

# SOUTHEND-ON-SEA BOROUGH COUNCIL

## Meeting of Development Control Committee

**Date: Wednesday, 2nd September, 2015**

**Place: Jubilee Room, Civic Centre, Southend-on-Sea**

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

**In Attendance:** Councillor Buckley  
J K Williams, P Geraghty, D Hermitage, P McIntosh, I Harrison, M Warren,  
T Row

**Start/End Time:** 2.00 p.m./4.10 p.m.

### \*\*\*\* Part I

#### **210 Apologies and substitutions.**

Apologies for absence were received from Councillor M Assenheim (Substitute: Councillor Ward).

#### **211 Declarations of interest.**

The following interests were declared at the meeting:

- (a) Councillor Ayling – 14/02050/FULM – Non-pecuniary interest: Son is employed as a maintenance engineer at the school;
- (b) Councillor Ayling – 15/01129/AMDT – Non-pecuniary interest: Lives in the vicinity of the application site;
- (c) Councillor Crystall – 15/01024/FUL – Non-pecuniary interest: Friend lives in the road;
- (d) Councillor Crystall – 15/00869/FUL – Non-pecuniary interest: Friend lives in the road;
- (e) Councillor Borton – 15/00869/FUL – Non-pecuniary interest: Fellow Councillor (friend) lives in the road;
- (f) Councillor D Garston – 14/02050/FULM – Non-pecuniary interest: Son owns property in the vicinity of the application site;
- (g) Councillor D Garston – 15/00955/BC4 – Non-pecuniary interest: Son lives in road above the application site;

(h) Councillor McMahon – 15/00869/FUL – Non-pecuniary interest: Fellow Councillor (friend) lives in the road;

(i) Councillor Robinson – 15/00869/FUL – Non-pecuniary interest: Fellow Councillor (friend) lives in the road;

(j) Councillor Van Looy – 15/00955/BC4 – Non-pecuniary interest: Owner is known to him

(k) Councillor Van Looy – 15/01008/FUL – Disqualifying non-pecuniary interest (withdrew).

## **212 Supplementary Reports**

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

## **213 Reports on Planning Applications**

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

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

(a) West Shoebury Ward

14/02050/FULM

Erect single storey extension to East elevation to form workshop, alter first floor East elevation, install 15no lampposts and retain four security cameras. (Part Retrospective)

Shoeburyness High School, Caulfield Road, Shoeburyness, Southend-on-Sea, Essex, SS3 9LL

Shoeburyness High School

Nick Kenney (The Draughtsman)

Mr Paye, a local resident, spoke as an objector to the application.

(a) Planning Permission REFUSED for the following reasons:

01 The lighting columns, by virtue of their excessive number and visual prominence cause the east boundary of the site to have a cluttered appearance that detracts from the character of the site and the surrounding area. It is therefore considered that the proposal is contrary to the National Planning Policy Framework, Core Strategy policies KP2 and CP4 and policy DM1 of the Council's Development Management DPD.

02 It has not been demonstrated to the satisfaction of the Local Planning Authority that the lighting that has been installed at the site does not cause harm to the amenities of neighbouring residents by way of light pollution. It is therefore considered that it has not been demonstrated that the proposal is in accordance with the National Planning Policy Framework, Core Strategy policies KP2 and CP4 and policy DM1 of the Council's Development Management DPD.

03 The proposed development would result in a loss of car parking at the

application site and would result in additional on-street parking in an area of parking stress, to the detriment of the movement of traffic and highway safety contrary to policy DM15 of the Council's Development Management DPD and policy KP2 of the Council's Core Strategy.

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

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.

(b) Resolved: That ENFORCEMENT ACTION be AUTHORISED to require the removal of fifteen lighting columns along with all associated materials and debris on the grounds that they are visually harmful and detrimental to the amenities of adjacent residents contrary to the NPPF, policies KP2 and CP4 of the Council's Core Strategy (DPD1) and policy DM1 of the Council's Development Management DPD.

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. It is considered that a three month compliance period for the removal of the lighting columns is reasonable in these circumstances.

(b) St. Lukes Ward  
15/01129/AMDT

Application to vary and remove conditions; Variation of condition 02 (amended drawing numbers), condition 03 (parking spaces), condition 04, (hard and soft landscaping), condition 06 (bicycle secure parking), conditions 15, 16 and 17 (contaminated land) condition 20 (surface water drainage scheme) and condition 24 (odour management system). Removal of condition 11 (Fire water tanks and public art), condition 13 (Highway works), condition 29 (pedestrian crossing) and condition 14 (travel plan); demolish existing buildings, erect waste transfer station and ancillary buildings, form vehicle wash area, replacement fuel farm, cycle

parking shelter, bunds and acoustic barrier/fence, extend existing weighbridge, layout parking and carry out associated works (Minor Material Amendment to Planning Permission 13/00055/BC3M dated 30/04/2013)

Cory Environmental Cleansing Depot, Eastern Avenue, Southend-on-Sea, Essex, SS2 4BU

Mr O. Diamond (Veolia)

Mr B. Searle (Amec Foster Wheller)

Mr Wood, a local resident, spoke as an objector to the application. Mr Bowers, the Project Manager, responded.

Planning Permission GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of the original decision (30 April 2013).

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

02 Unless otherwise agreed in writing with the Local Planning Authority, the development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers:  
37272/A/CVD/001/A, 37272/A/CVD/002/A, 37272/A/CVD/003/B,  
37272/A/CVD/004/A, 37272/A/CVD/012/A, 37272/A/CVD/013/A,  
37272/A/CVD/014/A, 37272/A/CVD/026/G, 37272/A/CVD/027/A,  
37272/A/CVD/029/A, 37272/A/CVD/030/A, 37272/A/CVD/031/A, 21507/100 A,  
21507/101 A, A034/01/012, A034/01/012 and 3602530 (7 Plans)

Reason: In the interests of residential amenity and general environmental quality, in the interests of sustainability, amenity and highways efficiency and safety, in the interests of visual amenity in accordance with DPD1 (Core Strategy) policies KP1, KP2, CP1, CP3, CP4, CP6, DPD2 (Development Management) policies DM1, DM2, DM14 and DM15 and SPD1 (Design and Townscape Guide).

03 Thirty Six (36) car parking space(s) shall be provided in accordance with plan 37272/A/CVD/003/B prior to first use of the building(s) hereby approved and shall thereafter be permanently retained for the parking of vehicles of people working in the building or calling there for business purposes unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory off-street car parking and turning provision is provided for people using the development in the interests of amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM15 and SPD1 (Design and Townscape Guide).

04 All hard and soft landscape works shall be carried out in accordance with the approved details submitted in accordance with 37272/A/CVD/012/A. The works shall be completed within the first planting season following practical completion of

the development or in accordance with a programme submitted to and approved by the Local Planning Authority.

If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the Local environment and biodiversity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management) policy DM1 and SPD1 (Design and Townscape Guide)

05 No part of the development shall be occupied until 20 secure, covered bicycle parking spaces have been provided in accordance with plans 37272/A/CVD/003/B and 37272/A/CVD/031/A and the spaces shall be permanently maintained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management) policy DM15 and SPD1 (Design and Townscape Guide).

06 Demolition or construction works shall not take place outside 07.30 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect residential amenity and general environmental quality in accordance with, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management) policy DM1.

07 The hardstanding shown on the approved plans shall be installed prior to first occupation of the development and shall be permanently maintained thereafter. The condition of the hardstanding should be reviewed on a 6 monthly basis and any hardstanding which is in a poor state of repair should be replaced unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that any contamination is 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.

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

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

09 No lighting shall be installed at the site other than in accordance with the Lighting Plan Short Statement and plan 37272/A/CVD/027/A unless otherwise agreed in writing by the Local Planning Authority.

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

10 Prior to first use of the buildings hereby approved photovoltaic cells shall be installed along the south facing roof of the WTS in accordance with details set out in the Renewable Energy Statement dated August 2012 and submitted with the application and shown on the roof plan drawing 37272/A/CVD/014/A and on elevation drawing 37272/A/CVD/004/A. The cells 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 DPD1 (Core Strategy) policy KP2 and CP4, and DPD2 (Development Management) Policy DM2 and SPD1 (Design and Townscape Guide).

11 The use of the development hereby approved shall not commence until a Travel Plan has been submitted to and agreed in writing by the local planning authority, the Travel Plan shall be implemented in accordance with the approved details.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with DPD1 (Core Strategy) 2007 policy KP2, CP3 and CP4, and DPD2 (Development Management) Policy DM15 and SPD1 (Design and Townscape Guide).

12 Prior to the commencement of the development hereby approved remediation verification details to demonstrate that the remediation works that have occurred at the site have adequately mitigated the land contamination risk shall be submitted to and approved in writing by the Local Planning Authority. This shall include further soil tests where necessary to demonstrate that the land is suitably clear of contaminants. In the event that the remediation strategy as undertaken is considered insufficient, further remediation work shall be carried out to the satisfaction of the local planning authority including identifying any requirements for monitoring of pollutant linkages, maintenance and arrangements for contingency action. These requirements shall relate to hardstanding and groundwater in the west of the site in the vicinity of the former fuel tanks only.

Reason: To protect and prevent pollution of the water environment and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM14.

13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this contamination shall be dealt with and obtained written approval from the local

planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent pollution of the water environment and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM14.

14 No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to the water environment.

Reason: To prevent the mobilisation of contaminants within the made ground and to ensure that the development does not cause pollution to Controlled Waters in accordance with DPD1 (Core Strategy) 2007 policy KP2.

15 The Waste Transfer Station building hereby approved shall not be put to use until the surface water drainage strategy (Southend Central Depot: Drainage Strategy prepared by Amex Foster Wheeler and dated July 2015) has been fully implemented.

Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2.

16 The roller shutter doors to the Waste Transfer building shall be kept closed at all times except when vehicles are entering and exiting the building.

Reason: To prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

17 The level of noise emitted from the site shall not exceed 55dB between 07:00-23:00 Monday to Saturday as determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS4142:1997.

Reason: To prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

18 The rating noise level of the noise emitted from the odour control plant, including the flue termination, shall not exceed the existing background noise level at night (23:00-07:00hrs) determined to be 32dB by more than 10dB. The noise levels shall be determined at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS4142:1997.

Reason: To protect and prevent noise pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

19 An odour management system as described in the submitted Air Quality Assessment dated June 2015 shall be installed to the Waste Transfer building, prior to first use of that building and shall remain operational thereafter.

Reason: To prevent pollution of the environment and to protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DPD2 (Development Management) Policy DM1.

20 No building demolition shall take place until the buildings have been inspected by an ecologist to identify evidence of bird breeding activity. If such activity is found, works shall be delayed until young birds have fledged.

Reason: To minimise the risk of disturbance to nesting birds in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4.

21 The "Recommendations" set out in section 5.2 paragraphs 5.2.1 - , 5.2.3 of the submitted Extended Phase 1 Habitat Survey Report dated February 2012, shall be fully implemented during the demolition and construction phase of the development, and the Enhancement and Management requirements set out at paragraph 5.2.4 shall be implemented prior to first use of the WTS building, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the risk of disturbance to protected wildlife and to enhance the biodiversity of the site in accordance with DPD1 (Core Strategy) 2007 policy KP2 and CP4.

22 The "Recommendations" set out at section 10.2 of the Executive Summary, contained within the Site Investigation (Interpretive Report) prepared by Amec Environmental and Infrastructure U.K dated August 2012 shall be implemented during construction and following first occupation of the WTS building as appropriate.

Reason: To ensure that the development does not cause pollution in accordance with DPD1 (Core Strategy) 2007 policy KP2.

23 The existing boundary treatment along the eastern boundary of the site (with Aldi) shall be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1

24. Prior to their installation, details of the appearance and materials of the acoustic screens shall be submitted to an approved in writing by the Local Planning Authority. The acoustic screens shall be coloured dark green unless otherwise approved by the Local Planning Authority. The approved screens shall be installed prior to the first use of the Waste Transfer Station and shall be permanently retained.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1.



25 Prior to the formation of the bunds that are shown on the plans at the East boundary of the site (referred to as "Top Soil Stock Piles on plan 215075/100A), details of the proposed maximum height, gradients and soft landscaping of the bunds shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To maintain screening of the adjacent site in order to protect the amenities of occupiers in accordance with DPD1 (Core Strategy) 2007 Policies KP2 and CP4 and DPD2 (Development Management) policy DM1

26. No noise shall be generated by the use of the vehicle Wash Area that is shown on the approved plans that exceeds a sound rating level of LWA 90dB.

Reason: To protect the amenities of neighbouring residents in accordance with DPD1 (Core Strategy) 2007 policies KP2 and CP4 and DPD2 (Development Management) policy DM1.

27. Prior to the commencement of the development hereby approved, details of the colour and acoustic performance of the materials to be used in the construction of the Waste Transfer Station building shall be submitted to and approved in writing by the Local Planning Authority. The cladding used on the walls of the Waste Transfer Station building shall be coloured dark green unless otherwise approved by the Local Planning Authority. The Waste Transfer Station shall only be erected using the approved materials.

Reason: To safeguard the visual amenities of the area and the amenities of neighbouring residential properties in accordance with Policy DM1 of the Development Management Document.

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

Informative

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

(c) Victoria Ward  
15/00803/BC4M

Demolish existing College building, Phase 1: Erect four storey block of 56 flats

fronting Carnarvon Road, layout 56 car parking spaces together with associated amenity space landscaping and bin stores; Phase 2: Erect 4 and 5 storey blocks of 102 flats on the southern section of the site, layout 102 car parking spaces and raised courtyard garden, bin stores and landscaping.

Former College Building, Carnarvon Road, Southend-on-Sea, Essex.

(Dranton (Carnarvon) Limited

(David Godden) Hollybrook Homes

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

- Overall 30% Affordable Housing (47 units including 16 rented and 31 shared ownership units) (16 rented) in phase 1 and (31 shared ownership units) in Phase 2
- Contribution of £10k - for traffic surveys/controlled parking
- Travel Plan and Travel Packs
- Scheme of Public art

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

01 The development hereby permitted shall begin not later than 3 (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:

A341\_P\_010 A341\_P\_020, A341\_P\_030, A341\_P\_040, A341\_P\_041A,  
A341\_P\_042, A341\_P\_043, A341\_P\_044, A341\_P\_045, A341\_P\_046,  
A341\_P\_047, A341\_P\_050, A341\_P\_051, A341\_P\_052, A341\_P\_053,  
A341\_P\_054, A341\_P\_055, A341\_P\_056, A341\_P\_057, A341\_P\_060,

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

03 No development of either Phase of the development (excluding demolition) shall take place until samples of the materials to be used on all the external elevations of that Phase, including balconies, fenestration, and on any screen/boundary walls and fences, and on any external access way, driveway, forecourt or parking area, steps and podium amenity area for that Phase of the development 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 Core Strategy 2007 policy KP2 and CP4, DMDPD policy DM1 and SPD1 (Design and Townscape Guide).

04 No development of either Phase shall be occupied until parking for that phase of the development (56 spaces for Phase 1 and 102 spaces for Phase 2) together with vehicular accesses from the adjacent highway have been provided in accordance with the approved plans the parking spaces and vehicular access shall be permanently reserved for the parking of residents and visitors to the residential units

Reason: To ensure that satisfactory off-street car parking and turning provision is provided for people using the development in the interests of amenity and highways efficiency and safety, in accordance with DPD1 (Core Strategy) 2007 policy KP2, DMDPD policy DM15 and SPD1 (Design and Townscape Guide).

05 No part of a particular phase of the development shall be occupied until space has been laid out within the site for cycle parking to serve that phase (56 spaces for Phase 1 102 spaces for Phase 2) in accordance with the approved plans. The cycle stores shall be permanently reserved for the parking of cycles of occupiers and callers to the premises and not used for any other purposes, whether or not permitted by the Town and Country Planning (General Permitted Development Order) 2015 (or any other Order amending, revoking or re-enacting that Order).

Reason: To ensure that satisfactory secure off-street bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance DPD1 (Core Strategy) 2007 policy KP2, DM DPD policy DM15 and SPD1 (Design and Townscape Guide).

06 No development of either Phase of the development (excluding demolition) shall take place until full details of both hard and soft landscape works for that phase have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved unless otherwise agreed in writing by the local planning authority. These details shall include, for example:-

- (i.) proposed finished levels or contours;
- (ii.) means of enclosure;
- (iii.) car parking layouts;
- (iv.) other vehicle and pedestrian access and circulation areas;
- (v.) hard surfacing materials;
- (vi.) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- (vii.) proposed and existing functional services above and below ground (e.g. drainage power;
- (viii.) communications cables, pipelines etc. indicating lines, manholes, supports.);
- (ix.) retained historic landscape features and proposals for restoration, where relevant.

Reason: To ensure that the development is satisfactory in terms of its appearance

and that it makes a positive contribution to the local environment and biodiversity in accordance with the National Planning Policy Framework (NPPF), DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

07 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority for each phase before occupation of the development within that phase, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the local environment and biodiversity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, and SPD1 (Design and Townscape Guide).

08 Notwithstanding the provisions of the Town and Country Planning Act (General Permitted Development) Order 2015, or any order revoking and re-enacting that Order with or without modification, no development shall be carried out within Part 16 to those Orders unless previously agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies policy CP4 of the Core Strategy DPD1.

09 No development shall take place (excluding demolition) for either phase of the development until details of a sustainable drainage system to serve that phase of the development has been submitted to and approved by the Local Planning Authority and no building hereby permitted shall be occupied until the sustainable drainage system for the relevant phase of the development has been completed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory standard of sustainable drainage in accordance with DPD1 (Core Strategy) 2007 policy KP2 and DMDPD policy DM2.

10 The sustainability measures set out in the Energy Statement by BBS dated 15th April 2015 and shown on the plans hereby approved shall be implemented during each phase of the development and brought into use on first occupation of the phase of the development to which it relates, development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with, DPD1 (Core Strategy) policy KP2 and CP4, DMDPD policy DM2 and SPD1 (Design and Townscape Guide).

11 No meter boxes shall be installed on the front elevation of the premises.

Reason: In the interests of the visual amenity in accordance with Policy CP4 of the Core Strategy DPD1.

12 Prior to installation details of any mechanical extraction, ventilation or air conditioning plant, together with any mitigation measures, shall be submitted to and approved by the Local Planning Authority With reference to BS4142, the noise rating level arising from all plant and extraction/ventilation equipment should be at least 5dB(A) below the prevailing background at 3.5 metres from the ground floor façades and 1m from all other facades of the nearest noise sensitive property with no tonal or impulsive character.

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, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

13 During construction deliveries and collections shall take place only between the hours of 08:00-19:00hrs Monday to Friday; and 08:00-13:00hrs Saturday; with no deliveries on Sundays or Bank Holidays.

Reason: To protect the amenities of the surrounding occupiers from undue noise and disturbance in order to protect their amenities in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

14 Construction of the development shall be undertaken in accordance with details set out in a construction management Plan, which shall be submitted to and approved in writing by the local planning authority prior to commencement. Following approval of the plan, each phase shall be completed in accordance with the plan before the next phase commences unless otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of surrounding occupiers from undue noise and disturbance in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

15 Construction shall not take place outside the following hours 8am – 6pm Monday to Friday, 8am – 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of surrounding occupiers from undue noise and disturbance in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy H5 of the Borough Local Plan, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

16 During Construction and Demolition there shall be no burning of waste material on the site.

Reason: To protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy H5 of the Borough Local Plan, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

17 Any external lighting within the development shall be directed, sited and

screened so as not to cause detrimental intrusion of light into the proposed and existing residential properties.

Reason: To protect the amenities of surrounding occupiers in accordance with DPD1 (Core Strategy) policies KP2 and CP4, Policy H5 of the Borough Local Plan, Policy DM1 and DM7 of the DMDPD and SPD1 (Design and Townscape Guide).

18 Decontamination:

(a) Submission of Remediation Scheme

No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(b) Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

(c) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 19a. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable.

Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 19b.

(d) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme shall be compiled to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must both be submitted to and approved in

writing by the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation scheme is complete, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be submitted to the Local Planning Authority. Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

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.

19 Prior to first occupation of the development a waste management plan and service plan for the development shall be submitted to and agreed by the Local Planning Authority, 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 DMDPD Policy DM14 .

20 Prior to commencement of Phase 2 of the development details of the design and materials of the podium and car park gates shall be submitted to and approved by the Local Planning Authority, the development shall be carried out in accordance with the approved details.

(c) In the event that the planning obligation referred to in part (a) above has not been completed by the 9th September 2015, the Corporate Director for Place, Head of Planning & Transport or Group Manager of Planning Control & Building Control, be authorised to refuse planning permission for the application on the grounds of failure to comply with Policy CP6 and CP8 of the Core Strategy and the NPPF.

21. No development of either Phase of the development shall take place until details of the following for each phase have been submitted to and approved by the Local Planning Authority the development shall be carried out in accordance with the following details: Balcony detailing including the decorative approach to balustrade, window and door details, including product details, brick detailing including ribbed stacked bonding and perforated brickwork including exact locations, signage and exterior lighting, details of entrance feature to block A, feature arch and entrances to podium.

22. Prior to first occupation of the development a scheme of public art shall be installed in accordance with details which have first been submitted to and approved by the LPA. The scheme shall generally accord with the unnumbered "Indicative proposal for Public Art Scheme at Carnarvon Road Southend on Sea" plan submitted by Proctor and Matthews and shall include a minimum of 10 balconies unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure the provision of public art and in the interests of visual amenity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, DMDPD policy DM1 and SPD1 (Design and Townscape Guide).

(c) In the event that the planning obligation referred to in part (a) above has not been completed by the 18th October 2015, the Corporate Director for Place, Head of Planning & Transport or Group Manager Development Control and Building Control be authorised to refuse planning permission for the application on the ground of failure to comply with Policy CP6 and Cp8 of the Core Strategy and the NPPF.

#### Informatives

1 'The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and construction noise provisions within the Control of Pollution Act 1974. Applicants should contact the Council's Environmental Health Officer for more advice on 01702 215810 or at Regulatory Services, P.O. Box 5558, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend-on-Sea, SS2 6ZQ'.

2 'Unless reliably verified records are to hand certifying that an asbestos survey has previously been undertaken and that no asbestos was installed, or has been removed and disposed of by specialist contractor, the applicant is advised to commission an asbestos survey with any recommendations arising therefrom being complied with prior to the commencement of demolition'.

#### 3 CIL

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

#### 4 S106

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, Controlled Parking Contribution, Travel Plan and Public Art.

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

(d) Milton Ward  
15/00955/BC4



Demolish existing restaurant, erect two storey building with basement and terraces to south and west elevations, re-position steps and associated landscaping  
Fishermans Wharf, Western Esplanade, Southend-on-Sea, Essex, SS1 1EE  
Fishermans Wharf  
Peter Emptage Architects

Planning Permission GRANTED subject to the following conditions:

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

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

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 13774:P21:A; 13774:P20:A; 13774:P13:M; 13774:P15:B; 13774:P16:B; 13774:P17:A; 13774:P22; 13774:P12:H; 13774:P14:H; 13774:P18:D.

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 including samples of the materials to be used on the external elevations including roofing, glazing, glazing system, balcony fascia's, balustrades, balcony construction, service doors, ; boundary treatments and hard surfaces have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of this part of the Clifftown Conservation Area. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DPD2 (Development Management Document) 2015 policies DM1 and DM5, and SPD1 (Design and Townscape Guide)

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

Soft landscape works shall include details of existing trees and shrubs to be retained, together with measures for their protection in the course of development; details of the number, size and location of the trees and shrubs to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established and measures to enhance biodiversity

within the site. If any trees are removed or found to be dying, severely damaged or diseased within 3 years; of planting them, they must be replaced with trees of a similar size and species

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the Local environment and biodiversity in accordance with NPPF, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM1 and SPD1 (Design and Townscape Guide]

05 All hard and soft landscape works shall be carried out in accordance with the approved details submitted in accordance with condition 04 and 05. The works shall be completed within the first planting season following completion of the development shall be carried out within the first planting season following first occupation of the development or in accordance with a programme submitted to and approved by the Local Planning Authority

Reason: To ensure that the development is satisfactory in terms of its appearance and that it makes a positive contribution to the Local environment and biodiversity in accordance with NPPF, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM1 and SPD1 (Design and Townscape Guide).

06 No development shall commence until the recommendations of the Haydens Aboricultural Consultants Report dated 12th June 2015, have been submitted to and agreed in writing by the local planning authority including a detailed Aboricultural Method Statement, Tree Protection Plan with the following information fencing type, piling, ground protection measures, access facilitation pruning specification, project phasing and an auditable monitoring schedule.

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

07 Prior to demolition of the existing building a method statement, prepared by a chartered structural or civil engineer, to demonstrate how the surrounding land will be stabilised during and following demolition, together with a timetable for the works shall be submitted to and approved by the Local Planning Authority; demolition shall only be carried out in accordance with the approved method statement and must be completed in its entirety.

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

08 No percussive piling shall take place in freezing conditions: i.e. when the air temperature is below 0°C or when snow cover is greater than 50%.

Reason: to minimise the risk of disturbance to the wintering bird interest of the

SSSI at a time when the birds are already subject to a high level of stress due to weather conditions.

09 Prior to the use of the development hereby approved, a Travel Plan including a comprehensive survey of all users, targets to reduce car journeys to the restaurant in the adoption and implementation of the travel plan, identifying sustainable transport modes including cycling and modes of public transport shall be submitted to and agreed in writing by the local planning authority. At the end of each year the Travel Plan shall be monitored for the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The Travel Plan must be implemented in full accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with the NPPF, DPD1 (Core Strategy) 2007 policy KP2, CP3 and CP4, DPD2 (Development Management) policy DM15, and SPD1 (Design and Townscape Guide).

10 No development shall take place until a Construction Environmental Management Plan has been submitted to and approved by the local planning authority. The Plan shall include the following details:

- (a) Programme of works;
- (b) Code of practice;
- (c) 24 hour emergency contact number;
- (d) Hours of building works and measures taken to ensure satisfactory access and movement within the site taking into consideration any existing occupiers;
- (e) Lorry routing and traffic management (including control of delivery of materials);
- (f) Control of noise;
- (g) Control of dust;
- (h) Site waste management;
- (i) Details of the local sourcing of material;
- (j) Measures to prevent pollution of ground and surface water;
- (k) Measures to protect areas of vegetation and wildlife within the vicinity of the development during construction works;
- (l) Compliance with legal consents relating to nature conservation specifically protected species;
- (m) Details of how the Construction Environmental Management Plan will be monitored on site

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development in accordance with NPPF, DPD1 (Core Strategy) 2007 policies KP2 and CP4; and DPD2 (Development Management Document) 2015 policy DM1.

11 Notwithstanding the submitted information, prior to first occupation of the restaurant hereby approved, a Servicing Management Strategy for shall be

submitted to and approved in writing by the Local Planning Authority. Thereafter, servicing of the site shall only take place in accordance with the agreed Strategy.

Reason: Interests of amenity and highway efficiency and safety in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) 2015, and SPD1 (Design and Townscape Guide).

12 No part of the development shall be occupied until bicycle parking spaces have been provided externally to the restaurant in accordance with plans and details which shall have been previously submitted to and agreed by the Local Planning Authority and the bicycle parking spaces shall be permanently maintained thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that satisfactory secure bicycle parking is provided in the interests of sustainability, amenity and highways efficiency and safety, in accordance with NPPF, DPD1 (Core Strategy) 2007 policy KP2, DPD2 (Development Management Document) 2015 and SPD1 (Design and Townscape Guide).

13 If, during the course of development, any archaeological findings are located on site. A written report of the investigation and findings must be produced, showing that the archaeological/ geological. Copies of the written report of the investigation and findings shall be submitted to and approved in writing by the local planning authority.

Reason: To avoid damage to archaeological/ geological remains on site as set out in NPPF, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policies DM1 and DM5 and SPD1 (Design and Townscape Guide).

14 Prior to installation of any external lighting, 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 adjacent SSSI and RAMSAR site and general environmental quality in accordance with, NPPF, DPD1 (Core Strategy) 2007 policy KP2 and CP4, and DPD2 (Development Management Document) 2015 policy DM1.

15 No signs(s) or advertisements(s) shall be displayed within the application site without the express consent of the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007 or any equivalent provision in any statutory revoking and re-enacting those Regulations.

Reason: In the interests of visual amenity in accordance with DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) and SPD1 (Design and Townscape Guide).

16 Before any development commences details of existing and proposed levels on the land and in relation to adjoining land shall be submitted to and approved by the local planning authority. The development shall be constructed at the level indicated on the approved drawings.

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

17 The development hereby permitted shall be carried out in accordance with details of renewable energy on drawing 13774:P12H and the energy statement carried out by Brontide Consulting June 2015 prior to the occupation of the development hereby approved, unless otherwise agreed 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 NPPF, DPD1 (Core Strategy) policy KP2 and CP4, DPD2 (Development Management Document) policy DM2 and SPD1 (Design and Townscape Guide).

18 No development shall take place until details of the implementation, adoption, maintenance and management of the sustainable drainage system have been submitted to and approved in writing by the local planning authority. The system shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include a timetable for its implementation and 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 effective operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure surface water is adequately managed in the interests of flood prevention and pollution control, in accordance with DPD1 (Core Strategy) 2007 policy KP2.

Informative

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

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

application prepared by officers

(e) Leigh Ward

15/01085/FUL

Change of use from General Industry (Class B2) to Dwelling House (Class C3), demolish existing rear extension, erect first floor front extension, alter roof, elevations and install vehicle turntable to front

Rear of 75 Cranleigh Drive, Leigh-on-Sea, Essex, SS9 1SX

Mr Alan and Daniel Green And Pilgrim

WITHDRAWN

(f) St Laurence Ward

15/01112/FUL

Application for change of use from Florist Shop (Class A1) to Hot Food Takeaway (Class A5) and Install Extract Ducting To Rear Roof (Amended Proposal)

Dereks Florist, 5 Manners Corner, Manners Way, Southend-on-Sea, Essex, SS2 6QR

Mrs Tamanna Begum

Daryl McCarthy

Planning Permission REFUSED for the following reason:

01 Insufficient information has been submitted to demonstrate that the extract/ventilation equipment would be acceptable in terms of amenity to nearby residential occupiers. The proposal fails to demonstrate that it would not have an adverse impact of the amenities of adjoining occupants and would be contrary to Core Strategy DPD1 Policy KP2 and CP4, Development Management Document DPD2 Policy DM1 and guidance contained within the National Planning Policy Framework.

(g) Leigh Ward

15/01008/FUL

Demolish existing dwelling house, erect three storey building comprising seven self-contained flats with balconies at first and second floor, layout parking, bin and cycle stores and form new vehicular crossover onto Leigh Hall Road (Amended Proposal)

1028 London Road, Leigh-on-Sea, Essex, SS9 3ND

Mr Jonathan Simon

APS Designs Ltd

Planning Permission GRANTED subject to the following conditions:

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

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

02 The development shall be carried out in accordance with the approved plans: 01, 02, 03, 04, 05, 06 and 07.

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

03 No development shall take place until samples of the materials to be used on all the external elevations, including balconies, fenestration, undercroft area, and on any screen/boundary walls and fences, and on any external access way, driveway, forecourt or parking area and steps have been submitted to and approved by the local planning authority. The development shall only be carried out in accordance with the approved details.

Reason: To safeguard character and appearance of surrounding area 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 7 car parking and 7 cycle parking spaces have been provided on hardstandings within the curtilage of the site, 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 No development shall take place until full details of both hard and soft landscape works, including those of all roof terraces and the public realm proposals, have been submitted to and approved in writing by the local planning authority and 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. These details shall include, for example:-

- (i.) proposed finished levels or contours;
- (ii.) means of enclosure, including any gates to the car parks;
- (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.)

This shall include details of details of the number, size and location of the trees, shrubs and plants to be planted together with a planting specification, details of the management of the site, e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established, details of measures to enhance biodiversity within the site and tree protection measures to be employed during demolition and construction.

Reason: In the interests of visual amenity and the amenities of occupiers and to

ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management DPD and Policy CP4 of the Core Strategy DPD1

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

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

07 A scheme detailing how at least 10% of the total energy needs of the dwellinghouses 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 dwellinghouse. 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).

08 Prior to the commencement of the development hereby approved, details of the siting and appearance of the cycle and refuse store shall be submitted to and agreed in writing by the Local Planning Authority. The proposed development shall then be carried out in accordance with the approved details and the refuse and cycle store shall be provided prior to the occupation of any flats at the site.

Reason: In order to protect the character and visual amenities of the area and the environment for residents in accordance with policy DM1 of the Council's Development Management DPD and Policies KP2 and CP4 of the Core Strategy DPD1.

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.

Informative

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

(h) West Leigh Ward  
15/01024/FUL



Demolish existing dwelling and erect two semi-detached dwellings, layout parking to front and amenity space to the rear (Amended Proposal)  
34 Percy Road, Leigh-on-Sea, Essex, SS9 2LA  
Mrs H Collins  
Knight Gratrix Architects

Planning Permission REFUSED for the following reasons:

01 The proposed development by reason of its scale, bulk, mass, detailed design and materials would appear incongruous and out of keeping within the streetscene to the detriment of the appearance and character and appearance of the area and represent overdevelopment of the site contrary to the National Planning Policy Framework; Policies KP2 and CP4 of the Core Strategy; Policy DM1 of the Development Management Document DPD2 and advice contained within the adopted Design and Townscape Guide (SPD1).

02 The proposed development due to its height and position in relation to neighbouring properties nos. 39 and 41 Westleigh Avenue would result in an overbearing dominant form and result loss of privacy through unmitigated overlooking contrary to the National Planning Policy Framework, Policy CP4 of the Core Strategy, Policy DM1 of the Development Management Document and the Design and Townscape Guide.

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.

(i) West Leigh Ward  
15/00869/FULH

Demolish existing garage, erect single storey rear extension and two storey side extension.  
50 Vernon Road, Leigh-on-Sea, Essex, SS9 2NG  
Mr & Mrs Smith  
Trudys Architectural Consultants

Planning Permission REFUSED for the following reason:

01 The proposed development due to the unsatisfactory design and insubordinate scale of the two storey side extension would represent an incongruous and visually harmful addition that would be detrimental to the character and appearance of the existing dwelling and the streetscene, contrary to the National Planning Policy Framework, policies KP2 and CP4 of the Core Strategy, Development Management DPD Policy DM1 and advice contained within the adopted Design and Townscape Guide (SPD1).

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.

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 might also be CIL liable.

(j) Eastwood Park Ward

15/01081/FULH

Form hipped to gable roof, erect rear roof extension and front dormer to form habitable accommodation in the roof (Amended Proposal)

82 Belgrave Road, Eastwood, Essex, SS9 5EL

Mrs M Daley

Mr Alex Collinson

Planning Permission REFUSED for the following reasons:

01 The first floor rear extension, by reason of its size, unsatisfactory design and failure to integrate with the existing building, would be detrimental to the appearance of the existing dwelling and the character of the area and contrary to the NPPF, Policy DM1 of the Development Management DPD and KP2 and CP4 of the Core Strategy and advice contained within the adopted Design and Townscape Guide (SPD1).

02 The proposed dormer to the front elevation of the dwelling due to its size and overall design would result in an incongruous feature which would be detrimental to

and out of keeping with the character and appearance of the existing building and the character and appearance of the locality contrary to guidance contained within the NPPF, Policies KP2 and CP4 of the Core Strategy, Policy DM1 of the Development Management DPD and the Design and Townscape Guide, 2009 (SPD1).

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application and therefore, the proposal is not considered to be sustainable development. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal - which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Informative

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

## **214 Enforcement of Planning Control**

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

(a) Victoria Ward

EN/15/00119/UNAU-B

Without planning permission, the erection of a single-storey wooden outbuilding to the rear of the residential property.

31a Chelmsford Avenue, Southend-on-Sea, Essex SS2 6JG

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the single-storey wooden outbuilding constructed to the rear of the property on the grounds that the unauthorised development is detrimental to the character and visual amenities of the area by reason of its excessive scale and bulk and detrimental to the residential amenities by reason of being overbearing and causing an unreasonable sense of enclosure and loss of outlook contrary to the National Planning Policy Framework (NPPF), Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of the Development Management DPD and the Design & Townscape Guide (SPD1).

The authorised enforcement action shall include (if/as necessary) the service of an Enforcement Notice under Section 172 of the Act and the pursuance of

proceedings whether by prosecution or injunction to secure compliance with the requirements of the Enforcement Notice.

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, the necessary remedial works would probably require quotes to be obtained and contractors to be engaged so a compliance period of 3 months is considered reasonable.

(b) West Shoebury Ward  
EN/14/00182/UNAU-B

Without planning permission, the erection of a single-storey garage building.  
6 Leitrim Avenue, Shoeburyness, Essex SS3 0HD

Resolved: That ENFORCEMENT ACTION be AUTHORISED to secure the removal of the single-storey garage extension on the grounds that the unauthorised development is detrimental to the character and amenities of the area by reason of unsightliness in that its scale, design and forward projection with respect to the Maplin Way frontage results in an incongruous and misaligned addition contrary to the National Planning Policy Framework (NPPF) Core Strategy DPD Policies KP2 (Development Principles) and CP4 (The Environment and Urban Renaissance), Policy DM1 of the Development Management DPD and the Design and Townscape Guide (SPD1).

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

When serving an Enforcement Notice the local planning authority must ensure a reasonable time for compliance. In this case, the necessary remedial works would probably require quotes to be obtained and contractors to be engaged so a compliance period of 3 months is considered reasonable.

## **215 Audio/Microphone System**

During the course of the meeting, the Committee expressed their dissatisfaction with the functionality of the microphone system in the Jubilee Room which was not fit for purpose.

Resolved:

That the microphone system in the Jubilee Room be rectified immediately to ensure that it is fully functioning by the next meeting and that future meetings of the Development Control Committee be held in either the Jubilee Room or Committee Room 4a with a fully operational audio/microphone system.

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