

# Public Document Pack

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Development Control Committee

**Date: Wednesday, 2nd August, 2017**

**Place: Committee Room 1 - Civic Suite**

**Present:** Councillor F Waterworth (Chair)  
Councillors D Garston (Vice-Chair), B Arscott, B Ayling, H Boyd,  
S Buckley, M Butler\*, T Callaghan, L Davies\*, N Folkard, R Hadley,  
H McDonald, D McGlone\*, C Mulroney, D Norman MBE and N Ward  
\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillors L Salter  
J K Williams, K Waters, C Galforg, M Warren and T Row

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

#### **232 Apologies for Absence**

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

#### **233 Declarations of Interest**

The following interests were declared at the meeting:

(a) Councillor Buckley – 17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea – Disqualifying non-pecuniary interest: Had regular contact with officers and gave approval comments (withdrew);

(b) Councillor McGlone – 17/00680/BC3M - Garages at Rochford Road, Southend-on-Sea – Disqualifying non-pecuniary interest: Had regular contact with officers and gave approval comments (withdrew);

(c) Councillor Mulroney – 17/00303/FUL - 1333 London Road, Leigh on Sea - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning); and

(d) Councillor Mulroney – 17/00875/FUL - 1379-1387 London Road, Leigh on Sea - Non-pecuniary interest: Member of Leigh Town Council (non-participant in planning)

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

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

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

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

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

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

**237 Supplementary Report**

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

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

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

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

01 The proposed development would by reason of its design, height, scale, bulk, appear as an overly dominant and incongruous addition that is out of keeping with and detrimental to the character and appearance of the host property, the streetscene and the area more widely. This is contrary to the National Planning Policy Framework, Core Strategy (2007) Policies KP2 and CP4, Policies DM1 and DM3 of the Development Management Document (2015) and advice contained within the Design and Townscape Guide (2009).

02 The proposed development would by reason of its siting, size, bulk, massing and scale result in a visually obtrusive and overbearing form of development which causes an unacceptable sense of enclosure to the detriment of amenities enjoyed by existing occupiers of 7 Tankerville Drive contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007), policies DM1 and DM3 of Development Management Document (2015), and the advice contained within the Design and Townscape Guide (2009).

03 The proposal would, by reason of the limited internal size of a number of the dwellings and the provision of insufficient outdoor amenity space and refuse and cycle storage, result in a poor quality living environment for future occupiers to the detriment of their amenity. This would be contrary to National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy (2007), policies DM1, DM3 and DM8 of the Development Management Document (2015) and the guidance contained within the National Technical Housing Standards (2015).

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

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

Informative

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

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

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

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

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

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

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 3679-7.105 PL1 Existing site plan, key plan, location plan & existing garage elevations; 3679-7-106. PL2 Proposed site plan; 3679-7-107 PL2 Proposed floorplans and elevations; 3679-7-108 PL1 Existing and proposed street scenes; 3679-7.109 PL1 Proposed shed, cycle/bin stores and floorplans/elevations; 3679-7-110 PL1 Proposed landscaping plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;

ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;

iii) a timetable for its implementation; and

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

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

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

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

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

dwellings' and the remaining houses and flats comply with building regulation part M4(2) 'accessible and adaptable dwellings'.

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

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

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

15 Prior to installation of any external lighting, details of the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

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

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

#### Informatives

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

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

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

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

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

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

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 431 P01 Location and Site Plans; 431 P02 Existing Elevations; 431 P03 Proposed Elevations; 431 P06; 204 P04 Proposed Floor Plans; 204 P05 Visuals.

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

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



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

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

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

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

05 No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not limited to:-

- i) proposed finished site levels or contours;
- ii) means of enclosure, of the site including any gates or boundary fencing;
- iii) car parking layouts;
- iv) other vehicle and pedestrian access and circulation areas;
- v) hard surfacing materials;
- vi) minor artefacts and structures (e.g. street furniture, loggia, bollards, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii) details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification
- viii) details of measures to enhance biodiversity within the site;
- ix) details of the external amenity areas.

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

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

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

Reason: In the interests of providing sustainable development in accordance with Policy KP2 of the Core Strategy (DPD1), policy DM2 of the Development Management Document DPD2.

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

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

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

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

09 The development hereby approved shall be carried out in a manner to ensure the dwelling complies fully with Building Regulation M4 (2) 'accessible and adaptable dwellings'.

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

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

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

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

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

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

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

13 Other than the demolition, grubbing up of foundations and site clearance, no development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any construction begins. The site shall be remediated in accordance with the approved remediation measures before development the development

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

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and these shall be fully implemented before the site is occupied.

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

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

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

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

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

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

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

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

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

#### Informatives

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

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

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

**241 17/00908/FUL - 1 - 3 First Avenue, Westcliff on Sea (Chalkwell Ward)**  
**Proposal: Demolish former nursing home and erect eight dwellings comprising of three blocks, layout 16 parking spaces, amenity space to rear, form hard and soft landscaping and install two vehicular accesses onto First Avenue**  
**Application: Childs Property Limited**  
**Agent: SKArchitects**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

08 The development hereby approved shall be carried out in accordance with the Surface Water Strategy Report carried out by Innervision Design dated February 2017. The sustainable drainage system shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In order to ensure a satisfactory standard of sustainable drainage and to prevent environmental and amenity problems arising from flooding in accordance with Policies KP2 and CP4 of the Core Strategy DPD1, DPD2 (Development Management) policy DM2.

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

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

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

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

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

11 The development hereby approved shall be carried out in a manner to ensure the houses comply with building regulation M4 (2) 'accessible and adaptable dwellings'.

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

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

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



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

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

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

14 Prior to installation of any external lighting, details of the proposed lighting, including design, siting, luminance, hours of illumination and an assessment using the Institution of Lighting Engineers Guidance Note for the Reduction of Obtrusive Light shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed only in accordance with the approved scheme.

Reason: To protect the amenities of neighbouring properties and the general environmental quality in accordance with, National Planning Policy Framework, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

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

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

16 Full details of mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the works must be submitted and approved in writing by the local planning authority prior to demolition or construction commencing at the site, taking into consideration control measures detailed in Best Practice Guidance "The control of dust and emissions from construction and demolition". The development shall be implemented in accordance with the approved details.

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

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

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

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

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

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

#### Informative

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

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

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

prepared by officers commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil).

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

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

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

**Applicant: Alan Richards**

**Agent: Michelle Fishlock**

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

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 1440/P/101B; 1440/P/102 A; 1440/P/103 A; 1440/P/104 B; 1440/P/105 B and 1440/P/106.

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

03 No development shall take place until details and samples of the materials to be used on all the external elevations, including walls, cladding (details of materials/colour and finish and a cross section at a scale of not more than 1:20 to show how it will be fitted to the building), windows, doors, louvers/grilles, pcc bars and panels, paving, screen/boundary walls and fences, driveway, forecourt or parking area; have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

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

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

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

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

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

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

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

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

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

#### Informatives

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

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

02 It is noted that at the time when both the Civic Centre East public car park and the redeveloped existing Library car park will be operate together, the Council will have to manage staff permit allocation to ensure the number of permits issued would not be increased to an extent that would unacceptably increase trips.

03 It is noted that advertisement consent would potentially be required for the proposed signage.

04 Consideration should be given to include the payment of parking charges in cash, in addition to a cashless payment provision.

- 243 17/00563/OUTM - 939 - 953 London Road, Leigh on Sea (Blenheim Park Ward)**  
**Proposal: Demolish existing building and erect two blocks part 2, part 3, part 4 storey comprising of 30 flats, 1 commercial unit on ground floor lay out parking, refuse and cycle stores (Outline Application) (Amended Proposal)**  
**Applicant: EMEX International**  
**Agent: Third Dimension Architectural Group Ltd.**

Resolved:

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

- Provision of 6 affordable housing units (comprising of 1x1bed, 3x2bed and 2x3bed, and including 4 affordable rented units and 2 shared ownership units) prior to occupation of the 10th dwelling
- A financial contribution towards secondary education provision of £88,728.77 (index-linked), specifically providing increased capacity at Belfairs Academy, which is payable prior to commencement

(b) That the Deputy Chief Executive (Place), Director of Planning and Transport or the Group Manager (Planning & Building Control) be authorised to determine the application upon completion of the above obligation, so long as planning permission when granted and the obligation when executed, accords with the details set out in the report submitted and the conditions listed below:

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

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

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

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

03 Details of the external materials to be used in the construction of the development hereby approved shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The development shall only be implemented in accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (NPPF), Development Plan Document 1 Southend on Sea Core Strategy 2007 policy KP2 and CP4; Development Plan Document 2 Southend on Sea Development Management 2015 policy DM1, and SPD1 (Design and Townscape Guide) 2009.

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

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

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

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

details which shall have been submitted to and approved by the local planning authority, such provision to be permanently reserved for the parking of vehicles of occupiers and callers to the property and not used for any other purpose whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order).

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

06 The commercial premises shall not be occupied until twenty four parking space to serve commercial unit have been laid out, together with properly constructed vehicular access to the adjoining highway, all in accordance with details which shall have been submitted to and approved by the local planning authority, such provision to be permanently reserved for the parking of vehicles of occupiers and callers to the property and not used for any other purpose whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order).

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

07 Details of waste and cycle storage to be provided at the site shall be submitted to the Local Planning Authority concurrently with the Reserved Matters application. The waste and cycle storage shall be implemented in accordance with the approved details before the development is occupied and shall be retained in perpetuity thereafter.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided to promote sustainable transport and to protect the environment and provide suitable storage for waste and materials for recycling in accordance with Development Plan Document: Southend on Sea Core Strategy 2007 policies KP2, CP3 and CP4; Southend on Sea Development Plan Document 2 Development Management 2015 policies DM1 and DM15, and Supplementary Planning Document 1 (Design and Townscape Guide) 2009.

08 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted concurrently with the Reserved Matters application and be implemented in full in accordance with the approved details prior to the first occupation of the flats. This provision shall be made for the lifetime of the development.

Reason: In the interests of providing sustainable development in accordance with Development Plan Document 1 Southend on Sea Core Strategy 2007 Policy KP2; Development Plan Document 2 Southend on Sea Development Management Document Policy DM2 (2015).

09 No development shall take place until details of the implementation, maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed in accordance with the approved details before the development is occupied and brought into use and be maintained as such thereafter. Those details shall include:

i) An investigation of the feasibility of infiltration SUDS as the preferred approach to establish if the principles of any infiltration based surface water drainage strategy are achievable across the site, based on ground conditions. Infiltration or soakaway tests should be provided which fully adhere to BRE365 guidance to demonstrate this. Infiltration features should be included where infiltration rates allow;

ii) Drainage plans and drawings showing the proposed locations and dimensions of all aspects of the proposed surface water management scheme. The submitted plans should demonstrate the proposed drainage layout will perform as intended based on the topography of the site and the location of the proposed surface water management features;

iii) a timetable for its implementation; and

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

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

10 Details of the water efficient design measures set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting, shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of the development hereby approved. The approved details shall be implemented in full prior to the first occupation of the development. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework, Development Plan Document 1: Southend on Sea Core Strategy policy KP2, Development Plan Document 2: Southend on Sea Development Management Document policy DM2 (2015) and SPD1 (Design and Townscape Guide) 2009.



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

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

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

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

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

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

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

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

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

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

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

16 Before the development is occupied or brought into use, the development hereby approved shall be carried out in a manner to ensure that 3 of the flats hereby approved comply with building regulation M4 (3) 'wheelchair user dwellings' and the remaining 27 flats comply with building regulation part M4(2) 'accessible and adaptable dwellings'.

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

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

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

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

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

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

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

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

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

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

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

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

#### Informatives

01 Please note that the proposed development subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). The amount of levy due will be calculated at the time the reserved matters application is submitted. Further information about CIL can be found on the Council's website at [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)

02 This permission is governed by a legal agreement between the applicant and the Borough Council under Section 106 of the Town and Country Planning Act 1990. The agreement relates to affordable housing provision and an education contribution.

03 In relation to Condition 4, you are advised to contact Highways Engineer – Martin Warren (Tel: 01702 534328) to discuss the requisite Highways Licence, and costs of associated works. You are advised that a Highways Licence needs to be in place before any works are carried out to the public highway and you will need to employ a Council approved contractor to carry out any works.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by 1st September 2017 or an extension of this time as may be agreed by the Deputy Chief Executive (Place), Director of Planning and

Transport or Group Manager (Planning & Building Control) be authorised to refuse planning permission for the application on the grounds that the development will not provide for affordable housing or education provision. As such, the proposal would be contrary to Policies KP2, KP3, CP6 and CP8.

**Chairman:** \_\_\_\_\_