

# **SOUTHEND-ON-SEA CITY COUNCIL**

## **Meeting of Development Control Committee**

**Date: Monday, 2nd September, 2024**

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

**Present:** Councillor N Ward (Chair)  
Councillors M Borton (Vice-Chair), Sam Allen\*, M Berry, K Buck, C Campbell\*, P Collins\*, F Evans, N Folkard, D Garston, J Harland, R Longstaff, C Mulroney, J Norman, D Richardson and C Webster (\*Substitute in accordance with Council Procedure Rule 40.)

**In Attendance:** Councillors S W Allen and D Cowan  
P Keyes, O Hart, A Brown, T Row, K Gearing and A Gibbons

**Start/End Time:** 5.00 pm - 5.40 pm

### **46 Apologies for Absence**

Apologies for absence were received from Cllrs A Dear (substitute: Cllr C Campbell), S Habermel (no substitute), A Jones (substitute: Cllr Sam Allen) and D Poulton (substitute: Cllr P Collins).

### **47 Declarations of Interest**

The following interests were declared at the meeting:

(i) Councillors K Buck and P Collins – Minute No. 49 – Application Ref. No. 24/01303/AD (Queensway Development Site Bounded By Southend Victoria Station, Chichester Rd, Southchurch Rd, Sutton Rd & Queensway Slip Road SW, Southend-on-Sea) – Members of the Southend Local Bus Board.

### **48 Supplementary Report**

The Committee received and noted a supplementary report by the Executive Director (Environment & Place) that provided additional information on the items referred to elsewhere on the Agenda since the publication of the reports.

**49 24/01303/AD - Queensway Development Site Bounded By Southend Victoria Station, Chichester Rd, Southchurch Rd, Sutton Rd & Queensway Slip Road SW, Southend-on-Sea (Victoria and Milton Ward)**  
**Proposal: Application for approval of details pursuant to condition 04 (Partial Discharge of Construction Environmental Management Plan), 05 (Partial Discharge of Construction Logistics Plan) and 12 (Partial Discharge of Road Materials) of planning permission 20/01479/BC4M dated 06/09/2021**  
**Applicant: Porters Place LLP**  
**Agent: n/a**

Resolved:-

That the following details for condition(s) in relation to the bus gate construction only be APPROVED:

04 The submitted details, including Construction Environmental Management Plan by Taylor Woodrow reference 5330.3200240 Rev 1 dated 12.8.24 and Email from Applicant dated 15.08.24 are considered to satisfy the requirements of Condition 04 of planning permission 20/01479/BC4M, are acceptable in all relevant regards and are hereby approved.

05 The submitted details, Construction Logistics Plan by Taylor Woodrow reference 5330.3200240 Rev 1 dated 12.8.24, are considered to satisfy the requirements of Condition 05 of planning permission 20/01479/BC4M, are acceptable in all relevant regards and are hereby approved.

12 The submitted details, including Specification Report reference 1042/01 P04 dated April 2022, 1042-01-CIV-XX-XX-D-H-40101-P03 – Pavement Specification, 1042-01-CIV-XX-XX-D-H-40201-P03 - Kerbing and Edging Layout, 1042-01-CIV-XX-XX-D-H-40301-P03 – Road Markings & Signage, 1042-01-CIV-XX-XX-D-H-40401-P02 Schedule of Signs, 1042-01-CIV-XX-XX-D-H-41003 – P03 Build Up Details and Email from Applicant dated 15.08.24 are considered to satisfy the requirements of Condition 12 of planning permission 20/01479/BC4M, are acceptable in all relevant regards and are hereby approved.

#### Informatives

01 The applicant is advised that these conditions are partially discharged in relation to the construction of the Bus Gate only. Separate discharge of these conditions in relation to the remainder of the outstanding works will be required separately.

02 For the purposes of the Community Infrastructure Levy Regulations 2010 (as amended) each phase of the development will constitute a separate Chargeable Development. The commencement of the development works in the specific bus gate development subject of this application is not considered to form part of any of the phases triggering payment of CIL.

**50 24/00716/FUL - 28 - 31 Chalkwell Esplanade, Westcliff-on-Sea (Chalkwell Ward)**

**Proposal: Raise ridge height and extend roof to rear to form habitable accommodation in the loftspace, erect 3 storey side/rear extension, layout hard and soft landscaping to front side and rear, install canopy over entrance to side, layout parking and cycle storage to rear, alter elevations, convert existing detached garage to rear into gym with new canopy to north elevation and alter other elevations**

**Applicant: Mr Woolley of Antler Developments Ltd**

**Agent: Mr Maz Rahman of RD architecture Ltd.**

Resolved:-

That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years of the date of this decision.

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans 200-P1, 210-P3, 220-P3, 230-P3.

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

03 The development hereby approved shall be carried out and completed in full accordance with the mitigation measures identified in the Flood Risk Assessment dated 29.04.2024 including that the finished floor levels of the ground floor part of the extension shall be set no lower than the finished ground floor levels within the existing building and with flood proofing measures incorporated where appropriate.

Reason: To ensure that occupiers of the development are not placed at increased risk given that the site is a risk of flooding.

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level shall take place until full product details of all the materials to be used on all the external elevations of the development hereby approved, including walls, roof including ridge and eaves, fascia and soffits, windows and doors, balconies including balustrade, flooring, fascia and underside, porch canopy, boundary walls and fences, driveway including parking area have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details before it is first occupied.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2023) Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM6 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

05 Prior to occupation of the extensions hereby approved, appropriate water efficient design measures as 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), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the whole development and retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2023), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and advice in the Southend-on-Sea Design and Townscape Guide (2009).

06 A scheme detailing how at least 10% of the total energy needs of the development hereby approved 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 or first use of the extensions hereby approved. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2023), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM2 and advice in the Southend-on-Sea Design and Townscape Guide (2009).

07 Privacy screens not less than 1.7m high above balcony surface level shall be fitted to the western side of the front balconies within the development hereby approved in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The screens shall be retained for the lifetime of the development in accordance with the approved details.

Reason: To protect the privacy and environment of people in new and neighbouring residential properties, in accordance with the National Planning Policy Framework (2023), Core Strategy (2007) Policy CP4, Development Management Document (2015) Policy DM1, and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

08 No new drainage infrastructure, including earthworks, associated with this development shall be undertaken until details of the design implementation; maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use and shall be maintained as such thereafter in perpetuity. All replacement paving shall be porous as shown on approved plan reference 210-P3.

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 the National Planning Policy Framework (2021), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015)

09 The detached outbuilding hereby permitted as a residents' gym, shall not be occupied at any time other than for purposes incidental to the enjoyment of the residential use of the dwellings known as 28-31 Chalkwell Esplanade, Westcliff-on-Sea.

Reason: To ensure a satisfactory standard of accommodation and to protect the amenities of existing and proposed occupiers, to protect the privacy and environment of people in neighbouring residential properties, and to prevent additional parking demand which cannot be met within the application site, in accordance with Core Strategy (2007) Policies KP2, CP3 and CP4, the Development Management Document (2015) Policies DM1, DM3, DM8 and DM15 and advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

10 Notwithstanding the plans submitted and otherwise approved, the extensions hereby approved shall not be first occupied or brought into first use until and unless secure, covered refuse and recycling storage has been provided at the site in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The approved refuse and recycling storage shall be made available for use by the occupants of the development hereby approved prior to the first use of the extensions hereby approved. The refuse and recycling storage shall be retained as such for the lifetime of the development.

Reason: To Notwithstanding ensure that satisfactory refuse and recycling facilities in accordance with Policy CP3 of the Core Strategy (2007) and Policies DM3 and DM8 of Development Management Document (2015).

11 Notwithstanding the plans submitted and otherwise approved, the extensions hereby approved shall not be first occupied or brought into first use until and unless secure, covered cycle storage has been provided at the site in accordance with details which have been previously submitted to and approved in writing by the Local Planning Authority under the terms of this condition. The approved cycle storage shall be made available for use by the occupants of the development hereby approved prior to the first use of the extensions hereby approved. The cycle storage shall be retained as such for the lifetime of the development thereafter.

Reason: To ensure that satisfactory cycle storage facilities are provided in accordance with Policy CP3 of the Core Strategy (2007) and Policies DM3 and DM15 of Development Management Document (2015).

12 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works except for demolition works 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 under the terms of this condition. The approved hard and soft landscaping works shall be carried out prior to first use or first occupation of the extensions hereby approved. The details submitted shall include, but not be limited to:

- i) Full details of any replacement hardsurfacing or boundaries.
- ii) Full details of the number, size and location of trees, shrubs and plants to be retained and planted together with a planting specification and landscaping management plan.
- iii) Details of measures to enhance biodiversity within the site.

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 agreed with the Local Planning Authority under the terms of this condition.

Reason: In the interests of the visual amenities, character and appearance of the area and to ensure a satisfactory standard of landscaping pursuant to Policies DM1 and DM6 of the Development Management Document (2015) Policy CP4 of the Core Strategy (2007), and the advice contained in the Southend-on-Sea Design and Townscape Guide (2009).

13 The 4 car parking spaces and the associated vehicular access for the spaces to have access from the public highway, shown on approved plan 210-P03 shall be provided and made available for use at the site prior to the first occupation or first use of the extensions hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the development hereby approved and their visitors.

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 (2023), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM15 and advice in the Southend-on-Sea Design and Townscape Guide (2009).

14 Construction hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

#### POSITIVE AND PROACTIVE STATEMENT:

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

#### INFORMATIVES:

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact [S106andCILAdministration@southend.gov.uk](mailto:S106andCILAdministration@southend.gov.uk) to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters

can be found on the Planning Portal ([www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](http://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)) or the Council's website ([www.southend.gov.uk/cil](http://www.southend.gov.uk/cil)).

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

03 The applicant agreement to include electric vehicle charging points at the site is welcomed and would be to benefit of the scheme.

**Chair:** \_\_\_\_\_