

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 7th October, 2015

Place: Committee Room 4a, Civic Centre, Southend-on-Sea

Present: Councillor A Crystall (Chairman),
Councillors M Assenheim (Vice-Chairman), B C Arscott*, B Ayling,
M Butler, T K Byford, M F Evans, N J Folkard, R E Hadley, D C McGlone,
J McMahon, K R Robinson, P R Van Looy, M Velmurugan, C W Walker
(*Substitute in accordance with Council Procedure Rule 31)

In Attendance: J K Williams, P Geraghty, C Galforg, P McIntosh, J Rowley, M Warren,
T Row

Start/End Time: 2.00 p.m./3.00 p.m.

**** **Part I**

294 Apologies and substitutions.

Apologies for absence were received from Councillor D A Garston (Substitute: Councillor Arscott).

295 Declarations of interest.

The following interests were declared at the meeting:

(a) Councillor Crystall - 15/01107/FUL - Non-pecuniary interest: Leigh Society of which he is a member;

(b) Councillor Velumuruan - 15/01274/FUL - Non-pecuniary interest: Daughter's house is in a nearby road.

296 Supplementary Report

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

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

(a) Victoria Ward
15/01130/FULM

Demolish existing buildings, erect 3 storey block comprising of 49 flats, 395 sq. m retail commercial floor space at ground floor, communal amenity space,

landscaping, parking and associated works (Amended Proposal)
411-415 Sutton Road Southend-on-Sea
Dove Jeffrey Homes Ltd
Dove Jeffrey Homes

DEFERRED

(b) Milton Ward
15/01378/LBC

Emergency Works to Repair and Strengthen the Lower Timber Deck at the southwest corner of the Pier Head (Listed Building Consent)
The Pier, Western Esplanade, Westcliff-on-Sea, Essex, SS1 1EE
Southend Borough Council
Mr Neil Chaston, Hemsley Orrell Partnership

(i) DELEGATED to the Corporate Director for Place, Head of Planning and Transport or Group Manager for Planning Control and Building Control to REFER THE APPLICATION to the Secretary of State with a recommendation to GRANT LISTED BUILDING CONSENT, subject to the following conditions:

01 The development hereby permitted shall be carried out in accordance with the approved plans 12211/14/01, 12211/14/02, 12211/14/03, 12211/14/EH01, 12211/14/04B, Location Plan

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

(c) Kursaal Ward
15/01515/LBC

Install flood mitigation measures including removable barriers to front gate, rear door and rear window (Listed Building Consent)
45 Eastern Esplanade, Southend-on-Sea, Essex SS1 2ES
Ben Childs
Penelope Pickerin, AECOM

DELEGATED to the Corporate Director for Place, Head of Planning and Transport or Group Manager for Planning Control and Building Control to GRANT LISTED BUILDING CONSENT upon expiry of the public consultation period, subject to the following conditions:

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

Reason: To enable the circumstances to be reviewed at the expiration of the period if the consent has not been implemented, in accordance with the National Planning Policy Framework (NPPF), DPD1 (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: Front Gate (existing & proposed), Rear Elevation Proposed Barrier Elevations, Rear Elevation Proposed Plans, Rear Elevation Existing

Reason: To protect the special architectural or historic interest of the building and to ensure that the development makes a positive contribution to the character and appearance of Eastern Esplanade Conservation Area. This is as 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 guides to the front gate and the guides and seal to the rear window shall be powder coated white to match the existing walls.

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

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

(d) Leigh Ward

15/01107/FUL

Demolish existing garages and erect one 2/3 storey dwellinghouse and 2 no. two storey dwellinghouses with associated garages and amenity space, layout landscaping, refuse storage and form vehicular access on to Hadleigh road

Land at 33 Hadleigh Road, Leigh-on-Sea, Essex

Purple Sugar Company Limited

Levitate Architecture

Planning Permission GRANTED subject to the following conditions:

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

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 1411_GA_303 E; 1411_GA_301 E; 1411_GA_203 E; 1411_GA_201 E; 1411_GA_104 E; 1411_GA_103 E; 1411_GA_101 E; 1411_GA_010 D; 1411_GA_004 D; 1411_GA_003 D; J2402-SK-350_X2; J2402-SK-150_X2; J2402-SK-010_X2; J2402-SK-005_X1; J2402-SK-003_X3; J2402-SK-001_X2; J2402-C-150 P3; J2402-C-110 P2; J2402-C-100 P2; 1411_GA_304 D; 1411_GA_204 D; 1411_GA_202 D; 1411_GA_102 D; 1411_GA_011 C; 1411_GA_002 C.

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

03 Prior to commencement of the development hereby approved, details and samples of materials to be used in the construction of the external elevations of the dwellings including external walls, cladding panels soffits, louver detail, doors, windows, garage doors, bin stores, balconies, railings, boundary treatments, green roof details and hardstanding surfaces, which should be constructed from a permeable surface shall be submitted to and agreed by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

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

04 The vehicle access shall be carried out in accordance with drawing 1401_GA_011_C and the three dwellinghouses 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.

05 12 car parking spaces including garages (4 to each dwelling) shall be provided in accordance with drawing 1411_GA_003_D, 1411_GA_101_E, 1411_GA_201_E, 1411_GA_301_E and prior to occupation of the new dwellinghouses hereby approved 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 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) policy DM15 and SPD1 (Design and Townscape Guide).

06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Schedule 2, Part 1, Class A, B, C, D, E.

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

07 Details of the lattice metal screens to be installed as shown on drawings 1411_GA_010_D, 1411_GA_103_E, 1411_GA_104_E, 1411_GA_203_E, 1411_GA_204_D, 1411_GA_303_E, 1411_GA_304_D shall be submitted and agreed in writing by the local planning authority including the section and elevation at scales between 1:20 and 1:1 as appropriate. The screens shall be permanently retained thereafter.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) 2015 policy DM1 and SPD1 Design and Townscape Guide.

08 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.

09 No development shall commence until the recommendations of Arboricultural Impact Assessment and Arboricultural Survey carried out by PJC Consultancy Limited reference PJC/3603/15 have been implemented, unless otherwise agreed in writing by the local planning authority.

Reason: To make sure that the trees on the site are adequately protected during building works in the interests of visual amenity and in accordance with DPD1 (Core Strategy) policy KP2 and CP4, Borough Local Plan 1994 policy C14, and SPD1 (Design and Townscape Guide).

10 The development hereby permitted shall be carried out in accordance with the Structural and Civil Engineering Planning Statement reference J2402-Doc-01 Revision P2, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the demolition does not adversely affect stability of the surrounding land and to protect the character and appearance of the surrounding area in accordance with DPD1 (Core Strategy) policies KP2 and CP4 and SPD1 (Design and Townscape Guide).

11 The windows in the north elevation of the 'East House' 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 National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy CP4, DPD2 (Development Management Document) policy DM1, and SPD1 (Design and Townscape Guide).

12 Details of renewable energy on drawings 1411_GA_104_E, 1401_GA_204_D, 1411_GA_303_E and the energy report carried out by Darren Evans June 2015 submitted on the 06.07.2015 shall be installed prior to the occupation of the development hereby approved, 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, DPD2 (Development Management) policy DM2 and SPD1 (Design and Townscape Guide).

13 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) policy DM2.

14 Prior to commencement of development, the following surveys (details of which are to be submitted and approved by the local planning authority) prior to commencement of work on site include: Reptile Survey; Bats survey; Badger Surveys. Following the approval of such surveys the development shall not commence on any part site hereby approved until the mitigation measures as set out in the Extended Phase 1 Habitat Survey January 2015 carried out by PJC Ecology have been carried out and completed.

Reason: To ensure the development has an acceptable on the biodiversity of the environment in accordance with the National Planning Policy Framework and DPD1 (Core Strategy) 2007 policy KP2 and CP4.

15 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i.) the parking of vehicles of site operatives and visitors
- (ii.) loading and unloading of plant and materials
- (iii.) storage of plant and materials used in constructing the development
- (iv.) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (v.) details of drainage/surface water to ensure the proposal does not discharge onto Network Rail land including foul drainage.
- (vi.) measures to control the emission of dust and dirt during construction
- (vii.) plant and materials
- (viii.) scaffolding
- (ix.) piling
- (x.) lighting
- (xi.) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (xii.) future maintenance of the site

Reason: To minimise the environmental impact and disturbance to existing residents, during construction of the development in accordance NPPF; DPD1 (Core Strategy) 2007 policy KP2 and CP4; DPD2 (Development Management) policy.

16 No development shall take place until details of existing and proposed levels on the land and in relation to adjoining land have been submitted and approved in writing by the local planning authority. The development shall thereafter be constructed at the levels indicated on the approved drawings unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and in the interests of visual amenity in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4, Borough Local Plan 1994 policy C11, and SPD1 (Design and Townscape Guide).

Informatives

1 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). 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 .

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

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.

(e) Southchurch

15/01066/FULH

Extend roof to rear, erect dormers to north and south elevations, erect single storey rear extension (amended proposal)

2 Barnstaple Close, Thorpe Bay, SS1 3PD

Mr & Mrs C. Mint

Metson Architects Ltd

Mr Simpson, a local resident, spoke as an objector to the application. Mr Mint, the applicant, responded.

DEFERRED (PMSV)

(f) St Lukes Ward

15/01083/FUL

Install 18 containers, form 25 car parking spaces and recycling storage area

Yard Adjacent, 10 Coopers Way, Southend-on-Sea, Essex, SS2 5TE

Rega Research Limited

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision. (C01A)

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

02 The permission hereby granted shall expire three (3) years from the date of issue of this decision by which time the use of the land for parking, waste storage and container storage shall cease and all containers, waste materials and associated debris shall be cleared from the site.

Reason: Required as the proposed development is the visual impact of the development is only considered to be acceptable on a temporary basis, to support the growth of an established business. The retention of the proposed structures and the use of the land on a permanent basis would be contrary to the policy DM1 of the Council's Development Management DPD.

03 The development hereby permitted shall be carried out in accordance with the following approved plans: RCP1 and RCP2B Rev 1.

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

04 Prior to the commencement of the use hereby approved, details of the means of enclosure of the 'Recycling Storage Area' shown on plan RCP2 shall be submitted to and approved in writing by the Local Planning Authority. The

height of the 'Recycling Storage Area' enclosures shall not exceed a height of 2.6 metres and there shall be no storage of materials within the 'Recycling Storage Area' that exceeds the height of the approved enclosures. The approved enclosures shall be erected prior to the first use of the site for 'Recycling Storage' purposes. No external storage shall occur at the site outside of the designated 'Recycling Storage Area.'

Reason: In the interests of visual and residential amenity. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

05 No containers shall be kept at the site other than in the positions shown on plan RCP2.

Reason: In the interests of visual and residential amenity. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

06 Cars shall only be parked at the site by employees of Rega Research Limited and shall not be sold or let on a commercial basis to any third party or individual.

Reason: To prevent overnight parking and ensure that the site is not used for car parking that is not ancillary to the use of the employment area and to protect the amenities of neighbouring residents. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policies DM1 and DM 07 The storage and recycling facility shall only be used for purposes ancillary to Rega Research Limited.

Reason: To ensure that the use of the site is ancillary to the employment area. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) policy DM10.

08 No external lighting shall be installed at the site unless a scheme of lighting is first approved in writing by the Local Planning Authority.

Reason: To protect the amenities of neighbouring residents. This is as set out in the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management) policy DM1, and SPD1 (Design and Townscape Guide).

Informative:

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

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

(g) Blenheim Park Ward
15/01131/FUL

Erect additional storey incorporating seven flats, layout seven car parking spaces, covered cycle store, fencing and landscaping (amended proposal)
Grove Court, 191 Southbourne Grove, Westcliff-on-Sea, Essex, SS0 0AW
Alderman Stone Chartered Surveyors

DEFERRED

(h) Chalkwell Ward
15/01274/FUL

Demolition of existing entrance, erection of porch, form new entrance to managers accommodation replacement of windows at front elevation and alterations to the external elevations.

Ocean City Chinese Restaurant, 96 The Ridgeway, Westcliff-on-Sea, Essex, SS0 8NU

Mr M Hassan
Mr C. Stone (Stone Me Ltd)

DEFERRED

(i) Belfairs Ward
15/01039/ADV

Install three freestanding non-illuminated signs
Street Record, Eastwood Road Roundabout (Blenheim Chase), Leigh-on-Sea, Essex
Southend Borough Council

Advertisement Consent 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; Blenheim Roundabout Site Plan; Sign 1 as shown on Sponsored signage drawing

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

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.

298 Enforcement of Planning Control

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

(a) Victoria Ward

EN/15/00188/UNAU-B

Without planning permission, the erection of a balcony/terrace/sitting out area (raised platform) to the roof of the single storey rear projection to the property.
126A North Road, Westcliff-on-Sea, Essex SS0 7AG

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the raised platform on the grounds that the unauthorised development is detrimental to the character and amenities of the area by reason of unsightliness in that it is visually intrusive and to the residential amenities of the area in that its use would result in elevated overlooking and loss of privacy to the occupiers of the surrounding residential properties and an unacceptable increase in noise and disturbance contrary to the National Planning Policy Framework (NPPF), Core Strategy (DPD1) Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of the Development Management DPD and the Design and 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 so a compliance period of 42 days is considered reasonable.

(b) Leigh Ward

15/00166/UNAU-B

Erection of decking, without planning permission
33 Laurel Close, Leigh on Sea

Resolved: That ENFORCEMENT ACTION be AUTHORISED to require the removal of the unauthorised decking and supporting blocks, on the grounds of

detriment to visual amenity due to its unacceptable appearance contrary to the NPPF, Core Strategy Policies KP2 and CP4, Policies DM1 and DM5 of the DM DPD, and the Design and Townscape Guide 2009 (SPD1).

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case it is considered that a compliance period of 1 month is reasonable.