country Planning (Control of Advertisements) Regulations 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.

Chairman: _____