

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 9th December, 2015

Place: Committee Room 4a - Civic Suite

Present: Councillor Crystall (Chairman)
Councillors Assenheim (Vice-Chairman), Ayling, Borton, Butler, Evans, Folkard, D Garston, Hadley, McGlone, McMahon, Robinson, Van Looy and Walker

In Attendance: D Hermitage, P McIntosh, J Rowley, M Warren, T Row and J K Williams

Start/End Time: 2.00 p.m. - 3.45 pm

502 Apologies for Absence

No apologies for absence were received.

503 Declarations of Interest

The following interests were declared at the meeting:

(a) Councillor Crystall – Minute (a) Application No. 15/01189/FULM: Southend High School for Boys – Non-pecuniary interest: Old Southendian;

(b) Councillor Crystall – Minute (c) Application No. 15/01449/FULM: Southend University Hospital – Non-pecuniary interest: Governor appointed by the Council;

(c) Councillor Folkard – Minute (c) Application No. 15/01449/FULM: Southend University Hospital – Non-pecuniary interest: Ambassador for fundraising dept.at the Hospital and is on the reading panel for information leaflets at the Hospital.

(d) Councillor Van Looy – Minute (f) Application No 10/01512/FUL: 10 Beresford Road, Southend – Non-pecuniary interest: Sister-in-law lives in the road.

504 Reports on Planning Applications

The Committee received reports of the Corporate Director for Place which reported on applications which had been deposited with the Council.

The Committee also had be for it a supplementary report by the Corporate Director for Place that provided additional information on items referred to elsewhere on the Agenda.

The decision of the Committee in relation to each application is set out below:-

(a) Prittlewell Ward
15/01189/FULM

Erect two storey linked infill extension to North West corner, re-configure existing driveway and layout parking, re-position port-a-cabin erect new gates and form new access onto Prittlewell Chase

Southend High School for Boys, Prittlewell Chase, Westcliff-on-Sea, Essex, SS0
0RG
Southend High School For Boys
Rees Pryer Architects LLP

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

Planning permission REFUSED for the following reasons:

01 The proposal fails to provide adequate onsite parking for students which would lead to additional on-street parking in an area of extreme parking stress, and would result in traffic movements that would be detrimental to the flow of traffic. This is contrary to policy CP3 of the Southend on Sea Core Strategy and DM15 of the Development Management DPD.

(b) Chalkwell Ward
15/01125/FULM

Demolish ancillary buildings to existing school and convert and extend main building to form 14 self-contained flats and erect 4 three storey terraced dwelling houses with associated amenity space, hard and soft landscaping, layout 24 parking spaces, cycle and bin store and extend existing vehicle crossover
Former St Hilda's School, 13 - 15 Imperial Avenue, Westcliff-on-Sea, SS0 8NE
CDC Limited
Pomery Planning Consultants Ltd.

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

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

1. £10,000 Off-Site Affordable Housing contribution.

(b) The Corporate Director for Place, Head of Planning or Head of Planning and Transportation 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 begin no later than 3 (three) years from the date of this decision. (C01A)

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

02 The development hereby permitted shall be carried out in accordance with the approved plans: 6271-1110-B, 6271-1320-A, 6271-1230-A, 6271-1501-A,

6271-1601-A, 6271-1330A, 6271-1300-, 6271-1102-, 6271-1321, 6271-1331, 6271-1105, 6271-1200, 6271-1210, 6271-1220-Rev C.

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

03 No development shall take place until samples of the materials to be used on the external elevations of the dwellings, on any screen/boundary walls, fences and gates, balustrades and on any driveway, access road, forecourt or parking area have been submitted to and approved by the local planning authority. Details of the proposed boundary treatments shall be provided. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of the area and amenities of neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy, Policies DM1 and DM3 of the Development Management Document and the Design and Townscape Guide, 2009 (SPD1).

04 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping. This shall include details of all the existing trees and hedgerows on the site and details of any to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification (which shall include for semi-mature planting to the north boundary) , details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established; details of measures to enhance biodiversity within the site and details of the treatment of all hard and soft surfaces (including any earthworks to be carried out). The landscaping shall be implemented in accordance with the agreed details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the amenities of occupiers and neighbouring properties and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide, 2009.

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

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

06 Notwithstanding conditions 04 and 05 above, details of landscaping and enclosure to the proposed communal front garden area shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The proposed development shall be carried out and

permanently retained in accordance with the agreed details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that an acceptable, private and useable amenity space is provided for the amenities of future residents, pursuant to Policies KP2 and CP4 of the Core Strategy, Policy DM8 of the Development Management Document and the Design and Townscape Guide, 2009.

07 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.

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy, the Design and Townscape Guide (SPD1) and Development Management Document Policy DM2.

08 Prior to the first occupation of the development, all of the proposed car parking spaces including a suitable vehicular access shall be provided and permanently retained in accordance with the approved plans. The car parking spaces shall be permanently retained for occupants and visitors of the former St Hilda's School site (13-15 Imperial Avenue) and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide satisfactory off-street parking for the development, in accordance with Policy DM15 of the Development Management Document.

09 Prior to the first occupation of the development, details of the proposed cycle and bin stores 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.

Reason: To provide satisfactory cycle and refuse storage for future occupiers in accordance with Policies KP2 and CP4 of the Core Strategy, Policies DM14 and DM15 of the Development Management Document and the Design and Townscape Guide, 2009.

10 Prior to first occupation of the development a waste management plan for the development shall be submitted to and agreed by the Local Planning Authority. The waste management of the development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy DPD1 and Policy DM14 of the Development Management Document.

11 Any external lighting within the development shall be directed, sited and screened so as not to cause detrimental intrusion of light into the proposed and existing residential properties.

Reason: To protect the amenities of existing and surrounding occupiers in accordance with Core Strategy Policies KP2 and CP4 and Policies DM1 and DM7 of the Development Management Document.

12 Demolition or construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and general environmental quality in accordance with Core Strategy Policies KP2 and CP4 and Policy DM2 of the Development Management Document.

13 No burning of construction or demolition waste is to take place on the site.

Reason: To protect the amenities of neighbouring properties and general environmental quality in accordance with Core Strategy Policies KP2 and CP4 and Policy DM1 of the Development Management Document.

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

Reason: To ensure satisfactory drainage of the site in accordance with Policies KP2 and CP4 of the Core Strategy.

15 The proposed windows in the eastern elevation of Flat 105 (serving bedroom 2 and the en-suite) and the north facing dormer windows of Flat 203 (serving a bathroom and en-suite), shall only be glazed with obscure glass (the glass to be obscure glazed to at least Level 4 on the Pilkington Levels of privacy, or such equivalents as may be agreed in writing with the local planning authority). These windows shall be fixed shut and unopenable apart from any top hung lights which shall be a minimum of 1.7m above the internal floor area. In the case of multiple glazed units, at least one layer of glass in the relevant units shall be glazed in obscure glass.

Reason: To prevent overlooking of and loss of privacy to neighbouring occupiers at the east of the site, in accordance with Policy DM1 of the Development Management Document.

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

Reason: To safeguard the design and appearance of the dwellinghouses, in the interest of the standard of accommodation and to ensure that satisfactory amenity space remains for the amenities of future occupiers, in accordance with Policies KP2 and CP4 of the Core Strategy, Development Management

Document Policies DM1, DM3 and DM8 and the Design and Townscape Guide, 2009 (SPD1).

17 Prior to occupation all four dwellinghouses shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition) and a minimum of two dwellinghouses shall also comply with Building Regulations Optional Requirement Approved Document M4(3) Category 3: Wheelchair user dwellings (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that the internal environment of the proposed development is flexible to meet the changing needs of residents in accordance with Policy DM8 of the Development Management Document.

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

Informatives

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

02 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to Affordable Housing.

(c) Prittlewell Ward
15/01449/FULM

Erect second floor extension to existing tower block to form cardiac care unit
Southend University Hospital, Prittlewell Chase, Westcliff-on-Sea, Essex, SS0
0RY
Southend University Hospital NHS Foundation Trust
LSI Architects LLP

Planning permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the approved plans 140018-104; 140018-102; 140018-106; 140018-107; 140018-100; 140018-109.

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

03 No development shall take place until details including samples of the materials and colour to be used on the external elevations including the cladding, handrail, windows, roofing, have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In interests of visual amenity to ensure that the appearance of the building makes a positive contribution to the character and appearance of the and surrounding area in accordance with the NPPF, policies KP2 and CP4 of the Core Strategy and policy DM1 of the Development Management Document and the Design and Townscape Guide.

Informatives

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

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

The 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.

(d) Kursaal Ward

15/01390/LBC

Internal Alterations and Refurbishment (Listed Building Consent)

The Kursaal, Eastern Esplanade, Southend-on-Sea, Essex

MFA Bowl

Giarti Ltd

Listed Building Consent GRANTED subject to the following conditions:

01 The development must be begun not later than the expiration of two years beginning with the date of this consent.

Reason: To enable the circumstances to the reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (NPPF), DPD 1 (Core Strategy) Policy KP2 and CP4, Development Management Policy DM1 and SPD1 (Design and Townscape Guide).

02 The development hereby permitted shall be carried out in accordance with the approved plans 04F, 05D, 07E,009, 17B, 18A, 19, 21A, 22O, 30, 31

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

03 The archway behind the former sweet shop lobby frontage shall be retained and the new partition in this location shall be installed behind the archway.

Reason: To ensure that this feature is preserved and makes a positive contribution to the historic character of the main lobby area and to protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

04 Notwithstanding the provision within the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 the partitions within the main lobby area shall not contain advertising unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

05 The existing doors to the lobby area shall be retained except where they are shown as removed on the approved plans.

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

06 The archways to the lobby leading to the bowling centre where it is proposed to remove the doors shall be made good to match the existing. The adult gaming partition on this side shall be sited so that the profile of the arch is maintained to ground level.

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

07 Notwithstanding the details noted on the approved plans, prior to the first occupation or operation of the coffee shop, children's play centre or Quarsar Centre, details of the proposed vinyl's for all shopfront windows shall be submitted to and approved in writing by the local planning authority. The vinyl's shall only be installed in accordance with the approved details.

Reason: To protect the special architectural or historic interest of the listed building and to ensure that the development makes a positive contribution to the character and appearance of The Kursaal Conservation Area. This is set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1 and DM5 and SPD1 (Design and Townscape Guide).

Informatives

01 The advertisements for the proposal as a whole and for the individual elements will require a separate Listed Building Consent (inside and out) and Advertisement Consent (outside only) which you are advised to submit to the Local Planning Authority before commencement of the works.

02 It is suggested that the applicant should consider an alternative more artistic approach to the shopfront windows as the proposed black vinyl's would give rise to a dead frontage to the street which would be detrimental to the character of the listed building and the wider conservation area. The desire to screen/black out these areas is noted, however, it is considered that a more decorative artistic solution would be a more appropriate response and would be to the benefit of the listed building, the streetscene and to the proposal itself. Please note this should contain no advertising. Details of this would need to be agreed with the Council by discharging condition 07 above. It may be that the Council's Cultural Development Officer can assist with developing an appropriate solution.

03 The applicant is reminded that the proposed air conditioning units to the rear of the quasar centre will require Planning Permission in addition to Listed Building Consent and this must be obtained prior to installation.

(e) Shoeburyness Ward
15/01531/AMDT

Amend fenestration details and positions and install additional rooflights, revise internal layout (Application to vary condition 02 (approved plans) of planning permission 14/01672/BC4M dated 23rd April 2015)
Hinguar Primary School, Hinguar Street, Shoeburyness, Southend-on-Sea
Mr Karl Pickering, Tern Development
Robert Hutson Architects

(a) DELEGATED to the Corporate Director for Place, Head of Planning and Transport or Group Manager of Planning & Building Control to GRANT

PLANNING PERMISSION, subject to completion of a PLANNING AGREEMENT UNDER SECTION 106 of the Town and Country Planning Act 1990 (as amended) and all appropriate legislation to seek the following:

- 9 units of affordable housing (shared ownership)
- Education contribution (£156,639)
- Public art contribution/provision equivalent of £12823.02.
- Highways works – including funding a TRO (£4,500) to facilitate adoption and yellow lining of the site.
- Provision of Travel Packs for residents.

(b) The Corporate Director for Place, Head 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 24th April 2018.

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

02 Unless otherwise agreed in writing with the local planning authority, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers: 80-PL- 001C, 80-PL- 002, 80-PL- 003A, 80-PL- 004A, 80-PL- 005, 80-PL- 006, 80-PL- 007B, 80-PL- 008B, 80-PL- 009A, 80-PL- 0010A, 80-PL- 011B, 80-PL- 012B, 80-PL- 013B, 80-PL- 014B, 80-PL- 019, 80-PL- 020A, 80-PL- 021B, 80-PL- 022, 80-PL- 023, 80-PL- 024A.

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

03 No development shall take place until samples of the materials to be used on all the external elevations, window and doors (including those of the school building), on any screen/boundary walls and fences, refuse and cycle and on any driveway, forecourt, path or parking area have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area and the locally listed building in accordance with Policies DM1 and DM5 of the Development Management 2015 DPD and KP2 of the Core Strategy DPD1.

04 No development shall commence until details of new and replacement windows, doors, new doorways and rooflights, to the school, at a scale of at least 1:20 and including profile details, have been submitted to and approved by the Local Plan Authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area and the locally listed building in accordance with Policies DM1 and DM5 of the and Development Management 2015 DPD, KP2 and CP4 of the BLP

05 Notwithstanding the submitted landscaping plan, no development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping. This shall include details of all the existing trees and hedgerows on the land and within the rear of Sycamore Court and details of any to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established; details of measures to enhance biodiversity within the site and details of the treatment of all hard and soft surfaces (including any earthworks to be carried out) and boundary treatment. The approved details shall be implemented within the first planting season following first occupation of the development.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1of the Development Management DPD 2015 and Policy CP4 of the Core Strategy DPD1.

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

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

07 The measures to ensure at least 10% of the energy needs of the development will come from on-site renewable options (and/or decentralised renewable or low carbon energy sources) for each stage of the development shall be implemented as detailed in the submitted Energy and Sustainability Statement by AES Southern dated February 2015 and brought into use on first occupation of each phase of the development.

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

08 Prior to the commencement of development two dusk emergence and/or dawn re-entry surveys shall be undertaken to determine the presence or absence of roosting bats in the roof, together with mitigation measures as necessary. The bat surveys should follow Natural England and Bat conservation Trust Guidelines and be conducted between May and September during suitable weather conditions by experienced bat surveyors. Any necessary mitigation measures shall be carried out in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: To make sure the conservation status of a protected species is maintained, and so protect the biodiversity of the environment, in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4 and Policy DM2 of the Development Management DPD 2015.

09 The development shall not be occupied until 52 parking spaces have been provided on hardstandings within the curtilage of the site, together with properly constructed vehicular access to the adjoining highway, all in accordance with the approved plans. The parking spaces shall be permanently retained thereafter for the parking of occupiers and visitors to the development.

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

10 Prior to first occupation of the development visibility splays to the site entrances shall be implemented in accordance with plans 801 – PL – 001 – A3 and shall be permanently retained thereafter.

To ensure safe and efficient vehicular access to the development in the interests of accessibility, highways efficiency and safety in accordance with DPD1 (Core Strategy) 2007 policy KP2, Development Management DPD 2015, and SPD1 (Design and Townscape Guide).

11 Prior to first occupation of the proposed refuse and cycle stores shown on plan 801 – PL – 001 – A3 shall be provided. These stores must be clearly marked and made available at all times to everyone using the school development. Waste and cycles must be stored inside the appropriate stores and waste only put outside just before it is to be collected. The stores must not be used for any other purpose.

Reason: To protect the environment and provide suitable storage for cycles and waste and materials for recycling in accordance with DPD1 (Core Strategy) 2007 policy KP2, Development Management DPD Policies DM1 and DM15.

12 Prior to first occupation of the development a Waste Management Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail how the development will provide for the collection of general refuse and re-usable and recyclable waste and what strategies will be in place to reduce the amount of general refuse over time. Waste management at the site shall be carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.

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

13 The permitted hours for construction and demolition site works including loading and unloading are Monday to Friday 7.30 a.m. to 6.00 p.m. and Saturday 8.00 a.m. to 1.00 p.m. and not at all on Sundays or Bank Holidays.

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

14 During demolition and construction there shall be no burning of waste on site.

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

15 Prior to commencement of the development details of SUDs and a surface water management strategy to serve the development shall be submitted to and approved by the Local Planning Authority and thereafter implemented unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with Policies KP2 and CP4 of the Core Strategy DPD1 and Development Management DPD 2015 policy DM2.

16. To protect residential amenity from transport noise the following criteria shall be achieved.

Criteria:

(A) Where habitable rooms will be exposed to noise levels that are in excess of NEC A of the adopted Noise Exposure Categories', mitigation should include a scheme of acoustic protection, submitted to and approved by the Council, sufficient to ensure internal noise levels no greater than 30LAeq,T dB in bedrooms and living rooms with windows closed at any time. Where the internal noise levels will exceed 35LAeq,T dB in bedrooms (night-time) and 45LAeq,T in living rooms (daytime) with windows open, the scheme of acoustic protection should incorporate appropriate acoustically screened mechanical ventilation.

(B) Within gardens and amenity areas the daytime 07:00 – 23:00 hours level of noise should not exceed 55 dB LAeq,T free field. This excludes front gardens.

Reason: To protect the environment of future occupiers in accordance DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD 2015 policy DM1.

17. Any mechanical ventilation or plant associated with the new residential development are assessed and mitigated so as not to be a nuisance to new habitants or existing dwellings. The following criteria would need to be achieved:

With reference to BS4142, the noise rating level arising from the proposed plant should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest property. There shall be no tonal or impulsive characteristics.

Reason: To protect the environment of future occupiers in accordance DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD 2015 policy DM1.

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

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

19 Prior to installation of any external lighting an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the LPA. External lighting shall be directed, sited and screened so as not to cause detrimental intrusion of light into residential properties.

Reason: To protect the environment of people in neighbouring properties and general environmental quality in accordance DPD1 (Core Strategy) 2007 policy KP2 and CP4, and Development Management DPD 2015 policy DM1.

20 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 and CP4 of the Core Strategy 2007 and Policy DM2 of the Development Management DPD 2015.

21 All windows shown as being obscure glazed on the approved plans shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD Policy DM2 and SPD1 (Design and Townscape Guide).

22 Notwithstanding the provisions of Classes A, B, C, and D of Part 1 and Classes A and C of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no extension or alterations to the new houses shall be undertaken unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity and general environmental quality and in accordance with DPD1 (Core Strategy) 2007 policy CP4, Borough Local Plan 1994 policy DM1 and SPD1 (Design and Townscape Guide).

23 Notwithstanding the provisions of Class A of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 1995 (or any statutory modification or re-enactment or replacement thereof (as the case may be) for the time being in force), no windows or other openings (other than those shown on the plans) shall be formed in the outside walls of the buildings unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of residential amenity and general environmental quality in accordance DPD1 (Core Strategy) 2007 policy CP4, Development Management DPD policy DM1 and SPD1 (Design and Townscape Guide).

Informatives

01 Compliance with this decision notice does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended). Contact 01702 215005 for more information.

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

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 10th December 2015 the Corporate Director for Place, Head 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 fails to provide:-

- (i) adoption of highway within the site to provide for a satisfactory method of servicing the development;
- (ii) an effective means of delivering Travel packs;
- (iii) for a satisfactory provision of public art;
- (iv) for education facilities to serve the development; and
- (v) affordable housing to meet the needs of the Borough.

As such would result in service vehicles blocking the highway within the site to the detriment of highway and other safety and is likely to place increased pressure on public services and infrastructure to the detriment of the general

amenities of the area, contrary to Policies KP2, KP3, CP3, CP4, CP6 and CP8 of the Core Strategy, Policies DM1, DM3, DM7, DM15 and the Design and Townscape Guide (2009).

(f) Kursaal Ward
15/01512/FUL

Convert dwelling house (Class C3) into two self-contained flats (Class C3)
10 Beresford Road, Southend-on-Sea, Essex, SS1 2TW
Mr Jazz Walia
Marcus Bennett Associates

Planning permission REFUSED for the following reasons:

01 The proposal, by reason of the limited internal size of the units, the lack of information to demonstrate accessibility and adaptability of the units, and lack of outdoor amenity space, would not result in a high quality living environment and is indicative of overdevelopment. This would be contrary to the NPPF, policies KP2 and CP4 of the Core Strategy, policy DM3 and DM8 of the Development Management DPD2 and National Technical Housing Standards 2015 DCLG 2015.

02 The proposed conversion by reason of unsatisfactory level of parking will cause additional on street parking in an area of parking stress to the detriment highway safety and the local highway network contrary to guidance contained within the NPPF, Policy CP3 of the DPD1 (Core Strategy), Policy DM15 of the Development Management DPD2, and the Design and Townscape Guide (SPD1).

03 The poor siting of the refuse store to the front of the building would result in visual harm to detriment of the character and appearance of the building and the wider area contrary to guidance contained within the NPPF, Policy CP3 of the DPD1 (Core Strategy), Policy DM15 of the Development Management DPD2, and the Design and Townscape Guide (SPD1)..

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

Informative

01 You are advised that as the proposal does not create any new floorspace therefore the Community Infrastructure Levy Regulations 2010 (as amended) is not applicable and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

(g) Chalkwell Ward

15/01591/FUL

Demolish existing buildings at 658-664 London Road, erect four storey block with retail use at ground floor and nine self-contained flats at first, second and third floors with associated parking and refuse/cycle stores
658 London Road, Westcliff-on-Sea, Essex, SS0 9HQ
Leslie B. Holmes (Securities) Ltd.
Knight Gratrix Architects

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 approved plans 010 Revision F, 012 Revision E, 013 Revision C.

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

03 The B1 space hereby approved shall only be used for purposes falling within B1 of the Town & Country Planning (Use classes) Order, or any order superseding, and for no other purposes, without the full written consent of the Local Planning Authority.

Reason: To define the scope of this permission in terms of employment floorspace, in accordance with policies KP1 And CP1 of the Core Strategy DPD1, policy DM11 of the Development Management Document DPD2 and the NPPF.

04 No development shall take place until samples of the facing material to be used, including elevations, undercroft gate for parking, brickwork, glazing, doors, shopfront, window, balustrades, cladding, canopy, roof, boundary treatments and paving have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved materials unless otherwise agreed in writing by the local planning authority.

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

05 Details of the canopy, stair tower, vehicular gates, shopfronts and feature timber panelling shall be submitted and agreed in writing by the local planning authority.

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

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

06 The vehicle access shall be carried out in accordance with drawing 010F and the nine flats shall not be occupied until the vehicle access has been constructed in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway efficiency and safety in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management Document) policy DM15.

07 12 car parking spaces (1 space per flat (9) and 3 spaces for the commercial premises) shall be provided in accordance with drawing 010F and shall thereafter be permanently retained for the parking of private motor vehicles solely for the benefit of the occupants of the new dwellings and commercial premises and for no other purpose unless otherwise agreed in writing by the local planning authority.

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

08 No flats hereby approved shall be occupied until cycle parking spaces have been provided in accordance with the approved plans, unless otherwise and cycle parking shall be retained in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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

09 No development shall commence until details of traffic calming and associated signage has been submitted to and agreed in writing by the local planning authority and shall be installed prior to occupation of the residential and commercial premises. The agreed details shall be permanently retained.

Reason: In the interest of highway and pedestrian safety in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) policy DM15 and SPD1 (Design and Townscape Guide).

10 No flat roofed areas of the proposed development, with the exception of the roof terrace specified on plan 012E, are to be used for sitting out or any type of amenity space unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the privacy and environment of people in neighbouring residential properties, DPD1 (Core Strategy) 2007 policy CP4, DPD2

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

11 Details of a glazed screen to the communal roof terrace shall be submitted and agreed in writing by the Local Planning Authority.

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

12 No development shall commence until full details of soft landscape works for the new development have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority. These details shall include, for example: proposed finished levels or contours; means of enclosure; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or storage units).

Soft landscape works shall include details of existing trees and shrubs to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site. If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species

Reason: In the interests of visual amenity and to ensure a satisfactory standard of landscaping, pursuant to Policy CP4 of the Core Strategy DPD1 and DPD2 (Development Management) policy DM1.

13 Prior to the commencement of development a renewable energy assessment shall be submitted to and agreed in writing with the Council to demonstrate how at least 10% of the energy needs of the development will come from onsite renewable options (and/or decentralised renewable or low carbon energy sources). The scheme as approved shall be implemented and brought into use on first occupation of the development unless otherwise agreed in writing with 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, DPD2 (Development Management) policy DM2 and SPD1 (Design and Townscape Guide).

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

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

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

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

16 The development hereby approved shall be carried out in accordance with drawing 015 to ensure the flats complies with building regulation M4 (2)- 'accessible and adaptable dwellings'.

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

17 Prior to the first occupation of the residential units and commercial premises hereby approved, a waste management plan shall be submitted to and agreed in writing by the local planning authority.

Reason: In the interests of amenity and waste management in accordance with the National Planning Policy Framework, DPD1 (Core Strategy) policy KP2, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide) and the Waste Management Guide.

18 The development site is within 15 metres of a sewage pumping station. Whilst Anglian Water takes all reasonably practicable steps to prevent any nuisance arising from the site, there should be no development within 15 metres from the boundary of a sewage pumping station of this type if the development is potentially sensitive to noise or other disturbance or which might give rise to complaint from the occupiers regarding the location of the pumping station.

Reason: To avoid causing future amenity problems in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and policy DM1 of the Development Management Document DPD2.

Informatives

01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). Enclosed with this decision notice is a CIL Liability Notice for the applicant's attention and any other person who has an interest in the land. This contains details of the chargeable amount and how to claim exemption or relief if

appropriate. There are further details on this process on the Council's website at www.southend.gov.uk/cil .

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

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

505 Enforcement of Planning Control

The Committee received a report of the Corporate Director for Place which reported on alleged breach of planning control.

(a) Eastwood Park Ward
EN/15/00147/UCOU-B

Without planning permission, the change of use of land from public highway to form part of the residential curtilage of 16 Cornec Chase and the erection of a boundary fence which exceeds 1.0m in height.

16 Cornec Chase, Eastwood, Leigh-on-Sea, Essex

Resolved:

That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the fence erected adjacent to the public footway and the restoration of the land thereby enclosed to its lawful planning use as operational highway land/public open space on the grounds that the unauthorised development is detrimental to the character and visual amenities of the area and highway safety by reason of its unsightly appearance, the loss of a significant area of public open space and the obstruction of visibility splays in the highway contrary to the National Planning Policy Framework (NPPF), Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policies DM1 (Design Quality) and DM15 (Sustainable Transport Management) of the Development Management DPD and the Design & Townscape Guide (SPD1).

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, the necessary remedial works would be relatively straightforward to arrange so a compliance period of 28 days is considered reasonable.

Chairman: _____

