

## Southend-on-Sea Borough Council

Development Control Committee 11<sup>th</sup> November 2015

### SUPPLEMENTARY INFORMATION

#### Reports on Main reports (7b)

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15/01130/FULM Crown Secretarial College 411 Sutton Road

#### 4.76 Developer contributions

Due to recent changes in HCA funding arrangements for Registered Providers/Housing Associations, and the Government's requirement that Housing Associations should cut affordable housing rents by 1% each year for the next 4 years from April 2016, Registered Providers are finding it increasingly difficult to deliver affordable rent. Therefore, although the applicant originally proposed 100% affordable rent, it is considered reasonable to provide some flexibility within the affordable housing tenure secured through the S106 agreement to allow for less rented accommodation and more shared ownership units up to a maximum of a policy compliant position i.e. up to 40% Shared Ownership dwellings and 60% Rental dwellings.

**8.0 Public Consultation** - One objector has submitted photographs showing the sun above existing factories, the objector states: "I have attached photos which show the sun from my garden just above the existing 2 storey factory. This proves that anything above 2 storeys will block the sun from the gardens of Glenhurst road in the morning"



Two further representations received (one from a previous objector), objecting on the following grounds:

- Too high, intrusive
- Lighting, noise and odour from roof terrace
- If trees are planted these should be required to be maintained and not to be any less than 7m
- Overlooking

## 10.0 Recommendation

- a) **First bullet point should read: A minimum of 10 units of affordable housing, for either 100% affordable rent or up to 40% Shared Ownership dwellings and 60% Rental dwellings.**

**Delete Retail travel plan from S106**

- b) **Add condition as follows:**

**31. Prior to commencement of the use of the retail units hereby approved, a Travel Plan must be submitted to and approved in writing by the local planning authority. The Travel Plan must include details of targets set in the Travel Plan to reduce car journeys to the development and details of how the Travel Plan will be regularly monitored. The Travel Plan must be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.**

**Reason: In the interests of increasing the use of sustainable modes of transport in a location that is accessible by a variety of means of public transport, in accordance with the National Planning Policy Framework and policy DM15 of the Development Management DPD.**

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**15/01492/FUL 30-32 The Leas, Westcliff-on-Sea**

A letter has been received from the applicant stating:

*“Further to the above application being received and registered on 1<sup>st</sup> September 2015, we can confirm that we purchased the site from the long standing previous owner during March of 2014.*

*Within these properties were many tenants living in substandard accommodation and we have worked with tenants and Southend Council to find better suited accommodation for their needs.*

*The properties, when you and I visited them some weeks ago are now empty and in a state of dereliction and disrepair.*

*Whilst it is not recommended that you visit the internal of the properties with the Development Control Committee – we are happy to facilitate access to the rear of the external by appointment to suit the Council”.*

A further letter has been received from the agent on the 9<sup>th</sup> November 2015 stating:

*"I refer to our recent discussions about the Report to Committee for this application and my serious concerns for (in parts) its biased, unfair tenor, and issues which it would appear have been overlooked or misinterpreted from the drawings and documentation and which require a strong rebuttal.*

*In dealing with the issue of the condition of the buildings, it is unfair to this applicant to lay such culpability for the deteriorated state as implied in the Report, when acquisition of the site occurred only last year. Also it is unreasonable to expect remedial repairs to be carried out before aspirations to resolve the future of the site have been considered – inevitably there is a protracted period from acquisition to the preparation of a Planning application, bearing in mind the detail required of such a submission.*

*The application includes a thorough Supporting Statement, of which the Design and Access element follows the section categories set out in SPD 1: Design and Townscape Guide. The proposal's scale, massing and design is explained carefully in Section 7, under items 7.18 to 7.28, and counters the criticisms made in the LPA's Report under item 6.1.*

*There is less than 2 metre isolation between the existing buildings, and Nos. 31 and 32 are semi-detached, so they make almost a continuous wall. In contrast the proposal has a strong three- dimensional quality, defined primarily into three distinct vertical elements which reflects the urban grain and verticality of the existing buildings. It is not the over-scaled, single massing implied by site amalgamation, as might be claimed in the case of Admiral's Place.*

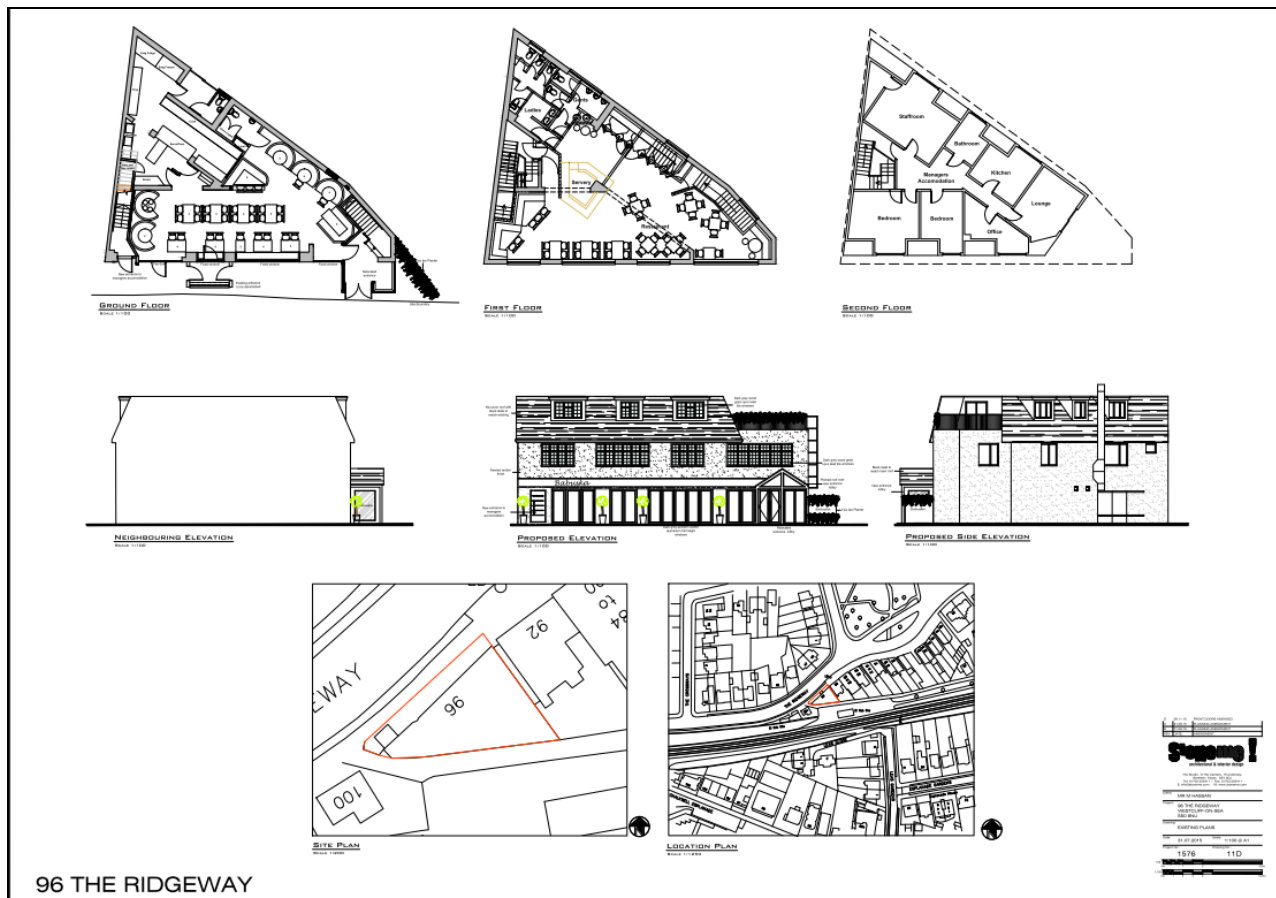
*The proposal's concept is based on 'Chapman Sands' in the adjacent street block to the west. However, as the properties adjoining Nos. 30 to 32 The Leas are a storey higher than those adjoining 'Chapman Sands' the proposal for this site is therefore raised correspondingly, but still appropriate in scale and massing to its context. The 2 and 4 storey flanking elements of the proposal's frontage echo the building width of the existing Nos. 30 and 32, whilst respecting the heights of the adjacent Nos. 29 and 34 respectively. More distinctive verticality and three-dimensional modelling is introduced into the central element; adjacent to the western flank a typical isolation distance between buildings is mimicked by the deep recess created for the lift and entrance, with a contrasting projection formed by the 'turret' abutting the eastern flank. Between these contrasting features the contra-angled and terraced frontage steps back at each storey culminating with the roof terrace to the upper level of the penthouse. The horizontality expressed as projecting balcony slabs, balustrading and fascias counter-balances but does not over-ride the more strongly expressed verticality, which repeats the fine grain of the existing buildings.*

*Thus I contend that the proposal does comply with the aims embodied in the DMD DPD2 policies, because, in this instance, it has been demonstrated that the elevational characteristics normally expected to result from site amalgamation do not apply.*

*Finally I would urge Members of the Committee to reverse the recommendation to refuse this application and reiterate the quotation by Edmund Burke which appears on the inside of the back cover to the Supporting Statement: "A State without the means of some change is without the means of its Conservation.""*

### 1. The Proposal

Since the preparation of the Officers Report, amended plan (1576 11 D) has been submitted which shows that the ground floor doors and windows at the front elevation would be fixed shut, with the exception of a fire exit. No other changes are shown in comparison to the previously submitted plans.



As access to the outside forecourt area and its use for outside dining would be equally possible as a result of the proposed development as could lawfully occur at the site already, it is considered that it would be unreasonable to retain condition 5 that was previously suggested by Officers. It is also considered that condition 4 (which required the doors at the front elevation to be kept shut at designated times) is also irrelevant and unnecessary. It is however recommended that these conditions are replaced with a condition to require the doors and windows to be fixed shut, except for the fire exit door which should only be opened at times of emergency.

### 10.0 Recommendation

Amend condition 02 as follows:

**Condition 02 - The development hereby permitted shall be carried out in accordance with the following approved plans: 1576 10 and 1576 11c**

**Formerly listed conditions 04 and 05 should be removed and replaced with the following condition:**

**Condition 04 – The windows marked as ‘Fixed window’ on plan 1576 11D shall be fixed shut at all times and the door marked as ‘Fire Exist’ shall be kept shut at all times except for an emergency.**

**Reason: To limit noise spillage from the application site in the interests of protecting the amenities of neighbouring residents, in accordance with the National Planning Policy Framework and policy DM1 of DPD2 (Development Management).**

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15/01131/FUL Grove Court, 191 Southbourne Grove**

Please note the following technical changes to the main report:

- Paragraph 1.2 should read as 7.7m-14.5m wide (not 7.7m-15.6m as stated);
- Paragraph 1.7 should read as depth increased from 43.3m to 45.2m (1.9m difference in depth not 6.5m as stated);
- Paragraph 4.12 fifth line should read 8.9m rather than 9m;
- Paragraph 4.19 should read as 31 flats not 32 flats and therefore 14sqm is available for amenity space per flat